

Wednesday, 19 February 2025

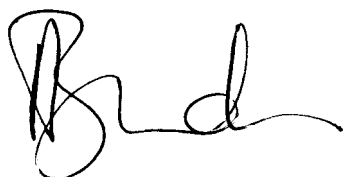
Meeting of the Council

Dear Member

I am pleased to invite you to attend a meeting of Torbay Council which will be held in **The Burdette Room, Riviera International Conference Centre, Chestnut Avenue, Torquay, TQ2 5LZ** on **Thursday, 27 February 2025** commencing at **5.30 pm**

The items to be discussed at this meeting are attached.

Yours sincerely,



Anne-Marie Bond
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.)

A Healthy, Happy and Prosperous Torbay

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June Gurry, Town Hall, Castle Circus, Torquay, TQ1 3DR

Email: governance.support@torbay.gov.uk - www.torbay.gov.uk

Meeting of the Council Agenda

1. **Opening of meeting**

2. **Apologies for absence**

3. **Minutes**

To confirm as a correct record the minutes of the meeting of the Council held on 6 February 2025.

(Pages 5 - 8)

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

- Civic Mayor, to include an unequivocal apology from Councillor Maddison in accordance with the findings and sanction imposed by the Standards Hearing Sub-Committee held on 11 February 2025 arising out of her conduct towards Officers, which Members of the Sub-Committee found to be in breach of the Council's Code of Conduct for Members;
- Leader of the Council;
- Overview and Scrutiny Co-ordinator; and
- Chief Executive.

6. **Members' questions**

To respond to the submitted questions asked under Standing Order A12.

(Pages 9 - 14)

7. **Revenue and Capital Budget 2025/2026 Proposals** (Pages 15 - 148)
To consider the recommendations of the Cabinet on the Revenue and Capital Budget 2025.
8. **Council Tax 2025/2026** (To Follow)
To consider a report on the setting of the Council Tax for 2025/2026.
9. **Budget Monitoring 2024/25 - April to December 2024 Revenue and Capital Outturn Forecast** (Pages 149 - 188)
To consider the Cabinet's recommendations and a report that provides a high-level budget summary of the Council's revenue and capital position for the financial year 2024/25, reviewing budgets and considering year-end forecasts.
10. **Good Governance the Torbay Way - Effective Administration and Opposition - Leaders' Agreement, Principles and Constitution Amendments** (To Follow)
To consider a report on the above.
11. **Constitution Amendments - Various** (Pages 189 - 280)
To consider a report that sets out proposed changes to the following documents contained within the Council's Constitution:
- Officer Scheme of Delegation;
 - Financial Regulations and Contracts Procedures;
 - Standing Orders Council Meetings – Petitions Scheme; and
 - Standing Orders – Council Meetings – Public Question Time.

Live Streaming

To encourage more people to engage in our public meetings the Council is live streaming our Council meetings on our YouTube channel in addition to recording the meetings and publishing the recording on our website. To watch the meeting live please visit <https://www.youtube.com/user/torbaycouncil>.

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

6 February 2025

-: Present :-

The Worshipful The Mayor of Torbay (Councillor Stevens) (In the Chair)
Deputy Civic Mayor of Torbay (Councillor Barbara Lewis)

Councillors Amil, Atiya-Alla, Billings, Brook, Bryant, Bye, Carter, Cowell, George Darling, Mandy Darling, Steve Darling, Douglas-Dunbar, Fellows, Foster, Fox, Harvey, Hutchings, Johns, Law, Chris Lewis, Long, Maddison, Nicolaou, Penny, Pentney, Spacagna, Strang, David Thomas, Jacqueline Thomas, Tolchard, Tranter, Twelves, Tyerman and Virdee

81 Opening of meeting

The Worshipful The Mayor of Torbay opened the meeting with a minute's silence for personal reflection.

82 Apologies for absence

No apologies were received.

83 Minutes

The Worshipful The Mayor of Torbay proposed and Councillor Barbara Lewis seconded a motion, which was agreed (unanimously) by the Council as set out below:

that the Minutes of the meeting of the Council held on 5 December 2024 were confirmed as a correct record and signed by The Worshipful The Mayor of Torbay.

84 Declarations of interests

Councillor Tyerman declared a non-pecuniary interest in respect of Minute 86 as he was a Governor at Spires College.

85 Communications

The Worshipful The Mayor of Torbay and the Chief Executive presented a long service certificate to Jacquelyn Shaw in recognition of her dedication to public service in Torbay.

The Worshipful The Mayor of Torbay welcomed Dan Hamer, Head of Vulnerable Pupils to the meeting. Mr Hamer gave a presentation on the Virtual School Annual Report for 2023/2024 (which was circulated after the meeting). On behalf of the Council, the Worshipful The Mayor of Torbay thanked Mr Hamer for the excellent work of the Virtual School in supporting our cared for children and young people.

86 Petitions

In accordance with Standing Order A23, the Council received a petition requesting the Council to stop the closure of the hearing unit at St Margaret's Academy School (approximately 1,638 signatures which qualified under the Council's Petition Scheme).

At the invitation of The Worshipful The Mayor of Torbay, Felicity Morris addressed the Council.

The Worshipful The Mayor of Torbay advised that, under the Council's Petition Scheme, as the petition had reached the 1,000 signature threshold it was subject to debate by the Council.

The Chief Executive outlined the options open to the Council.

Councillor Bye proposed and Councillor David Thomas seconded the motion, as set out below:

that the petition be referred to the Children and Young People's Overview and Scrutiny Sub-Board for further investigation and as part of its review arising from the Councillor Call for Action on the same issue.

During the debate Councillor Long proposed and Councillor George Darling seconded an amendment to the motion as follows:

1. that the petition be referred to the Children and Young People's Overview and Scrutiny Sub-Board for further investigation and as part of its review arising from the Councillor Call for Action on the same issue; and
2. that the decision-maker (the Director of Children's Services) be requested to consider pausing the implementation of the decision to decommission the Hearing Impairment Units at St Margarets Academy and Spires College from September 2025, to enable further consultation to be undertaken in light of the concerns raised in the petition, and to enable the Children and Young People's Overview and Scrutiny Sub-Board to complete its review (as outlined in 1 above).

A recorded vote was taken on the amendment motion. The voting was taken by roll call as follows: For: Councillors Amil, Atiya-Alla, Carter, Cowell, George Darling, Mandy Darling, Steve Darling, Douglas-Dunbar, Fox, Harvey, Johns, Law, Long, Maddison, Nicolaou, Penny, Pentney and Virdee (18); Against: Councillors Billings, Brook, Bryant, Bye, Fellows, Foster, Hutchings, Barbara Lewis, Chris Lewis,

Spacagna, Stevens, Strang, David Thomas, Jacqueline Thomas, Tolchard, Tranter, Twelves and Tyerman (18). In accordance with Standing Order A18.2, The Worshipful The Mayor of Torbay used her casting vote, voted against and declared the amendment lost.

Councillor Bye's and Councillor David Thomas' original motion was then considered by the Council which was agreed (unanimously and by recorded vote), as set out below:

that the petition be referred to the Children and Young People's Overview and Scrutiny Sub-Board for further investigation and as part of its review arising from the Councillor Call for Action on the same issue.

The voting was taken by roll call as follows: For: Councillors Amil, Atiya-Alla, Billings, Brook, Bryant, Bye, Carter, Cowell, George Darling, Mandy Darling, Steve Darling, Douglas-Dunbar, Fellows, Foster, Fox, Harvey, Hutchings, Johns, Law, Barbara Lewis, Chris Lewis, Long, Maddison, Nicolaou, Penny, Pentney, Spacagna, Stevens, Strang, David Thomas, Jacqueline Thomas, Tolchard, Tranter, Twelves, Tyerman and Virdee (36).

(Note: During the debate, Councillor Tyerman declared his non-pecuniary interest as Governor at the Spires College.)

87 Members' questions

Members received a paper detailing questions, notice of which had been given in accordance with Standing Order A12. The paper also contained the answers to the questions which had been prepared by Councillors Billings and Chris Lewis and was circulated prior to the meeting.

Supplementary questions were put and answered by Councillors Billings and Chris Lewis, arising from their responses in respect of the questions 1 and 2.

88 Torbay Council Annual Pay Policy Statement and Review of Pensions Discretions

The Council considered the Cabinet's recommendations on the Council's Annual Pay Policy Statement, as required under Section 38(1) of the Localism Act 2011 (as set out in the submitted report). 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.

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

- 1. that the Torbay Council Annual Pay Policy Statement 2025/26, as set out in Appendix 1 to the submitted report, be approved for**

publication, subject to the release and inclusion of the Local Government Pension Scheme (LGPS) employee contribution rates and bandings; and

2. that the Employers Pensions Discretions, as set out in Appendix 2 to the submitted report, be approved for publication.

89 Civic Mayor Elect and Deputy Civic Mayor Elect 2025/26

In accordance with the Council's Standing Orders (A9.1), the Council was requested to consider selecting The Worshipful The Mayor of Torbay-Elect and the Deputy Civic Mayor-Elect for the 2025/2026 Municipal Year. The Worshipful The Mayor of Torbay confirmed that, in accordance with Standing Order A9.1, both Councillors Barbara Lewis and Foster had given consent to their nominations prior to the meeting.

Councillor David Thomas proposed and Councillor Chris Lewis seconded a motion, which was agreed by the Council as set out below:

1. that Councillor Barbara Lewis be selected as The Worshipful The Mayor of Torbay (Elect) for the 2025/2026 Municipal Year; and
2. that Councillor Foster be selected as the Deputy Civic Mayor (Elect) for the 2025/2026 Municipal Year.

90 Standing Order D11 (in relation to Overview and Scrutiny) - Call-in and Urgency

Members noted the submitted report setting out an executive decision taken by the Cabinet (namely response to the Government's English Devolution White Paper) to which the call-in procedure did not apply.

The Worshipful The Mayor of Torbay

Meeting of the Council, Thursday, 27 February 2025

Members' Questions Under Standing Order A12

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.

First Round

Question 1

Councillor Penny to the Cabinet Member for Housing and Finance (Councillor Tyerman)

Two fields off Preston Down Road have long been identified as homes for local people. Torbay Council previously entered into negotiations with LiveWest and a local developer to deliver 50% affordable housing for local people on this site. These much-needed homes for local people could have been under construction by now. Can the Cabinet Member for Housing and Finance advise me when these homes are likely to become available to house those on Torbay's housing waiting list.

Question 2

Councillor Mandy Darling to the Cabinet Member for Adult and Community Services, Public Health and Inequalities (Councillor Tranter)

In the Healthwatch Unpaid Carers report titled The Impact of Providing Unpaid Care at Home dated May 2024, one of the recommendations was to draw on the valuable insight and suggestions from Carers in this report to develop and improve access to training and awareness resources to help Carers to manage their own health and wellbeing. Can the Cabinet Member please advise whether this recommendation is being implemented, and if so, please provide an update on progress?

Question 3

Councillor Fox to the Cabinet Member for Adult and Community Services, Public Health and Inequalities (Councillor Tranter)

In the Healthwatch Unpaid Carers report titled The Impact of Providing Unpaid Care at Home dated May 2024, one of the recommendations was to develop a systemwide publicity campaign to:

- Identify Carers and raise awareness of Carers Services and
- Support Carers to register with relevant Carer's services raise awareness of the full range of support available to them

Can the Cabinet Member please advise whether this recommendation is being implemented, and if so, please provide an update on progress?

Question 4

Councillor George Darling to the Cabinet Member for Place Development and Economic Growth (Councillor Chris Lewis)

Babbacombe Downs, Promenade and Beach all lie within the Core Tourism Investment Area, and a key to the area's tourism offering and economy. Glen Sannox and the paths linking Babbacombe Downs to Babbacombe Beach have fallen into a state of disrepair. What investment will the council be putting into the core tourism area to see these vital links repaired and maintained?

Question 5

Councillor Long to the Cabinet Member for Place Development and Economic Growth (Councillor Chris Lewis)

Please could the Council confirm whether there is an overspend on the Harbour Public Realm project in Torquay, and if so, to confirm the amount and how it is planned to plug this gap?

Question 6

Councillor Steve Darling to the Cabinet Member for Tourism, Culture & Events and Corporate Services (Councillor Jackie Thomas)

What has been the total cost to the local authority, including in officer time and the commissioning of an independent investigation into the complaint against Councillor Katya Maddison?

Question 7

Councillor Carter to the Leader of the Council (Councillor David Thomas)

In the schedule attached to their letter to Torbay from Minister McMahon, inviting us to submit our proposals for Local Government Reorganisation (LGR) by 21st March 2025, the Guidance from the Secretary of State states that:

“We expect local leaders to work collaboratively and proactively, including by sharing information, to develop robust and sustainable unitary proposals that are in the best interest of the whole area to which this invitation is issued, rather than developing competing proposals.”

The invitation was issued to Torbay, Plymouth, Devon County Council and the Districts. What discussions have taken place with the above authorities? What proposals have been discussed and which proposals are being advanced, based on what criteria/data? Is there sufficient capacity to undertake the above consultations in a manner that would inform the proposals?

The guidance also further states that wider engagement should inform the development of proposals:

“We also expect local leaders to engage their Members of Parliament, and to ensure there is wide engagement with local partners and stakeholders, residents, workforce and their representatives, and businesses on a proposal.”

Included in this wider partners are the Integrated Care Board, Police and Fire Authorities, Education Providers and the Voluntary and Community Centre. What wider engagement has taken place with these organisations and with residents?”

Second Round

Question 8

Councillor Mandy Darling to the Cabinet Member for Adult and Community Services, Public Health and Inequalities (Councillor Tranter)

In the Healthwatch Unpaid Carers report titled The Impact of Providing Unpaid Care at Home dated May 2024, one of the recommendations was to improve access to health and social care services for Carers. Can the Cabinet Member please advise whether this recommendation is being implemented, and if so, please provide an update on progress?

Question 9

Councillor Fox to the Cabinet Member for Adult and Community Services, Public Health and Inequalities (Councillor Tranter)

In the Healthwatch Unpaid Carers report titled The Impact of Providing Unpaid Care at Home dated May 2024, one of the recommendations was to identify why, in some areas, Carers and / or the cared for person's needs are not being met by paid care services. Can the Cabinet Member please advise whether this recommendation is being implemented, and if so, please provide an update on progress?

Question 10

Councillor George Darling to the Cabinet Member for Pride in Place, Transport and Parking (Councillor Billings)

A resident has raised concerns to me that the remote green waste collection services for Torquay Town Hall Carpark and Brixham College have been stopped. Is the council planning to cancel these services entirely?

Question 11

Councillor Long to the Cabinet Member for Place Development and Economic Growth (Councillor Chris Lewis)

How are the Council making use of the Community Board for maximum effect for engagement on regeneration and Town Deal issues in Torquay?

Third Round

Question 12

Councillor Mandy Darling to the Cabinet Member for Adult and Community Services, Public Health and Inequalities (Councillor Tranter)

In the Healthwatch Unpaid Carers report titled The Impact of Providing Unpaid Care at Home dated May 2024, one of the recommendations was to draw on the evidence in this report to codesign with Carers and Carers Ambassadors a risk scale or checklist for Carers. Can the Cabinet Member please advise whether this recommendation is being implemented, and if so, please provide an update on progress?

Question 13

Councillor Fox to the Cabinet Member for Adult and Community Services, Public Health and Inequalities (Councillor Tranter)

In the Healthwatch Unpaid Carers report titled The Impact of Providing Unpaid Care at Home dated May 2024, one of the recommendations was that NHS and Adult Social Care Leaders in Devon, Plymouth and Torbay use the evidence and the findings in this report to further inform local Carer strategies, and action plans as they move forward and that service leaders take a joined-up approach to ensure local plans for Carers are aligned across the whole Devon system. Can the Cabinet Member please advise whether this recommendation is being implemented, and if so, please provide an update on progress?

Question 14

Councillor George Darling to the Cabinet Member for Pride in Place, Transport and Parking (Councillor Billings)

Residents of York Road were reassured that their Controlled Parking Zone application would be allowed to progress this year following reassurances that the new CPZ Policy would be published. The CPZ policy was published in January, however, the toolkit for assessing CPZs which underpins the policy was not. This is again holding up their CPZ application; they have been waiting for almost 3 years. Could you please advise when York Road residents will be able to progress their Controlled Parking Zone application?

Question 15

Councillor Long to the Chairman of the Local Plan Working Party (Councillor Chris Lewis)

Why is the Local Plan Working Party not open for members of the public to attend either in person or virtually: and why are councillors who are not members of this working party now not able to attend virtually?

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Meeting: Cabinet
Council

Date: 18 February 2025
Date: 27 February 2025

Wards affected: All

Report Title: Revenue Budget 2025/2026

When does the decision need to be implemented?

Immediately

Cabinet Member Contact Details: Alan Tyerman, Cabinet Lead for Finance
alan.tyerman@torbay.gov.uk

Director/Divisional Director Contact Details: Malcolm Coe, Director of Finance,
malcolm.coe@torbay.gov.uk

1. Purpose of Report

- 1.1 The Council has a statutory responsibility to set a budget each year. By setting and approving the net revenue budget for 2025/26 and the budget allocations proposed, the budget will be used to achieve a range of objectives across several plans within the Council including the ambitions expressed within the Community and Corporate Plan and related strategies.
- 1.2 In accordance with the Council's Constitution, members will consider the Cabinet's recommended budget proposals at the meeting of the Council being held on 27 February 2025 and are asked to either adopt the Cabinet's proposals or put forward notice of motion to amend the budget (in accordance with Standing Order A13.4).
- 1.3 In setting the budget, the Chief Finance Officer must statutorily provide advice as to the robustness of the budget and this report sets out this opinion.

2. Reason for Proposal and its benefits

- 2.1 The Council has a statutory responsibility to set a revenue budget each year.

3. Recommendation(s) / Proposed Decision

- 3.1 That for 2025/26 net revenue expenditure of **£147.5m**, resulting in a Council Tax requirement of **£96.2m** (a 4.75% increase in Council Tax, of which 2% is for Adult Social Care) be approved (as outlined in Appendix 1).
- 3.2 That the proposed Fees and Charges for 2025/26 be approved as set out in Appendix 4.
- 3.3 That, in accordance with the requirement of the Local Government Act 2003, the advice given by the Chief Finance Officer with respect to the robustness of the budget estimates and the adequacy of the Council's Reserves, (as set out in the Reserves Statement published in November 2024), be noted.
- 3.4 That it be noted that the Brixham Town Council precept for 2025/26 of £531,935 will be included as part of the Torbay Council budget for Council Tax setting purposes.
- 3.5 That the Director of Public Health be instructed to prepare proposals for the increased allocation of the Public Health Grant, which meet the specified grant criteria, for consideration by the Council as part of the budget setting for 2025/26.
- 3.6 That the Revenue Reserves Statement 2025/26, Capital Strategy 2025/26 and Treasury Management Strategy 2025/26 be approved as published for Cabinet on 26 November 2024.
- 3.7 That any technical adjustments the Revenue and Capital Budget be delegated to the Section 151 in consultation with the Cabinet Member for Housing and Finance.

Background Information

4.1 The Cabinet published its budget proposals on 26 November 2024 and commenced a period of consultation that ran until 12 January 2025. The proposals are available on the webpage below, to all Members of the Council with the supporting information published alongside the proposals:

- Cabinet's Response to Consultation
- Chief Financial Officer's Report
- Equalities Impact Assessment
- Fees and Charges 2025/26
- Revenue Reserves Statement 2025/26
- Summary of Financial Sustainability Plans
- Capital Strategy 2025/26
- Capital Investment Plan 2024/25 and Grant Funding pending list
- Treasury Management Strategy 2025/26

Agenda for Cabinet on Tuesday, 26 November 2024, 5.30 pm

4.2 Feedback has been received from members of the public as well as from the Overview and Scrutiny Board who considered the draft budget proposals in December 2024. The

provisional Local Government Finance Settlement was received on 18 December 2024, part way through the consultation period, and the Overview and Scrutiny Board subsequently received an update on the material changes to funding and resource assumptions on 8 January 2025. The Final funding Settlement was received on 3 February 2025.

4.3 The Cabinet has published its revised budget proposals, which take into account changes announced within the Settlement and consultation feedback. The following revised and updated document pack supplement the draft budget papers as published in November 2024:

- Chief Finance Officers Update Report (Appendix 1)
- Consultation report (including the report of the Overview and Scrutiny Board) (Appendix 2)
- Cabinet Response to Consultation (Appendix 3)
- Revised Fees and Charges 2025/26 (Appendix 4)
- Revised Capital Investment Plan 2025/26 (Appendix 5)
- Equalities Impact Assessment (Appendix 6)

4.4 The Department of Health and Social Care wrote to Councils on 7 February 2025 providing details of Public Health grant allocations. The allocation for Torbay Council was £600k more than the 2024/25 allocation and a £300k increase over the amount initially estimated. This funding will be spent on relevant Public Health Priorities, but given the late notification the Director of Public Health requires time to consider and prepare proposals for this increased allocation.

5. Robustness of the budget estimates

5.1 Key to budget setting is the robustness of the budget proposals, which is linked to both service demands, and the risks associated with those services. Several assumptions have been made in the development of the budget for 2025/26 to mitigate against the risks. Several specific risks and their mitigation are shown below:

Risk	Risk Rating	Mitigation
Inability to deliver a balanced budget over the next three financial years	Medium	The Council has set its 2025/26 revenue budget without the need for savings plans or drawdown from financial reserves. The Medium-Term Resource Plan has been revised and updated as part of the 2025/26 budget setting process which demonstrates a relatively stable financial position. The Council's Financial Sustainability Plans continue to focus on key risk areas and relevant actions required to deliver longer term financial sustainability.

Risk	Risk Rating	Mitigation
Identified budget reductions for 2025/26 are not achieved	Low	<p>No specific saving proposals are required in order to balance the budget in 25/26. As above the Financial Sustainability Plans will continue to be reviewed by the Senior Leadership Team.</p> <p>Directors, Divisional Directors and all managers have a responsibility to ensure they maintain spend within their approved budget allocation.</p>
Overspend against the proposed 2025/26 Children's Services budget	Medium	<p>£3m of additional base funding was provided in 2024/25 to address spending pressures, alongside an allocation for growth and inflation. This increase alongside actions taken by the service appear to have mitigated this risk with an underspend forecast for 24/25. Over £2m further funding is also being put into the service for 25/26. The Director of Children's Services (DCS) continues to progress several work streams to manage potential spending pressures, supported by a range of monitoring and performance arrangements. The Council maintains a specific Children's Services reserve which acts as a contingency against any un-forecasted overspending. A separate reserve of £500k has also been created in 25/26 to manage any volatility within the provider market.</p>
Delivery of the Safety Valve (Dedicated Schools Grant) Improvement Plan	Medium / High	<p>The Council has an improvement plan approved by Government which will write-off circa £12m of historic debt accrued through, primarily high demand on Special Educational Needs support over a number of years. Early progress against this plan has been encouraging with government subsequently making some early staged payments to the Council. However, recent progress has been challenging both within Torbay, the Southwest Region and nationally against this agenda.</p>
Overspend against the proposed 2025/26 Adult Social Care budget	Medium	<p>An integrated Adult Social Care and Health contract has been extended for a further 5 years, (from April 2025), with the Council paying a fixed payment for the Trust to provide Adult Social Care with limited exposure to any over or under spends. The Council are working jointly with the Trust in a programme of transformation to identify savings and manage spending pressures. Recent changes in NI contributions have increased provider costs creating further pressure within the system.</p> <p>50% of the increase in the Council's Social Care grant has been allocated to support adult social care and there are additional service specific grants from central government; which also support the integrated contract.</p>
Insufficient income generated	Medium	<p>Some income budgets have increased significantly in recent years resulting in some shortfalls. The cost of living may have contributed to this.</p>

Risk	Risk Rating	Mitigation
		<p>A prudent view has been taken of income streams in 2025/26 and some budgets have been rebased as part of the 2025/26 budget proposals. A contingency is held in respect of varying rent levels on the Council's Commercial Investment estate.</p>
<p>Collectability of council tax and NNDR</p>	<p>Low</p>	<p>The Council introduced a new Council Tax Support Scheme for 2024/25 which improved the process for residents to access the financial support required.</p> <p>Increases in Local Housing Allowances provided financial assistance to those in rented accommodation and, alongside inflationary increases to pensions, the number of residents accessing financial support for their Council Tax has fallen. 2024/25 Collection rates for both Business Rates and Council Tax are currently in line with the budget set.</p> <p>Provision for appeals and non-collection of NNDR is included in 2025/26 NNDR income estimate.</p>
<p>Insufficient reserve levels because of a significant budget variance or unforeseen event.</p>	<p>Medium</p>	<p>A revised Revenue Reserves Policy has been presented as part of the 2025/26 budget setting process.</p> <p>The General Fund balance is estimated to remain at the desired level of 5% and the Comprehensive Spending Review Reserve is estimated to be maintained above the £3m target balance at year end.</p>
<p>Exposure to changes in interest rates</p>	<p>Medium</p>	<p>Treasury Management Strategy has been reviewed and updated as part of 2025/26 budget setting. All historic borrowing is currently on fixed rate deals.</p> <p>However, the current high interest rates could increase the future costs of council borrowing.</p>
<p>Inflationary pressures</p>	<p>High</p>	<p>Budget build has included estimates of inflation at a rate of 3% on main contract spend and a 3.5% pay award has been estimated and catered for within the 2025/26 base budget. Services will be expected to manage general non-pay inflation, but a modest central contingency is being held to address any exceptional unforeseen increases in pay and commissioned services.</p> <p>Inflation has reduced from a high of 11.1% in October 2022 and is currently 2.5%. Forecasts predict CPI to remain around this level throughout 2025 and 2026.</p>

Risk	Risk Rating	Mitigation
		Revised governance arrangements have been implemented to provide greater transparency, and control, over the development and delivery of capital projects.
Income linked to major prudential borrowing schemes not achieved at forecast levels.	Medium	<p>Approval by Council supported by a detailed business case. Income streams reviewed as part of budget monitoring Future Business Cases which require Council borrowing will be subject to closer political scrutiny with greater financial detail provided prior to Council approval.</p> <p>There have been examples during 2024/25 whereby certain income streams linked to historical borrowing have been at risk which will influence future business case proposals to ensure that the Council is not overly exposed to long term financial liabilities.</p>
Insufficient funding to maintain the Council's Property Asset Base	Medium	<p>The Council holds an extensive asset base which includes assets held outside the Bay that generate £13m income per annum and assets within the Bay that contribute £6.5m per annum. In recent years the property maintenance budget has been significantly reduced resulting in a deterioration in the overall condition of assets held.</p> <p>£200k was added to the repairs and maintenance budget in 2024/25 with a further £400k proposed in 2025/26. The Council will look to dispose of surplus assets and use the subsequent proceeds to re-invest to make tangible progress against identified backlog maintenance.</p>
Economic impact of cost of living.	Medium	<p>The extension of the Household Support Fund has been confirmed for 2025/26 and the Council is working up proposals to ensure that this continues to support priority groups.</p> <p>Changes to the Council Tax Support Scheme continue to provide additional support to those most in need alongside recent increases in Local Housing Allowances.</p> <p>There is an increase to the allocation of Homelessness Prevention Grant for 2025/26, which will help fund continued support. A reserve has also been retained for crisis support.</p>
Performance of Subsidiary Companies	Medium	<p>Council oversight as owner over its companies including attendance at Board meetings and review of performance. Council approval required for reserve matters and for investment/borrowing proposals.</p> <p>The transition of activities previously undertaken by Torbay Development Agency and TorVista Homes back into the</p>

Risk	Risk Rating	Mitigation
		management of the Council has improved the focus on delivering priority regeneration projects and growing the economy.

5.2 In accordance with the requirement of the Local Government Act 2003, the Chief Financial Officer must report to the Council on “the robustness of the estimates made for the purposes of the (budget) calculations” and the “adequacy of the proposed financial reserves”.

5.3 Taking account of the financial risks facing the Council and the mitigations outlined in paragraph 5.1 above, the **Chief Financial Officer’s Statement** is as follows:

“I have taken into account information, risks and assurances from the Leader of the Council, the Cabinet and Council Directors in forming my opinion. My opinion is that the 2025/26 budget is based on robust budget estimates.”

This opinion is supported by the current financial position across the Council with a breakeven position forecast in 2024/25 and material known pressure areas being addressed through the 2025/26 budget setting process.

The key risks are outlined in the table above.

5.4 In relation to reserve levels, a thorough review of all reserves held by the Council has been undertaken, as detailed within the Chief Finance Officer’s Revenue Reserves Statement for 2025/26. The paper states:

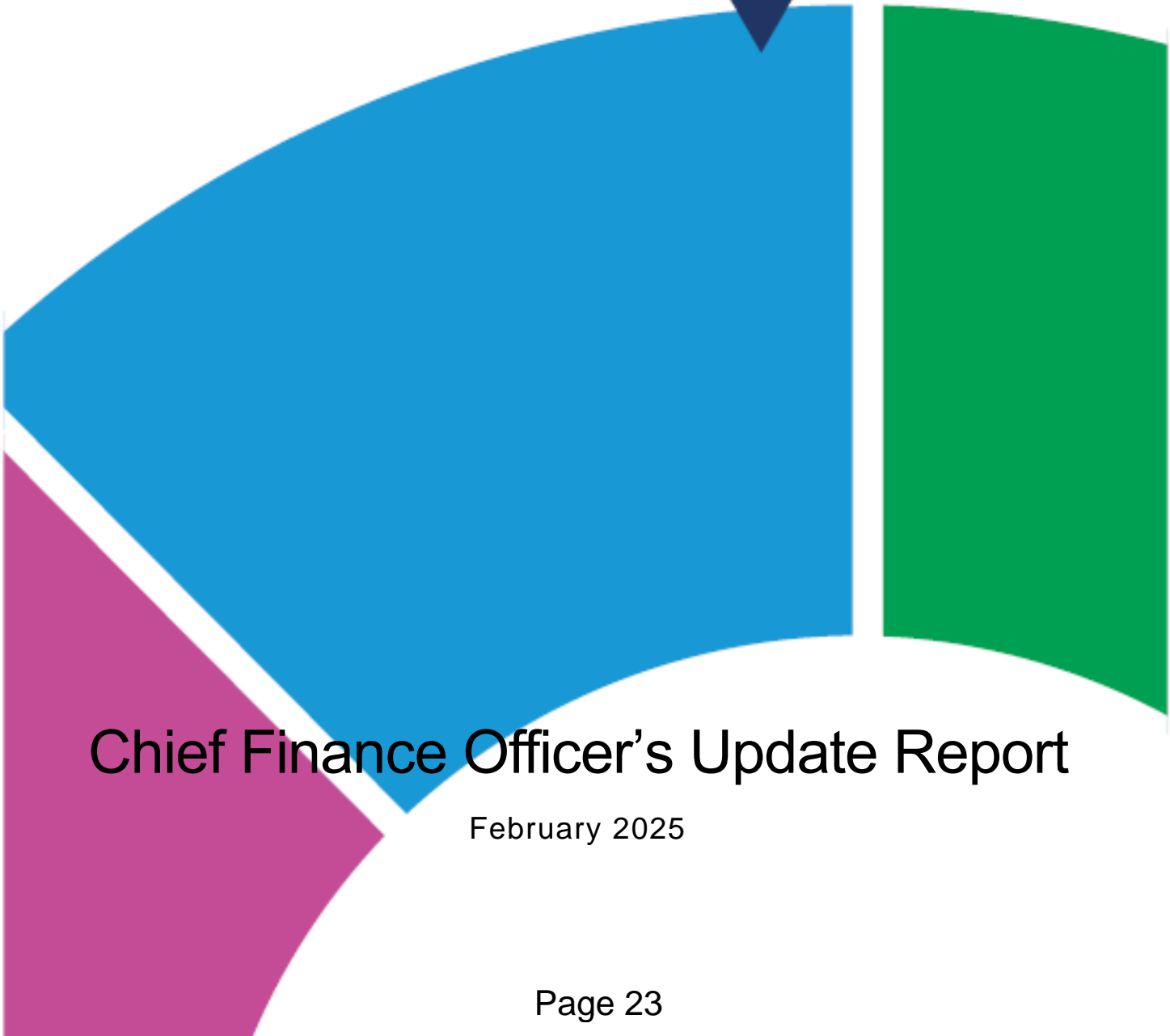
“With these actions taken, and with the principles detailed consistently applied, as Section 151 Officer, I believe the reserves to be adequate”.

5.5 Actions are required in relation to the following key risks:

- a) That the Council maintains the focus on social care, both adults and children’s, as the biggest financial risks to the Council.
- b) That the Council continues to maintain its focus on proactive prevention and support for homelessness alongside managing temporary accommodation needs in an effective and efficient manner.
- c) That the Council maintains its focus on the delivery of the ‘Safety Valve’ Recovery Plan for reducing the deficit on the Higher Needs Block.
- d) That the Council continues to assess the financial viability of the projects with its Capital Investment Plan.

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Budget 2025-2026



Chief Finance Officer's Update Report

February 2025

Introduction

1. The Council issued its 2025/26 draft budget papers for consultation in November 2024. This was in advance of Government announcing details of the Provisional Local Government Financial Settlement on 18 December 2024 and the Final Settlement on 3 February 2025. The Financial Settlement contained a number of changes to funding assumptions which are detailed within this report.
2. Overall, there is a net increase in the revenue resources available to the Council for 2025/26. In determining where to allocate new funding, consideration has been given to:
 - (a) Identified base budget pressures that have yet to be addressed;
 - (b) Recommendations made by the Priority and Resources Panel and subsequent report from the Overview and Scrutiny Committee in December 2024;
 - (c) Investment in identified priority areas for our residents and
 - (d) Areas of risk and uncertainty in relation to the 2025/26 budget

Changes in Resource Assumptions

3. The Final Settlement contained the following changes to resources compared to the Council's November 2024 draft budget papers:

Table 1: Summary of Base Revenue Resource Changes post settlement.

Area	Increase / (Decrease) £000	Comments
Council Tax Base (Council calculation)	1,010	Actual base figures as at 30 November 2024
Additional Social Care Grant	3,430	50/50 split between Adults and Children
Domestic Abuse safe accommodation grant	100	Assumption that this will be time limited revenue funding
Business Rates/Revenue Support Grant/Services Grant	(210)	Net reduction in assumptions
New Homes Bonus	(225)	Net reduction in assumptions
Extended Producer Responsibility (50%)	1,150	New legislation from 2025. Some funding will be baselined
National Insurance Contributions Grant	1,200	To offset increased staffing costs identified through Torbay Council payroll.
Net Additional on-going Resources	6,455	

Table 2: Summary of Time Limited Resource Changes post settlement.

Area	Resources Increase £000	Comments
Children Social Care Prevention grant	658	Ring fenced grant. A delivery programme will be developed.
Extended Producer Responsibility (50%)	1,150	New legislation from 2025. Some funding anticipated to be time limited
Additional Homelessness / Rough Sleeping Grant	427	Increase from £1m funding allocated in 2024/25
Recovery Grant	2,085	Formula funding targeted to areas of deprivation. Assuming one-off.
Business Rates levy – allocation from surplus	272	National allocation announced in December '24. Amount tbc
Additional time limited new funding	4,592	

4. Headline figures presented by Government indicate a real term cash increase for Local Authorities of 3.2% for 2025/26. However, due to the complexities of multiple funding streams and further clarification still to be provided on certain elements, it is difficult to be able to reconcile to this figure.
5. In some cases, it is difficult to establish whether the new resources that have been allocated for 2025/26 will be baselined, and hence available in future years, or one-off in nature to tackle the known spending pressures faced by Councils throughout the country. Where there is uncertainty, the Council has taken a prudent approach and classified such funding as 'time limited' as detailed in *Table 2*.
6. Consistent with established practice, the Council will only allocate on-going spend commitments to confirmed base revenue budgets and will subsequently match areas of controllable, time limited spend against one-off resource allocations.

Additional Budget allocations post Settlement

7. Over the last 18 months the Council has addressed a number of legacy revenue budget issues whereby either spend was consistently higher than the set budget available or income significantly lower. For 2025/26, the following remaining budget areas will now be rectified:

	<u>£000</u>
• Shortfall in Building Control and Land Charges income	150
• Increasing demand on Legal Services budget	150
• Youth Justice funding shortfall (previously grant funded)	100
• Extended rights to School Transport (previously grant funded)	100
• Unfunded pressures within the SWISCo budget	150
• Above inflation increases on corporate contracts	<u>75</u>
	<u>725</u>

8. The November 2024 draft budget papers detailed a shortfall of resources against proposed spend of **£400k**. This has now been addressed and reconciled through the confirmed resource allocations.

9. The Council has already committed £1.7m additional funding in 2025/26 for the increased costs of statutory Adult Social Services, as delivered through the Integrated Care Organisation, through a delegated Section 75 contract. We will now be allocating a further **£1.7m** specifically for:

	<u>£000</u>
• a contingency budget to manage pressure in the provider market	850
• funding on-going transformation work throughout 2025/26	850

Despite committing to a new five year contract, starting in April 2025, which specifies the funding that the Council has to commit over the medium term, the actual costs of providing integrated health and social care services remains significantly higher than the overall budget available. It is therefore essential that the Council continues to work proactively with our colleagues in Health to transform the existing care services in order to deliver a more sustainable, long-term model of care.

£600k will be allocated to retain Channel 3 as transformation partners over the next 12 months whereas £250k will be utilised to create in-house transformation capacity, including the creation of a new Divisional Director for Adult Social Care Transformation, which will provide Council leadership for the required service and cultural change.

10. Similar to adults, although 5% has been accounted for in terms of increased provider costs for Children Social Care placements, there is concern that the changes in National Insurance contributions could result in added pressure on an already strained market. We are therefore creating a specific contingency budget of **£300k** which will be drawdown as and when required should existing budgets prove to be insufficient to meet with contracted costs.

11. A specific Childrens' Social Care Prevention Grant of **£658k** was announced in the Settlement. This grant is for direct investment into prevention work through the implementation of the family help and child protection reforms, and has been allocated to include services such as early help, family help, family networks and child protection, enabling children's social care to support families to overcome challenges at the earliest opportunity and prevent escalation into statutory services.
12. The revised budget has enabled a range of other priority investments in Children's Services being:
- **£150k** of one-off funding to acquire, or adapt, a Paignton based property to deliver an additional Children's Services Assessment Resource Centre, building on the success of a similar facility in Brixham, whereby a range of services can be provided to meet the assessed needs of children and families within their local community;
 - **£160k** invested in Unit 1 of Tor Hill House to prepare, and house the Youth Justice Service, equipping the service to provide confidential and secure face to face support to local youngsters;
 - **£150k** as Council match funding to bid for Government grant funding, (application in February 2025), to acquire/adapt a suitable asset to support Children Social Care residential placements. Initial plans are that, should the bid be successful, this new resource will be used as a review and assessment centre ensuring that longer term placements are targeted to meet specific assessed needs. Further match funding will be added to the bid in the form of an identified Council owned asset from where the new service can be provided. It is envisaged that the new resource would deliver tangible financial savings alongside improving service outcomes.
 - A **£50k** base budget will be created for Child Friendly activity, partially provided through UNICEF, which will provide continuity for the services that were delivered in 2024/25 through specific grant funding.
13. Delivering against the Council's priority of quality affordable housing has remained difficult due to high construction costs with resulting viability issues on key development sites. Despite attracting government grant funding and contributions from Homes England, often the net rents obtainable from developments are insufficient to fund projected Council borrowing costs. As recommended by the Priority and Resources Committee, to provide much needed support in this area the Council is committing income generated in 2025/26 through the introduction of charging a premium Council Tax rate on second homes. **£200k** will be established as an on-going revenue base budget to help supplement business cases with marginal viability, with a further **£1.2m** designated as a 'one-off' contribution to Council led schemes.
14. The December 2024 Settlement included an additional **£100k** base revenue funding for Domestic Abuse support. Plans will be drawn up for how best to utilise this funding to include a review of the integrated community helpline service, specifically in the areas of mental health and domestic abuse support, with the aim of providing greater

certainty of funding thus enabling the helpline to deliver continuity of service over the medium term.

15. Having implemented the 'Brighter Bay' and 'Town Centre' initiatives in 2024/25, the November 2024 draft budget allocated further funding to continue to improve the physical appearance of the environment across the Bay whilst promoting greater safety and security within our Town Centres.

The 2025/26 updated budget now allocates a further **£200k** across these two areas. The extra £100k for 'Brighter Bay' will help to create a complete additional grass cutting team which will increase the frequency of existing cuts and undertake improvement works to prominent areas that are currently not maintained such as car park shrubberies and public rights of way. For Town Centres, the additional funding for 2025/26 will expand the investment into Anti-Social Behaviour investigation and Town Centre Officers. This will enable a permanent team of six officers covering Torquay and Paignton Town Centres. It also provides increased surveillance through CCTV, enabling the collection of evidence and ability to respond to incidents, with the aim of providing community reassurance when visiting our town centres.

16. A further recommendation from Priority and Resources was to baseline the **£75k** revenue budget for Sports and Leisure that was funded in 2024/25 through the use of the Public Health grant. This has now been addressed, with base budget funding now being provided.
17. In addition to the investment made in the 2024/25 revenue budget, a further **£150k** is being allocated to the base revenue budget for Torbay Events. This will enable the Council to build on the success of various events delivered throughout the last few years which will include providing core funding certainty for on-going leasing of the 'Bay of Lights'. It is envisaged that £75k of this new allocation will be commissioned and managed through the Town Centre Manager post hence improving the local town centre offer and event facilities to the public at key stages throughout the year.
18. The Extended Producer Responsibility, (EPR) Grant was confirmed in December 2024 as being £2.3m for 2025/26. At this stage, it is unclear as to how much of this funding will be available on an on-going basis and, until such time as this is clarified, the Council is assuming that 50% is on-going and 50% is one-off in terms of budget setting. The additional costs of delivering, and complying with EPR will fall on SWISCo, mainly within staffing. At this stage, an additional **£500k** on-going budget has been allocated which will address such costs as National Insurance increases and estimated incremental costs of implementing EPR in 2025/26.
19. With the future medium-term costs of EPR yet to be clarified, a one-off allocation of **£274k** for 2025/26 will be placed into an earmarked reserve to fund the initial costs, and options, to develop a new Waste Transfer Station, with the existing site nearing the end of its useful life. **£900k** (one off) will also be earmarked for SWISCo to acquire new / replacement vehicles to upgrade their fleet to prepare for EPR compliance. Six

new trucks will be purchased, without the need to drawdown Council borrowing, which will provide split collection facilities for food waste and recycling.

The trucks will provide greater coverage and accessibility across the Bay, and also allow single stream, non co-mingled collection of all recyclable materials. This will further improve recycling rates and help influence ongoing public behavioural change. It is envisaged that, over time, the new vehicles will deliver revenue savings, which will be closely monitored and fed into future budget setting. The vehicles will mean that Torbay Council is able to provide a recycling and waste service which is fully compliant with all requirements of the new EPR and “simpler recycling” legislation and guidance.

20. The Final Local Government Settlement announced on 3 February 2025 confirmed Torbay Council’s allocation of the National Insurance contributions grant as £1.2m which is in line with the revised estimated additional costs on the Council’s payroll. However, great uncertainty remains in relation to the indirect costs of these legislative changes on third party providers of services commissioned by the Council. There is also a high level of uncertainty around the pay award for 2025/26, and a risk that this will exceed the levels budgeted, specifically in relation to a potential uplift to the National Living Wage. We are therefore setting aside a contingency’ of **£757k** to mitigate the ongoing risk of additional costs from pay and commissioned services. A further **£50k** of one-off funding is allocated to the Torbay Coast and Countryside Trust who have recently identified cost pressures in excess of £100k for 2025/26 as a direct result of changes to National Insurance and the National Living Wage. The Trust’s base budget will be reviewed for 2026/27, in line with a new Service Level Agreement which will clearly articulate the priority services to be commissioned by the Council.
21. The Council has recently produced a ‘Play Park Strategy’ however, as raised through the Policy and Resources Panel, no specific budget has been identified to date to deliver tangible action against this strategy. Responding to the recommendation made by the Overview and Scrutiny Committee, **£500k** one-off funding is now allocated to invest in Play Parks.
22. **£350k** of one-off funding has been allocated to support Climate Change initiatives (with drawdown being subject to viable, sustainable business cases). To maximise carbon savings and to help the Council save money on its energy bills, over the next 2 years focus will be on:
 - Installing a new streetlighting control management system and LED lighting which will enable more efficient control of the streetlighting inventory and deliver significant carbon and energy savings;
 - Feasibility studies and whole building assessments aimed at decarbonising ten of the council’s worst energy performing buildings, including exploring generating free energy from renewable energy sources such as solar power;
 - Decarbonising the Brixham Harbour estate (subject to a decarbonisation study);
 - Phasing in the use of more electric vehicles within the Council’s portfolio

In most cases, revenue savings should be sufficient to fund Council borrowing to deliver the respective initiatives. However, the £350k allocation will help enable projects with more marginal viability. Initially, £70k of the allocation will be utilised to purchase two new electric vehicles replacing existing diesel fuelled vans which have recently broken down and reached the end of their useful life.

23. The receipt of circa £2m 'Recovery Grant' for 2025/26 has been allocated based on a national formula whereby Councils with large pockets of deprivation have received larger sums. Several specific allocations within this budget update paper will help address deprivation issues including funding for:

- Affordable housing;
- Child care preventative measures;
- Youth Justice and Family Assessment Resource Centre;
- Play Parks and
- Sport and Leisure

In addition to this, **£200k** one-off funding is allocated to enable further targeted support for local communities. This could be in the form of a 'Community Grant Fund' with options for facilitating applications / payments being considered alongside existing grant funding arrangements such as the Household Support and Lottery Funds.

£18k on-going funding is also being added to Community Ward budgets increasing the amount of spend available for each Councillor to £2,500 per annum.

24. December 2024, the Government announced its plans for Local Government Re-organisation. **£80k** has been allocated in the base budget for 2025/26 for the Council to engage additional capacity to help develop an appropriate evidence base and ensure that any future structure proposals being considered by government deliver the best possible outcomes for the residents of Torbay. It is envisaged that such capacity will be required for at least a three year period throughout the lead up to implementing any approved option for change.

25. The following tables summarise the allocations as detailed in the paragraphs above:

Table 3: allocation of new on-going revenue funding (compare to Table 1)

Area	Base Budget Increase £000	Comments
Addressing legacy base budget shortfalls	725	As detailed in paragraph 8
Addressing the shortfall within the draft budget papers	400	Papers published in November 2024 detailed a shortfall of £400k
Additional allocation for Adult Social Care	1,700	As detailed in paragraph 10

A contingency budget for increased Children Social Care costs.	300	To address identified pressures within the provider market
Child friendly activity (partially provided through UNICEF)	50	Previously funded through time limited grant
Base budget to support Council led housing developments	200	To help address viability gaps where income doesn't cover total costs.
Spend / initiatives in compliance with the Domestic Abuse Grant	100	Spend proposals to be developed in line with grant conditions.
Further allocations to Brighter Bay and Town Centre initiatives	200	In addition to the £400k already stated in the Nov '24 draft budget.
Base line funding for Sports and Leisure	75	Previously funded through Public Health grant.
Additional investment in Bay Events (inc. Town Centres)	150	To include net on-going lease costs for the 'Bay of Lights'
SWISCo: for NICs and Extended Producer Responsibility (EPR)	500	Medium-term costs of this initiative require clarification
Staff capacity to prepare for Local Government Re-organisation	80	Envisaged that capacity will be needed for at least three years.
Additional staff costs as a result of National Insurance changes	1,200	Anticipated that Council costs will match with grant allocated
Contingency for future increases in pay and commissioned services	757	Wider impact of NI & National Living Wage changes.
Increase Community ward budgets by £500 per councillor	18	Increasing total funding to £2,500 per Councillor
Net Additional on-going Resources	6,455	

26. A summary of the new one-off funding which has now been allocated is detailed in the table below:

Table 4: new one-off budget allocations (to be compared with Table 2)

Area	One-off £000	Comments
Children's Services prevention initiatives	658	Programme of works to be drawn up in compliance with grant conditions
Adapt / acquire a Paignton based Assessment Resource Centre	150	Modification of existing asset or acquire new premises

Modify Unit 1 of Tor Hill House for the Youth Justice Service	160	Offering front line services within a secure location
Match funding for Government Grant bid. Children Social Care	150	Bids in Feb 25 to acquire/adapt a residential child care resource.
To help support Council led housing developments	1,200	Including conversion of revenue to capital (subject to business case)
Earmarked reserve to prepare for a new Waste Transfer Station	274	Scheme, and associated costs, to be developed in 2025/26
Updating SWISCo. fleet in preparation for EPR	900	Modernised fleet will assist with required waste separation
Investment in Play Parks	500	As recommended by the Priority and Resources Panel
Earmarked reserve for Climate Change initiatives	350	Subject to viable business cases – in line with Climate Action Plan
Community Grant Fund. Addressing issues in deprived areas	200	Criteria and application process to be developed.
Torbay Coast and Countryside Trust – increased staffing costs	50	Identified pressures of +£100k for 2025/26 due to legislation
Additional One-Off Resources	4,592	

Revised 2025/26 Revenue Budget by Directorate

27. The revised 2025/26 Revenue Budget, incorporating the changes within this paper, demonstrates increased investment across all front-line Directorates compared with 2024/25 net budgets with Adult Social Care and Community Services increasing by £4.5m, Children’s Services £2.5m and Pride and Place by £3.7m.
28. Table 5 shows the revised proposed net budget for 2025/26. A detailed Budget Digest will be produced after approval of the final Council budget in February 2025. For reference, the 2024/25 Budget Digest can be accessed through the link: <https://www.torbay.gov.uk/media/20943/budget-digest-2024-2025-v2.pdf>

Table 5: Revised 2025/26 Revenue Budget by Directorate

Proposed Net budget for 2025/26				
2024/25 Net £m	Re-presented 2024-25 Net £m	Directorate/Service	Initial 2025/26 Net £m	Revised 2025/26 Net £m
55.9	55.9	Adult Services (Inc. Community & Customer Services)	58.3	60.4
	-9.3	- (Adults share of Social Care Grant)	-9.3	-11.1
54.6	54.6	Children's Services	56.3	57.1
	-9.3	- (Childrens share of Social Care Grant)	-9.3	-11.1
10.7	10.7	Public Health	11.0	11.6
	-10.7	- (Public Health Grant)	-11.0	-11.6
13.8	14.0	Corporate Services and Chief Executive	14.8	15.4
-16.6	7.1	Finance (Includes NIC Grant)	7.4	6.7
0	5.6	Treasury Management	5.6	5.6
-4.1	-4.1	Investment Properties	-4.1	-4.1
24.9	24.9	Place Services (incldues 50% of EPR Grant)	27.7	28.6
139.2	139.4	TOTAL	147.3	147.5
		Sources of Funding		
88.4	88.4	Council Tax	95.2	96.2
0	0.2	Services Grant	0.0	0.0
8.2	8.2	Revenue Support Grant	8.4	8.5
42.4	42.4	Business Rates (National Non-Domestic Rates)	43.1	42.8
0.2	0.2	New Homes Bonus	0.2	0.0
139.2	139.4	TOTAL	146.9	147.5
NOTE:				
The table above excludes one-off funding such as the Recovery Grant (2.085m) and 50% of the Extended Producer Responsibility Grant (£1.15m)				

29. Table 6 details a breakdown of all funding movements with the Council's net revenue budget increasing from £139.4m (2024/25) to £147.5m (2025/26) which is a 5.8% increase between the two years. The total estimated revenue funding, incorporating the newly announced grants, has increased from £185.0m to £199.5m, (discounting £4.6m of one-off funding), which equates to 8% as detailed in **Table 6**.

Table 6: movement in revenue funding sources from 24/25 to 25/26

	Base 2024/25 £m	Consultation Initial Est. 2025/26 £m	Difference to initial Est 2025/26 £m	Final Settlement 2025/26 £m	Revised change between 24/25 and 25/26 £m	Base 2025/26 £m	One-off 2025/26 £m
FUNDING							
Council tax - tax base					3.495	3.495	0.000
* Council Tax increase at 2.75% and then 1.75% from 26/7					2.517	2.517	0.000
Adult Social Care Precept at 2%					1.831	1.831	0.000
Total for Council Tax	88.353	95.189	1.007	96.196	7.843	7.843	0.000
New Homes Bonus	0.225	0.225	-0.225	0.000	-0.225	-0.225	0.000
Revenue Support Grant	8.219	8.359	0.141	8.500	0.281	0.281	0.000
* Business Rates	42.407	43.128	-0.328	42.800	0.393	0.393	0.000
Services Grant	0.227	0.020	-0.020	0.000	-0.227	-0.227	0.000
TOTAL - Sources of Funding	139.431	146.921	0.575	147.496	8.065	8.065	0.000
* Social Care Grant	18.685	18.685	3.430	22.115	3.430	3.430	0.000
ASC Market Sustainability and Improvement Funding	3.625	3.625	0.000	3.625	0.000	0.000	0.000
ASC Discharge grant	2.065	2.065	-2.065	0.000	-2.065	-2.065	0.000
Improved Better Care Fund (Now Better Care Grant)	8.838	8.838	2.065	10.903	2.065	2.065	0.000
Childrens Social Care Prevention Grant - for Family Help	0.000	0.000	0.658	0.658	0.000	0.658	0.658
Domestic Abuse Safe Accommodation Grant	0.300	0.300	0.100	0.400	0.100	0.100	0.000
National Insurance Contribution Grant	0.000	0.000	0.000	1.200	1.200	1.200	0.000
Total - incl Grant funding used in core spending power	172.944	180.434	4.763	186.397	12.795	13.453	0.658
Public Health Grant	11.001	10.964	0.636	11.600	0.599	0.599	0.000
Extended Producer Responsibility (EPR) Grant	0.000	0.000	2.300	2.300	2.300	1.150	1.150
Homelessness Grant	1.058	1.058	0.427	1.485	0.427	0.000	0.427
Recovery Grant	0.000	0.000	2.085	2.085	2.085	0.000	2.085
Levy Account Surplus - one off	0.000	0.000	0.272	0.272	0.272	0.000	0.272
TOTAL ESTIMATED REVENUE FUNDING (inc Grants)	185.003	192.456	10.483	204.139	18.478	15.202	4.592

Budget 2025/2026 - Consultation Report

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Executive Summary

The Cabinet published draft proposals for the council's revenue and capital budget for 2025/26 in November 2024. An online survey was created to gather public views. The consultation opened on Wednesday 27 November 2024 and was open until midnight on Sunday 12 January 2025.

There were 146 responses to the consultation survey, all received online. All percentages shown within this report use the number of people that completed the survey as the denominator. All comments within this report are shown as written by the respondent. No written representations were received.

During the course of the consultation, residents and stakeholders were encouraged to take part with posts on our Facebook, Instagram, LinkedIn and Nextdoor pages as well as articles in One Torbay and Staff News.

As part of the consultation the Overview and Scrutiny Board considered the Cabinet's proposals through its Priorities and Resources Review Panel. The views of the Overview and Scrutiny Board are shown in Appendix A to this report.

A summary of responses to the consultation survey (as %) are shown in the table on the next page:

Question	Very much agree	Agree	Neither agree or disagree	Disagree	Very much disagree	Don't know
To what extent do you agree with us continuing to deliver our joint adult social care transformation programme, to identify savings and efficiencies, focussing on areas such as reablement, learning disability support and extra care provision?	24.66%	33.56%	16.44%	13.70%	8.22%	3.42%
To what extent do you agree with increasing the homelessness prevention budget by £100,000 to continue to focus on preventing homelessness - reducing the length of stay in temporary accommodation, identifying cost effective temporary accommodation and improving access permanent homes?	30.14%	36.30%	8.90%	14.38%	10.27%	0%
To what extent do you agree with the proposals to continue focussing on early help, support and prevention through Family Hubs for children and their families?	23.97%	41.78%	18.49%	8.90%	5.48%	1.37%
To what extent do you agree with the proposals for us to continue working with children and young people and their parents/carers to promote safe independent travel to school?	17.12%	41.10%	16.44%	16.44%	7.53%	1.37%
To what extent do you agree with the proposals in relation to providing a further £400,000 towards Operation Brighter Bay and Operation Town Centres?	30.82%	30.82%	13.70%	14.38%	9.59%	0.68%

To what extent do you agree with our proposals to increase the number of Planning Enforcement Officers through an increase in funding of £100,000?	17.81%	21.92%	23.29%	25.34%	10.96%	0.68%
To what extent do you agree with our proposals to increase the Council's repairs and maintenance budget by £400,000 to help stabilise the current condition of our assets?	32.88%	38.36%	14.38%	6.85%	7.53%	0%
To what extent do you agree with our proposals to develop a Financial Sustainability Plan to review how the Council supports, and provides long-term financial sustainability to, the cultural assets of Torre Abbey, Cockington Court and Torbay Coast and Countryside Trust.	23.29%	41.10%	14.38%	11.64%	8.22%	1.37%
To what extent do you agree with the proposal in relation to the Council's fees and charges?	5.48%	21.23%	23.97%	28.08%	20.55%	0.68%
To what extent do you agree with the proposals in relation to Council Tax?	6.85%	22.60%	21.92%	21.92%	26.03%	0.68%

Introduction

The Cabinet published its draft proposals for the Council's revenue and capital budget for 2025/26 in November 2025. An online survey was created to gather the views of the public. Paper surveys were available on request.

The consultation opened on 27 November 2024 and closed at midnight on 12 January 2025.

The audience for this consultation was all those that live or run a business in one of the three towns of Torbay – Torquay, Paignton and Brixham.

The consultation was promoted in several ways. This included:

- Media briefing
- The Council's e-Newsletter One Torbay
- Through staff news updates (as the majority of our employees are also Torbay residents)
- Press release
- Social media
- On the Consultation webpage on the Councils website and on Have Your Say Torbay – the Council's engagement platform

A press release was sent out in November encouraging people to take part. 16 social media posts were scheduled in total. This was across Facebook, Instagram, LinkedIn and Nextdoor. Across all the social media channels the posts made 16,029 impressions. There were 126 clicks on the links to view the budget consultation, compared to last year there were 174 link clicks. 32 comments were left on the posts (24 last year), 15 reactions (22 last year) and 21 shares (18 last year).

Four articles were shared through either the One Torbay or Staff News e-Newsletters. In total these articles encouraged 141 subscribers to click on the links to the consultation 168 times. In comparison to the Budget Consultation that took place last year, there were 1,104 unique clicks from the e-newsletter articles.

The total number of responses received was 146, all of these were completed online.

Responses to the Proposals

Adult and Community Services

Joint Adult Social Care Transformation Programme

To what extent do you agree with us continuing to deliver our joint adult social care transformation programme, to identify savings and efficiencies, focussing on areas such as reablement, learning disability support and extra care provision?

	Number	Percentage
Very much agree with this proposal	36	24.66%
Agree with this proposal	49	33.56%
Neither agree nor disagree	24	16.44%
Disagree with this proposal	20	13.70%
Very much disagree with this proposal	12	8.22%
Don't know	5	3.42%

Homelessness prevention

To what extent do you agree with increasing the homelessness prevention budget by £100,000 to continue to focus on preventing homelessness - reducing the length of stay in temporary accommodation, identifying cost effective temporary accommodation and improving access to permanent homes?

	Number	Percentage
Very much agree with this proposal	44	30.14%
Agree with this proposal	53	36.30%
Neither agree nor disagree	13	8.90%
Disagree with this proposal	21	14.38%
Very much disagree with this proposal	15	10.27%
Don't know	0	0.00%

Respondents were asked to provide any comments about the Cabinet's proposals in relation to adult and community services. The themes and comments are summarised below.

Theme	Summary
Too much investment in adult and community services / homelessness (18 comments)	Concerns about the effectiveness of shared adult social care with Torbay and South Devon. Multiple concerns about the adequacy of services and the effectiveness/impact of additional funding. Calls for costing and feasibility checks. Suggestions that the money could be better spent elsewhere. Insufficient information on how success will be measured in Adult & Community Services. Some view the funding as a bottomless pit that won't solve the issues.
Support for proposed budget/homelessness support (11 comments)	Some comments support focusing on savings and efficiencies in adult services but emphasize balancing this with broader community needs. Multiple comments urge more support to prevent homelessness. Many comments highlight the need to increase the homelessness budget.
Encourage work and reduce social support (4 comments)	Calls for encouraging people to return to work and reduce reliance on social support. Need to encourage those able to work to find employment
High Council Tax burden (4 comments)	Concerns about the high council tax burden and yearly rises, especially for pensioners. Calls for more efficiency savings to avoid increasing council tax.

Family Hubs

To what extent do you agree with the proposals to continue focussing on early help, support and prevention through Family Hubs for children and their families?

	Number	Percentage
Very much agree with this proposal	35	23.97%
Agree with this proposal	61	41.78%
Neither agree nor disagree	27	18.49%
Disagree with this proposal	13	8.90%
Very much disagree with this proposal	8	5.48%
Don’t know	2	1.37%

Independent travel to school

To what extent do you agree with the proposals for us to continue working with children and young people and their parents/carers to promote safe independent travel to school?

	Number	Percentage
Very much agree with this proposal	25	17.12%
Agree with this proposal	60	41.10%
Neither agree nor disagree	24	16.44%
Disagree with this proposal	24	16.44%
Very much disagree with this proposal	11	7.53%
Don’t know	2	1.37%

Respondents were asked to provide any comments about the Cabinet’s proposals in relation to children’s services. The themes and comments are summarised below.

Theme	Summary
Should focus on parental responsibility (18 comments)	A significant number of comments emphasize that parents should take responsibility for their children’s safety, feeding, and transportation to school.
Against proposals (16 comments)	Concerns about the budget for travel from home to school, with some advocating for maintaining or increasing it, while others suggest it is a waste of money. Some comments call for clear outcomes or goals for the proposed spending. There is a call for more mental health support and better integration of services into schools.

	Suggestions for investing in infrastructure improvements to ensure safe travel for children.
Criticism of council spending (7 comments)	Comments criticize the high salaries of senior managers and the perceived waste of money in current arrangements. Some comments express general dissatisfaction with the council's handling of children's services and the perceived lack of improvement.
Support for proposals (6 comments)	Many support the proposals for Children's Services, especially the focus on early help and prevention through Family Hubs. However, there is a call for more funding for at-risk children and infrastructure improvements for safe travel to school.

Place-based services

Operation Brighter Bay and Operation Town Centres

To what extent do you agree with the proposals in relation to providing a further £400,000 towards Operation Brighter Bay and Operation Town Centres?

	Number	Percentage
Very much agree with this proposal	45	30.82%
Agree with this proposal	45	30.82%
Neither agree nor disagree	20	13.70%
Disagree with this proposal	21	14.38%
Very much disagree with this proposal	14	9.59%
Don't know	1	0.68%

Planning Enforcement Officers

To what extent do you agree with our proposals to increase the number of Planning Enforcement Officers through an increase in funding of £100,000?

	Number	Percentage
Very much agree with this proposal	26	17.81%
Agree with this proposal	32	21.92%
Neither agree nor disagree	34	23.29%
Disagree with this proposal	37	25.34%
Very much disagree with this proposal	16	10.96%
Don't know	1	0.68%

Repairs and maintenance

To what extent do you agree with our proposals to increase the council's repairs and maintenance budget by £400,000 to help stabilise the current condition of our assets?

	Number	Percentage
Very much agree with this proposal	48	32.88%
Agree with this proposal	56	38.36%
Neither agree nor disagree	21	14.38%
Disagree with this proposal	10	6.85%
Very much disagree with this proposal	11	7.53%
Don't know	0	0.00%

Support and long-term financial sustainability for cultural assets

To what extent do you agree with our proposals to develop a Financial Sustainability Plan to review how the council supports, and provides long-term financial sustainability to, the cultural assets of Torre Abbey, Cockington Court and Torbay Coast and Countryside Trust?

	Number	Percentage
Very much agree with this proposal	34	23.29%
Agree with this proposal	60	41.10%
Neither agree nor disagree	21	14.38%
Disagree with this proposal	17	11.64%
Very much disagree with this proposal	12	8.22%
Don't know	2	1.37%

Respondents were asked to provide any comments about the Cabinet's proposals in relation to place-based services. The themes and comments are summarised below.

Theme	Summary
Against place-based investment (11 comments)	Emphasis on the need for basic services like road and pavement cleaning, and addressing issues with leaves and debris. Calls for more efficient use of council funds, competitive tendering, and better value for money.
Support for place-based investment (10 comments)	Many comments support initiatives like Operation Brighter Bay and Operation Town Centres, emphasizing the need for clean, safe, and appealing public spaces.
Cultural assets (8 comments)	Mixed opinions on funding cultural assets; some see them as financial burdens while

others believe they are essential for tourism. Comments stress the importance of preserving Victorian properties and promoting Torquay as a heritage destination.

Road infrastructure (7 comments)

Several comments highlight the need for better road maintenance, including addressing potholes and worn road markings.

Fees and charges

To what extent do you agree with the proposal in relation to the council's fees and charges?

	Number	Percentage
Very much agree with this proposal	8	5.48%
Agree with this proposal	31	21.23%
Neither agree nor disagree	35	23.97%
Disagree with this proposal	41	28.08%
Very much disagree with this proposal	30	20.55%
Don't know	1	0.68%

Respondents were asked to provide any comments about the Cabinet's proposals in relation to fees and charges. The themes and comments are summarised below.

Theme	Summary
Against fee increases or concern (22 comments)	Many comments express concerns about the increase in fees and charges, emphasizing the need for these increases to be reasonable and not disproportionately affect those on lower incomes. Several comments suggest that sports fees should remain the same to encourage community health and participation. Comments suggest improving tourism to help the local economy and keeping fees reasonable to avoid deterring tourists.
Criticism of council spending and efficiency (8 comments)	Numerous comments criticize the council's spending, suggesting that there is wastefulness and that savings could be made by increasing efficiency. Several comments call for greater transparency and accountability in how the council spends its budget, with specific examples of perceived wasteful spending.
Support for fee increases (7 comments)	A few comments indicate support for higher charges if they lead to improved services.

Burden of council tax on residents (7 comments)	Many comments highlight the burden of council tax on residents, especially pensioners and those on fixed incomes, and suggest that any increases should be in line with annual pay rises.
Parking issues (free parking, high charges) (6 comments)	There are multiple comments about parking, including suggestions for free parking in certain areas and times, and complaints about high parking charges.

Council Tax

To what extent do you agree with the proposals in relation to Council Tax?

	Number	Percentage
Very much agree with this proposal	10	6.85%
Agree with this proposal	33	22.60%
Neither agree nor disagree	32	21.92%
Disagree with this proposal	32	21.92%
Very much disagree with this proposal	38	26.03%
Don't know	1	0.68%

Respondents were asked to provide any comments about the Cabinet's proposals in relation to Council Tax. The themes and comments are summarised below.

Theme	Summary
Concerns about Council Tax increases (33 comments)	Many comments express concerns about the increase in Council Tax, emphasizing the need for these increases to be reasonable and not disproportionately affect those on lower incomes. Several comments suggest that residents do not feel they are getting good value for the Council Tax they pay. Some comments suggest that extra funding should come from central government rather than increasing local taxes.
Criticism of council spending and efficiency (10 comments)	Numerous comments criticize the council's spending, suggesting that there is wastefulness and that savings could be made by increasing efficiency.
Support for higher charges if services improve (9 comments)	A few comments indicate support for higher charges if they lead to improved services.

Burden on residents (8 comments)

Many comments highlight the burden of Council Tax on residents, especially pensioners and those on fixed incomes.

Revenue and Capital Budget 2025/2026 – Report of the Overview and Scrutiny Board

Report to Cabinet to be considered as part of the budget consultation

Background

1. The Cabinet's Draft Revenue and Capital Budget proposals for 2025/2026 were published on 26 November 2024 and available on the Council's website at [Budget for 2025/2026](#). The Panel considered the following documents as part of the consultation process:
 - Revenue Report:
 - Budget Overview;
 - Chief Finance Officer Statement;
 - Fees and Charges;
 - Reserves Statement
 - Financial Sustainability Plans Summary;
 - Capital Report:
 - Capital Strategy;
 - Treasury Management Strategy;
 - Grant Funding Pending Business Case;
 - Updated Capital Investment Plan;
 - Safer Communities Annual Review Domestic Abuse and Sexual Violence and Drugs and Alcohol Report of the Overview and Scrutiny Board;
 - Multiple Complex Needs Alliance Review Report of the Overview and Scrutiny Board; and
 - Key Lines of Enquiry/Questions and Answers
2. The background papers to the Review can be found at:
[Agenda for Priorities and Resources Review Panel 2025/26 on Tuesday, 10 December 2024, 5.30 pm](#)
3. The Priorities and Resources Review Panel 2025/26 was established to scrutinise the proposals and to make comments, observations and recommendations as necessary to the Cabinet's Revenue and Capital Budget proposals for 2025/26. The Review Panel comprised of the Councillors on the Overview and Scrutiny Board, as they had developed a strategic and overall knowledge of the Council's revenue and capital budgets through quarterly monitoring meetings held throughout the year, namely, Councillors Cowell, Douglas-Dunbar, Fellows, Foster, Johns, Law, Long, Spacagna and Tolchard plus Councillor Bryant (Chaired by Councillor Spacagna).
4. The Review Panel met in public on 10 December 2024 and heard evidence from the Leader and Deputy Leader of the Council, the Cabinet Members as well the Chief Executive and Directors. They met on 16 December 2024 in private to agree the key findings and recommendations to the Cabinet. heard.

Key Findings

5. The Panel considered the proposals for investment in services, efficiencies and income generation for 2025/2026 and the Capital Budget and the findings from their meetings are set out in this report. The report was presented to the Overview and Scrutiny Board 8

January 2025 and approved unanimously and will now be submitted to the Cabinet as part of the consultation process.

Revenue Budget

6. Budget Overview

- 6.1 The Panel reviewed all of the Consultation documents for the proposed Revenue and Capital Budget 2025/26. Unlike other Councils who continue to report financial difficulties and the need to reduce services, Torbay Council is in a secure financial position through careful financial management and investment. It was acknowledged that there were no significant changes to services proposed within the draft Budget with a continuation of the Financial Sustainability Plans introduced in 2024/25 to help to ensure that high-cost budget items remain on track, with innovative solutions expanded and delivered to provide the best outcomes within the financial envelope the Council works with. Members noted that the Local Government Finance Settlement figure had not yet been confirmed by Government and that the proposed budget had been prepared during a period of uncertainty. It was anticipated that the Government would confirm the Settlement figure the week commencing 16 December 2024, but in previous years it had been as late as Christmas Eve. The Cabinet Member for Housing and Finance indicated that it was expected that the final Settlement would cover the £400,000 shortfall in the consultation documents as well as allowing for some additional investment. Once received the Chief Finance Officer would provide a written statement to all Councillors setting out the final implications of the funding. This would then be considered by the Overview and Scrutiny Board alongside this draft Report on 8 January 2025, where they would be able to make amendments to this Report as required.
- 6.2 The proposals within the current budget consultation papers included investing:
- £200,000 in Operation Brighter Bay;
 - £200,000 in Operation Town Centres;
 - £1.7m (funded through the Adult Social Care Precept) increase in contract fee for Adult Social Care;
 - £1.1m to meet service demand and inflationary increases to pay and provider costs for Children's Services;
 - £150,000 to meet the pressures of temporary accommodation and preventing homelessness;
 - £100,000 in Legal Service Budget;
 - £100,000 to recruit additional Planning Enforcement Officers;
 - £400,000 for repairs and maintenance;
 - £110,000 for inflationary pressures in Insurance and IT Licences;
 - £375,000 for inflationary increase to SWISCo contract; and
 - £200,000 to reflect the cost of implementing the National Living Wage.
- 6.3 The proposals would set a Council Tax rate of 2.75% plus the 2% precept for adult social care. With each 1% of Council tax estimated to generate £840,000 of additional income to deliver services.
- 6.4 From April 2025, the Council would be increasing the amount of Council Tax payable on second homes to 100%. This increase, along with the review of Single Persons Discount and the changes to the Working Age Council Tax Reduction, has been estimated to increase the base budget by £2.596m for 2025/26.

7. Key Lines of Enquiry

- 7.1 What action was the Cabinet taking to ensure that vital services continue where grant funding had not been confirmed by the Government e.g. Domestic Abuse and Sexual Violence; Drugs and Alcohol; Holiday Activities and Food Programme?

Members noted that the Council had analysed the risks regarding time limited grant funding utilised in 2024/25. In the event of such Council administered grant funding not continuing beyond 31 March 2025, continuity of service would be reviewed and, where possible, maintained through budget allocation or the drawdown of reserves.

Members further questioned whether the services would be kept at the same level if additional grant funding was not received from the Government and were advised that it would be the intention for the service output to remain the same so residents did not receive a less beneficial service.

- 7.2 Does the budget include Community Ward Funds and how much has been allocated to each Ward?

Members were advised that the Community Ward Funds of £2,000 per Councillor was in the base budget and would continue. The Cabinet would consider if there could be an increase in each Ward allocation upon receipt of the final settlement as this was one of their ambitions.

Members questioned whether unspent monies within the Ward Funds would continue to be rolled over into the next financial year. Members were advised that unspent monies would continue to be rolled over, however, there was an expectation that the annual monies would not be rolled over continually until the end of 4-year period. Members raised concern over the continued difficulties that had been experienced with spending Ward Funds on areas such as play parks and gardens due to other processes e.g. Play Park Review. It was agreed that specific cases would be taken up by the Chief Executive to see if schemes could be progressed.

- 7.3 Why have the fees for sport increased by 15% instead of the 3.5% applied to the rest of the fees and charges?

Members noted that the draft Fees and Charges document, in some places, detailed either the level required for the Council to achieve full cost recovery and/or how Torbay Council's Fees and Charges compare with similar authorities. In relation to sports fees, it would appear that the Council charged significantly less than others. However, these are officer calculations which should not have been published in the draft fees and charges document. The Cabinet confirmed that the sports related fees for 2025/26 would increase by an average of 3.5%.

Members were concerned that the initial proposed increase had been included within Consultation documents as this had caused some concern to both Members and external organisations but were satisfied that they would be 3.5% in line with other increases. Members questioned the need for cost recovery within sports facilities which did not align with the importance of physical activity to residents for health, mental health, ensuring children keep active and reduce anti-social behaviour. It was highlighted that local Councils had always subsidised sports facilities due to this. Members were advised that the initial proposed increase had been calculated by Officers however it was not the Cabinet's intention for this to be included in the fees and charges. They needed to see what the cost recovery would look like in terms of pounds to understand how much it was being subsidised by. Members requested a written response on the figures that Officers used to arrive at 15%.

- 7.4 Some Councils have used the additional funding received from Council Tax for empty homes and second homes to fund affordable housing, how much money was raised through this in Torbay and what consideration has the Cabinet given to using this income in the same way for Torbay?

Members were advised that introduction of charging a 100% premium on second homes would commence from 1 April 2025. It was difficult to ascertain the exact amount of additional income this would generate for the Council as, some homeowners could either sell, or re-purpose their properties to avoid the additional tax implication. Based on a mid-level scenario, it had been estimated that an additional £1.4m could be generated. This had been factored into the Council's current Council Tax base calculations for 2025/26. In terms of spending on priority housing needs, the Council allocated £900k into the homelessness / temporary accommodation budget in 2024/25 with a further £150k proposed in the 2025/26 budget papers. The Council had also recently started to build a new Strategic Housing Service, specifically tasked with delivering a range of interventions, directly and through partners, to meet our growing local needs for good quality social housing. Subject to the confirmation of actual 2025/26 funding in the Settlement, the Cabinet would consider whether there was any more scope / flexibility to assign further resources into supporting affordable housing and priority housing needs, particularly as more of the emerging housing delivery projects come on stream as outlined in the Housing Delivery Plan.

Members were concerned that that Torbay Council had chosen not to allocate the additional income, as other Local Authorities had, to help provide affordable housing and questioned whether there would be a further opportunity for the Overview and Scrutiny Board to receive feedback on this issue once the final settlement figure was received.

Members were advised that all Members would receive a briefing, once the final settlement figure was known and if this figure had helped to close the budget gap of £400k and provide any additional surplus funding.

- 7.5 The report proposed a Council Tax increase of 2.75% instead of the permitted 2.99%. How much additional income would be generated if the Council Tax was set at 2.99%?

Members noted that the Council would generate an extra circa £219k if the Council Tax increase was to be set at the maximum limit to the cap set by Government.

Members raised concern regarding the future base budget if the Council Tax increase was to continue to be set at the lower rate with the full rate costing Bands A to C approximately 7p a week or 17p a week for a higher band. This could result in a cumulative loss of £1m less in the base budget after four years which could have been allocated to improve public services for residents.

- 7.6 Has the Cabinet taken the General Reserves up to 5% as recommended by CIPFA? If not, how much would be realised if Reserves up to 5% were used?

Members were referred to the December 2024 Reserves Statement, the Council aims to set a General Reserve at £7.6m at 31 March 2025 of 5% of the 2025/26 net revenue budget. In addition to this, the Council would aim to retain a Comprehensive Spending Reserve at £3.2m which would continue to be utilised for 'invest to save' initiatives.

Capital Budget

8 Key Lines of Enquiry

8.1 What was the governance around additional Government Grants for highways?

Members were informed that the Highways Structural Maintenance block funding forms part of Torbay Council's Local Transport Plan capital funding and is made up from three different Department for Transport (DfT) grant elements (Highways Maintenance Block, Pothole Fund and Incentive Fund).

A Highway Infrastructure Asset Management Strategy and Policy was in place, which was endorsed by Cabinet in 2021, and this sets out the basis for managing the highways asset and the priorities for highway maintenance funding, including any additional funding. There is an Officer decision process in place to confirm the allocation of this funding to the various elements of maintenance of the highway asset, which provides authorisation for SWISCo's Head of Highways to deliver the maintenance programme. This is signed off by the Director of Pride in Place annually. The more specific details of the programme are then delivered in consultation with the Divisional Director Economy, Environment and Infrastructure and the Cabinet Member for Pride in Place, Transport and Parking.

Occasionally Torbay Council may be successful in obtaining additional specific grant funding for highways and these may have particular grant conditions applied to them, which may need to be reflected in the governance requirements.

Members questioned how the allocated funding for Highways was being used to rectify the backlog of highways repairs and maintenance and if the £250,000 that was rolled over from 2023/2024 to 2024/2025 had been spent. Members were informed that Officers had previously advised the Cabinet that £68m would be required to rectify the backlog to bring the roads in Torbay to a good standard but this was reliant on Government funding. Any highways funding that was not spent in year would be rolled over and a written response would be provided on the current highways spend for 2024/2025.

Members highlighted that it was not just about the budget it was about the capacity of the Highways Team and Parking Team to implement Controlled Parking Zones (CPZ) and 20 mph zones. The Parking Team were involved in the CPZs and there had been delays due to sudden staffing shortages. The same people in the Highways Team deal with both issues. Members requested a written response on the levels of staff for Highways compared to the last three years.

Members raised concern that sport in Torbay was underinvested, and that budget should be allocated to sport in the Revenue base budget rather than being dependent on funding. Sport in Torbay was not only about infrastructure, it was of benefit to individuals as well for example this year, Abigail Martin who lives in Torbay took part in the Olympics 2024 with support from sport funding. Members highlighted the loss of the free skatepark in Paignton and questioned if there was funding included within the budget for a feasibility of a replacement facility. In response Members were informed that a community group had come together and were looking at various options to bring forward an additional skatepark. Members requested that sport be given a higher priority on the wish list, especially free sports facilities for use by the whole of the community, if there is additional funding in the final Settlement.

8.2 What was the governance for spending the additional Government Grant of £2.5m for buses and where will this be spent? What action was being taken to support buses in communities?

Members were informed that Torbay Council have an adopted Bus Service Improvement Plan (BSIP), and hopefully by the time the funding comes online a new Local Transport Plan (LTP), where Officers can deliver the priorities within the available budget in consultation with the Cabinet Member for Pride in Place, Transport and Parking.

There were two added complications to be aware of:

- 1) the grant conditions were currently unknown; and
- 2) how does devolution play into this and who are the decision makers in regard to the Local Transport Authority work.

Torbay Council have financially subsidised several services across Torbay having awarded long term 8-year contracts which started in April 2024 to offer stability and confidence on the network but also, demonstrating investment in newer more accessible vehicles.

Officers will be working over the coming months on more promotion of the services and investing in bus stop information.

The Bus Service Improvement Plan (BSIP) 2024 identifies the work still required to deliver the BSIP 2021. BSIP identified priority for Buses to serve the wider community. It goes on to establish ambitions and proposals for 2025 and beyond which focus on intensification of services, improved social necessary transport, alongside the wider investment in the existing network.

Members raised concerns regarding engagement that had happened with all Torbay Council Ward Councillors and the general public in the areas that are underserved by local buses and wanted to understand what opportunities the funding presented. Members were advised that engagement would be held with the community either via the Community Partnerships or with Ward Councillors the Group Leaders being given the opportunity to comment before any decisions were made, however the Council would have to wait until the full grant conditions were known before any processes could begin.

8.3 What is the current situation regarding Edginswell Railway Station?

Members noted that Edginswell Station remains a key delivery priority for Torbay Council and our partners, to enable South Devon to maximise the wider investment made in the Devon Metro rail services to provide an improved sustainable transport option for staff, patients and visitors to Torbay Hospital, and business and residents in the local area. The scheme is 'shovel ready' as it has an extant planning permission. The current status is that the Council and our Local MP continue to lobby Government and the Department for Transport to provide funding for Torbay Council to deliver the scheme. However, indications from Government are not leading us to expect that this will be resolved any time soon.

Members questioned what actions the Cabinet had taken to lobby the Government and were advised that meetings were held prior to the General Election with Ministers. It was made clear that there was a funding gap of £7m that Torbay Council would be required to fund. The local MP for Torbay had agreed to continue to lobby the Government but until the funding gap was found, the scheme cannot progress further. Recent meetings with Ministers had confirmed that additional funding was not available at this time, but efforts would be continued to be made to push forward the scheme and seek the additional funding.

8.4 £75,000 was requested to be put into the base budget for 2024/2025 for sport but this has been put in as a one off, what provision has been made to include this in the base for 2025/2026?

Members noted that the response to 2024/25 budget consultation indicated the one-off nature of this funding with the intention of supporting organisations to become more financially sustainable and access external funding. However, the Cabinet would re-consider whether further funding could be allocated into sport upon receipt of the final settlement figure during December 2024.

- 8.5 What action has been taken to invest in our play parks, when will the outcome of the play park review be presented to Overview and Scrutiny and has the review been taken into account when developing the budget proposals for 2025/2026?

Members noted that SWISCo on behalf of Torbay Council were currently collating the feedback that was provided by Children's Services consultation and engagement with play users over the summer months 2024 and were working through the final stages of analysing the 'state of play' across all the play areas owned and managed by the Council. The report will include a view of the cost to replace, repair or reconfigure the play offer on an area by area basis and a report will come through to the Overview and Scrutiny Board in the last quarter of 2024/2025. Such detail was not known in time for the 2025/26 budget proposals.

SWISCo had provided details to Torbay's MP regarding previous Government investment into National Play Strategies and funding to improve Play Areas. Torbay's MP had expressed an interest in understanding whether the Government have any future plans to support Children's Play Provision.

The Panel raised concerns regarding the number of play parks in Torbay with broken equipment and that some Members were using their Community Ward Funds to carry out repairs and purchase replacement equipment, as well as the implications arising from the delay of the Review of Play Parks Report.

It was noted that there were 72 playparks in Torbay and the allocated annual budget for parks was £67,000. Through this budget, only a limited amount of reactive and preventative repairs and maintenance could be carried out and Members highlighted the poor condition of some of the equipment with damaged equipment being removed without being replaced. It was suggested that a reserve should be created for Play Parks but the amount of such a reserve would not be known until the Review had been concluded. Once the Play Park Review had been completed, a more stable funding package could be identified based on need and priority. Members were requested to refer issues with specific play parks to the Cabinet Member for Pride in Place, Transport and Parking who agreed to look at them outside the review of the budget.

- 8.6 What consideration was there around the expected improvement in Homes England Grant Funding and the impact on meeting our housing needs by building more housing on brownfield sites?

Members were informed that Homes England currently have 17 funds and this was expected to be reduced down to:

- 1) funding through the Affordable Homes Programme; and
- 2) strategic funding routed via Homes England from Government to unlock key sites or pay for enabling infrastructure etc. Torbay Council have always performed well in respect of securing strategic funding, having received large allocations to help unlock a number of the sites within our Regeneration Partnership for example.

The Council was yet to receive clarity on the new funding which would be administered through Homes England. However, the Council would retain close working relationships, dialogue and regular meetings with the department.

Members highlighted the need to build on brownfield sites and the additional costs associated with affordable housing and the requirement for additional Government Funding or Council Reserves to help realise this.

- 8.7 The Capital Programme only lists projects with business cases, with £0 being allocated for car parks. What action was being taken to invest into car park maintenance and improvements and where was the crossover with the Capital Programme?

Members were advised that the Car Parking Service makes a budgeted contribution to fund emergency works, and one-off improvements to Council owned parking provision. Circa £90k per annum. The current reserve balance stands at £440k, however growing commitments in year are likely to reduce this at year end 2025/26.

The programmed and reactive routine maintenance budget for multi-storey car parks was managed by the Councils asset team and was ring-fenced at £76k per year.

There was currently no provision for general car park investment within the Council's Capital Investment Plan. However, our investment in regeneration projects will include improvements to, and facilitation of, quality car parking – including Station Square in Paignton and Brixham.

Members questioned what action was being taken against anti-social behaviour issues within multi-storey car parks to enable residents to feel confident when parking; when was the lining issues in car parks going to be resolved so as to better mark out parking spaces; what capital investment was being planned for investment in car parks and where would this be allocated from; how were areas prioritised for the refreshment of white lines and could residential areas be given priority as well as front facing areas; and how much does the consultation process for Traffic Regulation Orders (TROs) cost.

Members were advised that SWISCo have the responsibility for multi-story car parks cleaning and further funds had been allocated to increase the cleaning, new lighting had been introduced into some of the public car parks and CCTV had been introduced at the Terrace car park.

Members noted that a number of car parks were included within the Council's planned Regeneration Projects and whilst the Council was aware there are car parks such as Union Square and Victoria Square Car Parks that require maintenance, as these car parks were planned to be demolished as part of the redevelopment, it would not be in the best interests of the Council and the residents of Torbay to spend money on carrying out maintenance on these car parks.

With regards to the white lining, Members noted that external Line Painting was contracted for the larger routes as this was cost effective and SWISCo now have an in-house Line Painting Team with a new truck to carry out the work required to refresh the white lines on the roads within Torbay and this had been enabled through Brighter Bay funding. The Team was currently working on marking lines for road safety measures as instructed by the Head of Highways. The lining refreshment of all car parks would be reviewed in 2026, however when the Team are working in an area that includes car parks that required lining refreshment, this work was carried out at the same time resulting in some car parks receiving attention sooner than others. The aspiration is that by the end of 2024, the Team would have completed most of the highway markings within Torbay that are safety critical, including a lot of the residential areas, Page 54 can move onto other priority areas in 2025.

Members noted that Traffic Regulation Orders were a long process as they required two sets of consultation to take place to allow for the public highway to be altered. The cost to implement a TRO was on average £20k however there were some areas which were more complicated which would incur a higher charge e.g. outside a school.

9. Conclusion and Update from Overview and Scrutiny Board 8 January 2025

- 9.1 The Panel reflected and debated the information provided to them, both verbal and written, following which recommendations were formed (as set out below). Members welcomed that due to prudent management of the Revenue Budget over the past few years, there were no specific cuts to services identified within the proposals with focus being given to the high-spend areas via the Financial Sustainability Plans. Overall Members supported the Revenue and Capital Budget 2025/2026 consultation with the awareness that the Local Government Finance Settlement figure had not yet been received and that further information would be presented to the Overview and Scrutiny Board on 8 January 2025, when they considered their draft report.
- 9.2 Members were mindful of the uncertainty in respect of funding for services such as Domestic Abuse and Sexual Violence, Drug and Alcohol and Holiday Activities and Food Programme but this was alleviated by the assurance of the Cabinet that users would not see a reduction in those services and that Reserves would be used if necessary.
- 9.3 Members felt that more priority should be given within the budget to sport, play parks and affordable housing and that additional funding should be allocated to these areas should the Settlement be more favourable as well as consideration to increasing the amount allocated to the Community Ward Funds.
- 9.4 The Overview and Scrutiny Board received an update on the Local Government Finance Settlement for 2025/2026 as set out in Appendix 1 to this Report. It was noted that the amount of compensation towards the increased National Insurance contributions was not known but was expected to be significantly lower than the actual costs, this would need to be addressed by the Cabinet when they set their final budget proposals. Overall, it was anticipated that there was an additional £5.760m funding for the Base Revenue Budget and an additional £4.012m one off funding. The concerns raised above in respect of Domestic Abuse were now funded plus an additional £100k. The Board welcomed the additional funding announced by the Government but was concerned in respect of the uncertainty around the National Insurance liability.
- 9.5 The Panel formed the following recommendations to the Cabinet which were approved (with the addition of recommendation 4) by the Overview and Scrutiny Board on 8 January 2025. On being put to the vote, the motion was declared carried unanimously.

10. Recommendations

- 10.1 That the Cabinet be recommended:
1. that £75,000 Revenue funding be included in the base budget to support sport in 2025/26 and future years;
 2. that a Reserve of £500,000 be created for play parks;
 3. that an affordable housing reserve be created using the second homes additional Council Tax funding to help close the gap on affordable housing schemes; and
 4. that a reserve be created for Children's Services to respond to any market pressures arising from National Insurance rate increases.

Additional Base Revenue Resources

Area	Increase / (Decrease) £000	Comments
Council Tax Base (Council calculation)	1,010	Actual base figures asat 30 November 2024
Additional Social Care Grant	3,430	50/50 split between Adults and Children
Children Social Care Prevention grant	605	Assumption is that this will be base revenue funding
Business Rates/Revenue Support Grant/Services Grant	(210)	Net reduction in assumptions
New Homes Bonus	(225)	Net reduction in assumptions
Extended Producer Responsibility (50%)	1,150	New legislation from 2025. Some funding will be baselined
Net Additional ongoing Resources	5,760	

TORBAY COUNCIL

Additional 'One-Off' Resources

Area	Resources Increase £000	Comments
Extended Producer Responsibility (50%)	1,150	New legislation from 2025. Some funding anticipated to be time limited
Additional Homelessness / Rough Sleeping Grant	427	Increase from £1m funding allocated in 2024/25
Domestic Abuse safe accommodation grant	100	Assumption that this will be time limited revenue funding
Recovery Grant	2,085	Formula funding targeted to areas of deprivation. Assuming oneoff.
Business Rates levy– allocation from surplus	250	National allocation announced in December '24. Amount tbc
Additional time limited new funding	4,012	

TORBAY COUNCIL

Appendix B: Consultation questionnaire respondent profile

Which town do you live in? Select only one

Option	Total	Percentage
Torquay	77	54.23%
Paignton	46	32.39%
Brixham	15	10.56%
Responding as a business	4	2.82%

Which of the following age groups applies to you? Tick one only

Option	Total	Percentage
0-15	0	0.00%
16-24	1	0.68%
25-34	6	4.11%
35-44	10	6.85%
45-54	24	16.44%
55-64	43	29.45%
65-74	47	32.19%
75+	15	10.27%

What is your gender? Select only one

Option	Total	Percentage
Male	75	51.37%
Female	61	41.78%
Prefer not to say	10	6.85%

Which of the following best describes your ethnic background? Tick one only

Option	Total	Percentage
White	137	97.16%
Mixed ethnicity	3	2.13%
Asian or Asian British	0	0.00%
Black or Black British	1	0.71%
Chinese	0	0.00%

Employment Status – Select only one

Option	Total	Percentage
Working full-time in Torbay	23	16.20%
Working full-time elsewhere in Devon	13	9.15%
Working part-time in Torbay	17	11.97%
Working part-time elsewhere in Devon	0	0.00%
Self-employed – full, or part-time	17	11.97%
Student	1	0.70%
Looking after Family/Home	0	0.00%
Temporary Sick	1	0.70%
Long-Term Sick	3	2.11%
Retired	66	46.48%
Unemployed	1	0.70%

Do you consider yourself to be disabled in any way? Tick one only

Option	Total	Percentage
Yes	28	19.18%
No	118	80.82%

If you answered "Yes", please tell us how it affects you. Tick as many as apply

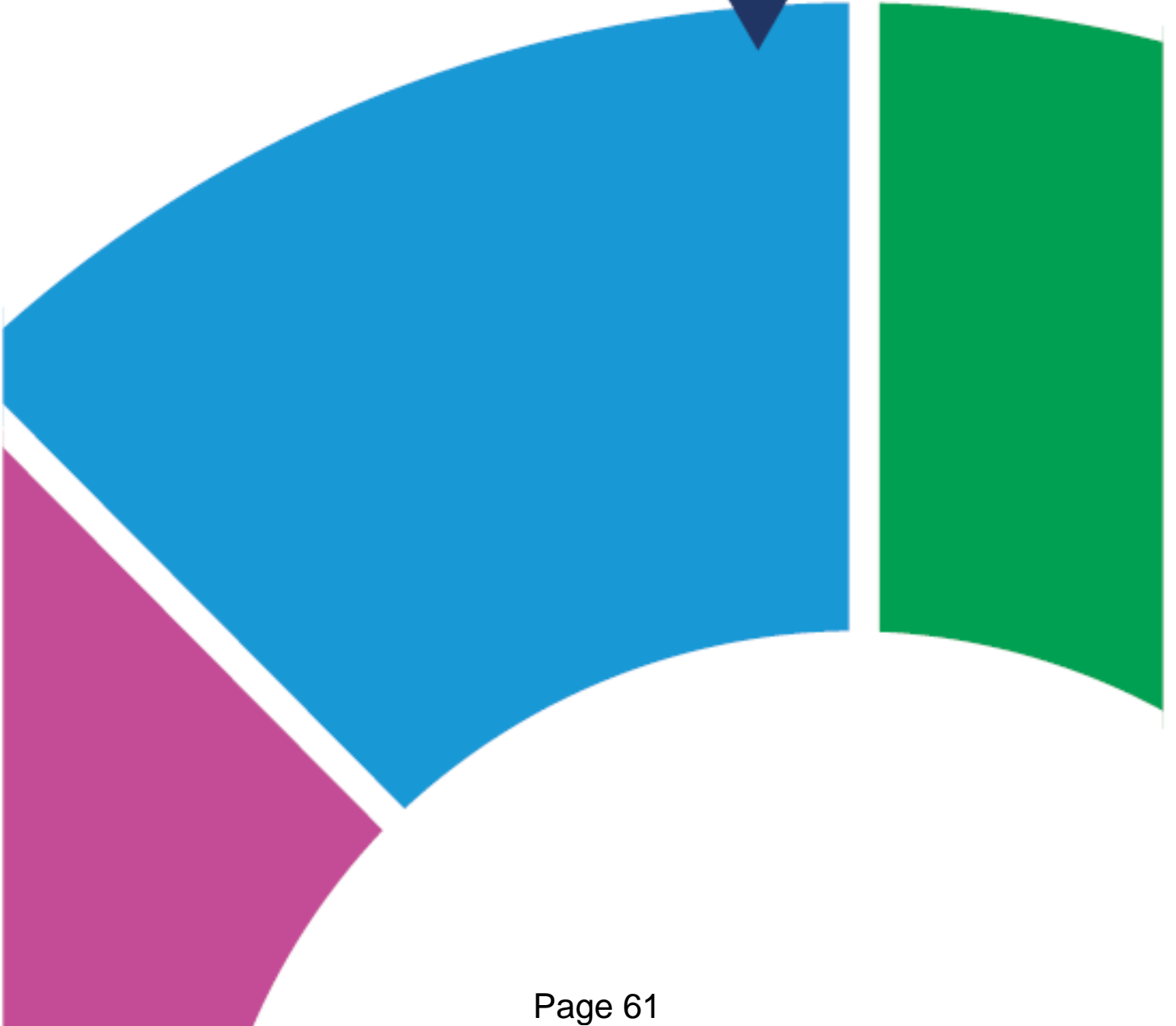
Option	Total	Percentage
It affects my mobility	18	85.71%
It affects my vision	2	9.52%
It affects my hearing	1	4.76%

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Cabinet's Response to Consultation

February 2025

Budget 2025-2026



Statement from the Leader of the Council and Cabinet Member for Finance

In accordance with the Council's Constitution, the Cabinet is proposing a balanced net Revenue Budget of £147.5 million for 2025/2026 and a 2025/2026 Capital Investment Plan of £32.6 million for the Council's consideration. As we said when we launched the consultation, our approach in proposing this budget continues to be one of focusing on the ongoing revenue pressures and delivering against our financial sustainability plans and our Capital Investment Plan. As always we want to ensure we concentrate on the things that residents have told us matter to them.

We'd like to thank all of those who provided feedback to the draft proposals through completing our questionnaire and by responding and commenting to our social media posts. We'd also like to thank the Overview and Scrutiny Board for its time in reviewing our proposals and for providing useful observations and suggestions which we have incorporated into these final budget proposals.

It was pleasing to see that the community supported the majority of our original proposals put forward and, in light of the final funding settlement we have been able to take on board many of your responses and suggestions as well as pushing forward with more of our regeneration plans.

Last year we stated that our aim was to take a long term strategic approach in developing our budget. We have reviewed the situation and have sought to strengthen initiatives that were started last year. This is in line with our resident's requests and help to meet the Council Corporate objectives.

The additional Government funding recently announced for social care will be split equally between adult social care and children's social care. Funds have been allocated to help manage pressures in the provider market particularly those created by the national increases in employer's National Insurance. Further funding will support ongoing transformation work in adult services and the strengthening of a number of activities in support of our young people. Details on the initiatives to enhance our social care provision can be found in the Financial Officers report.

There remain concerns that inflationary pressures will persist with many of our suppliers experiencing increased costs as a result of the Government's autumn budget but we have recognised that in our proposals. We do however welcome the additional funding announced by Government, particularly the £2 million Recovery Grant and this has provided some scope for additional investment. In determining where this could be made, we have taken account of the responses to the consultation, including the views of the Overview and Scrutiny Board, as well as emerging service pressures. The full set of recommendations from the Overview and Scrutiny Board are set out in Appendix 1 together with the Cabinet's response.

The changes we are proposing to the budget for 2025/2026 are outlined within the Chief Finance Officer Update report but include the following:

- Within the consultation results, we were pleased to see the overwhelming support for our proposed investment in two flagship projects – Operation Brighter Bay and Operation Town Centres. Each of these will benefit from an increased budget of £300,000 next year

resulting in an additional funding across the two projects of over a £1million per year compared with the lack of investment seen two years ago.

- Operation Brighter Bay will see additional investment to help make our Bay safer and more attractive. We will bring forward a new maintenance team to help with additional work in making Torbay the kind of place you want to see and thus, more welcoming to visitors.
- Operation Town Centres will see further collaboration between local Police Officers and council Staff. The council will be providing additional staff on the streets in our Town Centres with the objective of enabling more enforcement against those who engage in anti-social behaviour as well as providing greater assistance to individuals who need our help and support.
- The allocation of £150,000 to increase support for events in Torbay. This will not only ensure that our Events Team are able to build on the success of much valued events such as the 'Bay of Lights' but will also enable our newly appointed Town Centres Manager to significantly improve the events offer across all three towns.
- The allocation of £1.4 million to support council led Housing Developments to increase the level of affordable housing across the Bay. This will supplement initiatives already underway through our £6 million 'Hotels to Homes schemes' and through our Town Centre Regeneration projects.
- £500,000 funding to make a meaningful start on the refurbishment of Play Parks in Torbay. Expenditure will be allocated with reference to priorities identified in the Play Park Strategy.
- The allocation of £200,000 to support a Community Grant Fund. This will allow the council to work alongside Community Groups to undertake and fund projects suggested by the Community in the most deprived wards in Torbay. Criteria for this fund will be determined over the next two months, but these are likely to favour initiatives that have lasting benefit to residents in Torbay.
- A small £500 increase in the size of each Councillor's Ward Fund allowing all wards in Torbay to benefit from new funding.

We stated in our Draft Budget that we hoped to be able to set a balanced budget without increasing Council Tax to the full extent permitted by Government. We have considered your wish that the council improves its services against the requirement to set a balanced budget, however we have also considered the pressures that many households are facing and are able to confirm that we are recommending a, beneath maximum, increase of 4.75%



Councillor David Thomas

Leader of Torbay Council



Councillor Alan Tyerman

Cabinet Member for Housing and Finance

Appendix 1 – Cabinet’s response to the recommendations of the Overview and Scrutiny Board

Recommendations from the Overview and Scrutiny Board	Cabinet’s Response
1. That £75,000 Revenue funding be included in the base budget to support sport in 2025/26 and future years.	The £75,000 previously supported from the Public Health budget is now proposed to be included in the base budget.
2. That a Reserve of £500,000 be created for play parks.	£500,000 from the additional one-off funding received is proposed to be allocated to a Reserve to invest in the council’s existing play parks.
3. That an Affordable Housing Reserve be created using the second homes additional Council Tax funding to help close the gap on affordable housing schemes.	£1.2 million from the additional one-off funding received is proposed to be allocated to help support council-led housing developments, together with £200,000 increase to the base budget.
4. That a Reserve be created for Children’s Services to respond to any market pressures arising from National Insurance rate increases.	The contingency budget for increased Children’s Social Care costs is proposed to be increased by £500,000 to help address the identified pressures within the provider market.

FEES AND CHARGES PROPOSED FOR 2025/26

CONTENTS

Building Control
Car Parking
Community Services
Council Tax and Business Rates
Culture and Sport
Customer Services
Data Protection
Development Control
Governance
Green Spaces (SWISCO)
Harbours
Highways (SWISCO)
HWRC (SWISCO)
Land Charges
Legal Services
Libraries
Planning Pre-Applications
Registration
Resort Services
Room Hire Assembly Hall
Social Housing
Spatial Planning
Town Diary & Events

Building Control Fees and Charges

<http://www.torbay.gov.uk/planning-and-building/building-control/bc-fees/>

Standard application charges for new dwellings and those created by conversion (Houses, flats and maisonettes not exceeding 300m ² in area and 3 storeys in height)	£ Current 2024/25	£ Proposed 2025/26	Category
VAT Rate SR			
1 dwelling	1070.00	1110.00	Traded
2 dwellings	1,335.00	1382.00	Traded
3 dwellings	1,500.00	1553.00	Traded
4 dwellings	1,665.00	1723.00	Traded
5 dwellings	1,820.00	1884.00	Traded
6 dwellings	1,976.00	2045.00	Traded

For developments in excess of 6 units, please contact the Building Control Division for details

Standard charges for small domestic buildings, extensions, rooms in the roof	£ Current 2024/25 Full Plans Charge	£ Current 2024/25 Building Notice Charge	£ Proposed 2025/26 Full Plans Charge	£ Proposed 2025/26 Building Notice Charge	Category
VAT Rate SR					
Extension not exceeding 10m ²	550.00	630.00	570.00	655.00	Traded
Exceeding 10m ² but not over 40m ²	820.00	890.00	850.00	925.00	Traded
Exceeding 40m ² but not over 100m ²	920.00	1,020.00	955.00	1060.00	Traded
Any non-exempt Garage/Carport	450.00	510.00	465.00	530.00	Traded
Loft Conversion	700.00	820.00	725.00	850.00	Traded
Conversion of domestic garage to habitable accommodation	430.00	500.00	445.00	520.00	Traded

(Areas are total floor areas of all storeys measured internally)

Where the total or the aggregation of the floor area of one or more extensions exceeds 40m², please contact the Building Control Department for

Standard charges for the Renovation of Thermal elements, Window replacement and Electrical/Controlled Installations for small domestic buildings VAT Rate SR	£ Current 2024/25 Full Plans Charge	£ Current 2023/24 Building Notice Charge	£ Proposed 2025/26 Full Plans Charge	£ Proposed 2025/26 Building Notice Charge	Category
Renovation of a thermal element to a single dwelling, (replacement roof covering, render, internal plaster or insulation)	250.00	250.00	260.00	260.00	Traded
Controllable electrical work to a domestic dwelling, (not competent persons)	180.00	180.00	190.00	190.00	Traded
Electrical work comprising of re- wiring a whole house (not competent persons)	270.00	270.00	285.00	285.00	Traded
Replacement of windows/doors (not competent persons) 1-4	155.00	155.00	165.00	165.00	Traded
Replacement of windows/doors (not competent persons) 5+	230.00	230.00	240.00	240.00	Traded
Installation of microgeneration systems or the installation of solid fuel, gas or oil fired appliances	200.00	200.00	210.00	210.00	Traded

Standard charges for all other building work (including renovation of thermal elements to Non Domestic Buildings) VAT Rate SR	£ Current 2024/25 Full Plans Charge	£ Current 2023/24 Building Notice Charge	£ Proposed 2025/26 Full Plans Charge	£ Proposed 2025/26 Building Notice Charge	Category
Under £2,000	240.00	300.00	250.00	310.00	Traded
£2,001 – £5,000	380.00	440.00	395.00	455.00	Traded
£5,001 – £10,000	470.00	560.00	485.00	585.00	Traded
£10,001 – £25,000	700.00	700.00	775.00	775.00	Traded
£25,001 – £50,000	840.00	840.00	925.00	925.00	Traded

For developments in excess of £50,000 please contact the Building Control Division for details

Regularisation Fees Domestic Extensions and Alterations VAT Rate OS	£ Current 2024/25	£ Proposed 2025/26	Category
Extension not exceeding 10m sq	835.00	865.00	Levy
Exceeding 10m sq but not over 40m sq	1,188.00	1230.00	Levy
Exceeding 40m sq and over	1,476.00	1528.00	Levy
Any garage/carport	710.00	735.00	Levy
Conversion of domestic garage to habitable accommodation	710.00	735.00	Levy
Loft conversion	1,344.00	1392.00	Levy
Renovation of a thermal element to a single dwelling, (replacement roof covering, render, internal plaster or insulation)	340.00	352.00	Levy
Installation of microgeneration systems or the installation of solid fuel, gas or oil fired appliances	290.00	300.00	Levy
Controllable electrical work to a domestic dwelling	260.00	270.00	Levy
Electrical work comprising of re- wiring a whole house	340.00	352.00	Levy
Replacement of windows 1-4	230.00	240.00	Levy
Replacement of windows 5+	312.00	323.00	Levy
Regularisation Fees The Building or Conversion of New Dwellings VAT Rate OS	£ Current 2024/25	£ Proposed 2025/26	Category
1 dwelling	1,280.00	1325.00	Levy
2 dwellings	1,600.00	1656.00	Levy
3 dwellings	1,820.00	1884.00	Levy
4 dwellings	1,996.80	2067.00	Levy

Regularisation Fees Calculation of Charges for all Other Building Work:	£ Current	£ Proposed	Category
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Estimated Cost of Work VAT Rate OS	2024/25
Under £2,000	400.00
£2,001 – £5,000	541.00
£5,001 – £10,000	805.00
£10,001 – £25,000	990.00
£25,001 – £50,000	1,200.00

2025/26
414.00
560.00
834.00
1025.00
1242.00

Levy
Levy
Levy
Levy
Levy

For works with an estimated value over £50,000 please contact

Parking - Off Street

Off Street Parking Places – Zone 1 (charges apply 7am to midnight)

VAT Rate SR

Brixham

Car Park	Up to 30 minutes	Up to 1 hour	Up to 2 hours	Up to 3 hours	Overnight ²
Brixham Central Car Park ¹	£0.90	£1.70	£2.90	£4.10	£4.90

¹ – Maximum stay of 3 hours permitted during the period 7am to 6pm every day.

² - Overnight is available 6pm to midnight

Paignton

Car Park	Up to 1 hour	Up to 2 hours	Up to 3 hours	Up to 4 hours	Up to 17 hours	Overnight ³
Churchward Road Car Park	£1.70	£2.90	£4.10	£5.20	£9.60	n/a
Crown & Anchor Car Park	£1.70	£2.90	£4.10	£5.20	£9.60	n/a
Great Western Car Park ¹	£1.70	£2.90	£4.10	n/a	n/a	£4.90
Hyde Road Car Park	£1.70	£2.90	£4.10	£5.20	£9.60	n/a
Preston Gardens Car Park	£1.70	£2.90	£4.10	£5.20	£9.60	n/a
Station Lane Car Park ²	£1.70	£2.90	£4.10	£5.20	£9.60	n/a
Victoria Car Park	£1.70	£2.90	£4.10	£5.20	£9.60	n/a

¹ – Maximum stay of 3 hours permitted during the period 7am to 6pm every day.

² – Long stay car park also has a section of parking bays that allow a maximum stay of 60 minutes.

³ - Overnight is available 6pm to midnight

Torquay

Car Park	Up to 1 hour	Up to 2 hours	Up to 3 hours	Up to 4 hours	Up to 17 hours	Overnight ⁵
Brunswick Square Car Park	£1.70	£2.90	£4.10	£5.20	£9.60	n/a
Chilcote Close Car Park	£1.70	£2.90	£4.10	£5.20	£9.60	n/a
Lower Union Lane Multi Storey Car Park ³	£1.70	£2.90	£4.10	£5.20	£9.60	n/a
Lower Union Lane Shoppers Car Park ⁴	£1.70	n/a	n/a	n/a	n/a	£4.90
Lymington Road Coach Station Car Park	£1.70	£2.90	£4.10	£5.20	£9.60	n/a
Melville Street Car Park	£1.70	£2.90	£4.10	£5.20	£9.60	n/a
St Marychurch Car Park	£1.70	£2.90	£4.10	£5.20	£9.60	n/a
Town Hall Car Park	£1.70	£2.90	£4.10	£5.20	£9.60	n/a
Union Square Car Park	£1.70	£2.90	£4.10	£5.20	£9.60	n/a

³ – Pay on exit car park.

⁴ – Maximum stay of 1 hour permitted during the period 7am to 6pm every day.

⁵ - Overnight is available 6pm to midnight

Off Street Parking Places – Zone 2 (charges apply 7am to midnight)

VAT Rate SR

Brixham

Car Park	Up to 1 hour	Up to 2 hours	Up to 3 hours	Up to 4 hours	Up to 17 hours
Freshwater Car Park	£1.80	£3.00	£4.20	£5.50	£10.50
Oxen Cove Car Park	£1.80	£3.00	£4.20	£5.50	£10.50

Paignton

Car Park	Up to 1 hour	Up to 2 hours	Up to 3 hours	Up to 4 hours	Up to 17 hours
Clennon Valley Car Park	£1.80	£3.00	£4.20	£5.50	£10.50
Roundham Car Park ¹	£1.80	£3.00	£4.20	£5.50	£10.50

¹ – Winter parking charges apply during the period 1st November to 20th March (dates inclusive), these charges are listed at end of this Schedule.

Torquay

Car Park	Up to 1 hour	Up to 2 hours	Up to 3 hours	Up to 4 hours	Up to 17 hours
Cockington Court Car Park	£1.80	£3.00	£4.20	£5.50	£10.50
Cockington Cycle Hub Car Park	£1.80	£3.00	£4.20	£5.50	£10.50
Cockington Village Car Park	£1.80	£3.00	£4.20	£5.50	£10.50
Hampton Avenue Car Park	£1.80	£3.00	£4.20	£5.50	£10.50
Harbour Car Park	£1.80	£3.00	£4.20	£5.50	£10.50
Meadfoot Road Car Park	£1.80	£3.00	£4.20	£5.50	£10.50
Princes Street Car Park	£1.80	£3.00	£4.20	£5.50	£10.50
Shedden Hill Car Park	£1.80	£3.00	£4.20	£5.50	£10.50
Torre Valley Car Park ¹	£1.80	£3.00	£4.20	£5.50	£10.50
Walls Hill Car Park	£1.80	£3.00	£4.20	£5.50	£10.50

¹ – Winter parking charges apply during the period 1st November to 20th March (dates inclusive), these charges are listed at end of this Schedule.

Winter Tariff (only available during the period 1st November to 20th March – dates inclusive) – the above charges apply outside of

Car Park	Up to 1 hour	Up to 2 hours	Up to 4 hours	Up to 17 hours
Roundham Car Park	£1.10	£1.50	£2.40	£3.50
Torre Valley Car Park	£1.10	£1.50	£2.40	£3.50

Off Street Parking Places – Zone 3 (charges apply 7am to midnight)

VAT Rate SR

Brixham

Car Park	Up to 1 hour	Up to 2 hours	Up to 3 hours	Up to 4 hours	Up to 17 hours
Breakwater Car Park ¹	£1.90	£3.20	£4.70	£5.80	£11.00

¹ – Winter parking charges apply during the period 1st November to 20th March (dates inclusive), these charges are listed at end of this Schedule.

Paignton

Car Park	Up to 1 hour	Up to 2 hours	Up to 3 hours	Up to 4 hours	Up to 17 hours	Overnight ³
Broadsands Car Park ¹	£1.90	£3.20	£4.70	£5.80	£11.00	n/a
Cliff Park Road Car Park ¹	£1.90	£3.20	£4.70	£5.80	£11.00	n/a
Colin Road Car Park	n/a	£3.20	£4.70	£5.80	£11.00	n/a
Goodrington ²	n/a	£3.20	£4.70	n/a	n/a	£5.00
Quaywest Car Park	n/a	£3.20	£4.70	£5.80	£11.00	n/a
Youngs Park Car Park	n/a	£3.20	£4.70	£5.80	£11.00	n/a

¹ – Winter parking charges apply during the period 1st November to 20th March (dates inclusive), these charges are listed at end of Schedule 7.

² – Maximum stay of 3 hours permitted during the period 7am to 6pm every day.

³ - Overnight is available 6pm to midnight

Torquay

Car Park	Up to 1 hour	Up to 2 hours	Up to 3 hours	Up to 4 hours	Up to 17 hours
Abbey Park Car Park	n/a	£3.20	£4.70	£5.80	£11.00
Beacon Quay Car Park	n/a	£3.20	£4.70	£5.80	£11.00
Kilmorie Car Park ¹	£1.90	£3.20	£4.70	£5.80	£11.00
Meadfoot Beach Car Park ¹	£1.90	£3.20	£4.70	£5.80	£11.00

¹ – Winter parking charges apply during the period 1st November to 20th March (dates inclusive), these charges are listed at end of this Schedule.

Winter Tariff (only available during the period 1st November to 20th March – dates inclusive) – the above charges apply outside of this period

Car Park	Up to 1 hour	Up to 2 hours	Up to 4 hours	Up to 17 hours
Breakwater	£1.10	£1.50	£2.40	£3.50
Broadsands	£1.10	£1.50	£2.40	£3.50
Cliff Park Road	£1.10	£1.50	£2.40	£3.50
Kilmorie	£1.10	£1.50	£2.40	£3.50
Meadfoot Beach	£1.10	£1.50	£2.40	£3.50

Off Street Parking Places – Commercial Vehicle Locations (Charges apply 7am to midnight)

VAT Rate SR

Brixham
Page 15

Car Park	Up to 1 hour	Up to 4 hours	Up to 17 hours
Freshwater Car Park	£6.20	£12.40	£18.90

Paignton

Car Park	Up to 1 hour	Up to 4 hours	Up to 17 hours
Clennon Valley Car Park	£6.20	£12.40	£18.90
Victoria Car Park	£6.20	£12.40	£18.90

Torquay

Car Park	Up to 1 hour	Up to 4 hours	Up to 17 hours
Hampton Avenue Car Park	£6.20	£12.40	£18.90
Lymington Road Coach Station Car Park	£6.20	£12.40	£18.90
Shedden Hill Car Park	£6.20	£12.40	£18.90

Promotional Parking Charges

VAT Rate SR

<u>Parking period up to:</u>	<u>Charge</u>
Parking Promotion 1 – up to 6 hours	50p
Parking Promotion 1 – up to 12 hours	£1.00

Car Parking - Pay and Display Charges

Agreed charges for 2025/26

On Street Parking Places – Zone 1

VAT Rate OS

Paignton

Street	Charging Hours	Up to 4 hours	All day
Sands Road	8am to 6pm, daily	£2.00	£3.10
Stearfield Road	8am to 6pm, daily	£2.00	£3.10

Torquay

Street	Charging Hours	Up to 4 hours	All day
Lymington Road (commuter spaces)	9am to 5pm, Mon-Sat	£2.00	£3.10
Magdalene Road	9am to 5pm, Mon-Sat	£2.00	£3.10
Newton Road	8am to 6pm, daily	£2.00	£3.10

On Street Parking Places – Zone 2

VAT Rate OS

Paignton

Street	Charging Hours	Up to 30 minutes	Up to 1 hour	Up to 1.5 hours	Up to 2 hours	Up to 3 hours	Up to 4 hours	Up to 5 hours	Up to 6 hours	All day
Adelphi Road	8am to 6pm, daily	£1.30	£1.90	£2.90	£3.50	£4.60	£5.80	£6.90	£8.00	£11.40
Dendy Road	8am to 6pm, daily	£1.30	£1.90	£2.90	£3.50	£4.60	£5.80	£6.90	£8.00	£11.40
Hyde Road	8am to 6pm, daily	£1.30	£1.90	£2.90	£3.50	£4.60	£5.80	£6.90	£8.00	£11.40
Palace Avenue	9am to 6pm, Mon-Sat	£1.30	£1.90	£2.90	£3.50	£4.60	£5.80	£6.90	£8.00	£11.40
Queens Road	8am to 6pm, daily	£1.30	£1.90	£2.90	£3.50	£4.60	£5.80	£6.90	£8.00	£11.40
Torbay Road	9am to 6pm, daily (one section is 10am to 6pm daily)	£1.30	£1.90	£2.90	£3.50	£4.60	£5.80	£6.90	£8.00	£11.40
Truquay Road	8am to 6pm, daily	£1.30	£1.90	£2.90	£3.50	£4.60	£5.80	£6.90	£8.00	£11.40

Torquay

Street	Charging Hours	Up to 30 minutes	Up to 1 hour	Up to 1.5 hours	Up to 2 hours	Up to 3 hours	Up to 4 hours	Up to 5 hours	Up to 6 hours	All day
Abbey Road	9am to 5pm, daily	£1.30	£1.90	£2.90	£3.50	£4.60	£5.80	£6.90	£8.00	£11.40
Babbacombe Road	8am to 6pm, Mon-Sat (one section is 8am to 6pm, daily)	£1.30	£1.90	£2.90	£3.50	£4.60	£5.80	£6.90	£8.00	£11.40
Briary Lane	8am to 6pm, daily	£1.30	£1.90	£2.90	£3.50	£4.60	£5.80	£6.90	£8.00	£11.40
Castle Road	8am to 6pm, Mon-Sat	£1.30	£1.90	£2.90	£3.50	£4.60	£5.80	£6.90	£8.00	£11.40
Lymington Road	8am to 6pm, Mon-Sat	£1.30	£1.90	£2.90	£3.50	£4.60	£5.80	£6.90	£8.00	£11.40
Market Street	8am to 6pm, daily	£1.30	£1.90	£2.90	£3.50	£4.60	£5.80	£6.90	£8.00	£11.40
Parkhill Road	8am to 6pm, daily	£1.30	£1.90	£2.90	£3.50	£4.60	£5.80	£6.90	£8.00	£11.40
Pemlico	8am to 6pm, daily	£1.30	£1.90	£2.90	£3.50	£4.60	£5.80	£6.90	£8.00	£11.40
The Terrace	8am to 6pm, daily	£1.30	£1.90	£2.90	£3.50	£4.60	£5.80	£6.90	£8.00	£11.40
Torwood Gardens Road	8am to 6pm, daily	£1.30	£1.90	£2.90	£3.50	£4.60	£5.80	£6.90	£8.00	£11.40
Torwood Street	8am to 6pm, daily	£1.30	£1.90	£2.90	£3.50	£4.60	£5.80	£6.90	£8.00	£11.40
Union Street	8am to 6pm, Mon-Sat	£1.30	£1.90	£2.90	£3.50	£4.60	£5.80	£6.90	£8.00	£11.40

On Street Parking Places – Zone 3

VAT Rate OS

Paignton

Street	Charging Hours	Up to 30 minutes	Up to 1 hour	Up to 1.5 hours	Up to 2 hours	Up to 3 hours	Up to 4 hours	Up to 5 hours	Up to 6 hours	24 hours
Eastern Esplanade	24 hours a day, daily	£1.40	£2.10	£3.00	£3.70	£5.00	£6.10	£7.20	£8.30	£11.90
Marine Drive	24 hours a day, daily	£1.40	£2.10	£3.00	£3.70	£5.00	£6.10	£7.20	£8.30	£11.90

Torquay

Street	Charging Hours	Up to 30 minutes	Up to 1 hour	Up to 1.5 hours	Up to 2 hours	Up to 3 hours	Up to 4 hours	Up to 5 hours	Up to 6 hours	24 hours
Torbay Road	24 hours a day, daily	£1.40	£2.10	£3.00	£3.70	£5.00	£6.10	£7.20	£8.30	£11.90

On Street Parking Permits

VAT Rate OS

Permit Type	Current Charge	Proposed Charges	Category
Annual On Street Permit (up front)*	£700.00	£720.00	Traded
Monthly On Street Permit	£105.00	£108.00	Traded
Monthly Commuter On Street Permit	£63.00	£65.00	Traded
Healthcare and Emergency Badge	£15.00	£15.00	Cost recovery
Controlled Parking Zone	£30.00	£35.00	Cost recovery

* Note – Cost of Annual Permit increases to £770.00 if paid for using Direct Debit option

Parking Permits and Commercial Parking - Fees and Charges

Types of Parking Permits – Off-Street		Current Charges 2024/25	Charges 2025/26	Category
Permit Type	Coverage			
Annual (up front)	Covers use in all Torbay Council car parks	£455.00	£475.00	Traded
Monthly	Covers use in all Torbay Council car parks except Lower Union Lane	£75.00	£77.00	Traded
8 days	Covers use in all Torbay Council Car Parks except Lower Union Lane	£52.00	£54.00	Traded
4 days		£29.00	£30.00	Traded
Off Peak	Valid 3.00 p.m. to 10.00 a.m. and covers use in all Torbay Council car parks except Lower Union Lane	£75.00	£77.00	Traded
Disabled Persons Parking Permit	All Pay & Display Car Parks	£46.50	£48.00	Cost recovery
Administration fee to change vehicle registration details on car park permits	All car park permits	£25.00	£25.00	Cost recovery

Note – Cost of Annual Permit increases to £523.00 if paid for using Direct Debit option

Reserved Bays		Charges 2024/25	Charges 2025/26	Category
Beacon Quay	3 spaces	£680.00	£700.00	Traded
Breakwater	2 spaces	£680.00	£700.00	Traded
Chilcote Close	10 spaces	£680.00	£700.00	Traded
Freshwater	24 spaces	£680.00	£700.00	Traded
Harbour Car Park	Not specified	£680.00	£700.00	Traded
Harbour Car Park - Museum Road	Not specified	£680.00	£700.00	Traded
Lymington Road Coach Station	Innovation centre tenants only (28 spaces) Not for general public sale	N/A	N/A	Traded
St Dominics Close	4 spaces	£680.00	£700.00	Traded
Victoria	40 spaces	£680.00	£700.00	Traded
Shedden Hill Car Park	Torquay Lawn Tennis Club only (10 spaces)	N/A	N/A	Traded
Southern Quay	Residential	£740.00	£760.00	Traded
Southern Quay	Business	£1,545.00	£1,590.00	Traded
Reserved Bays	Notification of change of business	£50.00	£50.00	Cost recovery

Commercial Parking (includes coaches) Car Parks VAT Rate SR	£ Current Charges 2024/25	£ Proposed Charges 2025/26	Category
Time Period - All year round			
Up to 1 hour	£5.90	£6.20	Traded
Up to 4 hours	£11.90	£12.40	Traded
Up to 24 hours	£18.20	£18.90	Traded
Weekly	£74.00	£75.50	Traded

Community Safety Fees & Charges

Food, Health & Safety and Public Safety Discretionary Fees

Body alteration registrations http://www.torbay.gov.uk/business/licensing/skin-piercing/	£		Category	2025/26 % rise	
	Current	2024/25			Proposed 2025/26
VAT Rate OS					
Tattooing, Electrolysis and Body Piercing (excluding cartridge systems) – Premises	290.00		300.00	Cost Recovery	3.45%
Tattooing, Electrolysis and Body Piercing (excluding cartridge systems) – Practitioner	167.00		173.00	Cost Recovery	3.59%
Practitioner registration at reduced rate per person when completing a joint application (Premises and Practitioner)	100.00		104.00	Cost Recovery	4.00%
Tattooing, Electrolysis and Body Piercing : Amendment to registration (e.g change of name)	55.00		57.00	Cost Recovery	3.64%
Ear piercing using an approved cartridge system – Premises	155.00		165.00	Cost Recovery	6.45%
Ear piercing using an approved cartridge system – Practitioner	139.00		145.00	Cost Recovery	4.32%
Ear Piercing using an approved cartridge system - Practitioner registration at reduced rate per person when completing a joint application (Premises and Practitioner)	84.00		87.00	Cost Recovery	3.57%
Ear Piercing: Amendment to registration (e.g. change of name)	55.00		57.00	Cost Recovery	3.64%

Fish Export Certificates	£		Category	2025/26 % rise	
	Current	2024/25			Proposed 2025/26
VAT Rate OS					
*Export Support Attestation	135.00		140.00	Cost Recovery	3.70%
*Any Export Certificates (fish) – Advanced	135.00		140.00	Cost Recovery	3.70%
*Any Export Certificates (fish) – Advanced - Late Notice where notified after 1pm	180.00		187.00	Cost Recovery	
*Export Certificates (fish) – Advanced (where re-issued required due to error caused by business)	135.00		140.00	Cost Recovery	3.70%

* Charges applicable Monday-Friday

Factual reports to Solicitors following accidents	£		Category	2025/26 % rise	
	Current	2024/25			Proposed 2025/26
VAT Rate OS					
Factual report	239.00		248.00	Cost Recovery	3.77%
Photocopying per sheet	1.72		1.78	Cost Recovery	3.49%
Photographs			Actual costs	Cost Recovery	

Sports Grounds	£		Category	2025/26 % rise	
	Current	2024/25			Proposed 2025/26
VAT Rate OS					
General or Special Safety Certificate (Sports grounds) - new	3,640.00		3767.00	Cost Recovery	3.49%
General or Special Safety Certificate (Sports grounds) – alteration requested by sports grounds	1040.00		1076.00	Cost Recovery	3.46%
Regulated Stand (Sports grounds) - new	1040.00		1076.00	Cost Recovery	3.46%
Regulated Stand (Sports grounds) - alteration requested by sports grounds	520.00		538.00	Cost Recovery	3.46%

Licensing Discretionary Fees

Street Trading http://www.torbay.gov.uk/business/licensing/street-and-trading/street-trading/	£		Category	2025/26 % rise	
	Current	2024/25			Proposed 2025/26
VAT Rate OS					
Annual	1,178.00		1178.00	Cost Recovery	0.00%
3 months	525.00		525.00	Cost Recovery	0.00%
1 month	224.00		224.00	Cost Recovery	0.00%
Daily	172.00		172.00	Cost Recovery	0.00%
Replacement or amendment	40.00		40.00	Cost Recovery	0.00%
Small Traders 0-15 #					
1 day only	200.00		200.00	Cost Recovery	0.00%
2-3 days	354.00		354.00	Cost Recovery	0.00%
4-6 days	517.00		517.00	Cost Recovery	0.00%
7-9 days	678.00		678.00	Cost Recovery	0.00%
10-12 days	839.00		839.00	Cost Recovery	0.00%
13-15 days	1,000.00		1000.00	Cost Recovery	0.00%
16+ days	1,161.00		1161.00	Cost Recovery	0.00%
Medium Traders 16-30 #					
1 day only	400.00		400.00	Cost Recovery	0.00%
2-3 days	857.00		857.00	Cost Recovery	0.00%
4-6 days	1,259.00		1259.00	Cost Recovery	0.00%
7-9 days	1,661.00		1661.00	Cost Recovery	0.00%
10-12 days	2,068.00		2068.00	Cost Recovery	0.00%
13-15 days	2,469.00		2469.00	Cost Recovery	0.00%
16+ days	2,792.00		2792.00	Cost Recovery	0.00%
High Traders 31+ #					
1 day only	600.00		600.00	Cost Recovery	0.00%
2-3 days	1,373.00		1373.00	Cost Recovery	0.00%
4-6 days	2,024.00		2024.00	Cost Recovery	0.00%
7-9 days	2,666.00		2666.00	Cost Recovery	0.00%
10-12 days	3,311.00		3311.00	Cost Recovery	0.00%
13-15 days	3,949.00		3949.00	Cost Recovery	0.00%
16+ days	4,604.00		4604.00	Cost Recovery	0.00%
Annual Fee for Outdoor Torquay Town Centre Market Supported by Torbay Council (up to 15 stalls)	1,000.00		1000.00	Cost Recovery	0.00%
Annual Fee for Outdoor Torquay Town Centre Market Supported by Torbay Council (up to 30 stalls)	1,300.00		1300.00	Cost Recovery	0.00%
Annual Fee for Outdoor Torquay Town Centre Market Supported by Torbay Council (31 stalls plus)	1,600.00		1600.00	Cost Recovery	0.00%

If an applicant applying for an event/events, applies for a number of days within a given time period, even if those days are not consecutive or not at the same location

Local Community Street Trading Events (i.e. friend of park etc.) where the purpose is charitable, but where stall holders only pay a contribution for charitable purposes -
Council Event, run by the Events Team (as opposed to an event support by TBC) then fee will be **half** the fee listed in the trader fee table above.
Charitable Street Trading Events, where ALL money raised is for charitable purposes - Free (with agreement from Council)

Zoo Licensing		£	£	
http://www.torbay.gov.uk/business/licensing/animals/zoo/		Current 2024/25	Proposed 2025/26	Category
VAT Rate OS				
First ever licence		3000.00	3100.00	Cost Recovery
Statutory six yearly inspection		2000.00	2060.00	Cost Recovery
Periodic three year inspection		2000.00	2060.00	Cost Recovery
Informal annual inspection		500.00	515.00	Cost Recovery
Transfer of Licence		270.00	280.00	Cost Recovery

2025/26 % rise
3.33%
3.00%
3.00%
3.00%
3.70%

Dangerous Wild Animal Licences		£	£	
http://www.torbay.gov.uk/business/licensing/animals/		Current 2024/25	Proposed 2025/26	Category
VAT Rate OS				
Dangerous Wild Animals Act 1976**		600.00	621.00	Cost Recovery
** Plus costs of vets fees as required				

2025/26 % rise
3.50%

All Animal Licences (except Zoo and DWA) (see Footnote)		£	£	
http://www.torbay.gov.uk/business/licensing/animals/		Current 2024/25	Proposed 2025/26	Category
VAT Rate OS				
Home Boarding **		530.00	549.00	Cost Recovery
Kennels inc Catteries **		600.00	621.00	Cost Recovery
Pet Shops **		630.00	652.00	Cost Recovery
Dog Breeding **		630.00	652.00	Cost Recovery
Day Care **		550.00	569.00	Cost Recovery
Horses (Riding Establishments) **		770.00	797.00	Cost Recovery
Keeping or Training Animals for Exhibition ** (was Performing Animals)		550.00	569.00	Cost Recovery
Rescore Visit		NEW	275.00	Cost Recovery
Admin fee (change of circumstances such as change of name, add host to franchisee)		NEW	25.00	Cost Recovery
Licence variation fee (e.g. request to add/remove species)		NEW	55.00	Cost Recovery

2025/26 % rise
3.58%
3.50%
3.49%
3.49%
3.45%
3.51%
3.45%

** Plus costs of vets fees as required

Footnote:
In all cases where there is more than one activity per licence. The fee will be:
- Highest Cost Activity - Full Fee, plus;
- Second (or second Highest) Cost Activity - 30% of fee
- Any third or subsequent activity add 10% of fee

Sex Entertainment Premises		£	£	
http://www.torbay.gov.uk/business/licensing/sex-entertainment-venue/		Current 2024/25	Proposed 2025/26	Category
VAT Rate OS				
Sex Shop Establishment: New Application		7,212.00	7000.00	Cost Recovery
Sex Shop Establishment: Annual Licence Fee		4,208.00	4050.00	Cost Recovery
Sex Shop Establishment: Transfer of Licence		640.00	665.00	Cost Recovery
Sex Shop Establishment: Variation		640.00	665.00	Cost Recovery
Sexual Entertainment Venue: New Application		7,212.00	7000.00	Cost Recovery
Sexual Entertainment Venue: Annual Licence Fee		4,208.00	4050.00	Cost Recovery
Sexual Entertainment Venue: Transfer of Licence		640.00	665.00	Cost Recovery
Sexual Entertainment Venue: Variation		640.00	665.00	Cost Recovery

2025/26 % rise
-2.94%
-3.75%
3.91%
3.91%
-2.94%
-3.75%
3.91%
3.91%

Distribution of printed matter		£	£	
http://www.torbay.gov.uk/business/licensing/street-and-trading/leaflets/		Current 2024/25	Proposed 2025/26	Category
VAT Rate OS				
Consent under CNEA to distribute free printed matter – one distributor		144.00	149.00	Cost Recovery
For each additional distributor up to a maximum of six		27.00	28.00	Cost Recovery

2025/26 % rise
3.47%
3.70%

Park Homes		£	£	
http://www.torbay.gov.uk/business/licensing/caravan-and-park-home-sites/		Current 2024/25	Proposed 2025/26	Category
VAT Rate OS				
Annual Licence Fee (Lower band)		166.00	171.00	Cost Recovery
Annual Licence Fee (Higher band)		3,120.00	3230.00	Cost Recovery
Application Fee for a Site Licence		806.00	835.00	Cost Recovery
Application to Transfer a Site Licence		428.00	440.00	Cost Recovery
Application to vary conditions on a Site Licence		428.00	440.00	Cost Recovery
To post site conditions on Council website		100.00	103.00	Cost Recovery
Compliance Notice – Cost of Notice*		100.00	103.00	Cost Recovery

2025/26 % rise
3.01%
3.53%
3.60%
2.80%
2.80%
3.00%
3.00%

*The costs of enforcement will then be added to this figure

Hackney Carriage		£	£	
http://www.torbay.gov.uk/business/licensing/taxis/hackney-carriage/		Current 2024/25	Proposed 2025/26	Category
VAT Rate OS				
Vehicle Annual - New (Includes plate and bracket)		255.00	273.00	Cost Recovery
Vehicle Annual Renewal		185.00	199.00	Cost Recovery
Driver (New)		375.00	388.00	Cost Recovery
Driver (Renewal)		270.00	279.50	Cost Recovery
Drivers badge (replacement)		32.00	33.00	Cost Recovery
Vehicle Licence Transfer Fee		73.00	74.00	Cost Recovery
Change of vehicle registration (Cherished number plate)		73.00	74.00	Cost Recovery
Plate		73.00	74.00	Cost Recovery
Replacement bracket		35.00	35.00	Cost Recovery
Knowledge test		77.00	80.00	Cost Recovery
Replacement paper licence fee		New	15.00	Cost Recovery
Licence refund fee		New	15.00	Cost Recovery

2025/26 % rise
7.06%
7.57%
3.47%
3.52%
3.13%
1.37%
1.37%
0.00%
3.90%

Application for a premises licence for a premises which already has a provisional statement			
Small Casino	3,000.00	3,000.00	National
Bingo Premises	1,200.00	1,200.00	National
Betting Premises (Tracks)	950.00	950.00	National
Betting Premises (Other)	1,200.00	1,200.00	National
Adult Gaming Centres	1,200.00	1,200.00	National
Licensed Family Entertainment Centre	950.00	950.00	National
Application checking service for Licensing & Gambling applications*			
VAT Rate SR			
Premises Licence & Club Premises Certificate applications (Licensing Act 2003 & Gambling Act 2005)	55.00	57.00	Traded
Transfer and Vary DPS application (Licensing Act 2003 & Gambling Act 2005)	22.00	23.00	Traded
Personal Licence applications (Licensing Act 2003)	17.00	18.00	Traded
Permits (Gambling Act 2005)	17.00	18.00	Traded
TEN application, assistance and send	15.00	15.00	Traded
Rate per hour for other application checks	75.00	80.00	Traded

0.00%
0.00%
0.00%
0.00%
0.00%
0.00%
0.00%
3.64%
4.55%
5.88%
5.88%
0.00%
25.00%
6.67%

Advice and Support	£	£	Category
	Current 2024/25	Proposed 2025/26	
VAT Rate SR			
Licensing advice and support visits for Businesses*			
Application licence advice (Up to 2 hours, including site visit & short report, identifying key issues)	180.00	225.00	Traded
Food and Safety training, advice and support visits for Businesses*			
VAT Rate OS			
New Business Advice (Up to 2 hours, including site visit & short report, identifying key priorities)	180.00	225.00	Traded
FHRS Rescore visit	200.00	210.00	Traded

2025/26 % rise
25.00%
25.00%
5.00%

*These services are in the process of being developed and further notification will be given before the service and therefore

Pavement Licences	£	£	Category
	Current 2024/25	Proposed 2025/26	
www.torbay.gov.uk/pavement-licence/			
VAT Rate OS			
New Application - Pavement Licence (issued for a maximum of 2 years)	500.00	500.00	National
Renewal Application - Pavement Licence (issued for a maximum of 2 years)	350.00	350.00	National

2025/26 % rise
0.00%
0.00%

Environmental Protection Discretionary Fees	£	£	Category
	Current 2024/25	Proposed 2025/26	
http://www.torbay.gov.uk/asb-environment-and-nuisance/			
VAT Rate OS			
Stray Dogs			
Carriage of Stray Dogs	83.00	86.00	Cost Recovery
Carriage of Stray Dogs (Government Fine £25.00) plus dog warden transportation costs	117.00	122.00	Cost Recovery
Out of hours call out (stray dogs)	108.00	110.00	Cost Recovery
Payment Plan Arrangement Fee	18.00	19.00	Cost Recovery
Private Water Supply Charges			
Risk Assessment	261.00	270.00	Cost recovery
Sampling Visit	110.00	114.00	Cost recovery
Investigation	137.00	142.00	Cost recovery
Granting Authorisation	137.00	142.00	Cost recovery
Missed Appointment	47.00	49.00	Cost recovery
Scrap Metal Act			
Site Licence Application Fee (3 years)	976.00	1010.00	Cost recovery
Collectors Licence Application Fee	499.00	517.00	Cost recovery
Variation Cost	112.00	116.00	Cost recovery
Renewal Fee - Site Licence	731.00	757.00	Cost recovery
Renewal Fee - Collector	366.00	379.00	Cost recovery

2025/26 % rise
3.61%
4.27%
1.85%
5.56%
3.45%
3.64%
3.65%
3.65%
4.26%
3.48%
3.61%
3.57%
3.56%
3.55%

Environmental Crime - Fixed Penalty Notice Charges	£		Category	Comments	2025/26 % rise
	Current 2024/25	Proposed 2025/26			
VAT Rate OS					
PSPO Hopes Nose and Berry Head	100.00	100.00	National		
PSPO (Dispersal)	80.00	80.00	National		
PSPO (Alcohol)	80.00	80.00	National		
Littering - with a £50 discount to £100 for early payment (within 10 days)	150.00	150.00	National	National Banding £65 min to £500 max. Payment within 10 days (beginning date of notice) discounted to £100 (minimum discount allowable £50)	
PSPO (Dog Fowling)	100.00	100.00	National	£100 maximum set by Torbay council PSPO. Payment within 10 days (beginning date of notice) discounted to £80 (minimum discount)	0.00%
PSPO (Dog off lead)	100.00	100.00	National	£100 maximum set by Torbay council PSPO. Payment within 10 days (beginning date of notice) discounted to £80 (minimum discount)	0.00%
Graffiti	150.00	150.00	National	National Banding £65 min to £500 max. Payment within 10 days (beginning date of notice) discounted to £100 (minimum discount allowable £50)	0.00%
Fly-posting	150.00	150.00	National	National Banding £65 min to £500 max. Payment within 10 days (beginning date of notice) discounted to £100 (minimum discount allowable £50)	0.00%
Abandoning a Vehicle	200.00	200.00	National	Nationally set at £200. No early repayment discount.	0.00%
Fly Tipping - Upper Offence	600.00	600.00	National	National Banding £150 min to £1000 max. Payment within 10 days (beginning date of notice) discounted to £300 (minimum discounted rate allowable £120)	0.00%
Fly Tipping - Lower Offence	400.00	400.00	National	National Banding £150 min to £1000 max. Payment within 10 days (beginning date of notice) discounted to £200 (minimum discounted rate allowable £120)	
Failure to Produce a Waste Transfer Note	300.00	300.00	National	Nationally set at £300.00. No early repayment discount.	0.00%
Domestic Waste Receptical Offences	60.00	60.00	National	National Banding £60 min to £80 max. Payment within 10 days (beginning date of notice) discounted to £40 (minimum discount allowable £40)	
Household Waste Duty of Care	400.00	400.00	National	National Banding £150 min to £600 max. Payment within 10 days discounted to £300 (minimum discounted rate allowable £180)	
Industrial and Commercial Waste Receptical Offences	110.00	110.00	National	National Banding £75min to £110 max. Payment within 10 days (beginning date of notice) discounted to £80 (minimum discount allowable £60)	
Nuisance Parking	100.00	100.00	National	Nationally set at £100. No early repayment discount	0.00%

Notes on Fixed Penalty Notices:

Littering: Dropping litter anywhere is an offence. Litter is everything from food packaging to cigarette butts and chewing gum. It can also include feeding birds. Urinating is an offence under various legislation to urinate on public surfaces, roads, pavements or streets and may be treated as littering when acted upon by the Council.

Dog fouling (PSPO): Dog fouling in a public place and failing to pick it up it is an offence.

Dogs not on lead (PSPO): Allowing a dog/s to be off a lead in an area designated that it must be on a lead, is an offence.

Flyposting: It is an offence to display advertising material on buildings and street furniture without the consent of the owner. We will remove any fly posting on the highway and issue an FPN for offences or prosecute in **serious cases**.

Fly-tipping: Fly-tipping is the illegal dumping of waste. It can vary in scale significantly, from a bin bag of rubbish, to larger bulky waste items being dumped, such as mattresses or white goods.

Domestic duty of care: Where fly-tipped waste or waste in the hands of a non registered waste holder is traced back to an individual who is found to have failed to take reasonable steps to ensure that they transferred the waste to an authorised person. An FPN can be offered in place of a prosecution.

Commercial waste duty of care: Businesses have a duty of care to ensure their waste is removed by a licensed waste carrier. If we suspect a business is not dealing with its waste responsibly, we can issue a notice requiring the production of waste transfer documents. Failure to produce the documents results in the issue of a fine.

Private Sector Housing http://www.torbay.gov.uk/housing/advice-for-landlords/hmo/	£		Category	2025/26 % rise
	Current 2024/25	Proposed 2025/26		
VAT Rate OS				
HMO Licensing - New application	1,704.56	1997.00	Cost Recovery	17.16%
HMO Licensing - New application (enforced)	2,612.48	2843.00	Levy	8.82%
HMO Licensing - Renewal	1,416.48	1701.00	Cost Recovery	20.09%
HMO Licensing - Renewal (enforced)	1,756.56	2043.00	Levy	16.31%
Charges for Housing Act Notices plus reasonable costs incurred by the Council	Variable from 151.00 to 755.50	Variable from 125.14 to 625.70	Cost Recovery	
Immigration Inspection Fee	197.60	204.52	Cost Recovery	
Administrative Charge for landlords who fail to submit documentation when requested	57.20	59.20	Levy	3.50%
Works in Default (minimum admin charge)	£119.60 or 30% of total works (whichever is greater)	£125.00 or 30% of total works (whichever is greater)	Levy	3.50%

General Fees for all services	£		Category
	Current 2024/25	Proposed 2025/26	
WAT Rate SR			
Personal Search/Solicitor Enquiries	94.00	97.29	Traded
Contaminated Land Searches (per hour)	109.00	112.82	Traded
Repayment of fee where error was the applicant's	37.00	38.30	Traded
Replacement licence certificates	44.00	45.54	Traded
<i>Note: Visits carried out partly or entirely outside normal office hours may incur a surcharge of 50% on the standard fee or on</i>			
Domestic Minimum Energy Efficiency Standard Regs (MEES)	£		Category
	Current 2024/25	Proposed 2025/26	
WAT Rate OS			
Civil Penalty	From 1,000 to 5,000 as per policy	From 1,000 to 5,000 as per policy	Levy Levy Levy
Disabled Facility Grant (Agreed via Housing Assistance Policy)	£		Category
	Current 2024/25	Proposed 2025/26	
WAT Rate SR			
Project Management Fee	15% fee applied to the first £30,000.00 with 12% applied to discretionary element above £30,000.00	15% fee applied to the first £30,000.00 with 12% applied to discretionary element above £30,000.00	Traded
Temporary Accommodation	£		Category
	Current 2024/25 weekly rate	Proposed 2025/26 weekly rate	
WAT Rate OS (where the Council has a statutory duty)			
Council Tax - Tenants are liable for full amounts, subject to valid housing and Council tax claim and amount of award given.	0	Variable - See note	
Licence Fee - Tenants are liable for full amounts, subject to valid housing and Council tax claim and amount of award given. <i>*Note: Council Tax and weekly licence charges will vary depending on the size of the property and Council tax banding.</i>	0	Variable - See note	
Sevices Charges Utilites - Weekly			
Water		£4.10	
Heating (Gas/Elec)		£35.25	
Lighting		£2.85	
Laundry/Bedding		£4.10	
Cleaning		£2.85	
Cooking		£4.10	
Breakfast (per person)		£4.30	
<i>* Note - These deductions are the amounts set by the DWP that are not included with any claim. If for example breakfast is provided, then the amount will not be deducted from the costs. Some accommodation provisions will have additional charges added to the property due to property maintenance being provided by Torbay Council. These costs are not covered by Housing Benefit and therefore the applicant will be liable for these costs. *Note: Where the licensee has sole use of the property at an address, e.g. whole house of self contained flat, they will be liable for utilities through the utility provider.</i>			
Service Charge Management Fees - Weekly		£20	
<i>*1 Charges will include but not limited to communal lighting, Health and safety inspections and compliance checks</i>			
Service Charge Management and Furnishings - Weekly		£50	
<i>*2 Charges will include areas but not limited to Windows, Gardens, Guttering, kitchen appliances, cleaning at the end of the tenancy, furniture provisions.</i>			
NEW Removals and Storage of Personal Belongings Where assistance is provided full recovery of costs will be recovered from the applicant			
NEW Homelness Assistance for Pets and Kenneling Where assistance is provided full recovery of costs will be recovered from the applicant			
NEW Damage to Emergency Accomodaion Where damage has been caused full recovery of costs will be recovered from the applicant			
NEW Hostel Service Charge		£17	
CCTV			
WAT Rate SR			
Third party requests from Insurance Companies for CCTV and/or still images of Road Traffic Collisions		£102	NEW

2025/26 % rise
3.50%
3.50%
3.50%
3.50%

2025/26 % rise

2025/26 % rise

Council Tax & Business Rates Services Fees and Charges

	£		Category	2025/26 % rise
	Current 2024/25	Proposed 2025/26		
VAT Rate OS				
Court Costs - Issue of Summons	60.00	60.00	Cost Recovery	0.00%
- Issue of Liability order	25.00	25.00	Cost Recovery	0.00%
Penalty Charge for failure to provide information requested for Council Tax purposes	70.00	70.00	Levy	0.00%
Business Rates Statement of Accounts (Cost per rating list that the request covers. This would be for information relating to each of the following 1990-1994; 1995-1999; 2000-2004; 2005-2009 and 2010-2014 etc)	100.00	120.00	Cost Recovery	20.00%
For information where there is a request to check each rating list published prior to 2017. The charge will apply to each list checked.	100.00	100.00	Cost Recovery	0.00%

Culture & Sport

Outdoor Sport http://www.torbay.gov.uk/leisure-sports-and-community/sports/sports-facilities/ VAT Rate OS	£ Current 2024/25	£ Proposed Charge 2025/26	Category	2025/26 % rise
Soccer, Rugby, Hockey - Per Match				
Seniors: including showers/changing x 1 game	67.10	69.50	Subsidised	3.58%
Seniors:excluding showers/changing x 1 game	32.30	33.50	Subsidised	3.72%
Juniors (13 and under): including showers/changing x 1 game	26.00	27.00	Subsidised	3.85%
Juniors (13 and under): excluding showers/changing x 1 game	16.10	16.50	Subsidised	2.48%
Football League Clubs - Only League and Cup fixtures Season Fee x 12 games (2 hours) (including showers/changing and cutting/markng)				
Senior	572.00	592.00	Subsidised	3.50%
Junior (13 and under)	135.20	140.00	Subsidised	3.55%
Senior: Additional games	46.80	48.50	Subsidised	3.63%
Junior: Additional games	11.50	12.00	Subsidised	4.35%
Netball Courts - Upton park, Lymmington Road				
U18's per hour	14.50	15.00	Subsidised	3.45%
seniors	20.80	21.50	Subsidised	3.37%
Training Sessions				

Use of field x 2 hours (Not Pitch - there will be no cutting or marking) per session	20.80	21.50	Subsidised
Use of field x 2 hours including showers/changing (Not Pitch - there will be no cutting or marking) per session	46.80	48.00	Subsidised

3.37%
2.56%

Outdoor Sport <i>Continued</i>	£ Current 2024/25	£ Proposed Charge 2025/26	Category
http://www.torbay.gov.uk/leisure-sports-and-community/sports/sports-facilities/			
VAT Rate OS			
Schools			
Schools Sports Day: No marking or changing rooms	26.00	27.00	Subsidised
Schools Sports Day: With Changing rooms (no marking)	52.00	54.00	Subsidised
Cricket			
Weekend fixtures (full day) including changing rooms	94.60	98.00	Subsidised
Weekend fixtures (full day) excluding changing rooms	67.60	70.00	Subsidised
Afternoon or evening matches, excluding changing rooms: Excluding Saturday and Sunday	67.60	70.00	Subsidised
Athletics Training Session			
Torre Valley North, including marked track and changing facilities	53.10	55.00	Subsidised
Torre Valley North, including marked track. No changing rooms	41.60	43.00	Subsidised
Rounders			
Use of field based on a 2 hour session (No charge per pitch) No changing facilities	32.30	33.50	Subsidised
Use of field based on a day event (tournament/charity day) No changing facilities	67.60	70.00	Subsidised

2025/26 % rise
3.85%
3.85%
3.59%
3.55%
3.55%
3.58%
3.37%
3.72%
3.55%

Torre Abbey Mansion			£	£		
https://www.torre-abbey.org.uk/plan-your-visit/			Current 2024/25	Proposed Charge 2025/26	Category	2025/26 % rise
VAT Rate SR						
Adults		11.00	11.50	Traded		4.55%
Children - (5 - 18 yrs) (under 5's free)		4.00	4.00	Traded		0.00%
Family 2 adults plus children		24.00	25.00	Traded		4.17%
Family 1 adult plus children		15.00	16.00	Traded		6.67%
Annual Ticket Adult		24.00	25.00	Traded		4.17%
Joint Annual Ticket for 2 adults		38.00	40.00	Traded		5.26%
Annual Family Ticket 2 adults plus children		42.00	45.00	Traded		7.14%
Annual family ticket 1 adult plus children		28.00	30.00	Traded		7.14%
Educational group membership for schools etc.		30.00	32.00	Traded		6.67%
Groups		0.00				
Foreign language schools GROUPS of 15+ under 18's		5.00	5.50	Traded		10.00%
Adult Group (10+) House and Gardens inc.		7.00	7.50	Traded		7.14%
Adult Group (10+) House and Gardens including a tour		10.00	10.50	Traded		5.00%
House and Garden Workshop/Activities						
VAT Rate EX						
Formal education activities (under 18s 10+) half day workshop per student		6.50	6.50	Traded		0.00%
Formal education activities (under 18s 10+) full day workshop per student		10.00	10.00	Traded		0.00%
Workshop/Activities for adults (including lectures)		12.00	12.50	Traded		4.17%
VAT Rate SR (unless directly related to school curriculum: VAT EX)						
Educational guided tour		0.00	3.75	Traded		NEW
VAT Rate: Depends						
Self guided with worksheets (must have EGM)		0.00	2.50	Traded		NEW
Lectures						
VAT Rate EX						
Lecture off site (flat rate)		58.00	60.00	Traded		3.45%

Torre Abbey Mansion - Room Hire	£	£	
VAT Rate EX (unless additional facilities/services provided)	Current 2024/25	Proposed Charge 2025/26	Category
Spanish Barn (3 day) Friday to Sunday 1st April - 30th Sept	4,000.00	4,100.00	Traded
Spanish Barn (3 day) weekday & weekends 1st Oct - 31st March	2,500.00	2,560.00	Traded
Spanish Barn (3day) Monday to Thursday 1st April - 30th Sept	3,500.00	3,500.00	Traded
Spanish Barn 09.00 - 18.00 (1day)	1,250.00	1,250.00	Traded
Spanish Barn half day	650.00	660.00	Traded
Ballroom (1 day hire up 9:00- 18:00) 1st April - 30th Sept	600.00	620.00	Traded
Ballroom (1 day hire 9:00- 18:00) 1st Oct - 31st March	450.00	465.00	Traded
Gathering Space weekends 1st April -30th Sept (1 day hire 9:00-18:00)	450.00	465.00	Traded
Gathering Space weekends 1st Oct -31st March (1 day hire 9:00-18:00)	350.00	360.00	Traded

2025/26 % rise
2.50%
2.40%
0.00%
0.00%
1.54%
3.33%
3.33%
3.33%
2.86%

Room/Venue Hire - Ceremonies	£	£		
	Current	Proposed	Category	2025/26 %
VAT Rate SR	2024/25	Charge		rise
	2025/26			
Spanish Barn (3 day) Friday to Sunday 1st April - 30th Sept	4,750.00	4,850.00	Traded	2.11%
Spanish Barn (3 day) weekday & weekends 1st Oct - 31st March	2,600.00	2,690.00	Traded	3.46%
Spanish Barn (3day) Monday to Thursday 1st April - 30th Sept	3,900.00	3,950.00	Traded	1.28%
Spanish Barn wedding ceremony only up to 200 Sunday to Friday	1,150.00	1,190.00	Traded	3.48%
Spanish Barn wedding ceremony only up to 200 Saturdays	1,300.00	1,350.00	Traded	3.85%
Wedding ceremony only capacity 70 1st April - 30th Sept Mon-Fri	680.00	700.00	Traded	2.94%
Wedding ceremony only capacity 70 1st April - 30th Sept Sat-Sun	850.00	870.00	Traded	2.35%
Wedding ceremony only capacity 70 31st Oct -31st March Mon-Fri	575.00	595.00	Traded	3.48%
Wedding ceremony only capacity 70 31st Oct -31st March Sat-Sun	750.00	770.00	Traded	2.67%
Palm House ceremony (max capacity 20)	350.00	360.00	Traded	2.86%
Marquee land charge (per day)	1,000.00	1,030.00	Traded	3.00%
Formal gardens and ruins (per hour) (photography)	125.00	130.00	Traded	4.00%
Formal gardens and ruins (per hour) (receptions)	175.00	180.00	Traded	2.86%
House after 6pm (per hour)	250.00	255.00	Traded	2.00%
Spanish Barn extended hours (3 day hire past 12pm) (per hour)	350.00	360.00	Traded	2.86%
Gathering space (only applicable for; Spanish Barn, Chapel, Palm House (per hour)	200.00	205.00	Traded	2.50%
Room Hire - Learning Lab				
VAT Rate EX (unless additional facilities/services provided)				
Commercial Day Rate	260.00	270.00	Traded	3.85%
Non-commercial day rate (This rate can also be applied to Undercroft & Ballroom - Undercroft & Ballroom hire - VAT Rate SR)	135.00	140.00	Traded	3.70%

Customer Services Fees and Charges

	£ Current 2024/25	£ Proposed 2025/26	Category
VAT Rate OS			
Copies of Housing Benefit payment schedules to Landlords & Agents –			
Requests for schedules less than 6 months	27.30	28.26	Cost Recovery
Requests for schedules over 6 months, per property	109.20	113.02	Cost Recovery

2025/26 % rise
3.50%
3.50%

Data Protection Subject Access Requests - Fees and Charges

	£ Current 2024/25	£ Proposed 2025/26	Category
VAT Rate OS			
Subject Access Request per person	No Charge	No Charge	
Repeated Subject Access request per person per hour (where we have already dealt with a request)	62.40	64.60	Cost Recovery

2025/26% increase
3.53%

Development Control Fees and Charges

These fees are set nationally and the rates are not usually finalised at the time our fees and charges go out to consultation. We have included an estimate of rates for 25/26 based on an estimated inflationary increase of 1.7%. The link below will provide details of the final national rates - once agreed.

[A Guide to the Fees for Planning Applications in England \(planningportal.co.uk\)](https://www.planningportal.co.uk/guides/a-guide-to-the-fees-for-planning-applications-in-england)

All Outline Applications	£ Current 2024/25	£ Estimated 2025/26	Category	Estimated increase
VAT Rate OS				
Sites up to and including 2.5 hectares (per 0.1 hectare or part thereof)	N/A subdivided see below		National	
Dwellinghouses not more than 0.5 hectares (per 0.1 hectare or part thereof)	£578.00	£587.83	National	1.70%
Dwellinghouses between 0.5 and 2.5 hectares (per 0.1 hectare or part thereof)	£624.00	£634.61	National	1.70%
Dwellinghouses more than 2.5 hectares (per 0.1 hectare or part thereof)	15,433+ £186 for each additional 0.1 hectare (or part thereof) in excess of 2.5 hectares Maximum fee of £202,500		National	
Buildings (Not Dwellinghouses) not more than 1 hectare (per 0.1 hectare or part thereof)	£578.00	£587.83		1.70%
Buildings (Not Dwellinghouses) between 1 hectare and 2.5 hectares (per 0.1 hectare or part thereof)	£624.00	£634.61	National	1.70%
Sites in excess of 2.5 hectares (Not Dwellinghouses)	15,433+ £186 for each additional 0.1 hectare (or part thereof) in excess of 2.5 hectares Maximum fee of £202,500		National	
Householder Applications	£ Current 2024/25	£ Estimated 2025/26	Category	Estimated 2025/26
VAT Rate OS				
Alterations/extensions to a single dwelling, including works within boundary	£258.00	£262.39	National	1.70%

Full Applications (and First Submissions of Reserved Matters)	£ Current 2024/25	£ Estimated 2025/26	Category	Estimated 2025/26
VAT Rate OS				
Alterations/extensions to a single dwelling, including works within boundary	£258.00	£262.39	National	1.70%
Alterations/extensions to two or more dwellings (inc flats), including works within boundaries	£509.00	£517.65	National	1.70%
New dwellings up to and including 50 (per dwelling)	N/A subdivided see below		National	
New dwellings up to and including 10 (per dwelling)	£578.00	£587.83		1.70%
New dwellings between 10 and 50 (per dwelling)	£624.00	£634.61		1.70%
New dwellings more than 50	£30,860 + £186 for each additional dwellinghouse in excess of 50 Maximum fee of £405,000		National	
Erection of buildings (not dwellings, agricultural, glasshouses, plant nor machinery):				
No increase in gross floor space or no more than 40m ² created by the development	£293.00	£297.98	National	1.70%
Increase in gross floor space of more than 40m ² but no more than 1,000 (formerly 75) m ² created by the development	£578.00	£587.83	National	1.70%
Increase in gross floor space of more than 1,000 (formerly 75) m ² but no more than 3,750m ² created by the development	£624 for each 75 square metres (or part thereof)		National	
Increase in gross floor space of more than 3,750m ² created by the development	£30,680 + £186 for each additional 75 square metres (or part thereof) in excess of 3,750 square metres Maximum fee of £405,000		National	

The erection of buildings (on land used for agriculture for agricultural purposes)	£ Current 2024/25	£ Estimated 2025/26	Category	Estimated 2025/26
VAT Rate OS				
Not more than 465m ² gross floor space to be created by the development	£120.00	£122.04	National	1.70%
More than 465m ² but not more than 540m ² gross floor space to be created by the development	£578.00	£587.83	National	1.70%
More than 540m ² but not more than 1,000m ² gross floor space to be created by the development	578 for first 540 square metres + £578 for each additional 75 square metres in excess of 540 square metres		National	
More than 1,000m ² but not more than 4,215m ² gross floor space to be created by the development	£624 for first 1,000 square metres + £624 for each additional 75 square metres in excess of 1,000 square metres.		National	
More than 4,215m ² gross floor space to be created by the development	£30,860 + £186 for each additional 75 square metres (or part thereof) in excess of 4,215 square metres Maximum fee of £405,000		National	
Erection of glasshouses (on land used for the purposes of agriculture)	£ Current 2024/25	£ Estimated 2025/26	Category	Estimated 2025/26
VAT Rate OS				
Not more than 465m ² gross floor space to be created by the development	£120.00	£122.04	National	1.70%
More than 465m ² but not more than 1,000m ²	£3,225.00	£3,279.83	National	1.70%
More than 1,000m ²	£3,483.00	£3,542.21	National	1.70%
Erection/alterations/replacement of plant and machinery	£ Current 2024/25	£ Estimated 2025/26	Category	Estimated 2025/26
VAT Rate OS				
Site area not more than 1 (formerly 5) hectares per 0.1 hectare (or part thereof)	£578.00	£587.83	National	1.70%
More than 1 hectare but not more than 5 hectares per 0.1 hectare (or part thereof)	£624.00	£634.61	National	1.70%
Site area more than 5 hectares	£30,860 + £186 for each additional 0.1 hectare (or part thereof) in excess of 5 hectares Maximum fee of £405,000		National	

Applications other than Building Works	£ Current 2024/25	£ Estimated 2025/26	Category	Estimated 2025/26
VAT Rate OS				
Car parks, service roads or other accesses (For existing uses)	£293.00	£297.98	National	1.70%
Waste (Use of land for disposal of refuse or waste materials or deposit of material remaining after extraction or storage of minerals)				
Site area Not more than 15 hectares For each 0.1 hectare (or part thereof)	£316.00	£321.37	National	1.70%
More than 15 hectares	£47,161 + £186 for each additional 0.1 hectare (or part thereof) in excess of 15 hectares Maximum fee of £105,300		National	
Operations connected with exploratory drilling for oil or natural gas				
Site area not more than 7.5 hectares for each 0.1 hectare (or part thereof)	£686.00	£697.66	National	1.70%
Site area more than 7.5 hectares	£51,395 + £204 for each additional 0.1 hectare (or part thereof) in excess of 7.5 hectares. Maximum fee of £405,000		National	
Operations (other than exploratory drilling) for the winning and working of oil or natural gas				
Site area not more than 15 hectares For each 0.1 hectare (or part thereof)	£347.00	£352.90	National	1.70%
Site area more than 15 hectares	£52,002 + additional £204 for each 0.1 hectare in excess of 15 hectares Maximum fee of £105,300		National	
Other operations (winning and working of minerals) excluding oil and natural gas				
Site area not more than 15 hectares For each 0.1 hectare (or part thereof)	£316.00	£321.37	National	1.70%
Site area More than 15 hectares	£47,161 + additional £186 for each 0.1 hectare in excess of 15 hectares Maximum fee of £105,300		National	

Other operations (not coming within any of the above categories)	£ Current 2024/25	£ Estimated 2025/26	Category	Estimated 2025/26
VAT Rate OS				
Any site area	£293 for each 0.1 hectare (or part thereof) up to a maximum of £2,535		National	
Change of Use of a building to use as one or more separate dwellinghouses, or other				
Not more than 50 dwellinghouses (per dwellinghouse)	N/A subdivided see below		National	
Not more than 10 dwellinghouses (per dwellinghouse)	£578.00	£587.83	National	1.70%
Between 10 and 50 dwellinghouses (per dwellinghouse)	£624.00	£634.61	National	1.70%
More than 50 dwellinghouses	£30,860 + £186 for each additional dwellinghouse in excess of 50 Maximum fee of £405,000		National	
Other changes of use of a building or Land	£578.00	£587.83	National	1.70%
Lawful Development Certificate				
LDC – Existing Use - in breach of a planning condition	Same as equivalent full application		National	
LDC – Existing Use LDC - lawful not to comply with a particular condition	£293.00	£297.98	National	1.70%
LDC – Proposed Use	Half the equivalent normal planning fee.		National	
Prior Approval				
VAT Rate OS				
Larger Home Extensions (from 19 August 19)	£120.00	£122.04	National	1.70%
Additional storeys on a home	£120.00	£122.04	National	1.70%
Agricultural and Forestry buildings & operations or demolition of buildings	£120.00	£122.04	National	1.70%
Demolition of Buildings	£120.00	£122.04	National	1.70%
Communications (Previously referred to as Telecommunications Code Systems Operators)	£578.00	£587.83	National	1.70%
Change of use from commercial/Business/Service (use Class E), or Betting office or Pay Day Loan Shop to mixed use including up to two flats (Use Class C3)	£120.00	£122.04	National	1.70%
Change of Use of a building and any land within its curtilage from Commercial/Business/Service (Use Class E), Hotels (Use Class C1), Residential Institutions (Use Class C2), Secure Residential Institutions (Use Class C2A) to a State Funded School	£120.00	£122.04	National	1.70%
Change of Use of a building and any land within its curtilage from an Agricultural Building to a State-Funded School	£120.00	£122.04	National	1.70%
Change of Use of a building and any land within its curtilage from an Agricultural Building to a flexible commercial use within Commercial/Business/Service (Use Class E), Storage or Distribution (Use Class B8), or Hotels (Use Class C1)	£120.00	£122.04	National	1.70%
Change of use from shops, financial services, takeaways, betting offices, pay day loan shops or launderettes to offices	NA		National	
Proposed Change of Use of Agricultural Building to a flexible use within Shops, Financial and Professional services, Restaurants and Cafes, Business, Storage or Distribution, Hotels, or Assembly or Leisure	£120.00	£122.04	National	1.70%
Proposed Change of Use of a building from Office (Use Class B1) Use to a use falling within Use Class C3 (Dwelling house)	NA		National	
Proposed Change of Use of Agricultural Building to a Dwelling house (Use Class C3), where there are no Associated Building Operations	£120.00	£122.04	National	1.70%

Proposed Change of Use of Agricultural Building to a Dwelling house (Use Class C3), and Associated Building Operations	£258.00	£262.39	National	1.70%
Proposed Change of Use of a building from a Retail (Use Class A1 or A2) Use or a Mixed Retail and Residential Use to a use falling within Use Class C3 (Dwelling house), where there are <u>no</u> Associated Building Operations	NA		National	
Proposed Change of Use of a building from a Retail (Use Class A1 or A2) Use or a Mixed Retail and Residential Use to a use falling within Use Class C3 (Dwelling house), and Associated Building Operations	NA		National	

Prior Approval continued...	£	£	Category	Estimated
	Current 2024/25	Estimated 2025/26		2025/26
Notification for Prior Approval for a Change of Use from light industrial (Class B1c) and any land within its curtilage to Dwelling houses (Class C3)	NA		National	
Change of use of a building and any land within its curtilage from Commercial/Business/Service (Use Class E) to Dwellinghouses (Class C3) for each dwellinghouse	£120.00	£122.04	National	1.70%
Notification for Prior Approval for a Change of Use from Amusement Arcades/Centres and Casinos, (Sui Generis Uses) and any land within its curtilage to Dwelling houses (Class C3)	£120.00	£122.04	National	1.70%
Notification for Prior Approval for a Change of Use from Amusement Arcades/Centres and Casinos, (Sui Generis Uses) and any land within its curtilage to Dwelling houses (Class C3) and Associated Building Operations	£258.00	£262.39	National	1.70%
Notification for Prior Approval for a Change of Use from Shops (Class A1), Financial and Professional Services (Class A2), Betting Offices, Pay Day Loan Shops and Casinos (Sui Genris Uses) to Restaurants and Cafes (Class A3)	NA		National	
Notification for Prior Approval for a Change of Use from Shops (Class A1), Financial and Professional Services (Class A2), Betting Offices, Pay Day Loan Shops and Casinos (Sui Genris Uses) to Restaurants and Cafes (Class A3) and Associated Building Operations	NA		National	
Notification for Prior Approval for a Change of Use from Shops (Class A1), Financial and Professional Services (Class A2) Betting Offices, Pay Day Loan Shops and Casinos (Sui Genris Uses) to Assembly and Leisure Uses (Class D2)	NA		National	
Notification for Prior Approval for a Development Consisting of the Erection or Construction of a Collection Facility within the Curtilage of a Shop	£120.00	£122.04	National	1.70%
Notification for Prior Approval for the Temporary Use of Buildings or Land for the Purpose of Commercial Film making and the Associated Temporary Structures, Works, Plant or Machinery required in Connection with the Use	£120.00	£122.04	National	1.70%
Provision of Temporary School Buildings on Vacant Commercial Land and the use of that land as a State-funded School for up to 3 Academic Years	£120.00	£122.04	National	1.70%
Notification for Prior Approval for Installation, Alteration or Replacement of other Solar Photovoltaics (PV) equipment on the Roofs of Non-domestic Buildings, up to a Capacity of 1 Megawatt	£120.00	£122.04	National	1.70%
Prior Approval for Construction of new dwellinghouses (from 2 September 2020) - not more than 50 for each dwellinghouse	N/A subdivided see below		National	
Prior Approval for Construction of new dwellinghouses (from 2 September 2020) - not more than 10 for each dwellinghouse	£418.00	£425.11	National	1.70%
Prior Approval for Construction of new dwellinghouses (from 2 September 2020) - between 10 and 50 for each dwellinghouse	£451.00	£458.67	National	1.70%
Prior Approval for Construction of new dwellinghouses (from 2 September 2020) - more than 50	£22,309 + £135 for each dwellinghouse in excess of 50 Maximum fee of £405,000		National	

Reserved Matters	£ Current 2024/25	£ Estimated 2025/26	Category	Estimated 2025/26
VAT Rate OS				
Application for approval of reserved matters following outline approval	Full fee due or if full fee already paid then £578.00 due		National	
Approval/Variation/discharge of condition	£ Current 2024/25	£ Estimated 2025/26	Category	Estimated 2025/26
VAT Rate OS				
Application for removal or variation of a condition following grant of planning permission	£293.00	£297.98	National	1.70%
Discharge of conditions or request for confirmation that one or more planning conditions have been complied with - Householder	£43.00	£43.73	National	1.70%
Discharge of conditions or request for confirmation that one or more planning conditions have been complied with - All Other	£145.00	£147.47	National	1.70%
Advertising	£ Current 2024/25	£ Estimated 2025/26	Category	Estimated 2025/26
VAT Rate OS				
Relating to the business on the premises	£165.00	£167.81	National	1.70%
Advance signs which are not situated on or visible from the site, directing the public to a business	£165.00	£167.81	National	1.70%
Other advertisements	£578.00	£587.83	National	1.70%
Application for a Non-material Amendment Following a Grant of Planning Permission	£ Current 2024/25	£ Estimated 2025/26	Category	Estimated 2025/26
VAT Rate OS				
Applications in respect of householder developments	£43.00	£43.73	National	1.70%
Applications in respect of other developments	£293.00	£297.98	National	1.70%
Application for Permission in Principle	£ Current 2024/25	£ Estimated 2025/26	Category	Estimated 2025/26
VAT Rate OS				
Site Area for each 0.1 hectare (or part thereof)	£503.00	£511.55	National	1.70%

Governance Fees and Charges

Copies of Agendas, Reports, Minutes, Constitution, Forward Plan	£ Current 2024/25	£ Proposed 2025/26	Category
VAT Rate OS			
Electronic	FOC	FOC	N/A
Hardcopy: per A4 side	2.86	2.96	Cost recovery

2025/26 % rise
3.50%

Copies of Electoral Register			
Copies of the Electoral Roll per Ward (Calculated pro rata)	cost of request as set out in legislation	cost of request as set out in legislation	

Admission Appeals and Exclusion Reviews	£ Current 2024/25	£ Proposed 2025/26	Category
VAT Rate SR			
Cost per appeal in the circumstances where an appeal is arranged and heard	225.00	240.00	Subsidy
Cost if an appeal is withdrawn 2 weeks before the hearing date	160.00	210.00	Subsidy
Cost of exclusion review*	£950 per half day (based on one student) for the first 4 hours and then £400 per hour thereafter	£950 per half day (based on one student) for the first 4 hours and then £400 per hour thereafter	Subsidy

2025/26 % rise
6.67%
31.25%

* Note normal appeals increase by £15 and exclusions by £50 each year.

Green Space

Helicopter Landings	£ Current 2024/25	£ Proposed Charge 2025/26	Category	2025/26 % rise
http://www.torbay.gov.uk/roads/helicopters/				
VAT Rate SR				
Week Days 09.00 - 17.00: Per landing - up to 2hrs	112.00	115.92	Traded	3.5%
Additional hourly rate	39.47	40.85	Traded	3.5%
Out of Hours inc 5pm till dusk: per landing - up to 2hrs	159.13	164.70	Traded	3.5%
Additional hourly rate	57.20	59.20	Traded	3.5%
Saturday: Per landing up to 2 hrs	159.13	164.70	Traded	3.5%
Additional hourly rate	57.20	59.20	Traded	3.5%
Sunday: Per landing up to 2hrs	207.08	214.33	Traded	3.5%
Additional hourly rate	79.60	82.39	Traded	3.5%

Allotments (Annual Charge)	£ Current 2024/25	£ Proposed Charge 2025/26	Category	2025/26 % rise
http://www.torbay.gov.uk/leisure-sports-and-community/parks/allotments/				
VAT Rate OS				
Per 25 Square Metre with water	5.56	6.40	Subsidised	15.0%
Per 25 Square Metre without water	3.49	4.02	Subsidised	15.0%
Tool Lockers – Sherwell Valley	3.28	3.77	Subsidised	15.0%

The price dropped 2023 as we had to align the prices to those advertised on the Council website. The price of allotment plots has not kept pace with the price of water or inflation in recent years, I think this is justification for 15% rise. For information plots range from £4.50 - £55.00 per year.

Tor Bay Harbour Authority Fees and Charges

Tor Bay Harbour Authority Fees and Charges are being discussed at the Harbour Committee on 2nd December 2024

[Link to the agenda for Harbour Committee - Wednesday, 2 December 2024 5.30 pm](#)

[Agenda for Harbour Committee on Monday, 2 December 2024, 5.30 pm](#)

Highways Fees and Charges

<http://www.torbay.gov.uk/roads/highways-licenses/>

License	Chargeable Matter	£ Current 2024/25	£ Proposed 2025/26	Category	2025/26 % rise
VAT Rate OS					
Permission to place skip on the public highway (Section 139) or Scaffolding and gantry licence (Section 169) or Consent to deposit building materials / make temporary excavation in the highway. (Section 171) or Consent not to erect hoarding or fence during building (Section 172)	Consideration and administration of application (10 days) Within H/A published notice period (more than 10 days) or renewal of existing licence (more than 5 days notice).	59.96	62.25	Traded	3.83%
	Consideration and administration of application (10 days) Outside H/A published notice period (10 days and less)	119.91	124.50	Traded	3.83%
	Where a site visit is required during consideration of application (per visit)	119.91	124.50	Traded	3.83%
	Where an inspection of the site reveals non-compliance (per visit)	119.91	124.50	Traded	3.83%
Inspection of hoarding or fence set up during building (Section 172 & 173)		£ Current 2024/25	£ Proposed 2025/26	Category	2025/26 % rise
VAT Rate OS					
Inspections made by H/A to monitor compliance with statutory duties (per visit)		115.39	119.50	Traded	3.56%
Adopted Highway		58.24	60.50	Traded	3.88%
Control of construction of cellars under street		£ Current 2024/25	£ Proposed 2025/26	Category	2025/26 % rise
VAT Rate OS					
(Section 179) Or (Section 180[1]) Or Control of light into cellars (Section 180 [2])	Consideration and administration of application	119.91	124.50	Traded	3.83%
	Where a site visit is required during consideration of application (per visit)	119.91	124.50	Traded	3.83%
	Where an inspection of the site reveals non-compliance of application (per visit)	119.91	124.50	Traded	3.83%
Vehicle crossings over footways and verges (Section 184)		£ Current 2024/25	£ Proposed 2025/26	Category	2025/26 % rise
VAT Rate OS					
Consideration of a request to execute such works as are specified in the request for constructing a vehicle crossing when works executed by H/A contractor		179.61	185.90	Traded	3.50%
Consideration of a request to execute such works as are specified in the request for constructing a vehicle crossing when works executed by applicants contractor		59.96	62.25	Traded	3.83%
Where a site visit is required during consideration of application (per visit)		119.91	124.50	Traded	3.83%
Where an inspection of the site reveals non-compliance (per visit)		119.91	124.50	Traded	3.83%
Clearance of accident debris		£ Current 2024/25	£ Proposed 2025/26	Category	2025/26 % rise
VAT Rate SR					
Requests which do not form part of the Council's service e.g. removal of items from gullies		At cost	At cost	Cost	
VAT Rate OS					
Clearance of accident debris under Section 41 /Section 130		At cost	At cost	Cost	

Road closure & traffic restrictions (Section 14[1] & [2])	£ Current 2024/25	£ Proposed 2025/26	Category	2025/26 % rise
VAT Rate OS				
Anything done by traffic authority in connection with the making of an order				
Under section 14 (1)	1,772.99	1835.05	Traded	3.50%
	1,948.39	2016.60	Traded	3.50%
Under section 14 (2) (under 5 days)	348.71	360.95	Traded	3.51%
Additional exceptional administrative work by traffic authority See New Roads & Street Works Act, Co-Ordination Code of Practice S7.3.22	At cost	At cost	Cost	
Advertising	At cost	At cost	Cost	
Suspension of parking (Section 49 [4])				
VAT Rate OS				
Anything done by the local traffic authority in connection with or in consequence of a request to suspend the use of a parking place or part of it	At cost	At cost	Cost	
Route signs (Section 65 [1])				
VAT Rate OS				
Consideration of request to permit a traffic sign to indicate the route to specified land or premises	At cost	At cost	Cost Recovery	
The placing by the traffic authority of a sign in accordance with a request of the kind referred to in the previous	At cost	At cost	Cost Recovery	
Provision of Disabled Parking Bay (Anything done by the local traffic authority in connection with or in consequence of a request to provide a disabled parking bay)	104.00	107.65	Subsidised	3.51%
Disabled Bay Refresh	104.00	107.65	Subsidised	3.51%
Provision of access lines (Anything done by the local traffic authority in connection with or in consequence of a request to place access lines)	229.01	237.00	Traded	3.49%
Access Line Refresh	187.72	194.30	Traded	3.51%
Consideration of requests for Tourism Signage	93.86	97.15	Traded	3.50%
Street Naming & Numbering				
VAT Rate OS				
Amending House/Number change (Cost per address)	57.67	59.70	Traded	3.52%
New Development - Naming Street (Cost per street)	251.58	260.35	Traded	3.49%
New Development - Per plot (Cost per plot)	54.03	55.95	Traded	3.56%
Legislation reference Traffic Signs & General Directions Regs 1994				
VAT Rate SR				
Design consultancy	At cost	At cost	Cost Recovery	
VAT Rate OS				
Portable traffic signals (Reg 32 para 47 & TD 21/85)	At cost	At cost	Cost Recovery	
Damage to council property (Anything done by the authority to repair damage caused by others)	At cost	At cost	Cost Recovery	
Technical Information				
Basic Search	244.50	253.05	Traded	3.50%
Large Search	423.02	437.85	Traded	3.51%
Extra Large Search	784.47	811.95	Traded	3.50%
Traffic Data Request	321.83	333.10	Traded	3.50%

Street Works Regulation Made Under NRSWA 1991	£ Current 2024/25	£ Proposed 2025/26	Category	2025/26 % rise
VAT Rate OS				
Random sample (Section 75). Fee per unit of inspection	48.90	50.00	national	2.25%
Investigatory work from routine inspection. Fee per unit of inspection	72.10	72.10	national	0.00%
Investigatory works from third party report (Section 72 [1]) Fee per unit of inspection	72.10	72.10	national	0.00%
Defect inspection (Section 72 [2]), Joint visit, remedial works in progress, remedial works complete - per unit of inspection	51.50		national	-100.00%
Defect Notice (per copy)	57.40	57.40	national	0.00%
Inspection checklist (per copy)	57.40	57.40	national	0.00%

Street Works Licence (Section 50)	£ Current 2024/25	£ Proposed 2025/26	Category	2025/26 % rise
VAT Rate OS				
Licence for new apparatus				
1. Capitalised fee	248.98	257.70	Traded	3.50%
2. Administration fee	287.46	297.55	Traded	3.51%
3. Inspection fee (3 phases)	193.28	200.05	Traded	3.50%
Authorisation for works on existing apparatus				
1. Administration fee	163.23	168.95	Traded	3.51%
2. Inspection fee (3 phases)	193.28	200.05	Traded	3.50%

Overhead structures (including tower cranes, banners etc.)	£ Current 2024/25	£ Proposed 2025/26	Category	2025/26 % rise
VAT Rate OS				
Consideration and administration of application Within H/A published notice period (3 days or less)	50.85		national	-100.00%
Consideration and administration of application Outside H/A published notice period (3 days or less)	101.70		national	-100.00%
Where a site visit is required during consideration of application (per visit)	101.70		national	-100.00%
Where an inspection of the site reveals non-compliance (per visit)	101.70		national	-100.00%

Street Works Permits	£ Current 2024/25	£ Proposed 2025/26	Category	2025/26 % rise
VAT Rate OS				
Provisional Advance Authorisation				
Traffic Sensitive	105.00	105.00	national	0.00%
Non Traffic Sensitive	35.00	35.00	national	0.00%
Major Works (>10 Days)				
Traffic Sensitive	240.00	240.00	national	0.00%
Non Traffic Sensitive	75.00	75.00	national	0.00%
Major Works (4 to 10 Days)				
Traffic Sensitive	130.00	130.00	national	0.00%
Non Traffic Sensitive	40.00	40.00	national	0.00%
Standard Works (4 to 10 Days)				
Traffic Sensitive	130.00	130.00	national	0.00%
Non Traffic Sensitive	40.00	40.00	national	0.00%
Major Works (<3 days)				
Traffic Sensitive	65.00	65.00	national	0.00%
Non Traffic Sensitive	25.00	25.00	national	0.00%
Minor				
Traffic Sensitive	55.00	55.00	national	0.00%
Non Traffic Sensitive	25.00	25.00	national	0.00%
Intermediate				
Traffic Sensitive	55.00	55.00	national	0.00%
Non Traffic Sensitive	25.00	25.00	national	0.00%
Permit Variation				
Traffic Sensitive	45.00	45.00	national	0.00%
Non Traffic Sensitive	35.00	35.00	national	0.00%

Inspection fees for Agreements under Section 38 and Section 278 (Highways Act 1980)	£ Current 2024/25	£ Proposed 2025/26	Category	2025/26 % rise
VAT Rate OS				
Section 38 Agreement Fees				
Works Estimated by Highway Authority to be below £25,000 Value (fixed fee)	1,500.00		national	-100.00%
Works Estimated by Highway Authority to be between £25,000 to £50,000 Value (percentage of estimated works value)	10%		national	-100.00%
Works Estimated by Highway Authority to be between £50,000 to £150,000 Value (percentage of estimated works value)	8%		national	-100.00%
Works Estimated by Highway Authority to be between above £150,000 Value (percentage of estimated works value)	6%		national	-100.00%
Section 278 Agreement Fees				
Works Estimated by Highway Authority to be below £25,000 Value (fixed fee)	1,500.00		national	-100.00%
Works Estimated by Highway Authority to be between £25,000 to £50,000 Value (percentage of estimated works value)	10%		national	-100.00%
Works Estimated by Highway Authority to be between £50,000 to £150,000 Value (percentage of estimated works value)	8%		national	-100.00%
Works Estimated by Highway Authority to be between above £150,000 Value (percentage of estimated works value)	6%		national	-100.00%
Agreements which Include Public Realm or Town Centre Improvement Works				
Additional fee to be added to the Agreement Fees stated above (percentage of estimated works value)	1%		national	-100.00%

Household Waste and Recycling Centre

Chargeable Waste at the Household Waste and Recycling Centre (HWRC)	Unit	£ Current Minimum Charge 2024/25	£ Proposed Minimum Charge 2025/26	Category	2025/26 % rise
VAT Rate SR					
The following charges are applicable where the free allowance of DIY waste has been exceeded. For further details please see the website: https://www.torbay.gov.uk/recyclingcentre					
Soil and rubble: Includes bricks, blocks, slates, tiles, rubble, paving slabs, concrete, gravel, tarmac, stones, soil, sand, hardcore and sanitary ware (ceramic toilets, sinks, pedestals etc).	Per bag/item	£2.70	£2.80	Cost recovery	3.50%
Tyres: Commercial and agricultural vehicle tyres will not be accepted. No charge for bicycle tyres.	per tyre	£4.58	£4.74	Cost recovery	3.50%
Clean plasterboard: Includes plaster and gypsum related products.	per sheet/bag	£5.41	£5.60	Cost recovery	3.50%
Plasterboard (with other materials attached): such as tiles, foil insulation or any other materials	per sheet/bag	£9.88	£10.23	Cost recovery	3.50%
Plastic window: With or without glass. Single pane window only (double charge for multiple pane plastic windows).	each	£4.58	£4.74	Cost recovery	3.50%
Plastic door or door frame: With or without glass. Single door or door frame only (double charge for double door or door + frame combined).	each	£4.58	£4.74	Cost recovery	3.50%
Bath or shower tray (plastic, fibreglass or composite): Single bath or shower tray only.	each	£4.58	£4.74	Cost recovery	3.50%
Shower screen: Plastic or glass shower screen/enclosure.	each	£4.58	£4.74	Cost recovery	3.50%
Insulation materials: 1 sheet or 1 bag.	per sheet/bag	£4.58	£4.74	Cost recovery	3.50%
Roofing felt	per bag/roll	£4.58	£4.74	Cost recovery	3.50%
All DIY plastic: Plastic pipes, guttering, fascia, soffit, skirting, cladding, loose plastics etc.	for up to 5 lengths/ pieces	£4.58	£4.74	Cost recovery	3.50%
Water tanks, panels, roofing sheets, plastic sanitary ware etc.	each	£4.58	£4.74	Cost recovery	3.50%
Asbestos: bonded asbestos only. Please note that asbestos must be double wrapped in tough plastic and completely sealed. Site staff will not be able to assist with loading asbestos into the skip. There is a maximum sheet size of 10ft (3m) x 4.5ft (1.5m).	per sheet/bag	£12.17	£12.59	Cost recovery	3.50%
Sheet Glass	Per Pane	£2.57	£2.66	Cost recovery	3.50%
Carpet, Underlay and linoleum per bag	Per bag	£2.57	£2.66	Cost recovery	3.50%
Carpet, Underlay and linoleum per roll	Per roll	£10.40	£10.76	Cost recovery	3.50%

Chargeable waste collection	Unit	£ Current Charge 2024/25	£ Proposed Charge 2025/26	Category	2025/26 % rise
VAT Rate OS					
Household Garden Waste Collection	Per Bin	£50.00	£51.75	Traded	3.50%
Household Garden Waste Collection (CTSS discount)	Per Bin	£40.00	£41.75	Subsidised	4.38%
Bin delivery	Per Bin	£0.00	£0.00	Subsidised	
Initial sign up	Per Bin	£0.00	£0.00	Subsidised	

Local Land Charges Department Fees and Charges

<https://www.torbay.gov.uk/planning-and-building-control/local-land-charges/land-charges-fees/>

N.B. Due to IT technical issues previously advised 2024/25 price increases were not implemented 2025/26 increase therefore covers a 2 year increase.	£ Current 2024/25 Torbay Council Charge	£ Proposed Charge 2025/26	Category
Official search in the whole or any one part of the Local Land Charges (LLC) Register (including the issue of an Official Certificate of Search):			
VAT Rate OS			
In respect of one parcel of land (a)	28.60	31.46	Cost Recovery
In respect of each additional parcel of land (subject to agreement) (c)	5.50	6.06	Cost Recovery
Personal search in the whole or any one part of the LLC Register (regardless of the number of parcels of land)	FOC	FOC	
Replies to all Required Enquiries of Local Authorities (Form Con 29R):			
VAT Rate SR			
In respect of one parcel of land (b)	84.44	92.88	Cost Recovery
In respect of each additional parcel of land (subject to agreement) (d)	15.86	17.45	Cost Recovery
Total cost of providing 'Standard' (LLC1 and CON29) Search on one parcel of land. (a+b)	113.03	124.34	Cost Recovery
Total cost of providing 'Standard' (LLC1 and CON29) Search on each additional parcel of Land. (c+d)	21.37	23.50	Cost Recovery
Ask a question of your own	19.78	21.76	Cost Recovery

2025/26 % rise
10.00%
10.00%
10.00%
10.00%
10.00%
10.00%

Replies to individual enquiries on Form Con 29R:	£ Current 2024/25 Torbay Council Charge	£ Proposed Charge 2025/26	Category	2025/26 % rise
VAT Rate SR				
Administration fee	13.20	14.52	Cost Recovery	10.00%
Question 1.1 (a) to (i) - Planning decisions and pending applications	9.23	10.16	Cost Recovery	10.00%
Question 1.1 (j) to (l) - Building regulation decisions and pending applications	6.62	7.29	Cost Recovery	10.00%
Question 1.2 - Local development plans	FOC	FOC		
Question 2.1 (a) - Roads, footways and footpaths	5.27	5.80	Cost Recovery	10.00%
Question 2.1 (b) to (d) - Roads, footways and footpaths	3.97	4.36	Cost Recovery	10.00%
CON29 Question 2.2 to 2.5 Public rights of way	5.27	5.80	Cost Recovery	10.00%
Question 3.1 - Land required for public purposes	1.32	1.45	Cost Recovery	10.00%
Question 3.2 - Land to be acquired for road works	1.32	1.45	Cost Recovery	10.00%
Question 3.3 (a) to (c) - Sustainable drainage systems	FOC	FOC		
Question 3.4 (a) to (f) - Nearby road schemes	1.32	1.45	Cost Recovery	10.00%
Question 3.5 (a) to (b) - Nearby railway schemes	1.32	1.45	Cost Recovery	10.00%
Question 3.6 (a) to (l) - Traffic schemes	7.93	8.72	Cost Recovery	10.00%
Question 3.7 (a) to (g) - Outstanding notices	9.23	10.16	Cost Recovery	10.00%
Question 3.8 - Contravention of building regulations	2.64	2.90	Cost Recovery	10.00%
Question 3.9 - Notices, orders, directions & proceedings under Planning acts	5.27	5.80	Cost Recovery	10.00%
Question 3.10 (a) to (h) - Community Infrastructure Levy	6.62	7.29	Cost Recovery	10.00%
Question 3.11 - (a) to (b) - Conservation area	1.32	1.45	Cost Recovery	10.00%
Question 3.12 - Compulsory purchase	1.32	1.45	Cost Recovery	10.00%
CON29 Question 3.13 (a) to (c) - Contaminated land	1.32	1.45	Cost Recovery	10.00%
Question 3.14 - Radon gas	FOC	FOC		
Question 3.15 (a) to (b) - Assets of community value	FOC	FOC		
Replies to Optional Enquiries of Local Authority (Con 290) – each enquiry	13.20	14.52	Cost Recovery	10.00%
Additional enquiry – each (subject to agreement)	19.78	21.76	Cost Recovery	10.00%

Legal Services Fees and Charges

Type of Document	£ Current 2024/25	£ Proposed Charge 2025/26	Category	2025/26 % rise
VAT Rate SR				
A3 colour plan hardcopy	10.11	10.50	Cost Recovery	3.86%
A3 black and white plan hardcopy	4.74	4.90	Cost Recovery	3.38%
Plans larger than A3 (hardcopy)	POA	POA	Cost Recovery	
A4 black and white sheet (hardcopy per sheet)	0.31	0.35	Cost Recovery	12.90%
Admin Fee (minimum)	16.29	16.90	Cost Recovery	3.74%

If there is a requirement for significant research the administration charge will increase. The requestor will be advised prior to processing the request

Libraries Fees and Charges

Link: <https://www.torbaylibraries.org.uk/>

Torbay Library Services are managed by Libraries Unlimited.

Planning Pre-Application Fees and Charges

<http://www.torbay.gov.uk/planning-and-building/planning/pre-planning/>

Type	£ Current 2024/25	£ Proposed Charge 2025/26	Category	2023/24 % rise
VAT Rate SR				
Householder development enquiry	115.00	116.96	Traded	1.70%
Shaping Enquiry	230.00	233.91	Traded	1.70%
Minor Residential: Single Dwelling	260.00	264.42	Traded	1.70%
Minor Residential: 2 to 14 dwellings £217.00 for first dwelling then £93.00 per additional dwelling	260.00	264.42	Traded	1.70%
Major Residential: 15 dwellings or more per 5,000 m2 (0.5 hectares) up to a maximum of £10,000	1,850.00	1,881.45	Traded	1.70%
Commercial: No new floor space (per unit)	115.00	116.96	Traded	1.70%
Commercial: Creation of new floor space (including change of use) per 100m ² up to a maximum of £5,000.	115.00	116.96	Traded	1.70%
Waste, Minerals and Recycling Operations: Waste Management, mineral processing, extraction or storage	1,125.00	1,144.13	Traded	1.70%

Please note:

Pre-application fees are non-refundable

Householder pre-applications are covered by our development enquiry service.

Any pre-application enquiry which involves a Listed Building will be subject to an additional charge of £115 (incl. VAT).

For mixed use development; please add the residential and commercial fees together as a cumulative fee will be applicable.

All other proposals will be charged at the hourly rate of £115 (incl. VAT) contact us for further information.

These charges cover the costs associated with an officer providing an initial response to a pre-application enquiry. One further written response will be charged at £115 per hour (or part thereof).

In some instances the Council will wish to refer development proposals to the independent Torbay Design Review Panel. A separate fee will be required to cover the cost of using the Site Visits and Meetings £115 per officer per hour (please contact us for details)

Registration Service Discretionary Fees and Charges

Due to the nature of ceremonies often being booked years in advance, the fees & charges for this service are shown for multiple years

<http://www.torbay.gov.uk/registrar/>

Marriage or Civil Partnership Ceremonies	£ Current 2024/25	£ Proposed 2025/26	£ Proposed 2026/27	£ Proposed 2027/28	Category	2025/26 % rise	2026/27 % rise	2027/28 % rise
VAT Rate OS								
Attending at Approved Premises in the Torbay District								
Monday to Thursday - up to 6pm	590.00	620.00	645.00	665.00	Traded	5.08%	4.03%	3.10%
Monday to Thursday - 6pm to 8pm	610.00	640.00	665.00	670.00	Traded	4.92%	3.91%	0.75%
Monday to Thursday - from 8pm	680.00	715.00	745.00	750.00	Traded	5.15%	4.20%	0.67%
Friday & Saturday - up to 6pm	610.00	640.00	665.00	670.00	Traded	4.92%	3.91%	0.75%
Friday & Saturday - after 6pm	640.00	680.00	680.00	710.00	Traded	6.25%	0.00%	4.41%
Sunday or Bank Holiday	750.00	750.00	750.00	780.00	Traded	0.00%	0.00%	4.00%
Cockington Court in the Ceremony Room(2 to 10 guests)								
Monday to Thursday	110.00	115.00	120.00	130.00	Traded	4.55%	4.35%	8.33%
Friday & Saturday	160.00	170.00	180.00	190.00	Traded	6.25%	5.88%	5.56%
Sunday or Bank Holiday	210.00	220.00	230.00	240.00	Traded	4.76%	4.55%	4.35%
Cockington Court in the Ceremony Room(11 to 25 guests)								
Monday to Thursday	210.00	220.00	230.00	240.00	Traded	4.76%	4.55%	4.35%
Friday & Saturday	320.00	335.00	350.00	360.00	Traded	4.69%	4.48%	2.86%
Sunday or Bank Holiday	400.00	420.00	440.00	450.00	Traded	5.00%	4.76%	2.27%
Cockington Court in the Ceremony Room(26 to 52 guests)								
Monday to Thursday	420.00	440.00	460.00	470.00	Traded	4.76%	4.55%	2.17%
Friday & Saturday	580.00	610.00	635.00	640.00	Traded	5.17%	4.10%	0.79%
Sunday or Bank Holiday	630.00	630.00	630.00	630.00	Traded	0.00%	0.00%	0.00%

Torbay Register Office, Paignton Library (Max 2 guests-statutory fee)	£ Current 2024/25	£ Proposed 2025/26	£ Proposed 2026/27	Proposed 2027/28	Category
Wednesday - up to 12.30 pm	56.00	56.00	56.00	56.00	National
At a registered building-statutory fee	104.00	104.00	104.00	104.00	National
Combination Ceremony (Statutory Ceremony + Celebration Ceremony)					
Monday - Sunday up to 6pm	700.00	730.00	760.00	760.00	Traded
Giving Notice (statutory fees)					
Giving a notice of intent to marry or form a civil partnership (each partner)	42.00	42.00	42.00	42.00	National
Giving a notice of intent to marry or form a civil partnership with Home Office Referral (each partner)	57.00	57.00	57.00	57.00	National
Attendance of a Registrar to verify the declaration of a house-bound person	57.00	57.00	57.00	57.00	National
Attendance of a Registrar to verify the declaration of a detained person	82.00	82.00	82.00	82.00	National

2025/26 % rise	2026/27 % rise	2027/28 % rise
0.00%	0.00%	0.00%
0.00%	0.00%	0.00%
2025/26 % rise	2026/27 % rise	2027/28 % rise
4.29%	4.11%	0.00%
2025/26 % rise	2026/27 % rise	2027/28 % rise
0.00%	0.00%	0.00%
0.00%	0.00%	0.00%
0.00%	0.00%	0.00%
0.00%	0.00%	0.00%

Premises License					
Pre inspection meeting to discuss the process (deductible from licence fee when application is submitted)	130.00	135.00	140.00	145.00	Traded
License for Approved Premises to hold ceremonies - NEW (valid 3 years)	1,820.00	1,900.00	1,975.00	2,000.00	Traded
License for Approved Premises to hold ceremonies - RENEW (valid 3years)	1,320.00	1,370.00	1,425.00	1,460.00	Traded
Additional room to be added to a current licence	160.00	165.00	170.00	175.00	Traded

2025/26 % rise	2026/27 % rise	2027/28 % rise
3.85%	3.70%	3.57%
4.40%	3.95%	1.27%
3.79%	4.01%	2.46%
3.13%	3.03%	2.94%

Renewal of vows/celebration/naming ceremonies at Cockington Ceremony Room Note: fees listed excl VAT	£ Current 2024/25	£ Proposed 2025/26	£ Proposed 2026/27	Proposed 2027/28	Category
VAT Rate SR					
1 to 10 guests					
Monday to Thursday - up to 6pm	110.00	115.00	120.00	125.00	Traded
Monday to Thursday - 6pm to 8pm	POA	POA	POA	POA	Traded
Friday & Saturday up to 6pm	160.00	165.00	175.00	180.00	Traded
Friday & Saturday 6pm - 8pm	POA	POA	POA	POA	Traded

2025/26 % rise	2026/27 % rise	2027/28 % rise
4.55%	4.35%	4.17%
3.13%	6.06%	2.86%

Sunday and Bank Holidays up to 6pm	210.00	220.00	230.00	240.00	Traded
Renewal of vows/celebration/naming ceremonies at Cockington Ceremony Room Note: fees listed excl VAT					
VAT Rate SR					
Up to 11 to 25 guests					
Monday to Thursday - up to 6pm	210.00	220.00	230.00	240.00	Traded
Monday to Thursday - 6pm to 8pm	POA	POA	POA	POA	Traded
Friday & Saturday up to 6pm	320.00	335.00	350.00	360.00	Traded
Friday & Saturday 6pm - 8pm	POA	POA	POA	POA	Traded
Sunday and Bank Holidays up to 6pm	400.00	415.00	430.00	440.00	Traded
Renewal of vows/celebration/naming ceremonies at Cockington Ceremony Room Note: fees listed excl VAT					
VAT Rate SR					
26 to 52 guests					
Monday to Thursday - up to 6pm	420.00	420.00	420.00	420.00	Traded
Monday to Thursday - 6pm to 8pm	POA	POA	POA	POA	Traded
Friday & Saturday up to 6pm	580.00	580.00	580.00	580.00	Traded
Friday & Saturday 6pm - 8pm	POA	POA	POA	POA	Traded
Sunday and Bank Holidays up to 6pm	630.00	630.00	630.00	630.00	Traded
Renewal of Vows/Celebration/Naming Ceremony at Approved Premises					
Monday to Thursday - up to 6pm	420.00	420.00	420.00	420.00	Traded
Monday to Thursday - 6pm to 8pm	POA	POA	POA	POA	Traded
Friday & Saturday up to 6pm	570.00	570.00	570.00	570.00	Traded
Friday & Saturday 6pm - 8pm	POA	POA	POA	POA	Traded
Sunday and Bank Holidays up to 6pm	620.00	620.00	620.00	620.00	Traded
Ceremony run through discusion-face to face	25.00	25.00	25.00	25.00	Traded
Via E-mail	FOC	FOC	FOC	FOC	Traded
Ceremony Booking Fee	30.00	30.00	30.00	30.00	Traded
Citizenship					
VAT Rate OS					
Private Citizenship Ceremony	170.00	170.00	170.00	170.00	Traded

4.76%	4.55%	4.35%
2025/26 % rise	2026/27 % rise	2027/28 % rise
4.76%	4.55%	4.35%
4.69%	4.48%	2.86%
3.75%	3.61%	2.33%
2025/26 % rise	2026/27 % rise	2027/28 % rise
0.00%	0.00%	0.00%
0.00%	0.00%	0.00%
0.00%	0.00%	0.00%
2025/26 % rise	2026/27 % rise	2027/28 % rise
0.00%	0.00%	0.00%
0.00%	0.00%	0.00%
0.00%	0.00%	0.00%
0.00%	0.00%	0.00%
0.00%	0.00%	0.00%
2025/26 % rise	2026/27 % rise	2027/28 % rise
0.00%	0.00%	0.00%

Resort Services Fees and Charges

4%

Chalets/Cabins	£		£			2025/26
	Charges	Category	Proposed	Category		% uplift
VAT Rate SR	2024/25		charge 2025/26			
Annual						
Meadfoot – Annual 1st Floor	2,165.00	Traded	2,241.00	Traded		3.51%
Meadfoot – Annual 1st Floor : Sun Terrace	3,313.00	Traded	3,429.00	Traded		3.50%
Meadfoot – Annual Ground	1,841.00	Traded	1,905.00	Traded		3.48%
Broadsands - Annual Charge 1-25 Sea facing	2,113.00	Traded	2,187.00	Traded		3.50%
Broadsands - Annual Charge 26 - 50 Green facing	2,071.00	Traded	2,143.00	Traded		3.48%
Oddicombe - Annual Charge	2,136.00	Traded	2,211.00	Traded		3.51%
Per Week						
Meadfoot - Per week - April to June and September	143.00	Traded	143.00	Traded	Market forces	0.00%
Meadfoot- Per week - July and August	167.00	Traded	167.00	Traded	Market forces	0.00%
Broadsands if available - Per week - April to June and September	143.00	Traded	143.00	Traded	Market forces	0.00%
Broadsands if available- Per week - July and August	167.00	Traded	167.00	Traded	Market forces	0.00%
Goodrington - Per week - April to June and September	109.00	Traded	109.00	Traded	Market forces	0.00%
Goodrington - Per week - July and August	126.00	Traded	126.00	Traded	Market forces	0.00%
Preston - Per week - April to June and September	109.00	Traded	109.00	Traded	Market forces	0.00%
Preston - Per week - July and August	126.00	Traded	126.00	Traded	Market forces	0.00%
Less than a week						
Goodrington - Per day - April to June and September	38.00	Traded	38.00	Traded	Market forces	0.00%
Goodrington - Per day - July and August	43.00	Traded	43.00	Traded	Market forces	0.00%
Beach Hut						
	£		£			2025/26
	Charges	Category	Proposed	Category		% uplift
VAT Rate SR	2024/25		charge 2025/26			
Annual						
Site Only - Broadsands	675.00	Traded	699.00	Traded		3.56%
Site Only - Breakwater	623.00	Traded	645.00	Traded		3.53%
Site Only – Summer Season						
	£		£			2025/26
	Charges	Category	Proposed	Category		% uplift
VAT Rate SR	2024/25		charge 2025/26			
Corbyn Head	503.00	Traded	521.00	Traded		3.58%
Broadsands, Goodrington North, Youngs Park, Oddicombe and Roundham	375.00	Traded	388.00	Traded		3.47%
Preston & Preston Marine Parade & Goodrington South	398.00	Traded	412.00	Traded		3.52%
Corbyn self-maintained	121.00	Traded	50.00	Traded	Reduction agreed with stakeholders	-58.68%

Council Beach Huts Winter Season	£	Category	£	Category		2025/26
	Charges 2023/24		Proposed charge 2025/26			% uplift
VAT Rate SR						
Beach Huts – Winter Storage						
Stored off site	252.00	Traded	261.00	Traded		3.57%
Store on site	246.00	Traded	255.00	Traded		3.66%
Beach Hut transfer charge	120.00	Traded	124.00	Traded		3.33%
Beach Hut scrappage charge	149.00	Traded	154.00	Traded		3.36%
Beach Hut List Charge	32.00	Traded	33.00	Traded		3.13%
Beach Hut Exchange Charge	26.00		27.00			3.85%
Beach Furniture						
	£	Category	£	Category		2025/26
	Charges 2023/24		Proposed charge 2025/26			% uplift
VAT Rate SR						
Deckchair per week	17.00	Traded	18.00	Traded		5.88%
Deckchair per day	5.00	Traded	5.00	Traded	Market forces	0.00%
Directors chair per week	23.00	Traded	24.00	Traded		4.35%
Directors chair per day	6.00	Traded	6.00	Traded	Market forces	0.00%
Sun lounger per week	23.00	Traded	24.00	Traded		4.35%
Sun lounger per day	6.00	Traded	6.00	Traded	Market forces	0.00%
Parasol per day	4.00	Traded	4.00	Traded	Market forces	0.00%
Windbreak per day	4.00	Traded	4.00	Traded	Market forces	0.00%
Event Deckchair Hire						
Deckchair per day	4.00	Traded	4.00	Traded	Market forces	0.00%
Delivery/Collection – prices on application but minimum charge	84.00	Traded	87.00	Traded		3.57%
Administration Charge - (To be applied following cancellation of facilities. It may also be applied in other instances at the discretion of the Harbour Master)	£57.00		59.00			3.50%

Assembly Hall and Churston Room - Fees and Charges

Room Hire		£ Current 2024/25	£ Proposed 2025/26	Category	% uplift
VAT Rate EX					
ASSEMBLY ROOMS					
BASIC HIRE (Minimum session hire 5 hours)	Full Rate Per Hour	37.00	38.00	Traded	2.70%
	Discounted Rate Per Hour	30.00	31.00	Traded	3.33%
Late surcharge (after 11pm)	Full Rate Per Hour	75.00	78.00	Traded	4.00%
Sunday surcharge	Full Rate Per Hour	18.00	19.00	Traded	5.56%
Kitchen - used for supply/sale of refreshments	Full Rate Per Hour	21.00	22.00	Traded	4.76%
Kitchen - access to water for cleaning only	Per Session	21.00	22.00	Traded	4.76%
Churston Room - at weekends only and at same time as Assembly room booking.	Full Rate Per Hour	0.00	12.50	Traded	N/A
VAT Rate OS (where the Council sets up the badminton court in advance of the hire)					
Badminton charges	Per Court per hour	19.00	20.00	Traded	5.26%

Note: The above are basic charges for room hire and if additional services are required, the price is available on application and the VAT treatment will depend.

Social Housing - general needs

	£ Current 2024/25	£ Proposed 2025/26	Proposed 2025/26 % rise
VAT Rate EX			
1 Bed flat - affordable rent	483.31	496.36	2.70%
2 Bed flat - affordable rent	622.48	639.29	2.70%
Room in HMO shared accomodation - affordable rent	303.35	311.54	2.70%
Room in HMO shared accomodation - utitlity charge	89.00	91.40	2.70%

Spatial Planning Fees and Charges

Type of Document	£ Current 2024/2025	£ Proposed 2025/26	Category	% uplift
VAT Rate SR				
Torbay Local Plan				
Hardcopy incl. pen drive	FOC	FOC	Subsidised	
Hardcopy postage	FOC	FOC	Subsidised	
Pen drive only	FOC	FOC	Subsidised	
Online	FOC	FOC	Subsidised	
View in Person	FOC	FOC	Subsidised	
Supplementary Planning Documents (SPDs) plus a wide range of documents forming the evidence base for the existing and emerging Torbay Local Plan (Hardcopy)	Prices vary depending on document. Cost can be obtained from the Strategy and Project Delivery Team	Prices vary depending on document. Cost can be obtained from the Strategy and Project Delivery Team	Cost Recovery	
Type of Document				
Hardcopy Decision Notices	28.96	29.98	Cost Recovery	3.50%
Hardcopy Tree Preservation Orders	57.93	59.95	Cost Recovery	3.50%
Hardcopy Section 106 Agreements	57.93	59.95	Cost Recovery	3.50%
Hardcopy Committee Reports	17.38	17.99	Cost Recovery	3.50%
Online	FOC	FOC	Subsidised	
Type of Document				
Other A4/A3 size documents up to 10 sheets	11.59	11.99	Cost Recovery	3.50%
Other A4/A3 size documents over 10 sheets (each sheet)	1.16	1.20	Cost Recovery	3.50%
A2 Plans per sheet	11.59	11.99	Cost Recovery	3.50%
A1 Plans per sheet	17.38	17.99	Cost Recovery	3.50%
A0 Plans per sheet	28.96	29.98	Cost Recovery	3.50%
Planning History Searches E-mail or Hardcopy (per site per hour)	86.89	89.93	Cost Recovery	3.50%

*Large quantities of documents may take a longer turnaround period.

Enforcement Charges	£ Current 2024/2025	£ Proposed 2025/26	Category	% uplift
VAT Rate OS				
Withdrawal of an enforcement notice	91.11	94.30	Levy	3.50%
Confirmation of no enforcement action	91.11	94.30	Levy	3.50%

Section 106 / CIL	£ Current 2024/2025	£ Proposed 2025/26	Category	% uplift
VAT Rate OS				
Confirmation of compliance with an obligation	86.89	89.93	Cost recovery	3.50%

Town Diary Fees and Charges

	£ Current 2024/25	£ Proposed 2025/26	Category	% uplift	
VAT Rate SR					
Admin Fee for charity, fundraising and information stands - price is per day	52.00	53.85	Cost Recovery	3.6%	60
Small Displays with a table and chairs/leaflets/information/gazebo/display stands - price is per day	85.00	88.00	Traded	3.5%	90
Commercial companies with a discount for block bookings - price is per day 3 months bookings - 5% discount 6 months bookings - 10% discount 9 months bookings - 12.5% discount 12 months (year) bookings - 15% discount	250.00	258.75	Traded	3.5%	250
VAT Rate SR					
Banner sites Victoria Park, Paignton (fences along Torquay Road) Kings Gardens Torquay only Banners advertising specific companies Fee is payable on the approval of the application for each site Organisations will be charged the same price for the removal of banners for non-compliance of terms and conditions Banners can be displayed for a minimum of two weeks at a time. Extension may be available subject to vacant space. They should be removed immediately after this agreed period by the advertising organisation.					
	52.00	60.00	Traded	15.4%	
Banner sites Victoria Park, Paignton (fences along Torquay Road) Kings Gardens Torquay only Banner removal fee					
	42.00	60.00	Traded	42.9%	
VAT Rate SR					
Event Notices - Removal fee if not taken down from site.					
	52.00	53.85	Levy	3.6%	
Events Booking System Admin Fees Community /Charity Events					
	20.00	20.00	Cost Recovery	0.0%	
Commercial/Major Events - booking system					
	20.00	20.00	Traded	0.0%	
Commercial event fees over 1000 attendance - ticketed - £1 per person attending					
	£1p/p	£1p/p	Traded		
Poster sites 187 single poster sites around Torbay Fee is charged per poster per week.					
	3.70	3.85	Traded	4.1%	

Capital Investment Plan 2025-26

Summary

Project Name	Revised 4 Year Plan				
	2024/25 Budget £000's	2025/26 £000's	2026/27 £000's	2027/28 £000's	Total Plan for Period £000's
Schools Capital Programme	5,089	1,751	1,692	1,400	9,932
Projects under Feasibility and Development	7,561	10,019	3,376	398	21,354
Economic Development / Regeneration	4,652	575	0	0	5,227
Housing Development / Investment	4,878	7,242	1,000	1,000	14,120
Environment / Climate Capital Investment	2,805	534	0	0	3,339
Transport Capital Investment	3,943	5,252	3,284	3,121	15,600
Coastal Defence / Flood alleviation	1,410	7,177	6,900	2,233	17,720
Sports, Leisure and Culture	1,919	56	0	0	1,975
Schools Closed Projects	479	0	0	0	479
Other Closed Projects	954	0	0	0	954
Total	33,690	32,606	16,252	8,152	90,700

Capital Plan Detail

Schools Capital Programme

Project Name	Revised 4 Year Plan				
	2024/25 Budget £000's	2025/26 £000's	2026/27 £000's	2027/28 £000's	Total Plan for Period £000's
Capital Repairs and Maintenance	662	250	200	200	1,312
Education Review Projects	720	670	660	368	2,418
High Needs Capital Provision	1,311	750	750	750	3,561
Devolved Formula Capital	280	0	0	0	280
Paignton Academy STEPS Relocation	1,170	0	0	0	1,170
Foster Homes Adaptations	0	81	82	82	245
Acorn Centre (Youth Investment Fund)	523	0	0	0	523
Childcare Expansion	199	0	0	0	199
YMCA	180	0	0	0	180
Sherwell School Salix	44	0	0	0	44
Total	5,089	1,751	1,692	1,400	9,932

Schools Closed Projects

Project Name	Revised 4 Year Plan				Total Plan for Period £000's
	2024/25 Budget £000's	2025/26 £000's	2026/27 £000's	2027/28 £000's	
PCSA Expansion	5	0	0	0	5
St Cuthbert Mayne Expansion	428	0	0	0	428
St Cuthbert Mayne Phase 2	46	0	0	0	46
Total	479	0	0	0	479

Projects under Feasibility and Development

Project Name	Revised 4 Year Plan				Total Plan for Period £000's
	2024/25 Budget £000's	2025/26 £000's	2026/27 £000's	2027/28 £000's	
Crossways, Paignton - Regeneration	885	665	0	0	1,550
Extra Care Housing (Torre Marine)	45	0	0	0	45
Edginswell Railway Station	210	0	0	0	210
Union Square Acquisition & Development (Town Deal)	1,000	2,192	0	0	3,192
Debenhams Redevelopment	653	33	0	0	686
Torquay Town Deal - Pavilion	65	856	0	0	921
Torquay Town Deal - Core Area Public Realm	45	0	0	0	45
Torbay Road Paignton (High Streets Funding)	50	134	0	0	184
Station Square (High Streets Funding)	300	1,200	1,000	398	2,898
Victoria Centre (Paignton) (FHSF)	1,600	1,959	0	0	3,559
Oldway Mansion - phase 1 of Master-Plan	2,198	2,980	2,376	0	7,554
Brixham Square Public Realm (part of LUP £20m)	75	0	0	0	75
Brixham Central Car Park (part of LUP £20m)	114	0	0	0	114
Paignton Tech Park (Part of LUF £20m)	85	0	0	0	85
Brixham Port Infrastructure (Part of LUF £20m)	171	0	0	0	171
Foxhole Play & Ecology Hub	35	0	0	0	35
Edginswell Business Park - Unit 3	30	0	0	0	30
Total	7,561	10,019	3,376	398	21,354

Economic Development / Regeneration

Project Name	Revised 4 Year Plan				
	2024/25 Budget £000's	2025/26 £000's	2026/27 £000's	2027/28 £000's	Total Plan for Period £000's
Torquay Strand Public Realm (Town Deal Funding)	3,461	0	0	0	3,461
Paignton Picture House (High Streets Funding)	925	575	0	0	1,500
Paignton Picture House (Community Dev Fund)	0	0	0	0	0
Small Projects - UK Shared Prosperity Fund	266	0	0	0	266
Total	4,652	575	0	0	5,227

Housing Development / Investment

Project Name	Revised 4 Year Plan				
	2024/25 Budget £000's	2025/26 £000's	2026/27 £000's	2027/28 £000's	Total Plan for Period £000's
Disabled Facilities Grants	1,054	1,000	1,000	1,000	4,054
Enhancement of Development sites	545	0	0	0	545
St Kilda's, Brixham - Affordable Housing	1,703	3,742	0	0	5,445
Hotels to Homes - Scheme 1	500	2,500	0	0	3,000
Hotels to Homes - Scheme 2	1,076	0	0	0	1,076
Total	4,878	7,242	1,000	1,000	14,120

Environment / Climate Capital Investment

Project Name	Revised 4 Year Plan				
	2024/25 Budget £000's	2025/26 £000's	2026/27 £000's	2027/28 £000's	Total Plan for Period £000's
SWISCO Loan - Vehicle & Equipment Replacement	265	0	0	0	265
Tor Park Road Site Improvements	1,120	0	0	0	1,120
Car Park Investment	301	0	0	0	301
Climate Change Initiatives	387	0	0	0	387
Green Waste Bins	0	0	0	0	0
Local Electric Vehicle Infrastructure	0	0	0	0	0
Changing Places Toilets	61	0	0	0	61

Solar Farm, Brokenbury (EGF)	103	0	0	0	103
Solar Farm, Nightingale Park (EGF)	226	0	0	0	226
Paignton Library Heat Decarbonisation	142	534	0	0	676
Tor Hill House Lighting Upgrade	200	0	0	0	200
Total	2,805	534	0	0	3,339

Transport Capital Investment

Project Name	Revised 4 Year Plan				
	2024/25 Budget £000's	2025/26 £000's	2026/27 £000's	2027/28 £000's	Total Plan for Period £000's
Transport Highways Structural Maintenance	2,272	2,946	2,050	2,050	9,318
Transport Integrated Transport Schemes	1,375	1,570	1,071	1,071	5,087
Transport - Torquay Gateway Road Improvements	30	310	0	0	340
Transport - Western Corridor	150	300	163	0	613
Shiphay Lane (Active Travel Fund)	100	122	0	0	222
Babacombe Beach Road	15	4	0	0	19
Total	3,942	5,252	3,284	3,121	15,599

Coastal Defence / Flood alleviation

Project Name	Revised 4 Year Plan				
	2024/25 Budget £000's	2025/26 £000's	2026/27 £000's	2027/28 £000's	Total Plan for Period £000's
Flood Alleviation - Cockington	4	0	0	0	4
Flood Alleviation - Monksbridge	56	0	0	0	56
Paignton Coastal Defence Scheme	1,000	6,929	6,900	2,233	17,062
Flood Alleviation - Torquay	100	106	0	0	206
Paignton Flood Alleviation	42	101	0	0	143
Brixham Flood Alleviation	26	42	0	0	68
Collaton St Mary Flood Alleviation	182	0	0	0	182
Total	1,410	7,177	6,900	2,233	17,720

Sports, Leisure and Culture

Revised 4 Year Plan

Project Name	2024/25 Budget £000's	2025/26 £000's	2026/27 £000's	2027/28 £000's	Total Plan for Period £000's
Haldon & Princess Pier	23	56	0	0	79
Princess Pier - Structural repair	0	0	0	0	0
Torre Valley North Sports Facilities	373	0	0	0	373
Armada Park Refurbishment	130	0	0	0	130
Torre Abbey Gatehouse/SW Wing	664	0	0	0	664
Torre Abbey SE Wing/Courtyard/Tower	424	0	0	0	424
Torre Abbey Renovation - Phase 3	136	0	0	0	136
Grants to Plainmoor and Admiral Swimming Pools	170	0	0	0	170
Total	1,919	56	0	0	1,975

Closed Projects

Project Name	Revised 4 Year Plan				
	2024/25 Budget £000's	2025/26 £000's	2026/27 £000's	2027/28 £000's	Total Plan for Period £000's
The Pines (TCCT)	75	0	0	0	75
Maldencombe Beach CP (TCCT)	45	0	0	0	45
Claylands Redevelopment	20	0	0	0	20
Edginswell Business Park Unit 1	188	0	0	0	188
Edginswell Enabling Works (LEP GBF)	109	0	0	0	109
Harbour View Hotel Development	186	0	0	0	186
Temporary Accommodation	39	0	0	0	39
Lymington Rd Business Centre (LEP GBF/EGF)	260	0	0	0	260
RICC Improvements - Backlog Repairs	32	0	0	0	32
Total	954	0	0	0	954

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Equality Impact Assessment

The Council has a public sector duty under the Equality Act 2010 to have 'due regard' to equality and to advancing equality of opportunity between those persons who share a relevant protected characteristic and persons who do not share it. The Act also seeks to eliminate discrimination, harassment and victimisation and promote cohesion. It is important that you carefully and thoroughly consider the different potential impacts that the decision being taken may have on people who share protected characteristics.

It is not enough to state that a proposal will affect everyone equally. There should be thorough consideration as to whether particular groups or individuals are more likely to be affected than others by the proposals and decision. Please complete the table below. If you consider there to be no positive or negative impacts state 'there is no differential impact.'

Overview:

This Equality Impact Assessment (EIA) assesses the proposed council budget for 2025/26 which is being considered by Council. It specifically assesses the potential impact of the proposal to increase Council Tax.

The EIA considers the potential impacts arising from budget management on those with protected characteristics. Given the close links between vulnerability and socioeconomic inequality, the EIA also considers the impact of proposals from this perspective. Torbay ranks as the 38th most deprived upper tier local authority in England out of a total of 151 local authorities, according to the Indices of Multiple Deprivation (IMD) 2019.

No budget reductions or service reductions are built into the budget for 2025/26, but several Financial Sustainability Plans exist, which summarise how key areas of budget risks are going to be managed to mitigate spending pressures. This year, equality implications are most likely to come from the ongoing management of the Council's budget throughout 2025/26. The main tool for managing any changes required to service delivery are the Council's Financial Sustainability Plans.

This EIA does not fully assess the Financial Sustainability Plans as these will be further assessed as the proposals develop and go through the decision-making cycle independently. Where proposals form part of business-as-usual service delivery, departments will ensure that they continue to ensure equitable service delivery.

Council Tax

It is proposed by the Cabinet that the Council increases its Council Tax requirement in 2025/26 by 2.75% (below the allowable capped rate of 2.99%). In addition, it is proposed to increase Council Tax specifically for Adult Social Care by a further 2%. This will allow us to increase the support that is available to support the communities who need it the most and to continue to invest in services while minimising as much as possible the financial impacts for our residents. The Local Government Finance settlement for 2025/26 assumes that all Councils will increase Council Tax by 2.99% and a further 2% for the Adult Social Care Precept.

Whilst it is not possible to fully mitigate the impact of Council Tax increases, Torbay Council operates a Council Tax Support Scheme which limits the amount of Council Tax that eligible recipients are required to pay to up to 75%. The current Council Tax Support Scheme caseload has been analysed to help identify if there may be an indirect impact on one or more groups with protected characteristics because of the proposed increases to Council Tax. In addition, the Council has various support mechanisms in place for people experiencing financial hardships. This includes the discounts which are available across the Bay for residents who have signed up to the MyBay discount card. Where available, this information has been included in the evidence for each group of people with protected characteristics below. Other data included within the EIA has been sourced from the Joint Strategic Needs Assessment.

It is proposed that fees and charges across Council services will increase by an average of 3.5% for 2025/26 to help offset increased pay cost and price inflation. There will be some exceptions, particularly where the rates are set nationally.

Budget consultation

Cabinet published its draft budget proposals for consultation. During the consultation period, feedback was gathered through an online Questionnaire. To ensure that those who participate in our engagement activities are representative of the local community, respondents were asked for demographic information to help us identify any patterns in our engagement activities. A summary of the consultation findings will be published alongside the final budget papers.

Protected characteristics under the Equality Act and groups with increased vulnerability	Data and insight	Equality considerations (including any adverse impacts)	Mitigation activities	Responsible department and timeframe for implementing mitigation activities
Age	18 per cent of Torbay residents are under 18 years old.	Financial Sustainability Plans Due to their overrepresentation as service users, older people could be disproportionately impacted by budget	Financial Sustainability Plans Services will continue to take a case-by-case	Director of Adult and Community Services and

	<p>55 per cent of Torbay residents are aged between 18 to 64 years old. 27 per cent of Torbay residents are aged 65 and older.</p> <p>Although poverty levels are lower than they were 20 years ago, figures show 2.1 million (18 per cent) of pensioners in the UK live in poverty – Age UK Pensioner Poverty report 2022.</p> <p>Pension age households represent 45.03% of the current Council Tax Support caseload.</p> <p>Around 57% of all working age households receiving Council Tax Support are single people, with 27% lone parents, 8% couples with children and just over 8% are couples with no children.</p>	<p>management decisions in Adult Social Care.</p> <p>Due to their overrepresentation as service user children and younger people could be disproportionately impacted by Financial Sustainability Plans in Children’s Services especially around the Locality Model and home to school transport budget decisions and Children’s Social Care Placements.</p> <p>Housing Needs The current level of the cost of living and the increasing cost of accommodation costs is especially challenging for families, younger people, and older people.</p> <p>Council Tax and fees and charges Older people may be disproportionately impacted by increases to Council Tax and fees and charges due to the increased likelihood of them experiencing poverty during retirement. Younger people may be disproportionately impacted by increases to Council Tax due to the increased likelihood of them experiencing low earnings.</p>	<p>approach and person/child centred approach in their delivery of services to ensure that individuals receive support tailored to their individual needs and circumstances. To ensure that equality is fully considered, individual decisions will be further assessed as proposals develop and go through the decision-making cycle independently. In addition, where relevant existing council policies will continue to be followed to ensure that service delivery is equitable.</p> <p>Housing Needs All individuals, and families, will continue to be assessed based on their identified needs. We will continue to monitor data to identify trends in those experiencing housing challenges.</p> <p>Council Tax and fees and charges</p>	<p>Director of Children’s Services to assess the impact of budget savings within their departments.</p> <p>Director of Financial Services to continue to raise awareness of the Council Tax Support Scheme.</p> <p>Director of Adult and Community Services to continue to ensure that the service is delivered in an equitable manner</p>
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			<p>A Council Tax Support Scheme is in place which limited the amount that eligible applicants are required to pay to 75%. The Exceptional Hardship Fund is also available to provide financial support to eligible applicants facing exceptional financial hardship.</p>	
<p>Carers</p> <p style="writing-mode: vertical-rl; transform: rotate(180deg);">Page 138</p>	<p>At the time of the 2021 census there were 14,900 unpaid carers in Torbay. 5,185 of these provided 50 hours or more of care.</p> <p>Based on a survey of 13,000 unpaid carers, 16% are in debt because of their caring role and their financial situation, increasing to 40% for unpaid carers in receipt of Carer's Allowance – Carers UK report 2022.</p> <p>Council Tax Support Standard Means Test:40</p>	<p>Financial Sustainability Plans Due to their overrepresentation as both direct service users and service beneficiaries carers may be disproportionately impacted by budget management decisions in Adult Social Care and the Financial Sustainability Plans in Children's Services provisions.</p> <p>Carers may be disproportionately impacted by the Children's Social Care placements, Locality Model, and home to school transport budget decisions due to their caring role.</p> <p>Housing Needs The current level of the cost of living and the increasing cost of accommodation costs is especially challenging for carers who are more likely to work part time and experience financial difficulty.</p>	<p>Financial Sustainability Plans Services will continue to take a case-by-case approach and person/child centred approach in their delivery of services to ensure that individuals receive support tailored to their individual needs and circumstances. To ensure that equality is fully considered, individual decisions will be further assessed as proposals develop and go through the decision-making cycle independently. In addition, where relevant existing council policies will continue to be followed to ensure that</p>	<p>Director of Adult and Community Services and Director of Children's Services to assess the impact of budget savings within their departments</p> <p>Director of Financial Services to continue to raise awareness of the Council Tax Support Scheme and to ensure that</p>

		<p>Council Tax and fees and charges Carers may be disproportionately impacted by increases to Council Tax and fees and charges due to the increased likelihood of them experiencing poverty.</p>	<p>service delivery is equitable.</p> <p>Housing Needs All individuals, and families, will continue to be assessed based on their identified needs. We will continue to monitor data to identify trends in those experiencing housing challenges.</p> <p>Council Tax and fees and charges A Council Tax Support Scheme is in place which limited the amount that eligible applicants are required to pay to 75%. The Exceptional Hardship Fund is also available to provide financial support to eligible applicants facing exceptional financial hardship.</p>	<p>equality is considered.</p>
Disability	<p>In the 2021 Census, 23.8% of Torbay residents answered that their day-to-day activities were limited a little or a lot by a physical or mental health condition or illness.</p>	<p>Financial Sustainability Plans Due to their overrepresentation as service users people with disabilities may be disproportionately impacted by budget management decisions in Adult Social Care and Children's Services provisions. Children and young people with</p>	<p>Financial Sustainability Plans Services will continue to take a case-by-case approach and person/child centred approach in their delivery of</p>	<p>Director of Adult and Community Services and Director of Children's Services to</p>

	<p>After housing costs, the proportion of working age disabled people living in poverty is 27%, which is higher than the proportion of working age non-disabled people at 19% - Scope report 2021.</p> <p>The average disabled household faces £975 a month in extra costs – Scope report 2023.</p> <p>Council Tax Support Standard Means Test: 103</p>	<p>disabilities may be disproportionately impacted by the Children's Social Care placements, Locality Model, and home to school transport budget decisions.</p> <p>Housing Needs The current level of the cost of living and the increasing cost of accommodation costs is especially challenging for families, younger people, and older people.</p> <p>Council Tax and fees and charges People with disabilities may be disproportionately impacted by increases to Council Tax and fees and charges due to the increased likelihood of them experiencing poverty.</p>	<p>services to ensure that individuals receive support tailored to their individual needs and circumstances. To ensure that equality is fully considered, individual decisions will be further assessed as proposals develop and go through the decision-making cycle independently. In addition, where relevant existing council policies will continue to be followed to ensure that service delivery is equitable.</p> <p>Housing Needs All individuals, and families, will continue to be assessed based on their identified needs. We will continue to monitor data to identify trends in those experiencing housing challenges. Where required reasonable adjustments will be put in place for people with disabilities requiring housing support.</p>	<p>assess the impact of budget savings within their departments.</p> <p>Director of Financial Services to continue to raise awareness of the Council Tax Support Scheme and to ensure that equality is considered.</p> <p>Director of Adult and Community Services to continue to ensure that the service is delivered in an equitable manner</p>
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			<p>Council Tax and fees and charges A Council Tax Support Scheme is in place which limited the amount what eligible applicants are required to pay to 75%. The Exceptional Hardship fund is also available to provide financial support to eligible applicants facing exceptional financial hardship.</p>	
<p>Gender reassignment</p> <p>Page 141</p>	<p>In the 2021 Census, 0.4% of Torbay's community answered that their gender identity was different from their sex registered at birth. This proportion is similar to the Southwest and is lower than England.</p>	<p>Financial Sustainability Plans People with the protected characteristic of gender reassignment may disproportionately impacted by reductions in Adult Social Care and Children's Services provisions if the ability to put in place appropriate and considered care and support is limited. Due to the limited data collected locally, it is not possible to fully understand the possible impacts on this group of service users.</p>	<p>Financial Sustainability Plans Services will continue to take a case-by-case approach and person/child centred approach in their delivery of services to ensure that individuals receive support tailored to their individual needs and circumstances. To ensure that equality is fully considered, individual decisions will be further</p>	<p>Director of Adult and Community Services and Director of Children's Services to assess the impact of budget savings within their departments.</p>
<p>Marriage and civil partnership</p>	<p>Of those Torbay residents aged 16 and over at the time of 2021 Census, 44.2% of people were married or in a registered civil partnership.</p>	<p>There are no expected adverse impacts anticipated.</p>	<p>Not applicable.</p>	<p>Not applicable.</p>

Pregnancy and maternity	Over the period 2010 to 2021, the rate of live births (as a proportion of females aged 15 to 44) has been slightly but significantly higher in Torbay (average of 63.7 per 1,000) than England (60.2) and the South West (58.4). There has been a notable fall in the numbers of live births since the middle of the last decade across all geographical areas.	There are no expected adverse impacts anticipated.	Not applicable.	Not applicable.
Page 142	In the 2021 Census, 96.1% of Torbay residents described their ethnicity as white. This is a higher proportion than the South West and England. Black, Asian and minority ethnic individuals are more likely to live in areas of Torbay classified as being amongst the 20% most deprived areas in England.	<p>Financial Sustainability Plans The joint transformation plan for adult social care and Financial Sustainability Plans in Children’s Services may disproportionately impact people from different cultural backgrounds if the ability to put in place culturally appropriate and considered care and support is limited.</p> <p>Housing Needs The current high costs of living and the increasing cost of accommodation is especially challenging for people from ethnically minoritised backgrounds who are more likely to experience financial difficulty.</p>	<p>Financial Sustainability Plans Services will continue to take a case-by-case approach and person/child centred approach in their delivery of services to ensure that individuals receive support tailored to their individual needs and circumstances. To ensure that equality is fully considered, individual decisions will be further assessed as proposals develop and go through the decision-making cycle</p>	<p>Director of Adult and Community Services and Director of Children’s Services to assess the impact of budget savings within their departments.</p> <p>Director of Financial Services to continue to raise</p>

		<p>Council Tax and fees and charges People from black, Asian and minoritised ethnic backgrounds may be disproportionately impacted by increases to Council Tax and fees and charges due to the increased likelihood of financial insecurity.</p>	<p>independently. In addition, where relevant existing council policies will continue to be followed to ensure that service delivery is equitable.</p> <p>Housing Needs All individuals, and families, will continue to be assessed based on their identified needs. We will continue to monitor data to identify trends in those experiencing housing challenges.</p> <p>Council Tax and fees and charges A Council Tax Support Scheme is in place which limited the amount that eligible applicants are required to pay to 75%. The Exceptional Hardship fund is also available to provide financial support to eligible applicants facing exceptional financial hardship.</p>	<p>awareness of the Council Tax Support Scheme and to ensure that equality is considered.</p>
Religion and belief	64.8% of Torbay residents who stated that they have a religion in the 2021 census.	<p>Financial Sustainability Plans The joint transformation plan for adult social care and Financial Sustainability</p>	<p>Financial Sustainability Plans Services will continue to</p>	Director of Adult and Community

		Plans in Children's Services may disproportionately impact people from different cultural backgrounds if the ability to put in place culturally appropriate and considered care and support is limited.	take a case-by-case approach and person/child centred approach in their delivery of services to ensure that individuals receive support tailored to their individual needs and circumstances. To ensure that equality is fully considered, individual decisions will be further assessed as proposals develop and go through the decision-making cycle independently. In addition, where relevant existing council policies will continue to be followed to ensure that service delivery is equitable.	Services and Director of Children's Services to assess the impact of budget savings within their departments.
Sex	<p>51.3% of Torbay's population are female and 48.7% are male.</p> <p>92.45% of lone parent households receiving Council Tax Support are women.</p> <p>There is a higher percentage of working age women claiming Council Tax Support 4,032 (62.6%) when</p>	<p>Financial Sustainability Plans</p> <p>Females may disproportionately impacted by reductions Children's Services provisions if the ability to put in place appropriate and considered care and support is limited as they are more likely to live in lone parent households. They may also be disproportionately impacted by the Children's Social Care placements, Locality Model, and home to school transport budget decisions.</p>	<p>Financial Sustainability Plans</p> <p>Services will continue to take a case-by-case approach and person/child centred approach in their delivery of services to ensure that individuals receive support tailored to their individual needs and circumstances. To</p>	<p>Director of Financial Services to continue to raise awareness of the Council Tax Support Scheme and to ensure that equality is considered.</p>

compared to their representation in the Torbay population 71,493 (51.31%).

Furthermore, 1,631 (92.4%) of working age lone parents are women compared to 133 men (7.6%).

Housing Needs

The current high costs of living and the increasing cost of accommodation is especially challenging for lone parent families who are more likely to be females.

Council Tax and fees and charges

Females may be disproportionately impacted by increases to Council Tax and fees and charges due to the increased likelihood of lone parent households experiencing poverty.

ensure that equality is fully considered, individual decisions will be further assessed as proposals develop and go through the decision-making cycle independently. In addition, where relevant existing council policies will continue to be followed to ensure that service delivery is equitable.

Housing Needs

All individuals, and families, will continue to be assessed based on their identified needs. We will continue to monitor data to identify trends in those experiencing housing challenges.

Council Tax and fees and charges

A Council Tax Support Scheme is in place which limited the amount that eligible applicants are required to pay to 75%. The Exceptional Hardship fund is also available to provide financial support

Director of Adult and Community Services and Director of Children's Services to assess the impact of budget savings within their departments

			to eligible applicants facing exceptional financial hardship.	
Sexual orientation	In the 2021 Census, 3.4% of those in Torbay aged over 16 identified their sexuality as either Lesbian, Gay, Bisexual or, used another term to describe their sexual orientation.	Financial Sustainability Plans The joint transformation plan for adult social care and Financial Sustainability Plans in Children's Services may impact people from LGBT+ communities if the ability to put in place appropriate and considered care and support is limited. Due to the limited data collected locally, it is not possible to fully understand the possible impacts on this group of service users.	Financial Sustainability Plans Services will continue to take a case-by-case approach and person/child centred approach in their delivery of services to ensure that individuals receive support tailored to their individual needs and circumstances. To ensure that equality is fully considered, individual decisions will be further assessed as proposals develop and go through the decision-making cycle independently. In addition, where relevant existing council policies will continue to be followed to ensure that service delivery is equitable.	Director of Adult and Community Services and Director of Children's Services to assess the impact of budget savings within their departments
Armed Forces Community	In 2021, 3.8% of residents in England reported that they had previously served in the UK armed forces. In Torbay, 5.9 per cent of the population	No adverse impacts anticipated	Not applicable	Not applicable

	have previously served in the UK armed forces.			
Additional considerations				
Socio-economic impacts (Including impacts on child poverty and deprivation)		While inflation has reduced significantly from the highs of 2022, with a figure of 1.7% reported by the CPI in Sept 2024. Residents are continuing to struggle with the cost of living. This continues to have a consequential effect on the demand for council support services.		
Public Health impacts (Including impacts on the general health of the population of Torbay)		No adverse impacts are anticipated.	Not applicable	Not applicable
Human Rights impacts		The Council remains committed to ensuring that human rights are protected.	Not applicable	Not applicable
Child Friendly	Torbay Council is a Child Friendly Council, and all staff and Councillors are Corporate Parents and have a responsibility towards cared for and care experienced children and young people.	Torbay has a higher proportion of young people with care experience when compared to the rest of the Southwest and England. The budget proposals aim to support care experienced individuals to meet their potential.	Not applicable	Not applicable

Meeting: Overview & Scrutiny Board/Cabinet/Council **Date:** 12th/18th/27th February 2025

Wards affected: All Wards

Report Title: Budget Monitoring 2024/25 – April to December 2024 Revenue and Capital Outturn Forecast.

When does the decision need to be implemented? N/A

Cabinet Member Contact Details: Alan Tyerman, Cabinet Member for Finance
alan.tyerman@torbay.gov.uk

Supporting Officer Contact Details: Ian Rowswell, Deputy Director of Finance,
ian.rowswell@torbay.gov.uk,

1. Purpose and Introduction

- 1.1. This report provides a high-level budget summary of the Council's revenue and capital position for the financial year 2024/25, reviewing budgets and considering year-end forecasts. These forecasts are based on the levels of spend and financial information at the end of quarter 3 (up to 31 December 2024).
- 1.2. The Council continues to face external pressures due to the wide-reaching implications of the current economic situation. The levels of cost inflation have reduced significantly but continue to have an impact on Council services. We are also seeing an impact on the levels of income received, with many projections being below budget, particularly in areas such as building control and planning. However, through careful financial management we are now projecting a number of underspends that are offsetting such pressures, resulting in an overall year end forecast for 2024/25 of **£0.011m overspend**.
- 1.3. The Capital Programme was reviewed and updated in 2023/24, with an updated forward looking Capital Investment Plan included within the 2024/25 budget papers. An updated Capital Investment Plan is shown as Appendix 1 and highlights a total revised capital budget of **£89.624m** for the period up to 2027/28 with **£32.613m** in 2024/25. Paragraph 6.3 provides a simple reconciliation of movement from the revised budget as approved in Q2.

2. Recommendations

Recommendations for Overview and Scrutiny Board

- 2.1. That the Overview & Scrutiny Board notes the Council's forecasted revenue outturn position and mitigating action identified and make any comments and/or recommendations to the Cabinet.
- 2.2. That the Overview & Scrutiny Board notes the updates to the Capital Investment Plan and the revised budget for 2024/25 and make any comments and/or recommendations to the Cabinet.

Recommendations for Cabinet/Council

- 2.3. That the Cabinet notes the forecasted revenue outturn position and amendments made to the published 2024/25 Capital Investment Plan.
- 2.4. That Council approves the revisions to the Capital Investment Plan, as per Appendix 1.

3. 2024/25 Budget Summary Position

- 3.1. Budget monitoring at quarter 3 is projecting the following variances across Council Directorates, resulting in a total forecast overspend at year end 2024/25 of £0.011m. This position has improved since Q2, where an overspend of £0.292m was forecast.

Service	Current Budget £m	Projected Outturn £m	Outturn Variance Q2 £m
Adult Services	55.712	55.668	-0.044
Children's Services	54.147	53.711	-0.436
Corporate and Executive Services	14.191	14.919	0.728
Finance (incl. Treasury Mngt)	-16.646	-18.196	-1.550
Investment Portfolio	-4.134	-4.134	0
Place	24.916	26.229	1.313
Public Health	11.018	11.018	0
TOTAL	139.204	139.215	0.011

- 3.2. The budgets and projections above include a drawdown of £171k from central contingency to rebase budgets for known spend commitments, which were unavoidable.

- 3.3. Robust financial management and control continues to be required from all services across the Council in order to mitigate current and emerging spending pressures and achieve a forecast breakeven position by the year end.
- 3.4. Financial Sustainability Plans have been completed by each Director in respect of the key risk areas and the following will continue to be reviewed.
- Integrated Adult Social Care contract – transformation programme
 - Children’s Services – social care placements
 - Prevention and relief of Homelessness
 - Legal Services – staffing and agency costs
 - Home to School Transport
- 3.5. It is anticipated that action against these plans will continue to mitigate pressures and reduce the overspends, where forecast. We are seeing this take effect in Children’s Services placements, contributing to an improved overall position for the Directorate since Q2. Legal services continues to be challenging however, with the projected overspend increasing since Q2 as demand for the service continues to increase whilst challenges remain around recruitment.
- 3.6. The Dedicated Schools Budget, and particularly the Higher Needs Block, is not currently shown within the table above. Spend continues to be monitored as part of the Safety Valve agreement in order to facilitate the write off of accumulated deficits of circa £12m (at end of 23/4). This has become more challenging throughout 2024/25 and an overspend of £1.409m is now being forecast, compared with the budgeted overspend of £0.481m. A summary of the position is shown in Appendix 4.

4. Service Budgets

- 4.1. The table below summarises the most material variances (over £100k) currently being forecast at the end of December 2024.

Service	Current Budget £m	Projected Outturn £m	Projected Q3 Outturn Variance £m	Projected Q2 Outturn Variance £m
Childrens - Staffing/agency costs	20.846	20.754	(0.092)	0.374
Childrens – Section 17	0.480	0.600	0.120	0.122
Childrens - Home to School Transport	3.892	4.119	0.227	0.167
Childrens - Social care placements (excl. UASC)	23.424	23.014	(0.410)	(0.509)
Childrens - UASC	0.921	0.632	(0.289)	0.092
Childrens – Disabilities – overnight short breaks	1.299	1.474	0.175	0

Corporate – Legal Services	1.693	2.208	0.515	0.350
Corporate – Staffing	1.133	1.271	0.138	0
Finance – Investments and borrowing	18.572	17.172	(1.400)	(1.200)
Finance – Pension payments	1.244	1.094	(0.150)	0
Place – Torre Abbey	0.381	0.506	0.125	0.100
Place – Waste disposal	4.832	5.052	0.220	0.220
Place – Development Control and Planning - income	0.269	0.649	0.380	0.380
Place – Building Control income	0.127	0.262	0.135	0.170
Place – Concessionary Fares	3.746	3.471	(0.275)	(0.250)
Place – Management of Estate	3.776	4.094	0.306	0.306
Place - SWISCO	16.653	16.953	0.300	0
			0.025	0.232

(Note: there are other smaller variances which are not highlighted within this table hence totals will differ from overall variance mentioned above)

Adult Services (incl. Community and Customer Services)

- 4.2. Within Adult Social Care the majority of spend is against a fixed price financial arrangement (contract) for the delivery of services provided by the Integrated Care Organisation (ICO). This agreement was uplifted by £5m in 2023/24, with a further £1.1m agreed for 2024/25. There is currently no significant variance being forecast for Torbay Council within this area.
- 4.3. In previous years we have reported overspends within our Housing Options Service relating to increasing costs for homelessness prevention and the provision of Temporary Accommodation. Although there continues to be considerable demand in this service the total budget was increased by £900k in 2024/25 and £10m has been invested in purchasing our own properties to reduce dependency on spot purchase arrangements. No material variances to budget are currently being forecast for this year.

Children’s Services

- 4.4. An underspend of **£436k** is now being forecast across the service, a positive movement in the projection since Q2 of £645k. This is mainly due to the number of agency workers being much less than forecast and not increasing as expected, accounting for £466k of the movement. Despite increased salary expectations within the agency market and stiff competition from other Councils, the Service has had success with recruitment and managed to reduce the dependency on agency wherever possible.
- 4.5. An underspend (**£410k**) continues to be forecast across our budgets for children social care placements, which received £2.1m of growth funding as part of the 2024/25 budget setting process. Although this has reduced since Q2, an underspend of **£289k**

is now also being projected relating to Unaccompanied Asylum Seeking Children (UASC) as a result of funding levels being higher than expected.

- 4.6. The overall number of cared for children are lower than previous years, but the significant shortage of suitable available placements has driven up costs within the market and the high cost of weekly placements for Residential and Unregulated remain a concern and risk to the budget. This area will continue to be monitored closely throughout the year.
- 4.7. We continue to project an overspend within the Home to School Transport budget as a result of increasing fuel costs for transport providers as well as children and young people needing more bespoke arrangements to get to and from school. An overspend of **£227k** is now forecast, but this is a reduction on spend when compared to 23/24. The Financial Sustainability Plan for this area highlighted actions to mitigate pressures, including improvements to route planning and maximisation of shared transport (where possible).
- 4.8. An overspend of **£175k** is now being forecast in relation to our budgets for Disabilities - Overnight Shorts Breaks, due to an increase in demand for day services and placements that have occurred since Q2.
- 4.9. Expenditure relating to support for children in need under Section 17 of the Children Act 1989 is forecast to be over budget by **£120k**. This spend also covers areas such as housing support and ensures the Council meets its duty to safeguard children and promote their welfare.
- 4.10. Outside of Local Authority funded activities, the schools' higher needs block in the Dedicated Schools Grant (DSG) remains under financial pressure from continual referrals for assessment for higher needs support for children.
- 4.11. The Council is part of the Education and Skills Funding Agency (ESFA) and Department for Education (DfE) Safety Valve programme, which supports councils in achieving future financial sustainability in this area. If the council can deliver on its recovery plan and achieve a balanced higher needs budget, all of the historic DSG deficit will be written off, through additional funding by ESFA.
- 4.12. Torbay Council has already received £8.260m from the ESFA in response to its recovery plan, without which the DSG cumulative deficit would have been £12.756m at the end of 2023/24. For 2024/25 the DSG is forecasting an overspend of £1.409m at quarter 3, against the forecast deficit within the agreed safety valve plan of £481k. The service continues to work with Schools on the delivery of its recovery plan with robust monitoring arrangements in place. Appendix 4 provides more detail on the forecast year end position.

Corporate Services

- 4.13. An overspend of **£0.515m** is currently being forecast within Legal Services, despite an additional £300k being added to the base budget for 2024/25. This is a national issue across the public sector, resulting from increasing demand for the service and difficulties in recruiting permanent staff. This has meant the service have had to use

more expensive agency staff to continue delivering legal advice and support across the Council. The council have struggled to compete with the salaries paid by other organisations – both within the private and public sector. A financial sustainability plan continues to be considered for this area and the application of increased additional market factors is starting to have an impact and improve the success in recruitment. However, high demand levels mean vacancies and absence need to be covered and has resulted in spend levels remaining high.

- 4.14. An overspend of **£138k** is projected on other Corporate Services staffing costs, mainly as a result of agency cover for long term sickness absence at Director level and additional project management support.

Finance

- 4.15. The Finance budget area includes a wide variety of budgets including finance operations/teams, contingencies, treasury management and central grants such as Public Health and Social Care Grant. We will be reviewing how best to present these areas for 2025/26.
- 4.16. A **£1.4m** positive variance is being forecast across our Treasury Management budgets, an improved position from Q2. This is mainly as a result of increased interest rates being secured meaning the Council is forecast to earn higher levels of interest on its cash investments than budgeted. We also have a saving on interest payable by the Council on the amounts borrowed.
- 4.17. We are now projecting a **£150k** underspend in relation to our budget for previously agreed pension payments as a result of the number of payments reducing during the year.
- 4.18. As part of setting the 2024/25 budget a few central contingencies have been held, as in previous years. These are mainly linked to pay/inflation and other risk areas, to be released to fund identified cost pressures within services. These budget virements between services total £171k – but have a net nil impact across the Council.

Investment Portfolio

- 4.19. The Council's Investment Portfolio is forecast to contribute £4.1m towards Council activity – in line with budget. The investment property reserve is in place and maintained to cover lost rent and holding costs arising from empty units.

Place

- 4.20. Within the Place Directorate an overspend of **£1.313m** is currently forecast, mainly due to a number of service areas where the levels of income are projected to be lower than budgeted.
- 4.21. An overspend of **£125k** is being forecast in relation to Torre Abbey, a slight increase in the figure reported at Q2. This is due to increased expenditure pressures and income

levels projected to be below budget for a number of areas including the café and weddings.

- 4.22. An overspend of **£220k** is forecast within the Waste Disposal budget. The budget was reduced in 24/25 in line with 23/24 levels, but recent disposal volumes and associated costs have been significantly higher than last year.
- 4.23. An overspend of **£380k** is forecast in relation to shortfalls of income in Development Control - planning applications (£300k) and planning land charges (£80k), where the fees are forecast to be below budgeted levels. In addition, an overspend of **£135k** is forecast within the Building Control service, mainly resulting from reduced levels of fee income. Although the projection for Building control has improved slightly, income is still expected to be lower than budgeted for this year. All three of these elements reflect the challenging economic position of the country and the region.
- 4.24. An underspend of **£275k** is forecast against the Concessionary fares budget. The base budget was increased by £200k in 2024/25, but costs linked to the number of users are forecast to be lower than estimated.
- 4.25. An overspend of **£306k** is currently being forecast in relation to management of our Council estate. We have voids in a number of commercial properties, which are resulting in lost income and additional costs are being incurred that would have been met by tenants. We are forecasting underspends across various utility and NNDR budgets, however other budgets are projected to overspend including Paignton Library Hub (non-staffing budget), and a shortfall in income from Town Hall bookings.
- 4.26. Parking Services is forecast to break even, with any shortfall in parking income expected to be offset by enforcement income projected to be in excess of budget.
- 4.27. SWISCo. have been facing challenges in managing within current 2024/25 budgets, in light of increased prices and the reduced value of recycled material resales. They have also incurred some significant one-off costs during the year and an overspend of £300k is now being projected. The pay award for 2024/25 once again had a disproportionately high percentage increase on SWISCo, given lower average salary costs, however as in previous years, the Council has funded the shortfall in the pay award, using a contingency budget held for this purpose.
- 4.28. Although services and staff transferred from Torbay Development Agency, (TDA), to Torbay Council at the start of year, contracts and assets continue to be transferred throughout the year, meaning that some trading activity will remain within TDA for 2024/25. A full review of both TDA and Torbay Council accounts/transactions will take place over the coming months in preparation for year end and transitional costs associated with managing the transfer will be met from a specific reserve, established as part of the 2024/25 budget.

Public Health

- 4.29. Overall Public Health is reporting a balanced position within its ring-fenced grant. A significant amount of spend relates to the provision of 0-19 services, which is expected to see increased spending pressures in future years linked to inflation.

5. Collection Fund

- 5.1. Collection rates levels in 2024/25 do not have any impact on the 2024/25 financial year and the collection fund equalisation reserve is maintained to manage any impact in the following year. Collection rates at Q3 suggest we are on target to achieve forecast levels with a projected end of year surplus in the Fund. We continue to explore opportunities to increase our overall collection rates, whilst supporting residents and businesses.

6. Capital

- 6.1. The Council set an original annual budget for 2024/25 of **£18.984m**, which was revised to **£39.115m** as per the quarter 1 budget monitoring report. The capital budget is updated each quarter to reflect the latest position within capital projects and recommendations made through the Capital Growth Board (CGB).
- 6.2. Further revisions were made to the budget as per the quarter 2 budget monitoring report. The revised budget was **£66.001m** with **£32.637m** being reprofiled to future years resulting in a revised approved budget of **£33.365m**
- 6.3. The table below highlights a revised budget for 2024/25 of **£32.613m**, with a further **£5.089m** being profiled into future financial years. The table also provides a simple reconciliation of the movement from the revised budget at Quarter 2.

Project Name	Amount	Comments
Revised Budget 2024/25	£33,365,000	As approved in November 2024 by Cabinet and reported at Q2
Pavilion, Torquay – Town Deal	£500,000	As per PID at Sep 24 CGB to take the project to Full Business Case for the opening up / scoping element of works – Contingency budget
Oldway Mansion - Levelling up Partnership	£1,198,000	As per Full Business Case at November CGB for delivery of Phase 1 of the restoration scheme, budget profiling adjustment from future years to reflect revised spend projection in 2024/25
Hotels to Home – Scheme 1	£400,000	Budget reprofile from future years to reflect revised spend projection in 2024/25
Paignton Library Heat Decarbonisation	£534,000	As per Full Business Case at December CGB to replace the current four gas boilers with Air Source Heat Pumps (£469k). Additional £65k requested as per Jan 25 CGB to fund projected total cost of scheme. Funding from PSDF fund and Climate Initiatives Fund
Flood Alleviation - Torquay	£107,200	As per Strategic Outline Case at January 25 CGB, to proceed as a Tier 2 project and develop the scheme up to Full Business Case. Budget request to enable the detailed design of the project to be undertaken and develop the scheme up to FBC
Brixham Flood Alleviation	£61,500	As per Strategic Outline Case at January 25 CGB, to proceed as a Tier 2 project and develop the scheme up to Full Business Case.

		Budget request to enable the detailed design of the project to be undertaken and develop the scheme up to FBC
Other project increases	£43,480	Includes projects with budget slippage from 2023/24 or projects which have no additional financial impact to the Council due to funding being approved previously. See Appendix 2
2024/25 Quarter 3 Revised Budget	£36,209,180	
Record of Decision Approvals – 17 December 2024	£1,492,650	See 6.5 below for details
Quarter 3 Revised Budget Reprofiled to future years	(£5,089,000)	Summary below, details included in Appendix 1 Schools Capital Programme - £0.081m Projects under Feasibility & Development - £2.538m Environment/Climate Capital Investment - £1.422m Transport Capital Investment - £0.679m Coastal Defence / Flood Alleviation - £0.249m Sports, Leisure & Culture – 0.119m
2024/25 Revised Approved Budget	£32,612,830	

6.4. An updated Capital Investment Plan is shown as **Appendix 1**, which details spend to date and forecast spend for 2024/25.

6.5. It should be noted that a record of decision was taken on 17 December 2024 to drawdown grant funding to progress three schemes for a total of £1.493m, (see table below), as detailed in **Appendix 3**.

Project Name	Amount	Comments
Crossways Extra Care Scheme	£1,300,000	Scheme to be progressed to the next stage of design, inclusive of planning
Collaton St Mary Flood Alleviation	£117,650	Scheme to be progressed through to the next stage of design
Brixham Public Realm	£75,000	progressed through to the next stage of design and consultation
Total Approved	£1,492,650	

7. Risks & Sensitivity

7.1. There are a number of financial risks facing the Council as shown below:

Risk	Impact	Mitigation
Financial sustainability and write off of the DSG Deficit	High	The Council has a recovery plan approved with the Department for Education's Safety Valve programme.

Adult Social Care funding is not sufficient to meet forecast costs	High	A new five-year contract has been agreed from April 2025 and the Director of Adult Social Care is developing a range of intervention activity and savings plans, in collaboration with Health Trust colleagues.
Price increases from high inflation rates continue to have an impact on both revenue and capital costs.	Medium	The 24/25 base budget included a higher than usual allowance for inflationary pressures and contingencies are held for revenue and capital.
The “cost of living” economic impact on the Council’s residents from higher fuel and utility costs is likely to impact on both demand for council services and may result in reduced income from Council Tax.	Medium	The Council will continue to mitigate where possible the impact on council services and support/signpost residents to support. The council will continue to administer payments under both the Household Support Fund and Council Tax Rebates.
Unable to recruit staff and need to use agency staff.	High	Work continues to identify solutions to these challenges which seem to be on a national scale. Recruitment & retention of Social Work staff and Legal services staff continues to be challenging.
Delivery of financial sustainability plans	High	Plans will be monitored at Directors meetings to assess progress and estimates of future saving levels.
Investment Property Income changes	High	The Investment Board will continue to review future leases and manage any potential break clause implications – maintaining appropriate balances within the Investment Reserve
Temporary Accommodation – increasing demand and cost pressures within the local housing market.	High	Robust monitoring will continue, including assessing the impact from directly procuring and properties to increase the stability of accommodation options available to the Housing Options team

8. Appendices

Appendix 1 – Updated Capital Investment Plan at Q3

Appendix 2 – Updated Capital Investment Plan – Other Budget Revisions

Appendix 3 – Record of Officer Decision – December 2024

Appendix 4 – Forecast year end position 2024/25 – Dedicated Schools Grant (DSG)

Appendix 1 - 2024/25 Quarter 3 Capital Plan

Project Name	2024/25 Budget			2024/25 Forecast Spend			Revised 4 Year Plan				
	Q2 Approved Budget	Q3 Budget Revisions	Revised Budget	Actual Spend at Q3	Forecast Spend 2024/25	Reprofiled to future years	2024/25 Budget	2025/26	2026/27	2027/28	Total Plan for Period
	£000's	£000's	£000's	£000's	£000's	£000's	£000's	£000's	£000's	£000's	£000's
Schools Capital Programme	5,219	(49)	5,170	1,574	5,089	81	5,089	1,751	1,692	1,400	9,932
Projects under Feasibility and Development	6,954	3,146	10,099	3,952	7,561	2,538	7,561	10,019	3,376	398	21,354
Economic Development / Regeneration	4,627	25	4,652	3,456	4,652	0	4,652	575	0	0	5,227
Housing Development / Investment	3,402	400	3,802	2,389	3,802	0	3,802	7,242	1,000	1,000	13,044
Environment / Climate Capital Investment	3,773	454	4,227	1,268	2,805	1,422	2,805	534	0	0	3,339
Transport Capital Investment	4,622	0	4,622	1,563	3,943	679	3,942	5,252	3,284	3,121	15,599
Coastal Defence / Flood alleviation	1,562	97	1,659	355	1,410	249	1,410	7,177	6,900	2,233	17,720
Sports, Leisure and Culture	2,038	0	2,038	1,440	1,919	119	1,919	56	0	0	1,975
Schools Closed Projects	474	5	479	17	479	0	479	0	0	0	479
Other Closed Projects	694	260	954	419	954	(0)	954	0	0	0	954
Total	33,365	4,338	37,702	16,433	32,613	5,089	32,613	32,606	16,252	8,152	89,624

Capital Plan Detail

Schools Capital Programme

Project Name	2024/25 Budget			2024/25 Forecast Spend			Revised 4 Year Plan				
	Q2 Approved Budget	Q3 Budget Revisions	Revised Budget	Actual Spend at Q3	Forecast Spend 2024/25	Reprofiled to future years	2024/25 Budget	2025/26	2026/27	2027/28	Total Plan for Period
	£000's	£000's	£000's	£000's	£000's	£000's	£000's	£000's	£000's	£000's	£000's
Capital Repairs and Maintenance	706	(44)	662	126	662	0	662	250	200	200	1,312
Education Review Projects	725	(5)	720	60	720	0	720	670	660	368	2,418
High Needs Capital Provision	1,311	0	1,311	137	1,311	0	1,311	750	750	750	3,561
Devolved Formula Capital	280	0	280	232	280	0	280	0	0	0	280
Paignton Academy STEPS Relocation	1,170	0	1,170	611	1,170	0	1,170	0	0	0	1,170
Foster Homes Adaptations	81	0	81	0	0	81	0	81	82	82	245
Acorn Centre (Youth Investment Fund)	523	0	523	377	523	0	523	0	0	0	523
Childcare Expansion	199	0	199	18	199	0	199	0	0	0	199
YMCA	180	0	180	13	180	0	180	0	0	0	180
Sherwell School Salix	44	0	44	0	44	0	44	0	0	0	44

Total	5,219	(49)	5,170	1,574	5,089	81	5,089	1,751	1,692	1,400	9,932
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Schools Closed Projects

Project Name	2024/25 Budget			2024/25 Forecast Spend			Revised 4 Year Plan				
	Q2 Approved Budget	Q3 Budget Revisions	Revised Budget	Actual Spend at Q3	Forecast Spend 2024/25	Reprofiled to future years	2024/25 Budget	2025/26	2026/27	2027/28	Total Plan for Period
	£000's	£000's	£000's	£000's	£000's	£000's	£000's	£000's	£000's	£000's	£000's
PCSA Expansion	0	5	5	5	5	0	5	0	0	0	5
St Cuthbert Mayne Expansion	428	0	428	2	428	0	428	0	0	0	428
St Cuthbert Mayne Phase 2	46	0	46	10	46	0	46	0	0	0	46
Total	474	5	479	17	479	0	479	0	0	0	479

Projects under Feasibility and Development

Project Name	2024/25 Budget			2024/25 Forecast Spend			Revised 4 Year Plan				
	Q2 Approved Budget	Q3 Budget Revisions	Revised Budget	Actual Spend at Q3	Forecast Spend 2024/25	Reprofiled to future years	2024/25 Budget	2025/26	2026/27	2027/28	Total Plan for Period
	£000's	£000's	£000's	£000's	£000's	£000's	£000's	£000's	£000's	£000's	£000's
Crossways, Paignton - Regeneration	250	1,300	1,550	599	885	665	885	665	0	0	1,550
Extra Care Housing (Torre Marine)	45	0	45	18	45	0	45	0	0	0	45
Edginswell Railway Station	172	38	210	129	210	0	210	0	0	0	210
Union Square Acquisition & Development (Town Deal)	1,000	0	1,000	781	1,000	0	1,000	2,192	0	0	3,192
Debenhams Redevelopment	686	0	686	776	653	33	653	33	0	0	686
Torquay Town Deal - Pavilion	421	500	921	33	65	856	65	856	0	0	921
Torquay Town Deal - Core Area Public Realm	45	0	45	0	45	0	45	0	0	0	45
Torbay Road Paignton (High Streets Funding)	184	0	184	29	50	134	50	134	0	0	184
Station Square (High Streets Funding)	499	0	499	130	300	199	300	1,200	1,000	398	2,898
Victoria Centre (Paignton) (FHSF)	2,251	0	2,251	1,127	1,600	651	1,600	1,959	0	0	3,559
Oldway Mansion - phase 1 of Master-Plan	1,000	1,198	2,198	200	2,198	0	2,198	2,980	2,376	0	7,554
Brixham Square Public Realm (part of LUP £20m)	114	(39)	75	6	75	0	75	0	0	0	75
Brixham Central Car Park (part of LUP £20m)	0	114	114	0	114	0	114	0	0	0	114
Paignton Tech Park (Part of LUF £20m)	85	0	85	59	85	0	85	0	0	0	85
Brixham Port Infrastructure (Part of LUF £20m)	171	0	171	31	171	0	171	0	0	0	171
Foxhole Play & Ecology Hub	0	35	35	35	35	0	35	0	0	0	35
Edginswell Business Park - Unit 3	30	0	30	1	30	0	30	0	0	0	30

Total	6,954	3,146	10,099	3,952	7,561	2,538	7,561	10,019	3,376	398	21,354
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Economic Development / Regeneration

Project Name	2024/25 Budget			2024/25 Forecast Spend			Revised 4 Year Plan				
	Q2 Approved Budget	Q3 Budget Revisions	Revised Budget	Actual Spend at Q3	Forecast Spend 2024/25	Reprofiled to future years	2024/25 Budget	2025/26	2026/27	2027/28	Total Plan for Period
	£000's	£000's	£000's	£000's	£000's	£000's	£000's	£000's	£000's	£000's	£000's
Torquay Strand Public Realm (Town Deal Funding)	3,461	0	3,461	2,698	3,461	0	3,461	0	0	0	3,461
Paignton Picture House (High Streets Funding)	900	25	925	604	925	0	925	575	0	0	1,500
Paignton Picture House (Community Dev Fund)	0	0	0	0	0	0	0	0	0	0	0
Small Projects - UK Shared Prosperity Fund	266	0	266	154	266	0	266	0	0	0	266
Total	4,627	25	4,652	3,456	4,652	0	4,652	575	0	0	5,227

Housing Development / Investment

Project Name	2024/25 Budget			2024/25 Forecast Spend			Revised 4 Year Plan				
	Q2 Approved Budget	Q3 Budget Revisions	Revised Budget	Actual Spend at Q3	Forecast Spend 2024/25	Reprofiled to future years	2024/25 Budget	2025/26	2026/27	2027/28	Total Plan for Period
	£000's	£000's	£000's	£000's	£000's	£000's	£000's	£000's	£000's	£000's	£000's
Disabled Facilities Grants	1,054	0	1,054	864	1,054	0	1,054	1,000	1,000	1,000	4,054
Enhancement of Development sites	545	0	545	21	545	0	545	0	0	0	545
St Kilda's, Brixham - Affordable Housing	1,703	0	1,703	1,169	1,703	0	1,703	3,742	0	0	5,445
Hotels to Homes - Scheme 1	100	400	500	336	500	0	500	2,500	0	0	3,000
Total	3,402	400	3,802	2,389	3,802	0	3,802	7,242	1,000	1,000	13,044

Environment / Climate Capital Investment

Project Name	2024/25 Budget			2024/25 Forecast Spend			Revised 4 Year Plan				
	Q2 Approved Budget	Q3 Budget Revisions	Revised Budget	Actual Spend at Q3	Forecast Spend 2024/25	Reprofiled to future years	2024/25 Budget	2025/26	2026/27	2027/28	Total Plan for Period
	£000's	£000's	£000's	£000's	£000's	£000's	£000's	£000's	£000's	£000's	£000's
SWISCO Loan - Vehicle & Equipment Replacement	265	0	265	897	265	0	265	0	0	0	265
Tor Park Road Site Improvements	1,200	(80)	1,120	122	1,120	0	1,120	0	0	0	1,120
Car Park Investment	301	0	301	33	301	0	301	0	0	0	301
Climate Change Initiatives	387	0	387	0	387	0	387	0	0	0	387
Green Waste Bins	409	0	409	0	0	409	0	0	0	0	0

Local Electric Vehicle Infrastructure	479	0	479	0	0	479	0	0	0	0
Changing Places Toilets	61	0	61	60	61	0	61	0	0	61
Solar Farm, Brokenbury (EGF)	103	0	103	32	103	0	103	0	0	103
Solar Farm, Nightingale Park (EGF)	226	0	226	29	226	0	226	0	0	226
Paignton Library Heat Decarbonisation	142	534	676	2	142	534	142	534	0	676
Tor Hill House Lighting Upgrade	200	0	200	93	200	0	200	0	0	200
Total	3,773	454	4,227	1,268	2,805	1,422	2,805	534	0	3,339

Transport Capital Investment

Project Name	2024/25 Budget			2024/25 Forecast Spend			Revised 4 Year Plan				
	Q2 Approved Budget	Q3 Budget Revisions	Revised Budget	Actual Spend at Q3	Forecast Spend 2024/25	Reprofiled to future years	2024/25 Budget	2025/26	2026/27	2027/28	Total Plan for Period
	£000's	£000's	£000's	£000's	£000's	£000's	£000's	£000's	£000's	£000's	£000's
Transport Highways Structural Maintenance	2,327	0	2,327	1,448	2,272	55	2,272	2,946	2,050	2,050	9,318
Transport Integrated Transport Schemes	1,874	0	1,874	131	1,375	499	1,375	1,570	1,071	1,071	5,087
Transport - Torquay Gateway Road Improvements	30	0	30	(25)	30	0	30	310	0	0	340
Transport - Western Corridor	150	0	150	0	150	0	150	300	163	0	613
Shipway Lane (Active Travel Fund)	222	0	222	9	100	122	100	122	0	0	222
Babacombe Beach Road	18	0	18	0	15	3	15	4	0	0	19
Total	4,622	0	4,621	1,563	3,942	679	3,942	5,252	3,284	3,121	15,599

Coastal Defence / Flood alleviation

Project Name	2024/25 Budget			2024/25 Forecast Spend			Revised 4 Year Plan				
	Q2 Approved Budget	Q3 Budget Revisions	Revised Budget	Actual Spend at Q3	Forecast Spend 2024/25	Reprofiled to future years	2024/25 Budget	2025/26	2026/27	2027/28	Total Plan for Period
	£000's	£000's	£000's	£000's	£000's	£000's	£000's	£000's	£000's	£000's	£000's
Flood Alleviation - Cockington	10	(6)	4	13	4	0	4	0	0	0	4
Flood Alleviation - Monksbridge	240	(184)	56	13	56	0	56	0	0	0	56
Paignton Coastal Defence Scheme	1,000	0	1,000	261	1,000	0	1,000	6,929	6,900	2,233	17,062
Flood Alleviation - Torquay	206	0	206	6	100	106	100	106	0	0	206
Paignton Flood Alleviation	36	107	143	6	42	101	42	101	0	0	143
Brixham Flood Alleviation	6	62	68	12	26	42	26	42	0	0	68
Collaton St Mary Flood Alleviation	64	118	182	45	182	0	182	0	0	0	182
Total	1,562	97	1,659	355	1,410	249	1,410	7,177	6,900	2,233	17,720

Sports, Leisure and Culture

Project Name	2024/25 Budget			2024/25 Forecast Spend			Revised 4 Year Plan				
	Q2 Approved Budget	Q3 Budget Revisions	Revised Budget	Actual Spend at Q3	Forecast Spend 2024/25	Reprofiled to future years	2024/25 Budget	2025/26	2026/27	2027/28	Total Plan for Period
	£000's	£000's	£000's	£000's	£000's	£000's	£000's	£000's	£000's	£000's	£000's
Haldon & Princess Pier	79	0	79	1	23	56	23	56	0	0	79
Princess Pier - Structural repair	62	0	62	0	0	62	0	0	0	0	0
Torre Valley North Sports Facilities	373	0	373	311	373	0	373	0	0	0	373
Armada Park Refurbishment	130	0	130	138	130	0	130	0	0	0	130
Torre Abbey Gatehouse/SW Wing	664	0	664	385	664	0	664	0	0	0	664
Torre Abbey SE Wing/Courtyard/Tower	424	0	424	500	424	0	424	0	0	0	424
Torre Abbey Renovation - Phase 3	136	0	136	3	136	0	136	0	0	0	136
Grants to Plainmoor and Admiral Swimming Pools	170	0	170	103	170	0	170	0	0	0	170
Total	2,038	0	2,038	1,440	1,919	119	1,919	56	0	0	1,975

Closed Projects

Project Name	2024/25 Budget			2024/25 Forecast Spend			Revised 4 Year Plan				
	Q2 Approved Budget	Q3 Budget Revisions	Revised Budget	Actual Spend at Q3	Forecast Spend 2024/25	Reprofiled to future years	2024/25 Budget	2025/26	2026/27	2027/28	Total Plan for Period
	£000's	£000's	£000's	£000's	£000's	£000's	£000's	£000's	£000's	£000's	£000's
The Pines (TCCT)	75	0	75	0	75	0	75	0	0	0	75
Maidencombe Beach CP (TCCT)	45	0	45	0	45	0	45	0	0	0	45
Claylands Redevelopment	20	0	20	0	20	0	20	0	0	0	20
Edginswell Business Park Unit 1	48	140	188	125	188	0	188	0	0	0	188
Edginswell Enabling Works (LEP GBF)	0	109	109	98	109	0	109	0	0	0	109
Harbour View Hotel Development	182	4	186	13	186	0	186	0	0	0	186
Temporary Accommodation	39	0	39	39	39	0	39	0	0	0	39
Lymington Rd Business Centre (LEP GBF/EGF)	253	7	260	146	260	0	260	0	0	0	260
RICC Improvements - Backlog Repairs	32	0	32	(2)	32	0	32	0	0	0	32
Total	694	260	954	419	954	(0)	954	0	0	0	954

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Appendix 2 - 2024/25 Q3 Other Budget revisions

Project Name	Amount	Comments
<u>Schools Capital Programme</u>		
Capital Repairs and Maintenance	(£44,330)	Transfer funding to Sherwell School Salix Project
Education Review Projects	(£5,162)	Moved to fund PCSA Expansion Project
<u>Schools Closed Projects</u>		
PCSA Expansion Project	£5,162	Addition funding required in respect of sewer works, funded from Education Review Projects (see above)
<u>Projects under Feasibility and Development</u>		
Edginswell Railway Station	£38,300	Additional requirement to match spend to date and to take project to close. As per Oct 24 CGB report.
Foxhole Play & Ecology Hub	£35,000	Need detail
<u>Economic Development / Regeneration</u>		
Paignton Picture House (Future High Street Funding)	£25,000	Budget profiling adjustment from future years to reflect revised spend projection in 2024/25
<u>Environment / Climate Capital Investment</u>		
Tor Park Road Site Improvements	(£80,300)	Slippage from 2023/24 to match spend in year
<u>Coastal Defence / Flood alleviation</u>		
Flood Alleviation - Monksbridge	(£184,000)	Funding aligned to Jan 2025 CGB report
Flood Alleviation - Cockington	(£6,000)	
<u>Closed Projects</u>		
Edginswell Business Park Unit 1	£139,900	Budget moved from unallocated to fund remaining expenditure
Edginswell Enabling Works (LEP GBF)	£108,510	Budget moved from unallocated to fund remaining expenditure
Harbour View Hotel Development	£4,000	Budget increase to fund remaining spend required on project to close
Lymington Rd Business Centre (LEP GBF/EGF)	£7,400	Budget moved from unallocated to fund remaining expenditure
Total Other Budget Revisions	£43,480	

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Record of Officer Decision

Capital Plan Updates

Decision Taker and Date Decision Taken:

Director of Finance, in consultation with the Cabinet Member for Finance and Housing on 17 December 2024.

Summary of Matter or Issue Requiring Decision:

Updates to the Capital Investment Plan following satisfactory review of business cases for the following projects:

- Crossways Extra Care Scheme (Strategic Outline Case)
- Collaton St Mary Flood Alleviation (Outline Business Case)
- Brixham Public Realm (Project Initiation Document)

Decision Taken:

- i) That Crossways be progressed through to the next stage of design, inclusive of planning, and a budget of £1,300,000 from the £2,000,000 ring fenced adult social care funds, as approved through a published Record of Decision on the 18 September 2019, be released to carry out this work;
- ii) That Collaton St Mary Flood Alleviation project be progressed through to the next stage of design and for a budget of £117,650 to be included within the Capital plan from the identified Section 106 Legal Agreement and Environment Agency grant funding;
- iii) That Brixham Public Realm project be progressed through to the next stage of design and consultation and for the project to be included within the Capital Plan with an initial allocation of £75,000 from the Levelling Up grant funds.

Summary of Reason(s) for Decision Taken:

All projects were reviewed and deemed to be strategically advantageous and satisfactorily compliant in terms of their feasibility and levels of risk to enable them to progress.

Summary of Alternatives or Options considered and rejected and Background Papers:

Approval of this decision enables the projects to progress within a controlled process – minimising the risk of not fully utilising the grant funding available.

Details of any conflict of interest and dispensation granted to the Officer taking the decision or by any Member of the Council in delegating responsibility for any specific express delegation:

None

Implementation:

This decision will be implemented immediately.

A copy of this decision and any supporting documentation considered by the Officer taking this decision may also be available for inspection by the public at the Council's offices or posted upon payment of any copying and postage charges. Any member of the public wishing to take up either of these options is asked to please ring (01803) 207087 or email governance.support@torbay.gov.uk

Signed: _____ Date: _____
(Director of Finance)

Forecast Year End Position 2024/25 - DSG

Dedicated Schools Grant (DSG) funded activities are currently forecast to **overspend by £1.409m**.

The following table details the main areas of both over and under spend. Many of these budgets are demand led and will be monitored during 24/25 and revisions reported accordingly.

Budget Heading	Budget	Actuals to date	Projected Year End	Over / (Under) Spend
Early Years – under 2's and 2, 3 & 4 yr old payments – PVI's, Schools & Academies	£10.023m	£7.629m	£10.023m	£0k
Early Years – ALFI	£411k	£234k	£411k	£0k
Early Years – Deprivation (IDACI)	£351k	£87k	£351k	£0k
Early Years – Pupil Premium	£122k	£71k	£107k	(£15k)
Early Years – Disability Access Fund	£123k	£33k	£73k	(£50k)
Early Years – Retained element	£427k	£220k	£331k	(£96k)
ALFI - Reversal of High Needs Contribution				(£100k)
Joint Funded Placements	£200k	£150k	£198k	(£2k)
Recovery of funding from schools for Excluded Pupils, MTS and Elective Home Education	(£150k)	(£92k)	(£160k)	(£10k)
Contribution from Health towards EHCP's	(£100k)	(£238k)	(£238k)	(£138k)
South Devon College Placements	£1.000m	£818k	£1.305m	£305k
Independent Special School Placements	£2.392m	£1.751m	£2.846m	£454k
EOTAS packages for EHCP pupils and SEND personal budgets	£1.699m	£1.923m	£2.534m	£835k
Payments to / recoupment from other authorities for mainstream and Special School places	(£362k)	(£100k)	(£476k)	(£114k)
Medical Tuition Service	£970k	£1.005m	£870k	(£100k)
Virtual School / Hospital Tuition / Vulnerable Students Team	£560k	£363k	£486k	(£74k)
School contingencies (Planned pupil growth, NQT induction etc)	£137k	£148k	£149k	£12k
EHCP in-year adjustments (see separate paper for details)	£500k	£601k	£643k	£143k
Special Schools / High Needs in-year adjustments (see separate paper for details)	£350k	£213k	£275k	(£75k)
School Intervention / Commissioning	£13k	£11k	£8k	(£5k)
Business Support / Business Intelligence	£262k	£189k	£256k	(£6k)
Senior Management, Central Recharges, Admissions, EAL / Travellers, SACRE, SEND reform staffing	£659k	£567k	£626k	(£33k)
Visually impaired / Hearing impaired / Advisory Teachers	£181k	£127k	£178k	(£3k)
Deficit DSG budget set for 24/25	(£481k)	£0k	£0k	£481k
Total – Forecast Outturn Position 24/25				£1.409m

Cumulative overspend before Safety Valve payments C/Fwd from 23/24 £12.756m

Cumulative forecast overspend before SV payments at end of 24/25 £14.165m

Safety Valve payments received up to end of 23/24 from ESFA (£7.270m)

24/25 in-year Safety Valve payments from ESFA (£990k)

Total Safety Valve payments by end of 24/25 (£8.260m)

Forecast net overspend at end of 24/25 after Safety Valve payments £5.905m

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Meeting: Overview & Scrutiny Board/Cabinet/Council **Date:** 12th/20th/27th February 2025

Wards affected: All Wards

Report Title: Budget Monitoring 2024/25 – April to December 2024 Revenue and Capital Outturn Forecast.

When does the decision need to be implemented? N/A

Cabinet Member Contact Details: Alan Tyerman, Cabinet Member for Finance
alan.tyerman@torbay.gov.uk

Supporting Officer Contact Details: Ian Rowswell, Deputy Director of Finance,
ian.rowswell@torbay.gov.uk,

1. Purpose and Introduction

- 1.1. This report provides a high-level budget summary of the Council's revenue and capital position for the financial year 2024/25, reviewing budgets and considering year-end forecasts. These forecasts are based on the levels of spend and financial information at the end of quarter 3 (up to 31 December 2024).
- 1.2. The Council continues to face external pressures due to the wide-reaching implications of the current economic situation. The levels of cost inflation have reduced significantly but continue to have an impact on Council services. We are also seeing an impact on the levels of income received, with many projections being below budget, particularly in areas such as building control and planning. However, through careful financial management we are now projecting a number of underspends that are offsetting such pressures, resulting in an overall year end forecast for 2024/25 of **£0.011m overspend**.
- 1.3. The Capital Programme was reviewed and updated in 2023/24, with an updated forward looking Capital Investment Plan included within the 2024/25 budget papers. An updated Capital Investment Plan is shown as Appendix 1 and highlights a total revised capital budget of **£90.700m** for the period up to 2027/28 with **£33.690m** in 2024/25. Paragraph 6.3 provides a simple reconciliation of movement from the revised budget as approved in Q2.

2. Recommendations

Recommendations for Overview and Scrutiny Board

- 2.1. That the Overview & Scrutiny Board notes the Council's forecasted revenue outturn position and mitigating action identified and make any comments and/or recommendations to the Cabinet.
- 2.2. That the Overview & Scrutiny Board notes the updates to the Capital Investment Plan and the revised budget for 2024/25 and make any comments and/or recommendations to the Cabinet.

Recommendations for Cabinet/Council

- 2.3. That the Cabinet notes the forecasted revenue outturn position and amendments made to the published 2024/25 Capital Investment Plan.
- 2.4. That Council approves the revisions to the Capital Investment Plan, as per Appendix 1.

3. 2024/25 Budget Summary Position

- 3.1. Budget monitoring at quarter 3 is projecting the following variances across Council Directorates, resulting in a total forecast overspend at year end 2024/25 of £0.011m. This position has improved since Q2, where an overspend of £0.292m was forecast.

Service	Current Budget £m	Projected Outturn £m	Outturn Variance Q2 £m
Adult Services	55.712	55.668	-0.044
Children's Services	54.147	53.711	-0.436
Corporate and Executive Services	14.191	14.919	0.728
Finance (incl. Treasury Mngt)	-16.646	-18.196	-1.550
Investment Portfolio	-4.134	-4.134	0
Place	24.916	26.229	1.313
Public Health	11.018	11.018	0
TOTAL	139.204	139.215	0.011

- 3.2. The budgets and projections above include a drawdown of £171k from central contingency to rebase budgets for known spend commitments, which were unavoidable.

- 3.3. Robust financial management and control continues to be required from all services across the Council in order to mitigate current and emerging spending pressures and achieve a forecast breakeven position by the year end.
- 3.4. Financial Sustainability Plans have been completed by each Director in respect of the key risk areas and the following will continue to be reviewed.
- Integrated Adult Social Care contract – transformation programme
 - Children’s Services – social care placements
 - Prevention and relief of Homelessness
 - Legal Services – staffing and agency costs
 - Home to School Transport
- 3.5. It is anticipated that action against these plans will continue to mitigate pressures and reduce the overspends, where forecast. We are seeing this take effect in Children’s Services placements, contributing to an improved overall position for the Directorate since Q2. Legal services continues to be challenging however, with the projected overspend increasing since Q2 as demand for the service continues to increase whilst challenges remain around recruitment.
- 3.6. The Dedicated Schools Budget, and particularly the Higher Needs Block, is not currently shown within the table above. Spend continues to be monitored as part of the Safety Valve agreement in order to facilitate the write off of accumulated deficits of circa £12m (at end of 23/4). This has become more challenging throughout 2024/25 and an overspend of £1.409m is now being forecast, compared with the budgeted overspend of £0.481m. A summary of the position is shown in Appendix 4.

4. Service Budgets

- 4.1. The table below summarises the most material variances (over £100k) currently being forecast at the end of December 2024.

Service	Current Budget £m	Projected Outturn £m	Projected Q3 Outturn Variance £m	Projected Q2 Outturn Variance £m
Childrens - Staffing/agency costs	20.846	20.754	(0.092)	0.374
Childrens – Section 17	0.480	0.600	0.120	0.122
Childrens - Home to School Transport	3.892	4.119	0.227	0.167
Childrens - Social care placements (excl. UASC)	23.424	23.014	(0.410)	(0.509)
Childrens - UASC	0.921	0.632	(0.289)	0.092
Childrens – Disabilities – overnight short breaks	1.299	1.474	0.175	0

Corporate – Legal Services	1.693	2.208	0.515	0.350
Corporate – Staffing	1.133	1.271	0.138	0
Finance – Investments and borrowing	18.572	17.172	(1.400)	(1.200)
Finance – Pension payments	1.244	1.094	(0.150)	0
Place – Torre Abbey	0.381	0.506	0.125	0.100
Place – Waste disposal	4.832	5.052	0.220	0.220
Place – Development Control and Planning - income	0.269	0.649	0.380	0.380
Place – Building Control income	0.127	0.262	0.135	0.170
Place – Concessionary Fares	3.746	3.471	(0.275)	(0.250)
Place – Management of Estate	3.776	4.094	0.306	0.306
Place - SWISCO	16.653	16.953	0.300	0
			0.025	0.232

(Note: there are other smaller variances which are not highlighted within this table hence totals will differ from overall variance mentioned above)

Adult Services (incl. Community and Customer Services)

- 4.2. Within Adult Social Care the majority of spend is against a fixed price financial arrangement (contract) for the delivery of services provided by the Integrated Care Organisation (ICO). This agreement was uplifted by £5m in 2023/24, with a further £1.1m agreed for 2024/25. There is currently no significant variance being forecast for Torbay Council within this area.
- 4.3. In previous years we have reported overspends within our Housing Options Service relating to increasing costs for homelessness prevention and the provision of Temporary Accommodation. Although there continues to be considerable demand in this service the total budget was increased by £900k in 2024/25 and £10m has been invested in purchasing our own properties to reduce dependency on spot purchase arrangements. No material variances to budget are currently being forecast for this year.

Children’s Services

- 4.4. An underspend of **£436k** is now being forecast across the service, a positive movement in the projection since Q2 of £645k. This is mainly due to the number of agency workers being much less than forecast and not increasing as expected, accounting for £466k of the movement. Despite increased salary expectations within the agency market and stiff competition from other Councils, the Service has had success with recruitment and managed to reduce the dependency on agency wherever possible.
- 4.5. An underspend (**£410k**) continues to be forecast across our budgets for children social care placements, which received £2.1m of growth funding as part of the 2024/25 budget setting process. Although this has reduced since Q2, an underspend of **£289k**

is now also being projected relating to Unaccompanied Asylum Seeking Children (UASC) as a result of funding levels being higher than expected.

- 4.6. The overall number of cared for children are lower than previous years, but the significant shortage of suitable available placements has driven up costs within the market and the high cost of weekly placements for Residential and Unregulated remain a concern and risk to the budget. This area will continue to be monitored closely throughout the year.
- 4.7. We continue to project an overspend within the Home to School Transport budget as a result of increasing fuel costs for transport providers as well as children and young people needing more bespoke arrangements to get to and from school. An overspend of **£227k** is now forecast, but this is a reduction on spend when compared to 23/24. The Financial Sustainability Plan for this area highlighted actions to mitigate pressures, including improvements to route planning and maximisation of shared transport (where possible).
- 4.8. An overspend of **£175k** is now being forecast in relation to our budgets for Disabilities - Overnight Shorts Breaks, due to an increase in demand for day services and placements that have occurred since Q2.
- 4.9. Expenditure relating to support for children in need under Section 17 of the Children Act 1989 is forecast to be over budget by **£120k**. This spend also covers areas such as housing support and ensures the Council meets its duty to safeguard children and promote their welfare.
- 4.10. Outside of Local Authority funded activities, the schools' higher needs block in the Dedicated Schools Grant (DSG) remains under financial pressure from continual referrals for assessment for higher needs support for children.
- 4.11. The Council is part of the Education and Skills Funding Agency (ESFA) and Department for Education (DfE) Safety Valve programme, which supports councils in achieving future financial sustainability in this area. If the council can deliver on its recovery plan and achieve a balanced higher needs budget, all of the historic DSG deficit will be written off, through additional funding by ESFA.
- 4.12. Torbay Council has already received £8.260m from the ESFA in response to its recovery plan, without which the DSG cumulative deficit would have been £12.756m at the end of 2023/24. For 2024/25 the DSG is forecasting an overspend of £1.409m at quarter 3, against the forecast deficit within the agreed safety valve plan of £481k. The service continues to work with Schools on the delivery of its recovery plan with robust monitoring arrangements in place. Appendix 4 provides more detail on the forecast year end position.

Corporate Services

- 4.13. An overspend of **£0.515m** is currently being forecast within Legal Services, despite an additional £300k being added to the base budget for 2024/25. This is a national issue across the public sector, resulting from increasing demand for the service and difficulties in recruiting permanent staff. This has meant the service have had to use

more expensive agency staff to continue delivering legal advice and support across the Council. The council have struggled to compete with the salaries paid by other organisations – both within the private and public sector. A financial sustainability plan continues to be considered for this area and the application of increased additional market factors is starting to have an impact and improve the success in recruitment. However, high demand levels mean vacancies and absence need to be covered and has resulted in spend levels remaining high.

- 4.14. An overspend of **£138k** is projected on other Corporate Services staffing costs, mainly as a result of agency cover for long term sickness absence at Director level and additional project management support.

Finance

- 4.15. The Finance budget area includes a wide variety of budgets including finance operations/teams, contingencies, treasury management and central grants such as Public Health and Social Care Grant. We will be reviewing how best to present these areas for 2025/26.
- 4.16. A **£1.4m** positive variance is being forecast across our Treasury Management budgets, an improved position from Q2. This is mainly as a result of increased interest rates being secured meaning the Council is forecast to earn higher levels of interest on its cash investments than budgeted. We also have a saving on interest payable by the Council on the amounts borrowed.
- 4.17. We are now projecting a **£150k** underspend in relation to our budget for previously agreed pension payments as a result of the number of payments reducing during the year.
- 4.18. As part of setting the 2024/25 budget a few central contingencies have been held, as in previous years. These are mainly linked to pay/inflation and other risk areas, to be released to fund identified cost pressures within services. These budget virements between services total £171k – but have a net nil impact across the Council.

Investment Portfolio

- 4.19. The Council's Investment Portfolio is forecast to contribute £4.1m towards Council activity – in line with budget. The investment property reserve is in place and maintained to cover lost rent and holding costs arising from empty units.

Place

- 4.20. Within the Place Directorate an overspend of **£1.313m** is currently forecast, mainly due to a number of service areas where the levels of income are projected to be lower than budgeted.
- 4.21. An overspend of **£125k** is being forecast in relation to Torre Abbey, a slight increase in the figure reported at Q2. This is due to increased expenditure pressures and income

levels projected to be below budget for a number of areas including the café and weddings.

- 4.22. An overspend of **£220k** is forecast within the Waste Disposal budget. The budget was reduced in 24/25 in line with 23/24 levels, but recent disposal volumes and associated costs have been significantly higher than last year.
- 4.23. An overspend of **£380k** is forecast in relation to shortfalls of income in Development Control - planning applications (£300k) and planning land charges (£80k), where the fees are forecast to be below budgeted levels. In addition, an overspend of **£135k** is forecast within the Building Control service, mainly resulting from reduced levels of fee income. Although the projection for Building control has improved slightly, income is still expected to be lower than budgeted for this year. All three of these elements reflect the challenging economic position of the country and the region.
- 4.24. An underspend of **£275k** is forecast against the Concessionary fares budget. The base budget was increased by £200k in 2024/25, but costs linked to the number of users are forecast to be lower than estimated.
- 4.25. An overspend of **£306k** is currently being forecast in relation to management of our Council estate. We have voids in a number of commercial properties, which are resulting in lost income and additional costs are being incurred that would have been met by tenants. We are forecasting underspends across various utility and NNDR budgets, however other budgets are projected to overspend including Paignton Library Hub (non-staffing budget), and a shortfall in income from Town Hall bookings.
- 4.26. Parking Services is forecast to break even, with any shortfall in parking income expected to be offset by enforcement income projected to be in excess of budget.
- 4.27. SWISCo. have been facing challenges in managing within current 2024/25 budgets, in light of increased prices and the reduced value of recycled material resales. They have also incurred some significant one-off costs during the year and an overspend of £300k is now being projected. The pay award for 2024/25 once again had a disproportionately high percentage increase on SWISCo, given lower average salary costs, however as in previous years, the Council has funded the shortfall in the pay award, using a contingency budget held for this purpose.
- 4.28. Although services and staff transferred from Torbay Development Agency, (TDA), to Torbay Council at the start of year, contracts and assets continue to be transferred throughout the year, meaning that some trading activity will remain within TDA for 2024/25. A full review of both TDA and Torbay Council accounts/transactions will take place over the coming months in preparation for year end and transitional costs associated with managing the transfer will be met from a specific reserve, established as part of the 2024/25 budget.

Public Health

- 4.29. Overall Public Health is reporting a balanced position within its ring-fenced grant. A significant amount of spend relates to the provision of 0-19 services, which is expected to see increased spending pressures in future years linked to inflation.

5. Collection Fund

- 5.1. Collection rates levels in 2024/25 do not have any impact on the 2024/25 financial year and the collection fund equalisation reserve is maintained to manage any impact in the following year. Collection rates at Q3 suggest we are on target to achieve forecast levels with a projected end of year surplus in the Fund. We continue to explore opportunities to increase our overall collection rates, whilst supporting residents and businesses.

6. Capital

- 6.1. The Council set an original annual budget for 2024/25 of **£18.984m**, which was revised to **£39.115m** as per the quarter 1 budget monitoring report. The capital budget is updated each quarter to reflect the latest position within capital projects and recommendations made through the Capital Growth Board (CGB).
- 6.2. Further revisions were made to the budget as per the quarter 2 budget monitoring report. The revised budget was **£66.001m** with **£32.637m** being reprofiled to future years resulting in a revised approved budget of **£33.365m**
- 6.3. The table below highlights a revised budget for 2024/25 of **£33.690**, with a further **£5.088m** being profiled into future financial years. The table also provides a simple reconciliation of the movement from the revised budget at Quarter 2.

Project Name	Amount	Comments
Revised Budget 2024/25	£33,365,000	As approved in November 2024 by Cabinet and reported at Q2
Pavilion, Torquay – Town Deal	£500,000	As per PID at Sep 24 CGB to take the project to Full Business Case for the opening up / scoping element of works – Contingency budget
Oldway Mansion - Levelling up Partnership	£1,198,000	As per Full Business Case at November CGB for delivery of Phase 1 of the restoration scheme, budget profiling adjustment from future years to reflect revised spend projection in 2024/25
Hotels to Home – Scheme 1	£400,000	Budget reprofile from future years to reflect revised spend projection in 2024/25
Hotels to Home – Scheme 2	£1,076,000	Budget in respect of the Acquisition of land to deliver Scheme 2 of the Accommodation Repurposing Programme (Hotels to Homes)
Paignton Library Heat Decarbonisation	£534,000	As per Full Business Case at December CGB to replace the current four gas boilers with Air Source Heat Pumps (£469k). Additional £65k requested as per Jan 25 CGB to fund projected total cost of scheme. Funding from PSDF fund and Climate Initiatives Fund
Flood Alleviation - Torquay	£107,200	As per Strategic Outline Case at January 25 CGB, to proceed as a Tier 2 project and develop the scheme up to Full Business Case. Budget request to enable the detailed design of the project to be undertaken and develop the scheme up to FBC

Brixham Flood Alleviation	£61,500	As per Strategic Outline Case at January 25 CGB, to proceed as a Tier 2 project and develop the scheme up to Full Business Case. Budget request to enable the detailed design of the project to be undertaken and develop the scheme up to FBC
Other project increases	£43,480	Includes projects with budget slippage from 2023/24 or projects which have no additional financial impact to the Council due to funding being approved previously. See Appendix 2
2024/25 Quarter 3 Revised Budget	£37,285,180	
Record of Decision Approvals – 17 December 2024	£1,492,650	See 6.5 below for details
Quarter 3 Revised Budget Reprofiled to future years	(£5,088,000)	Summary below, details included in Appendix 1 Schools Capital Programme - £0.081m Projects under Feasibility & Development - £2.538m Environment/Climate Capital Investment - £1.422m Transport Capital Investment - £0.679m Coastal Defence / Flood Alleviation - £0.249m Sports, Leisure & Culture – 0.119m
2024/25 Revised Approved Budget	£33,689,830	

- 6.4. An updated Capital Investment Plan is shown as **Appendix 1**, which details spend to date and forecast spend for 2024/25.
- 6.5. It should be noted that a record of decision was taken on 17 December 2024 to drawdown grant funding to progress three schemes for a total of £1.493m, (see table below), as detailed in **Appendix 3**.

Project Name	Amount	Comments
Crossways Extra Care Scheme	£1,300,000	Scheme to be progressed to the next stage of design, inclusive of planning
Collaton St Mary Flood Alleviation	£117,650	Scheme to be progressed through to the next stage of design
Brixham Public Realm	£75,000	progressed through to the next stage of design and consultation
Total Approved	£1,492,650	

7. Risks & Sensitivity

- 7.1. There are a number of financial risks facing the Council as shown below:

Risk	Impact	Mitigation
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Financial sustainability and write off of the DSG Deficit	High	The Council has a recovery plan approved with the Department for Education's Safety Valve programme.
Adult Social Care funding is not sufficient to meet forecast costs	High	A new five-year contract has been agreed from April 2025 and the Director of Adult Social Care is developing a range of intervention activity and savings plans, in collaboration with Health Trust colleagues.
Price increases from high inflation rates continue to have an impact on both revenue and capital costs.	Medium	The 24/25 base budget included a higher than usual allowance for inflationary pressures and contingencies are held for revenue and capital.
The "cost of living" economic impact on the Council's residents from higher fuel and utility costs is likely to impact on both demand for council services and may result in reduced income from Council Tax.	Medium	The Council will continue to mitigate where possible the impact on council services and support/signpost residents to support. The council will continue to administer payments under both the Household Support Fund and Council Tax Rebates.
Unable to recruit staff and need to use agency staff.	High	Work continues to identify solutions to these challenges which seem to be on a national scale. Recruitment & retention of Social Work staff and Legal services staff continues to be challenging.
Delivery of financial sustainability plans	High	Plans will be monitored at Directors meetings to assess progress and estimates of future saving levels.
Investment Property Income changes	High	The Investment Board will continue to review future leases and manage any potential break clause implications – maintaining appropriate balances within the Investment Reserve
Temporary Accommodation – increasing demand and cost pressures within the local housing market.	High	Robust monitoring will continue, including assessing the impact from directly procuring and properties to increase the stability of accommodation options available to the Housing Options team

8. Appendices

Appendix 1 – Updated Capital Investment Plan at Q3

Appendix 2 – Updated Capital Investment Plan – Other Budget Revisions

Appendix 3 – Record of Officer Decision – December 2024

Appendix 4 – Forecast year end position 2024/25 – Dedicated Schools Grant (DSG)

Appendix 5 - Write offs over £5,000 - EXEMPT

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Appendix 1 - 2024/25 Quarter 3 Capital Plan

Project Name	2024/25 Budget			2024/25 Forecast Spend			Revised 4 Year Plan				
	Q2 Approved Budget	Q3 Budget Revisions	Revised Budget	Actual Spend at Q3	Forecast Spend 2024/25	Reprofiled to future years	2024/25 Budget	2025/26	2026/27	2027/28	Total Plan for Period
	£000's	£000's	£000's	£000's	£000's	£000's	£000's	£000's	£000's	£000's	£000's
Schools Capital Programme	5,219	(49)	5,170	1,574	5,089	81	5,089	1,751	1,692	1,400	9,932
Projects under Feasibility and Development	6,954	3,146	10,099	3,952	7,561	2,538	7,561	10,019	3,376	398	21,354
Economic Development / Regeneration	4,627	25	4,652	3,456	4,652	0	4,652	575	0	0	5,227
Housing Development / Investment	3,402	1,476	4,878	2,389	4,878	0	4,878	7,242	1,000	1,000	14,120
Environment / Climate Capital Investment	3,773	454	4,227	1,268	2,805	1,422	2,805	534	0	0	3,339
Transport Capital Investment	4,622	0	4,622	1,563	3,943	679	3,943	5,252	3,284	3,121	15,600
Coastal Defence / Flood alleviation	1,562	97	1,659	355	1,410	249	1,410	7,177	6,900	2,233	17,720
Sports, Leisure and Culture	2,038	0	2,038	1,440	1,919	119	1,919	56	0	0	1,975
Schools Closed Projects	474	5	479	17	479	0	479	0	0	0	479
Other Closed Projects	694	260	954	419	954	0	954	0	0	0	954
Total	33,365	5,414	38,778	16,433	33,690	5,088	33,690	32,606	16,252	8,152	90,700

Capital Plan Detail

Schools Capital Programme

Project Name	2024/25 Budget			2024/25 Forecast Spend			Revised 4 Year Plan				
	Q2 Approved Budget	Q3 Budget Revisions	Revised Budget	Actual Spend at Q3	Forecast Spend 2024/25	Reprofiled to future years	2024/25 Budget	2025/26	2026/27	2027/28	Total Plan for Period
	£000's	£000's	£000's	£000's	£000's	£000's	£000's	£000's	£000's	£000's	£000's
Capital Repairs and Maintenance	706	(44)	662	126	662	0	662	250	200	200	1,312
Education Review Projects	725	(5)	720	60	720	0	720	670	660	368	2,418
High Needs Capital Provision	1,311	0	1,311	137	1,311	0	1,311	750	750	750	3,561
Devolved Formula Capital	280	0	280	232	280	0	280	0	0	0	280
Paignton Academy STEPS Relocation	1,170	0	1,170	611	1,170	0	1,170	0	0	0	1,170
Foster Homes Adaptations	81	0	81	0	0	81	0	81	82	82	245
Acorn Centre (Youth Investment Fund)	523	0	523	377	523	0	523	0	0	0	523
Childcare Expansion	199	0	199	18	199	0	199	0	0	0	199
YMCA	180	0	180	13	180	0	180	0	0	0	180
Sherwell School Salix	44	0	44	0	44	0	44	0	0	0	44

Total	5,219	(49)	5,170	1,574	5,089	81	5,089	1,751	1,692	1,400	9,932
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Schools Closed Projects

Project Name	2024/25 Budget			2024/25 Forecast Spend			Revised 4 Year Plan				
	Q2 Approved Budget	Q3 Budget Revisions	Revised Budget	Actual Spend at Q3	Forecast Spend 2024/25	Reprofiled to future years	2024/25 Budget	2025/26	2026/27	2027/28	Total Plan for Period
	£000's	£000's	£000's	£000's	£000's	£000's	£000's	£000's	£000's	£000's	£000's
PCSA Expansion	0	5	5	5	5	0	5	0	0	0	5
St Cuthbert Mayne Expansion	428	0	428	2	428	0	428	0	0	0	428
St Cuthbert Mayne Phase 2	46	0	46	10	46	0	46	0	0	0	46
Total	474	5	479	17	479	0	479	0	0	0	479

Projects under Feasibility and Development

Project Name	2024/25 Budget			2024/25 Forecast Spend			Revised 4 Year Plan				
	Q2 Approved Budget	Q3 Budget Revisions	Revised Budget	Actual Spend at Q3	Forecast Spend 2024/25	Reprofiled to future years	2024/25 Budget	2025/26	2026/27	2027/28	Total Plan for Period
	£000's	£000's	£000's	£000's	£000's	£000's	£000's	£000's	£000's	£000's	£000's
Crossways, Paignton - Regeneration	250	1,300	1,550	599	885	665	885	665	0	0	1,550
Extra Care Housing (Torre Marine)	45	0	45	18	45	0	45	0	0	0	45
Edginswell Railway Station	172	38	210	129	210	0	210	0	0	0	210
Union Square Acquisition & Development (Town Deal)	1,000	0	1,000	781	1,000	0	1,000	2,192	0	0	3,192
Debenhams Redevelopment	686	0	686	776	653	33	653	33	0	0	686
Torquay Town Deal - Pavilion	421	500	921	33	65	856	65	856	0	0	921
Torquay Town Deal - Core Area Public Realm	45	0	45	0	45	0	45	0	0	0	45
Torbay Road Paignton (High Streets Funding)	184	0	184	29	50	134	50	134	0	0	184
Station Square (High Streets Funding)	499	0	499	130	300	199	300	1,200	1,000	398	2,898
Victoria Centre (Paignton) (FHSF)	2,251	0	2,251	1,127	1,600	651	1,600	1,959	0	0	3,559
Oldway Mansion - phase 1 of Master-Plan	1,000	1,198	2,198	200	2,198	0	2,198	2,980	2,376	0	7,554
Brixham Square Public Realm (part of LUP £20m)	114	(39)	75	6	75	0	75	0	0	0	75
Brixham Central Car Park (part of LUP £20m)	0	114	114	0	114	0	114	0	0	0	114
Paignton Tech Park (Part of LUF £20m)	85	0	85	59	85	0	85	0	0	0	85
Brixham Port Infrastructure (Part of LUF £20m)	171	0	171	31	171	0	171	0	0	0	171
Foxhole Play & Ecology Hub	0	35	35	35	35	0	35	0	0	0	35
Edginswell Business Park - Unit 3	30	0	30	1	30	0	30	0	0	0	30

Total	6,954	3,146	10,099	3,952	7,561	2,538	7,561	10,019	3,376	398	21,354
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Economic Development / Regeneration

Project Name	2024/25 Budget			2024/25 Forecast Spend			Revised 4 Year Plan				
	Q2 Approved Budget	Q3 Budget Revisions	Revised Budget	Actual Spend at Q3	Forecast Spend 2024/25	Reprofiled to future years	2024/25 Budget	2025/26	2026/27	2027/28	Total Plan for Period
	£000's	£000's	£000's	£000's	£000's	£000's	£000's	£000's	£000's	£000's	£000's
Torquay Strand Public Realm (Town Deal Funding)	3,461	0	3,461	2,698	3,461	0	3,461	0	0	0	3,461
Paignton Picture House (High Streets Funding)	900	25	925	604	925	0	925	575	0	0	1,500
Paignton Picture House (Community Dev Fund)	0	0	0	0	0	0	0	0	0	0	0
Small Projects - UK Shared Prosperity Fund	266	0	266	154	266	0	266	0	0	0	266
Total	4,627	25	4,652	3,456	4,652	0	4,652	575	0	0	5,227

Housing Development / Investment

Project Name	2024/25 Budget			2024/25 Forecast Spend			Revised 4 Year Plan				
	Q2 Approved Budget	Q3 Budget Revisions	Revised Budget	Actual Spend at Q3	Forecast Spend 2024/25	Reprofiled to future years	2024/25 Budget	2025/26	2026/27	2027/28	Total Plan for Period
	£000's	£000's	£000's	£000's	£000's	£000's	£000's	£000's	£000's	£000's	£000's
Disabled Facilities Grants	1,054	0	1,054	864	1,054	0	1,054	1,000	1,000	1,000	4,054
Enhancement of Development sites	545	0	545	21	545	0	545	0	0	0	545
St Kilda's, Brixham - Affordable Housing	1,703	0	1,703	1,169	1,703	0	1,703	3,742	0	0	5,445
Hotels to Homes - Scheme 1	100	400	500	336	500	0	500	2,500	0	0	3,000
Hotels to Homes - Scheme 2	0	1,076	1,076	0	1,076	0	1,076	0	0	0	1,076
Total	3,402	1,476	4,878	2,389	4,878	0	4,877	7,242	1,000	1,000	14,119

Environment / Climate Capital Investment

Project Name	2024/25 Budget			2024/25 Forecast Spend			Revised 4 Year Plan				
	Q2 Approved Budget	Q3 Budget Revisions	Revised Budget	Actual Spend at Q3	Forecast Spend 2024/25	Reprofiled to future years	2024/25 Budget	2025/26	2026/27	2027/28	Total Plan for Period
	£000's	£000's	£000's	£000's	£000's	£000's	£000's	£000's	£000's	£000's	£000's
SWISCO Loan - Vehicle & Equipment Replacement	265	0	265	897	265	0	265	0	0	0	265
Tor Park Road Site Improvements	1,200	(80)	1,120	122	1,120	0	1,120	0	0	0	1,120
Car Park Investment	301	0	301	33	301	0	301	0	0	0	301
Climate Change Initiatives	387	0	387	0	387	0	387	0	0	0	387

Green Waste Bins	409	0	409	0	0	409	0	0	0	0	0
Local Electric Vehicle Infrastructure	479	0	479	0	0	479	0	0	0	0	0
Changing Places Toilets	61	0	61	60	61	0	61	0	0	0	61
Solar Farm, Brokenbury (EGF)	103	0	103	32	103	0	103	0	0	0	103
Solar Farm, Nightingale Park (EGF)	226	0	226	29	226	0	226	0	0	0	226
Paignton Library Heat Decarbonisation	142	534	676	2	142	534	142	534	0	0	676
Tor Hill House Lighting Upgrade	200	0	200	93	200	0	200	0	0	0	200
Total	3,773	454	4,227	1,268	2,805	1,422	2,805	534	0	0	3,339

Transport Capital Investment

Project Name	2024/25 Budget			2024/25 Forecast Spend			Revised 4 Year Plan				
	Q2 Approved Budget	Q3 Budget Revisions	Revised Budget	Actual Spend at Q3	Forecast Spend 2024/25	Reprofiled to future years	2024/25 Budget	2025/26	2026/27	2027/28	Total Plan for Period
	£000's	£000's	£000's	£000's	£000's	£000's	£000's	£000's	£000's	£000's	£000's
Transport Highways Structural Maintenance	2,327	0	2,327	1,448	2,272	55	2,272	2,946	2,050	2,050	9,318
Transport Integrated Transport Schemes	1,874	0	1,874	131	1,375	499	1,375	1,570	1,071	1,071	5,087
Transport - Torquay Gateway Road Improvements	30	0	30	(25)	30	0	30	310	0	0	340
Transport - Western Corridor	150	0	150	0	150	0	150	300	163	0	613
Shipway Lane (Active Travel Fund)	222	0	222	9	100	122	100	122	0	0	222
Babbacombe Beach Road	18	0	18	0	15	3	15	4	0	0	19
Total	4,622	0	4,621	1,563	3,942	679	3,942	5,252	3,284	3,121	15,599

Coastal Defence / Flood alleviation

Project Name	2024/25 Budget			2024/25 Forecast Spend			Revised 4 Year Plan				
	Q2 Approved Budget	Q3 Budget Revisions	Revised Budget	Actual Spend at Q3	Forecast Spend 2024/25	Reprofiled to future years	2024/25 Budget	2025/26	2026/27	2027/28	Total Plan for Period
	£000's	£000's	£000's	£000's	£000's	£000's	£000's	£000's	£000's	£000's	£000's
Flood Alleviation - Cockington	10	(6)	4	13	4	0	4	0	0	0	4
Flood Alleviation - Monksbridge	240	(184)	56	13	56	0	56	0	0	0	56
Paignton Coastal Defence Scheme	1,000	0	1,000	261	1,000	0	1,000	6,929	6,900	2,233	17,062
Flood Alleviation - Torquay	206	0	206	6	100	106	100	106	0	0	206
Paignton Flood Alleviation	36	107	143	6	42	101	42	101	0	0	143
Brixham Flood Alleviation	6	62	68	12	26	42	26	42	0	0	68
Collaton St Mary Flood Alleviation	64	118	182	45	182	0	182	0	0	0	182
Total	1,562	97	1,659	355	1,410	249	1,410	7,177	6,900	2,233	17,720

Sports, Leisure and Culture

Project Name	2024/25 Budget			2024/25 Forecast Spend			Revised 4 Year Plan				
	Q2 Approved Budget	Q3 Budget Revisions	Revised Budget	Actual Spend at Q3	Forecast Spend 2024/25	Reprofiled to future years	2024/25 Budget	2025/26	2026/27	2027/28	Total Plan for Period
	£000's	£000's	£000's	£000's	£000's	£000's	£000's	£000's	£000's	£000's	£000's
Haldon & Princess Pier	79	0	79	1	23	56	23	56	0	0	79
Princess Pier - Structural repair	62	0	62	0	0	62	0	0	0	0	0
Torre Valley North Sports Facilities	373	0	373	311	373	0	373	0	0	0	373
Armada Park Refurbishment	130	0	130	138	130	0	130	0	0	0	130
Torre Abbey Gatehouse/SW Wing	664	0	664	385	664	0	664	0	0	0	664
Torre Abbey SE Wing/Courtyard/Tower	424	0	424	500	424	0	424	0	0	0	424
Torre Abbey Renovation - Phase 3	136	0	136	3	136	0	136	0	0	0	136
Grants to Plainmoor and Admiral Swimming Pools	170	0	170	103	170	0	170	0	0	0	170
Total	2,038	0	2,038	1,440	1,919	119	1,919	56	0	0	1,975

Closed Projects

Project Name	2024/25 Budget			2024/25 Forecast Spend			Revised 4 Year Plan				
	Q2 Approved Budget	Q3 Budget Revisions	Revised Budget	Actual Spend at Q3	Forecast Spend 2024/25	Reprofiled to future years	2024/25 Budget	2025/26	2026/27	2027/28	Total Plan for Period
	£000's	£000's	£000's	£000's	£000's	£000's	£000's	£000's	£000's	£000's	£000's
The Pines (TCCT)	75	0	75	0	75	0	75	0	0	0	75
Maidencombe Beach CP (TCCT)	45	0	45	0	45	0	45	0	0	0	45
Claylands Redevelopment	20	0	20	0	20	0	20	0	0	0	20
Edginswell Business Park Unit 1	48	140	188	125	188	0	188	0	0	0	188
Edginswell Enabling Works (LEP GBF)	0	109	109	98	109	0	109	0	0	0	109
Harbour View Hotel Development	182	4	186	13	186	0	186	0	0	0	186
Temporary Accommodation	39	0	39	39	39	0	39	0	0	0	39
Lymington Rd Business Centre (LEP GBF/EGF)	253	7	260	146	260	0	260	0	0	0	260
RICC Improvements - Backlog Repairs	32	0	32	(2)	32	0	32	0	0	0	32
Total	694	260	954	419	954	(0)	954	0	0	0	954

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Meeting: Cabinet/Council

Date: 27 February 2025

Wards affected: All Wards

Report Title: Constitution Amendments – Various

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

Cabinet Member Contact Details: Councillor Jackie Thomas, Cabinet Member for Culture, Tourism & Events and Corporate Services, jackie.thomas@torbay.gov.uk

Lead Officer Contact Details: Amanda Barlow, Monitoring Officer, amanda.barlow@torbay.gov.uk

1. Purpose of Report

- 1.1 This report sets out changes to the Council's Constitution in respect of the proposed changes to the thresholds for officer decisions in respect of leases, following benchmarking with other local authorities. The following documents have been updated:
- a. Officer Scheme of Delegation; and
 - b. Financial Regulations and Contracts Procedures.
- 1.2 This report also sets out sets out changes to the Council's Constitution in respect of minor changes to the rules around the number of petitions and public questions that can be presented at a Council meeting.

2. Reason for Proposal and its benefits

- 2.1 The proposals in this report ensure that the Officer Scheme of Delegation and Financial Regulations and Contracts Procedures within the Constitution are up to date, fit for purpose, reflect best practice and current legislation.

- 2.2 The proposals will also ensure that the Standing Orders – Council Meetings – Petitions Scheme is up to date and reflects the same principles as the limits for questions by Members and Public Question Time in order to facilitate the efficient operation of our Council meetings, whilst ensuring good public participation.

3. Recommendation(s) / Proposed Decision

1. That Council approves the amendments to the following parts of the Constitution:
 - a. Officer Scheme of Delegation – Appendix 1;
 - b. Financial Regulations and Contracts Procedures – Appendix 2;
 - c. Standing Orders Council Meetings – Petitions Scheme, as set out Appendix 3; and
 - d. Standing Orders – Council Meetings – Public Question Time, as set out Appendix 4 to this report.

Appendices

Appendix 1 – Officer Scheme of Delegation

Appendix 2 - Financial Regulations and Contracts Procedures

Appendix 3 – Standing Orders Council Meetings – Petitions Scheme

Appendix 4 - Standing Orders – Council Meetings – Public Question Time

Background Documents

Torbay Council Constitution: [Browse - Torbay Council's Constitution](#)

4. Introduction

- 4.1 Article 13 – Review and Revision of The Constitution sets out the arrangements for revisions to the Council's Constitution. This enables the Monitoring Officer to keep the Constitution under review and to make changes that are required for technical or legal reasons. The Monitoring Officer to also make other changes to the Constitution that he/she believes are in the best interests of the Council and/or local people, in consultation with Group Leaders, with an escalation provision to report matters to full Council for a decision.
- 4.2 It has been apparent for several years the threshold levels for lease transactions set out in the Office Scheme of Delegation and Financial Regulations and Contracts Procedures, in the Council's Constitution are set at a very low level. The procedure to be followed before the necessary level of authority is obtained before the Council can enter into a new lease agreement is long and requires approval at various stages. With the ongoing merger of the former TDA property assets into the Torbay Council Portfolio it has become more apparent in the last few months the Officer Scheme of Delegation as drafted should ideally be varied by increasing the threshold levels upwards.
- 4.3 As TDA assets are brought into the Council's ownership and control the Scheme of Delegation applies to all lease transactions and the management of those assets. When the merger of the TDA estate is completed, there will be 53 assets (excluding Investment Assets which are covered under a separate delegated authority) with a rent above £20k pa, 78 assets with a rent over £10k pa and 293 assets with a rent less that £10k pa.
- 4.4 Consequently, all new leases, lease renewals and assignments will formally require either an Officer ROD to be signed and published or a Cabinet Decision before officers will be able to complete the lease. Given the number of assets identified there is the potential for a significant level of time and resource to absorbed. Presently, any lease with a rent under £10k pa / lease renewals and assignments requires an Officer ROD and anything above that rental level per annum requires a Cabinet Decision. The Investment portfolio is different where Director of Pride in Place retains delegated authority to complete on all leases regardless of rent level, although a ROD is still needed to be published.
- 4.5 A benchmarking exercise was undertaken to review levels of delegation given to officers in other Council's in the Southwest as set out overleaf:

Local Authority	Officer Level	Cabinet	Comments
Torbay	Up to £10k p.a.	£10k +	
East Devon	Up to £15k p.a.	£15k +	
Exeter CC	Up to 75k p.a.	£75k +	
Teignbridge	Up to £10k p.a.	£50k +	*up to £50k in consultation with Portfolio Holder & CFO with ROD
Plymouth	Up to £200k p.a.	£200k +	* officer level decisions are with relevant Cabinet Member approval (not a cabinet decision)
South Hams & WD	Up to £300k p.a.	£300k +	*officer level decision are max. 15 year terms
Stroud	Any	If at less than MV	*No financial limit on officer level decisions as long as they are within budget and policy
Dorset Council	£500k total	£500k +	

- 4.6 The threshold levels granted to officers in the other local authorities varied. However, other than the two district authorities of Teignbridge and East Devon Council all the others are significantly above Torbay at c.£200 - 500k pa level. At these levels officers have the ability, subject to consultation with relevant Portfolio / Cabinet Members to proceed at pace with lease agreements and amendments, freeing up officer time which could be deployed elsewhere.
- 4.7 This report proposes an uplift in the thresholds currently stated in the Officer Scheme of Delegation and Financial Regulations and Contracts Procedures as set out in Appendices 1 and 2 to this report and the relaxation for Records of Decisions to be published on leasehold transactions where the rent is below £50k pa. For efficiency and speed these transactions should be authorised through delegation given to Strategic Head of Asset Management with a further level of approval from the Director of Finance, in consultation with Portfolio Holder, and a published Record of Decision, for any transaction £50k+ pa.
- 4.8 The following amendments are proposed to the Officer Scheme of Delegation, as set out in Appendix 1:

- Replace all references to £10,000 to £50,000; and
- New (f) to effect freehold disposals of land not required for operational purposes up to £50,000 in value. This reflects the same powers delegated to the Harbour Master to ensure consistency.

4.9 Following on from the above proposed changes to the Officer Scheme of Delegation and recommendations from the audit of the food and music festival procurement, the Financial Regulations have been reviewed by the Head of Commercial Services, in consultation with the Director of Finance and Cabinet Member for Housing and Finance, to ensure they align to the new delegated authority limits and revised Contract Procedures. The Contract Procedures has also been amended to specifically reference the Procurement Act 2023 which comes into force on 24 February 2025 and also some of the revised terminology being use by government and in the Act.

4.10 The following amendments are proposed to the Financial Regulation and Contracts Procedures, as set out in Appendix 2:

- Changes to Asset Disposal and Leases paragraphs 9.13 to reflect the requirement to publicly advertise disposals or leases over £50,000;
- Removal of paragraph 9.14, with subsequential renumbering of paragraphs, as this is covered by operational procedures;
- Changes to 9.16(b) to clarify the threshold which will not be subject to paragraph 9.13 as follows:
 - (b) Where the Grants of leases or licences relates to an asset where the length of the lease is less than 10 years;
 - where the value of the asset is over £25,000, the disposal has been discussed with the portfolio holder; and
 - the market rent for an annual market rent does not exceed £50,000 per annum; or
 - the market value of the asset does not exceed £50,000.
 - (d) Disposals of freehold in land where the interest disposed of is estimated not to exceed £50,000 in market value in the professional opinion of a member or fellow of RICS;
- Changes to Acquisitions from £50,000 to £200,000 to reflect the changes previously approved by the Cabinet;
- Various minor changes to Sections 14, 23, 26, 27, 32, 35, 37, 40, 41, 42, 45, 47, 48 and the definitions to reflect best practice and changes to procurement regulations; and
- New paragraph 18.12 requiring suppliers to hold appropriate levels of insurance.

4.11 The following amendments are proposed to the Standing Orders – Council Meetings – Petitions Scheme, as set out in Appendix 3:

- Limit to the time for petitions to 30 minutes to be consistent and in line with the time limit set for Public Question Time and questions from Members;
- In order to manage the time allocated, 5 petitions to be permitted per meeting;
- Petitions with over 1,000 valid signatures will be listed as separate agenda items for debate and will not be within the 30 minutes time limitation;
- To amend the number of valid signatures for petitions from 25 to 50 in order that petitions reflect the significance and importance of the issue raised to local people living or working in Torbay; and
- Petitions submitted will be dealt with on a first come first served basis, with any petitions submitted after the numbers have been reached included on the agenda for the following Council meeting. The Civic Mayor will continue to have discretion to allow additional questions on grounds of urgency, along similar lines to existing Standing Orders for late submission of Member questions.

4.12 The following amendments are proposed to the Standing Orders – Council Meetings – A24 Public Question Time, as set out in Appendix 4:

- 3 public questions to be permitted per meeting (5 minutes for each question, including supplementary and 5 minutes for response = 30 minutes);
- Questions submitted will be dealt with on a first come first served basis, with any questions submitted after the numbers have been reached refused and referred back to the person asking the question. The Civic Mayor will continue to have discretion to allow additional questions on grounds of urgency, along similar lines to existing Standing Orders for late submission of Member questions; and
- The number of questions will be restricted to one per person and one per organisation to allow for equal distribution.

5. Options under consideration

5.1 To leave the current sections of the Constitution in place however, this does not reflect the current/intended operational processes and best practice. Also the changes to the Petitions Scheme make it clear to the number of petitions and public questions that can be presented to a single Council meeting within the 30 minutes limit, which is the same for other public participation elements.

6. Financial Opportunities and Implications

6.1 None

7. Legal Implications

7.1 None

8. Engagement and Consultation

- 8.1 The revised sections of the Constitution discussed with Group Leaders and their suggestions have been incorporated into the final versions of the documents, in accordance with Article 13 of the Constitution.

9. Procurement Implications

- 9.1 Not applicable

10. Protecting our naturally inspiring Bay and tackling Climate Change

- 10.1 Not applicable.

11. Associated Risks

- 11.1 None

12. Equality Impact Assessment

Protected characteristics under the Equality Act and groups with increased vulnerability	Data and insight	Equality considerations (including any adverse impacts)	Mitigation activities	Responsible department and timeframe for implementing mitigation activities
Age	<p>18 per cent of Torbay residents are under 18 years old.</p> <p>55 per cent of Torbay residents are aged between 18 to 64 years old.</p> <p>27 per cent of Torbay residents are aged 65 and older.</p>	<p>The changes to the Council's Constitution will help ensure good governance and decision making which will support Torbay's most vulnerable residents.</p> <p>It is not anticipated that any adverse impacts will be caused by the implementation of the revised/new Constitution documents.</p>	Not applicable	Not applicable
Carers	<p>At the time of the 2021 census there were 14,900 unpaid carers in Torbay. 5,185 of these provided 50 hours or more of care.</p>	<p>The changes to the Council's Constitution will help ensure good governance and decision making which will support Torbay's most vulnerable residents.</p> <p>It is not anticipated that any adverse impacts will be caused by the implementation of the revised/new Constitution documents.</p>	Not applicable	Not applicable
Disability	<p>In the 2021 Census, 23.8% of Torbay residents answered that their day-to-day activities were limited a little or a lot by</p>	<p>The changes to the Council's Constitution will help ensure good governance and decision making which</p>	Not applicable	Not applicable

	a physical or mental health condition or illness.	will support Torbay's most vulnerable residents. It is not anticipated that any adverse impacts will be caused by the implementation of the revised/new Constitution documents.		
Gender reassignment	In the 2021 Census, 0.4% of Torbay's community answered that their gender identity was not the same as their sex registered at birth. This proportion is similar to the Southwest and is lower than England.	The changes to the Council's Constitution will help ensure good governance and decision making which will support Torbay's most vulnerable residents. It is not anticipated that any adverse impacts will be caused by the implementation of the revised/new Constitution documents.	Not applicable	Not applicable
Marriage and civil partnership	Of those Torbay residents aged 16 and over at the time of 2021 Census, 44.2% of people were married or in a registered civil partnership.	The changes to the Council's Constitution will help ensure good governance and decision making which will support Torbay's most vulnerable residents. It is not anticipated that any adverse impacts will be caused by the implementation of the revised/new Constitution documents.	Not applicable	Not applicable
Pregnancy and maternity	Over the period 2010 to 2021, the rate of live births (as a proportion of females aged 15 to 44) has been slightly but significantly higher in Torbay (average of 63.7 per 1,000) than England (60.2) and the South West (58.4). There has been a notable fall in the	The changes to the Council's Constitution will help ensure good governance and decision making which will support Torbay's most vulnerable residents. It is not anticipated that any adverse impacts will be caused by the implementation of the revised/new Constitution documents.	Not applicable	Not applicable

	numbers of live births since the middle of the last decade across all geographical areas.			
Race	In the 2021 Census, 96.1% of Torbay residents described their ethnicity as white. This is a higher proportion than the South West and England. Black, Asian and minority ethnic individuals are more likely to live in areas of Torbay classified as being amongst the 20% most deprived areas in England.	The changes to the Council's Constitution will help ensure good governance and decision making which will support Torbay's most vulnerable residents. It is not anticipated that any adverse impacts will be caused by the implementation of the revised/new Constitution documents.	Not applicable	Not applicable
Religion and belief	64.8% of Torbay residents who stated that they have a religion in the 2021 census.	The changes to the Council's Constitution will help ensure good governance and decision making which will support Torbay's most vulnerable residents. It is not anticipated that any adverse impacts will be caused by the implementation of the revised/new Constitution documents.	Not applicable	Not applicable
Sex	51.3% of Torbay's population are female and 48.7% are male	The changes to the Council's Constitution will help ensure good governance and decision making which will support Torbay's most vulnerable residents. It is not anticipated that any adverse impacts will be caused by the implementation of the revised/new Constitution documents.	Not applicable	Not applicable

Sexual orientation	In the 2021 Census, 3.4% of those in Torbay aged over 16 identified their sexuality as either Lesbian, Gay, Bisexual or, used another term to describe their sexual orientation.	The changes to the Council's Constitution will help ensure good governance and decision making which will support Torbay's most vulnerable residents. It is not anticipated that any adverse impacts will be caused by the implementation of the revised/new Constitution documents.	Not applicable	Not applicable
Veterans	In 2021, 3.8% of residents in England reported that they had previously served in the UK armed forces. In Torbay, 5.9 per cent of the population have previously serviced in the UK armed forces.	The changes to the Council's Constitution will help ensure good governance and decision making which will support Torbay's most vulnerable residents. It is not anticipated that any adverse impacts will be caused by the implementation of the revised/new Constitution documents.	Not applicable	Not applicable
Additional considerations				
Socio-economic impacts (Including impacts on child poverty and deprivation)		The changes to the Council's Constitution will help ensure good governance and decision making which will support Torbay's most vulnerable residents. It is not anticipated that any adverse impacts will be caused by the implementation of the revised/new Constitution documents.	Not applicable	Not applicable
Public Health impacts (Including impacts on the general health of the population of Torbay)		The changes to the Council's Constitution will help ensure good governance and decision making which will support Torbay's most vulnerable residents.	Not applicable	Not applicable

		It is not anticipated that any adverse impacts will be caused by the implementation of the revised/new Constitution documents.		
Human Rights impacts		The changes to the Council's Constitution will help ensure good governance and decision making which will support Torbay's most vulnerable residents. It is not anticipated that any adverse impacts will be caused by the implementation of the revised/new Constitution documents.	Not applicable	Not applicable
Child Friendly Page 200	Torbay Council is a Child Friendly Council and all staff and Councillors are Corporate Parents and have a responsibility towards cared for and care experienced children and young people.	The changes to the Council's Constitution will help ensure good governance and decision making which will support Torbay's most vulnerable residents. It is not anticipated that any adverse impacts will be caused by the implementation of the revised/new Constitution documents.	Not applicable	Not applicable

13. Cumulative Council Impact

13.1 None

14. Cumulative Community Impacts

14.1 None

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Proposed Constitution Amendment:

Officer Scheme of Delegation

2. **Limitations on delegations to the Chief Executive, Directors and Divisional Directors, Heads of Service and all other officers**

- 2.10 The Chief Executive, Directors and Divisional Directors and Heads of Service may not authorise leases if, in the reasonable opinion of a Fellow or Member of the Royal Institution of Chartered Surveyors (RICS), the market value of the premium exceeds ~~£25,000~~£50,000 or if the market value of the rent (including any service charge) should exceed ~~£10,000 per year~~£50,000 per year, or (if a transaction is linked to another transaction) where the aggregate relevant amounts exceeds those limits (this includes leases at a peppercorn rent). But this paragraph shall not prevent the Chief Executive, Directors, Divisional Directors and Heads of Service authorising leasehold disposals where they are in accordance with the Council's Capital Programme or a Council or Cabinet decision.

Cabinet

(Note: This limitation shall not apply to decisions connected to the Council's emergency response and/or recovery in relation to any matters which deal with civil protection. The emergency response shall be triggered by the Local Resilience Forum declaring a major incident. Decisions connected to emergency response and/or recovery shall follow the limitations on financial delegation arrangements outlined in 2.12 below.)

6. **Delegations to the Head of Tor bay Harbour Authority and Tor Bay Harbour Master**

- 6.2.5 Only in relation to property forming part of the Harbour Estate and always having first obtained the approval of a

Cabinet

Fellow or Member of the Royal Institution of Chartered Surveyors (RICS) as to the value and terms of such disposal:-

(a) to grant or enter into the terms of leases, sub leases, or licences where the consideration does not exceed £2550,000 per annum on any single transaction (or series of linked transactions);

(b) to grant or enter into easements, licences, agreements, restrictive covenants or other rights or obligations where the consideration does not exceed £250,000 on any single transaction (or series of linked transactions);

(c) to effect freehold disposals of land not required for operational purposes up to £10050,000 in value;

(d) to renew leases (regardless of the level of rent payable), licences and undertake a review of rents and licence fees when necessary and to agree surrenders, sub-letting and approve assignments; and

(e) to approve variations to (including the release of) restrictive and other covenants.

7. Delegations to the Chief Finance Officer (as Section 151 Officer)

7.3 Changes to rent terms arising from changes in market rents linked to economic conditions or rent breaks and renewals shall only be approved by the Chief Finance Officer (or his/her designated deputies) in consultation with Director of Pride in Place and Deputy Leader of the Council and Cabinet Member for Finance.

Cabinet

11. Delegations to the Director of Finance

Property Management, Acquisition and Disposal:

- 11.1
- (a) To grant or enter into leases, easements, licences, agreements, restrictive covenants or other rights or obligations where the consideration does not exceed £~~4~~50,000 per annum on any single transaction (or series of linked transactions);
 - (b) To grant leases for up to 40 years to sports clubs on acceptable terms which each case being considered on its merits;
 - (c) To renew leases (regardless of the level of rent payable), licences and undertake a review of rents and licence fees when necessary and to agree surrenders, sub-letting and approve assignments;
 - (d) To approve variations to (including the release of) restrictive and other covenants; ~~and~~
 - (e) To approve terms for the appropriation of land previously authorised by the Cabinet or the Council; ~~and~~
 - (f) ~~£~~To effect freehold disposals of land not required for operational purposes up to £50~~4~~00,000 in value.

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Financial Regulations and Contracts Procedures

These Financial Regulations and Contracts Procedures should be considered in conjunction with the Officer Scheme of Delegation and Standing Orders in relation to the Budget and Policy Framework.

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2 July 2024

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Financial Regulations

1. Introduction

- 1.1 To conduct its business properly, Torbay Council needs sound financial management policies in place and controls to ensure compliance with those policies. In addition, the Council has additional responsibilities under statute. These Financial Regulations provide a framework of policies and controls for managing these responsibilities.
- 1.2 All local authorities are required to establish Financial Regulations to ensure the proper administration of financial affairs which have arisen from the legislative powers conferred upon local authorities and the consequential rights, powers and duties placed upon the Council, the Leader of the Council, Members and Officers.
- 1.3 The Financial Regulations apply to every Member and Officer/employee (including agency and seconded staff) of the Council and anyone acting on its behalf. All Officers and Members have a duty to abide by the highest standards of probity in dealing with financial issues.
- 1.4 Non compliance with these regulations will be referred to the Chief Finance Officer and the Head of Devon Audit Partnership, who will take appropriate action.
- 1.5 The Financial Regulations should ensure compliance with all accounting and auditing standards, and codes of practice, which are produced by the appropriate professional accountancy bodies.
- 1.6 The Financial Regulations apply to the Council and any associated companies. The Chief Finance Officer legislative requirements apply to all council assets and liabilities included subsidiary companies. The CFO therefore has responsibility for the financial systems, financial procedures and financial regulations in use by the subsidiary companies.
- 1.7 These Financial Regulations are intended as an aid to good financial management and outline the necessary procedures to secure the proper administration of financial affairs. Financial regulations will also be supplemented by more detailed financial instructions issued as and when appropriate by the Chief Finance Officer or his/her nominated representative.
- 1.8 In these regulations the following definitions apply:-
 - a) Budget Holder – as identified on the Council Financial Information Management System (a Budget Holder is allocated to every cost centre).
 - b) Chief Executive, Directors, Assistant Directors and Heads of Service – are the posts contained within the Council's Senior Management Structure.
 - c) Head of Service – reference to Head of Service in these regulations includes the Chief Executive, Directors, Assistant Directors and Head of Service.
 - d) Chief Finance Officer – the appointed Section 151 post and reference to it includes all nominated deputies appointed by the Chief Finance Officer.

Torbay Council – Constitution Financial Regulations and Contracts Procedures

2. Legislative and Regulatory Requirements

- 2.1 The Local Government Act 1972, in section 151, directs that there should be a specifically designated officer responsible for the proper administration of the Council's financial affairs and for reporting on these matters. The role of Chief Finance Officer has been given these responsibilities within the Council's management structure.
- 2.2 In addition the Chief Finance Officer, or his/her properly appointed nominated representatives, have duties under Sections 114 and 114A of the Local Government Finance Act 1988 see paragraph 3.5.
- 2.3 The Accounts and Audit (England) Regulations 2015 also confer further responsibilities upon the Chief Finance Officer, or his/her nominated representatives, including determination of and responsibility for the accounting systems and supporting records and systems and internal control (including internal audit). These regulations have been produced to comply with these requirements.
- 2.4 The Chief Finance Officer is also responsible for the publication of financial related notices, documents and the completion of returns as required under statute.
- 2.5 Whilst these responsibilities are specifically allocated to the Chief Finance Officer, it is the responsibility of individuals identified in paragraph 1.3 to be aware of and operate within the Financial Regulations, Standing Orders in Part 4 and the code of conducts and local protocols in Part 5 of the Constitution.
- 2.6 For Torbay Council schools operating under the School Standards and Framework Act 1998, they have specific Financial Regulations. These are approved by the Chief Finance Officer in consultation with the Schools Forum.
- 2.7 Setting of annual budgets for expenditure and any carry forwards of surplus or deficit within the Dedicated Schools Grant (DSG) separate from the individual schools budgets is delegated to the Section 151 Officer in consultation with the Assistant Director for Education subject to any decisions that are required under statute to be approved by the Schools Forum.

3. Role of Chief Finance Officer (S151)

- 3.1 The Council supports the principles as set out in the "CIPFA Statement on the Role of the Chief Finance Officer in Local Government" (2010).
- 3.2 Delegations to Chief Finance Officer are listed in the Officer Scheme of Delegation in Part 3 of the Constitution.
- 3.3 The Chief Finance Officer is responsible for advising the Council and all decision-making persons and bodies on all financial matters. Accordingly he/she or his/her nominated representative must be consulted on all financial matters and they should be given adequate opportunity to provide written comments on any report that may have a financial impact or commitment on the Council at some point in the future.

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- 3.4 The Chief Finance Officer or his/her properly authorised and nominated deputies have a duty under Sections 114 and 114A of the Local Government Finance Act 1988 to report to the Leader of the Council, Councillors and the Council's appointed External Auditor, if it appears that the Council, a Committee or Officer of the Council, or a Joint Committee on which the Council is represented, or the Leader of the Council or individual Members of the Cabinet, or the Cabinet, or Committee of the Cabinet, have acted in the following legally defined instances:
- (a) Has made or is about to make a decision which involves or would involve the Council incurring expenditure which is unlawful; or
 - (b) Has taken or is about to take a course of action which, if pursued to its conclusion, would be unlawful and likely to cause a loss or deficiency on the part of the Council; or
 - (c) Is about to enter an item of account, the entry of which is unlawful; or
 - (d) If it appears that the expenditure of the Council incurred (including expenditure it proposes to incur) in a financial year is likely to exceed the resources (including sums borrowed) available to it to meet the expenditure.
- 3.5 The Council shall provide the Chief Finance Officer with such staff, accommodation and other resources as are sufficient to allow statutory duties.
- 3.6 The Chief Finance Officer must consult with other appropriate statutory officers and Directors of the Council before submitting any report under Sections 114 or 114A.

4. Accounting Procedures

- 4.1 The Chief Finance Officer is responsible for keeping the accounting records of the Council including the Collection Fund and any third party income and expenditure. All financial systems and records maintained within any Business Unit shall be in a form approved by the Chief Finance Officer, kept up to date, and retained until after the formal completion of the external audit of the Council's accounts and issue of the Audit Opinion or as otherwise required by law or indicated in the Council's Retention of Documents Policy.
- 4.2 All financial documents to be retained as set out in the Council's document retention policy unless specific grant claims or statute require a longer period. Where possible all financial documents should be scanned and saved to the Council's IT network and if contractual offered to the Council's Records section for archive.
- 4.3 Accounting policies will be updated as necessary and reviewed by the Chief Finance Officer annually.
- 4.4 Accounting procedures will comply with proper accounting practice and follow principles determined from time to time by the Chief Finance Officer. No changes should be made to these practices without the prior approval of the Chief Finance Officer.
- 4.5 The Chief Finance Officer shall be responsible for interpreting and implementing all relevant legislation and guidance relating to the Council's finances, both revenue and capital. The Chief Finance Officer will also ensure that the Council's financial

Torbay Council – Constitution Financial Regulations and Contracts Procedures

procedures comply with all current codes of practice and will report on relevant implications to the Leader of the Council, Members and Directors.

- 4.6 The Chief Finance Officer shall also be responsible for the Treasury Management function as defined by the relevant codes of practice.

5. Financial Control

General

- 5.1 Standing Orders in relation to the Budget and Policy Framework refer to the timetable and preparation of the Council's Revenue Budget for the forthcoming year along with revisions and indicative budgets for the forthcoming four year period for the Capital Plan. Once approved, it is the responsibility of the Chief Executive, Directors, Assistant Directors, Heads of Service and all Budget Holders to ensure net expenditure is contained within the totals approved by Council, subject to any variations to these totals that may be approved by the Council. This responsibility remains even when partners incur expenditure on the Council's behalf.
- 5.2 The Chief Finance Officer, in conjunction with Directors, Assistant Directors and Heads of Service, shall produce regular reports to the Chief Executive (and present to the Senior Leadership Team as appropriate) to the Leader of the Council for presentation at Cabinet meetings and the Overview and Scrutiny Board on the current year's budget (including comparison with actual spending and projected out-turn). The Cabinet and/or Overview and Scrutiny Board will make appropriate recommendations to Council where variations to the in-year budget position require a Council decision.
- 5.3 The Chief Finance Officer, in consultation with the Chief Executive, may authorise the use of contingencies and expenditure from reserves and provisions approved as part of the Council's revenue and capital budget.
- 5.4 Within the context of these Financial Regulations the following definitions can be assumed to apply:
- (a) Approved Budgets – Those sums approved by the Council at its budget setting meeting and identified in the Council's Budget Digest as presented at that meeting (reflected in the Council's financial information management system) and approved Capital Plan. Budgets are set at a Business Unit level and subdivided into service areas. For the purpose of these Financial Regulations the approved budget is at the service area level, as shown in the approved budget digest.
 - (b) An amount is shown against an individual capital scheme or service programme.
 - (c) Virements – the transfer of money from one approved budget to another.
 - (d) Non cash transactions, such as sponsorship, land swaps, concessionary rents and similar transactions are to be accounted for at their market value and will be within the scope of these regulations.

Revenue

5.5 The Chief Finance Officer, in consultation with the Leader of the Council, is authorised to submit bids and accept any grant offers, including terms and conditions attached to such offers subject to the grant offer and terms and conditions being in accordance with the Council's policies and objectives. The Chief Finance Officer, in consultation with the Leader of the Council, to determine the allocation and expenditure of any new revenue grant monies that are received during the year.

5.6 After consideration by the Chief Finance Officer when considering the end of the financial year position, any net uncommitted under-spends within a directly controllable revenue budget may be carried forward into an earmarked reserve to be used in the following financial year.

After consideration by the Chief Finance Officer, in consultation with the Chief Executive, when considering the end of the financial year position the following may be approved:

- (a) Individual budget under-spends of £10,000 may be carried forward at the request of the Director, Assistant Director or Head of Service.
- (b) Any net overspend (below £10,000) may also be carried forward to the following financial year and made good during that year.
- (c) Any net unspent grant, third party funds or funds committed but not spent within a directly controllable revenue budget may be carried forward into an earmarked reserve to be used in the following financial year.

5.7 Any item in the Approved Revenue Budget saved or expected to be, and additional revenue saved above approved budget is subject to the normal virement rules. This is subject to the Council's overall financial situation where, following consultation with the Chief Finance Officer, the Leader of the Council (in respect of Executive functions) and Council (in respect to Council functions), a Director, Assistant Director or Head of Service may request that the budget saved is not spent or a virement is made to another Business Unit.

5.8 Within an approved Business Unit Budget, or between Business Units, the responsible Head of Service(s) of the Business Unit(s) may approve in-year virements provided that:

- (a) The virement does not exceed £100,000 within individual services in a Business Unit and £50,000 between Business Units;
- (b) The virement is requested in writing by the Head of Service (and a copy kept by the Chief Finance Officer or his representative);
- (c) There is no significant change of policy or significant reduction in service quality (in the opinion of the relevant Director, Assistant Director or Head of Service);
- (d) All virements above £100,000 within a Business Unit and £50,000 between Business Units must be approved by the Chief Finance Officer in

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consultation with the relevant Director, Assistant Director or Head of Service and the virement is included in the next budget monitoring report considered by the Overview and Scrutiny Board; and

- (e) Any changes to budgets as a result of restructures, technical accounting changes including support service allocations are not subject to the virement rules.
- 5.9 Urgent decisions which are not wholly in accordance with the budget will be dealt with in accordance with the Council's Standing Orders in relation to Budget and Policy Framework and Officer Scheme of Delegation.
- 5.10 All fees and charges including fees set by statute are to be approved on an annual basis as part of the budget setting process. The Chief Finance Officer, in consultation with the Leader of the Council, the Cabinet Lead for Finance and the Chief Executive, is authorised to make adjustments to fees and charges and introduce new charges in year within the approved budget if it is in the best interest for the Council and they have no adverse impact upon the revenue or capital budgets.
- 5.11 Where a permanent change to the Revenue Base Budget is being proposed (i.e. it affects more than the current financial year) the relevant Director(s), Assistant Director(s) and the Head of Service(s) concerned and the Chief Finance Officer will identify the proposed change as part of the next budget process.

Reserves

- 5.12 The responsible officer, as identified in the Review of Reserves report approved by Council, for a reserve may authorise use of contributions to and from that earmarked reserve provided that:
- (a) The funds are used for the stated purpose of the reserve, as stated in the Review of Reserves report, in question;
 - (b) The level of such Earmarked Reserves is reported to the Overview and Scrutiny Board when the annual review of reserves report is considered (together with proposals for replenishment of the reserve in question where the Chief Finance Officer considers it appropriate);
 - (c) If the earmarked reserve is to be used for a purpose which differs from the original agreed terms of reference this must be approved by the Council; and
 - (d) The Council's finance system is to reflect the planned use of reserves in the year.
- 5.13 The Chief Finance Officer, in consultation with the Leader of the Council, may recommend to the Council for approval in-year virements from the Council's General Fund Reserve to any Business Unit provided that the Chief Finance Officer is satisfied as to the robustness and adequacy of the Council's reserves.

Capital

- 5.14 For each financial year Council will have an approved:-

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- (a) Capital Strategy
 - (b) Asset Management Plan
 - (c) Capital Plan
- 5.15 Each quarter the Chief Finance Officer, in consultation with the Leader of the Council, may approve any variations to the approved capital plan for new or existing schemes provided that the Chief Finance Officer is satisfied that the proposed variations will be contained within the overall approved Capital Plan or that additional (and adequate) funding resources have been identified.
- 5.16 Any bids (or support for a partners bid) for capital grants and contributions over £100,000 to be notified to the Leader of the Council and Chief Finance Officer prior to submission, to ensure the scheme is in line with Council priorities and funding and resource implications have been assessed. This will include any match funding and future revenue costs.
- 5.17 Prior to the approval of any scheme, the funding for the scheme and any future revenue costs must be identified and deemed to be achievable by the Chief Finance Officer.
- 5.18 The Chief Finance Officer, in consultation with the Leader of the Council, is authorised to determine the allocation and expenditure of any new (ring fenced) capital grants or contributions that are received during the year.
- 5.19 The Chief Finance Officer, in consultation with the Leader of the Council, may also approve any variation to timings for projects within the 4 years of the capital plan on a quarterly basis.
- 5.20 The allocation of any un-ring fenced grants or contributions to a service will be determined by the Chief Finance Officer taking into account the overall budget position of the Council and any expectations/conditions of the awarding body. . Any schemes to be funded under the Prudential Code will also be a Council decision as set out in 5.26 below.
- 5.21 The Budget Holder, in consultation with the relevant Cabinet Lead, is authorised to approve allocations of generic capital funding within an allocation to a service to individual projects within the overall total funding approved.
- 5.22 If the Council receives additional income not linked to a specific project such as a capital receipt, or has an under spend on a specific scheme this will be applied in the first instance to fund the existing Capital Plan. If the funding is in excess of the resources required to fund the existing Capital Plan it will be allocated to a general capital reserve pending further decision by the Council.
- 5.23 If an urgent and unforeseen need arises to undertake a project not included in the current approved Capital Plan, or to accelerate the preparation or commencement of an unapproved scheme the proposal shall be referred to the Chief Finance Officer at the earliest opportunity and before a substantial amount of preparatory work (i.e. costing more than £5,000) is undertaken and only if agreed by Chief Finance Officer, in consultation with the Leader of the Council, the proposed capital scheme will be submitted for approval to the Council.

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- 5.24 It is expected that individual projects should include a contingency. The approved Capital Plan will also include a capital contingency, which as a target should be 1% of the Capital Plan. Use of this contingency will be determined by the Chief Finance Officer in consultation with the Leader of the Council.
- 5.25 If any variation to the programme has a material impact upon the revenue budget in the current or future financial year(s), such as increased running costs or prudential borrowing, this must be approved by Council.
- 5.26 Any decision by Council to utilise prudential borrowing must be made with regard to the prudential framework, the approved prudential indicators and policies as set out within the approved Capital Strategy.
- 5.27 The Council maintains a Capital Reserve list as part of the approved Capital Plan. Any new resources received by the Council, if in excess of the resources required to fund the Capital Plan, should, in the first instance, be used to fund schemes maintained on the reserve list.
- 5.28 All capital expenditure incurred must comply with the CIPFA definition of capital as set out in the relevant accounting proper practice. The Chief Finance Officer will be the arbiter of disputes in relation to the eligibility of any expenditure.
- 5.29 All capital expenditure must be recorded accurately including asset reference to ensure the information on all Council assets, and their component parts, is correct within the Council's asset register.

6. Audit, Anti-Fraud and Anti-Corruption

Internal Audit Function

- 6.1 The Chief Finance Officer shall maintain an adequate and effective system of internal audit of its accounting records and its system of internal control in accordance with proper Internal Audit practices, as governed by responsibilities under Section 151 of the Local Government Act 1972, and the Accounts and Audit Regulations 2015.
- 6.2 The internal audit service provided by the Devon Audit Partnership shall follow professional standards and guidelines in accordance with the Code of Practice for Internal Audit in Local Government in the United Kingdom issued by the Chartered Institute of Public Finance and Accountancy (CIPFA). The Code requires that an authority should have in place an approved Internal Audit Strategy which describes how the internal audit service will be delivered, and formally defines the purpose, authority and responsibility of internal audit.
- 6.3 The main objectives of the internal control system are to:
- (a) ensure adherence to management policies and directives in order to achieve the organisation's objectives;
 - (b) safeguard assets;
 - (c) secure the integrity, relevance, reliability, confidentiality and availability of information and resources, so ensuring as far as possible the completeness and accuracy of records;

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- (d) ensure compliance with statutory requirements; and
 - (e) ensure risks are identified and appropriately managed.
- 6.4 The Chief Finance Officer, or authorised representative, shall have authority in connection with an audit to:
- (a) visit all establishments and premises of the Council and other partners where the Council has a legal interest or an open book agreement;
 - (b) have access to such documents which relate to the accounts of the Council, as may appear to be necessary for the purpose of the audit;
 - (c) call for the production of cash, stores or other property in the custody of any employee of the Council;
 - (d) require from any employee information and explanations necessary for that purpose;
 - (e) remove and keep in safe custody any books, records, vouchers and other material that may be relevant; and
 - (f) receive access at user level and/or system level to any computing or communications device, including access to interactively monitor and log traffic on Torbay Council's networks in accordance with the Council's Information Security Policy Framework.
- 6.5 The Head of Devon Audit Partnership (on behalf of the Chief Finance Officer) shall produce audit reports as appropriate and when an audit report is issued, the Head of the Business Unit concerned should respond in writing with an agreed action plan on any recommendations made without delay.
- 6.6 Where it appears that there is an opportunity of increasing the financial efficiency, economy or effectiveness of any Business Unit, the Head of Devon Audit Partnership shall, in conjunction with the Chief Finance Officer and the relevant Director(s), Assistant Director(s), Head of Service (s) or other authorised officer, investigate any relevant aspect of the work of any Business Unit and shall be empowered to make recommendations thereon. This includes appropriate value for money exercises.
- 6.7 The Head of Devon Audit Partnership shall have the right of direct access to, and freedom to report to, all senior management including the Chief Executive and Members.
- 6.8 Devon Audit Partnership shall be responsible for supplying to, or obtaining, such information required on behalf of itself or the Audit Committee or Overview and Scrutiny Board or other nominated sub-committee or working party or carry out any investigations requested, subject to the appropriate resources being available to undertake such investigations.

External Audit Function

- 6.9 The Chief Finance Officer shall be responsible for:-

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- (a) Ensuring an external audit function is being provided.
- (b) Liaising with external audit in all issues relating to the Statement of Accounts, Annual Governance Statement, specific grant audits and Value for Money.
- (c) Ensuring the above documents are available for External Auditors within agreed timescales and providing supporting documentation to enable External Auditors to provide an audit opinion.

Anti-Fraud and Anti Corruption

- 6.10 The Chief Finance Officer will be responsible for a Council wide anti-fraud and anti-corruption policy. All members and officers, partners and suppliers are expected to act with integrity, adhere to that policy and not tolerate fraud or corruption in the administration of its responsibilities whether inside or outside of the Council.
- 6.11 Members and officers shall comply with the Council's codes of conduct relating to the register of interest and gifts and hospitality.
- 6.12 The Chief Finance Officer will be responsible for ensuring whistle blowing procedures are in place.
- 6.13 The Chief Finance Officer and the Head of Devon Audit Partnership shall be notified forthwith by the Chief Executive, Directors, Assistant Directors, or the Heads of Service concerned, of any circumstances which suggests the possibility of irregularity in the exercise of the functions of the Council. The Chief Finance Officer or the Head of Devon Audit Partnership shall, on confirmation of the irregularity, be empowered to undertake any investigation considered necessary including informing the Police and shall inform the Chief Executive and Monitoring Officer of the full circumstances in accordance with the Council's Anti -Fraud and Anti-Corruption Policy and Protocol.

7. Banking Arrangements and Methods of Payment

Bank Accounts

- 7.1 The Chief Finance Officer is authorised to make arrangements regarding the Council's bank accounts, including the opening and closing of any account, and tendering for banking services. No charges/debits shall be set up on the bank accounts without the written consent of the Chief Finance Officer. All accounts must be in the name of Torbay Council.
- 7.2 The Chief Finance Officer must be notified of all bank accounts held. All bank accounts and balances need to follow the Council's banking procedures including online banking.
- 7.3 All transactions in the Council's bank accounts are to be included in the Council's finance system.
- 7.4 The Chief Finance Officer is authorised to agree the overdraft facilities and the charges for the operation of the Council's bank accounts with the bank.
- 7.5 All charges made by the Bank must be verified as being levied in accordance with

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the scale of charges current at the time the charge was incurred.

- 7.6 All bank accounts shall, wherever practicable, be reconciled with cashbooks and/or other relevant records at least once each month.

Methods of Payment

- 7.7 Payments from the above-mentioned bank accounts, by cheque, Clearing House Automated Payments System (CHAPS), electronic data (BACS), direct debit, via Bankline or any other agreed format, shall only be made in accordance with procedures agreed by the Chief Finance Officer.
- 7.8 All cheques, or similar agreed documents authorising payment, shall be signed by, or bear the facsimile signature of the Chief Finance Officer or other officers authorised in writing by the Chief Finance Officer.
- 7.9 All cheque payments should be made on crossed cheques unless otherwise directed and authorised by the Chief Finance Officer.
- 7.10 Where bank accounts are used for imprest accounts then two authorised signatures shall appear on the cheque.
- 7.11 Changes to the authorised signatures or the mandate can only be made through the Chief Finance Officer.
- 7.12 The Chief Finance Officer, or authorised deputies, is responsible for the transfer of funds from one bank account to another.
- 7.13 The Chief Finance Officer shall be responsible for the production of the electronic data for payments due, the forwarding to the processing centre and security.
- 7.14 All cheques and procurement cards shall be ordered only on the authority of the Chief Finance Officer, or authorised deputies, who shall ensure that arrangements are made for their safe custody and recording. Where procurement cards are issued, a record must be kept of the issue and signed by the receiving officer confirming acceptance of the applicable conditions.
- 7.15 Only Procurement cards under the Government Approved Scheme are to be issued. No other debit or credit cards are permitted.
- 7.16 A voucher and/or receipt are required for all procurement card transactions, and where the goods include VAT, a VAT invoice/receipt must be obtained.
- 7.17 For any payment of £250,000 and over the following additional authorisations will be required:
- (i) Crossed cheques for £250,000 or over will be countersigned by a second signatory;
 - (ii) CHAPS payments will require electronic authorisation by a minimum of two authorised officers; and
 - (iii) A manual payment voucher for £250,000 or over will be countersigned by a bank signatory.

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7.18 The Chief Finance Officer shall arrange such safeguards as are deemed necessary and practicable including ensuring that the following duties, as far as possible, are the responsibility of separate officers:

- (a) The checking of creditors invoices;
- (b) The control of cheques and like forms;
- (c) The preparation of cheques and electronic payment data;
- (d) The signing of cheques and like forms;
- (e) The despatch of cheques or electronic data;
- (f) The entry of cash accounts; and
- (g) The reconciliation of bank balances.

8. Imprest and Petty Cash Accounts

- 8.1 The Chief Finance Officer, or authorised deputies, may advance a fixed imprest to an Officer of the Council for the purpose of meeting petty cash expenses. Each imprest or Petty Cash Account shall be of such an amount as the Chief Finance Officer, or authorised deputies, may determine in consultation with the Head of Service or other authorised officer, but shall not exceed the sum anticipated to be sufficient to meet such expenses for a period of two months, (unless there are exceptional circumstances necessitating a higher level and this is agreed by the Chief Finance Officer or authorised deputies).
- 8.2 The Chief Finance Officer, or authorised deputies, shall prescribe such conditions in connection with petty cash disbursements as is deemed desirable.
- 8.3 Petty Cash items shall be limited to minor items of expenditure and in the case of individual items, shall not exceed £100 except by arrangement with the Chief Finance Officer or authorised deputies.
- 8.4 No payments should be made from Petty Cash/Imprest Accounts where there may be HMRC implications. Petty Cash/Imprest Accounts should not be used for:-
- Travel and subsistence claims;
 - Working lunches;
 - Private phones (work usage);
 - Salaries and wages;
 - Entertaining (employees and non-employees);
 - Periodic Payments;
 - Construction Industry Scheme work; or
 - Governor Expenses.
- 8.5 All Heads of Service or authorised deputies shall maintain a list of all persons authorised to sign petty cash vouchers on their behalf and a copy of this list, including specimen signatures and initials shall be supplied to the Chief Finance Officer and the Payments section.

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- 8.6 A voucher and/or receipt are required for all petty cash and imprest account transactions and, where the goods include VAT, a VAT invoice/receipt must be obtained. Vouchers and/or receipts should be forwarded to the Payments section with the claim for reimbursement. The relevant Heads of Service shall certify these claims as correct or such person(s) nominated for that purpose.
- 8.7 No income is to be paid into a petty cash account, other than reimbursement cheques.
- 8.8 No personal cheques are to be cashed via a petty cash account.
- 8.9 Petty cash imprests must be reconciled and balanced on a regular basis, and agreed to the bank statement (including un-presented cheques) where a bank account is in use. Imprests must be balanced at the 31 March each year to ensure the expenditure is changed to the correct financial year.
- 8.10 Every Officer holding a petty cash imprest shall certify to the Chief Finance Officer the amount of that imprest at 31 March each year.
- 8.11 The conditions for operating an imprest through a bank account must be agreed with the Chief Finance Officer, or authorised deputies, with the minimum of 2 signatories required.
- 8.12 Imprest accounts operated through a bank account must not go into overdraft.
- 8.13 Heads of Service shall inform the Chief Finance Officer in advance when employees who hold an impress account either leave the employ of the Council or otherwise cease to be responsible for the imprest. Whenever an Officer in charge of the imprest hands over, leaves or ceases to have custody of the imprest, the Head of Service, shall ensure that a prior check is made of the imprest concerned and that a handing over certificate is signed by the outgoing and incoming Officer.
- 8.14 Heads of Service or their authorised deputies may exercise delegated power to make ex-gratia payments to Officers, recognised volunteers and customers in a sum not greater than £50 as compensation for damage to or loss of property. Such payments can only be made when the incident occurred during normal Council activities and where such payment is calculated to facilitate or is conducive or incidental to the discharge of any of the functions of the Council. All requests for payment must be authorised and be supported with full written details of the incident and resulting damage/loss, reason for payment and evidence (e.g. receipts) of the actual cost of repair or replacement.
- 8.15 Where it is considered that £50 is insufficient to compensate for any damage or loss, then the individual may submit without delay details of the incident and related damage/loss to officers in the Claims Handling Section who will determine if the Council is legally liable to pay compensation via the standard claims handling procedure. If it is determined that no legal liability exists in respect of the loss/damage then no payment will be made.

9. Assets including Estates, Non Current Assets and intellectual property

Asset Records

- 9.1 The Chief Finance Officer shall commission the Asset Management Service to maintain a terrier and asset register of all assets owned or leased in by the Council in a form approved by the Chief Finance Officer to comply with proper accounting practice. The asset register shall record: the holding body (if applicable); purpose details; nature of Council's interest; and rents payable, with particulars and terms of tenancies granted. The terrier is to be regularly reconciled to records held in the asset register.
- 9.2 The Asset Management Service, the Chief Finance Officer and other appropriate officers shall co-operate in the preparation and maintenance of an asset register in suitable format and containing all the relevant information to comply with proper accounting practice. The valuation of assets, including an assessment of componentisation and asset life, shall be carried out as necessary to comply with proper accounting practice. The asset register (finance module) to contain details of accounting treatment and asset classification including current cost and historic cost records as required. The asset register (finance module) is required to comply with proper accounting practice.
- 9.3 The ownership of the asset register and terrier remains with the Council, though the Asset Management Service will maintain the records held and ensure an annual reconciliation.
- 9.4 All non-current assets should be recorded on the asset register, but valuations are only required for those individual assets where the value is estimated to be over £25,000. Where a group of assets e.g. computer equipment, collectively totals in excess of this amount, an entry should be made on the register to reflect this.
- 9.5 The Monitoring Officer shall have the custody of all title deeds and leases under security arrangements agreed with the Chief Finance Officer.
- 9.6 Intellectual property is something unique that the Council has physically created. To protect internally developed intellectual property from theft and copying, Heads of Service should consider registration e.g. trade marks for logos or copyright for software created. Protecting these assets makes it easier to take legal action against anyone who steals or copies it.
- 9.7 If intellectual property is registered, the Head of Service must notify the Chief Finance Officer so the asset can be added to the asset register and the same safeguards that apply to the Council's other assets can be applied to these assets.

Asset Disposals and Leases

- 9.8 For approval purposes a disposal is deemed to be applicable for both a freehold disposal and any lease where the term is in excess of 40 years.
- 9.9 The Council shall commission the Asset Management Service to undertake the arrangements for the lease or disposal in line with the terms specified by the relevant budget holders and these Financial Regulations and Contracts Procedures.

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- 9.10 Officers will identify surplus assets for disposal or lease in accordance with the Officer Scheme of Delegation.
- 9.11 Officers will identify operational assets for lease in accordance with the Officer Scheme of Delegation.
- 9.12 Proceeds of asset disposal will be allocated in accordance with the approved Capital Strategy. Any proposal by a service to utilise the proceeds for a specific purpose or recommend to Council the disposal of the asset at below market value will need to be agreed by Chief Finance Officer in light of the overall financial position of the Council and any, as yet unachieved, capital receipts target.
- 9.13 All disposals or leases shall be subject to a formal process prior to entering into a written contract. ~~All disposal and leases shall comply with the Council's Contracts Procedures.~~ All disposal or leases above a market value of £~~400~~50,000 in the opinion of a RICS qualified valuer) ~~must be conducted via the Council's Electronic Tendering System, must be publicly advertised for a minimum of ten working days via the most appropriate means applicable to the disposal, as determined by Estates and Asset Management.~~ This includes but is not limited to, public auction; property listing websites; land, estate or property agents; formal tender process. This process shall include details of the asset and any conditions and specifying a reasonable closing date by which expressions of interest must be received. ~~Standard forms of documentation shall be used where possible. The disposal or lease process can include the use of a public auction or similar competitive method such as a property listing website for at least ten working days in preference to the Electronic Tendering System.~~
- 9.14 ~~In accordance with Contracts Procedures, disposal and lease tender processes in respect of property expected to be greater than £50,000 must be electronically sealed. The Electronic Tendering System is set up to electronically seal tenders above £50,000. Verifiers are set up in the system, which are Officers who are able to electronically unseal Tenders. Verification may only be undertaken by an authorised Verifier who has duly been approved by the Monitoring Officer and Procurement Service.~~
- 9.1514 There are instances where a disposal ~~tender process is also subject to Public Contract Regulations~~ is deemed to be a contract under public procurement regulations. This is usually when the disposal involves an element of land development ~~for example where there is a legally enforceable obligation on the purchaser to develop the site, for joint venture partnership arrangements in which the Council plays an active role, the Council is taking the lead on designing and funding development, or the Council is getting an economic benefit from the asset.~~ In these instances, advice should be sought from ~~Procurement, Contract Management and Commissioning~~ Commercial Services.
- 9.1615 Regulation 9.13 ~~to 9.15~~ shall not apply to any of the following types of disposals or leases:-
- (a) Grants of leases to existing tenants where security of tenure may exist and the terms of the lease not significantly changed (whether or not their existing tenancies have come to an end);

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- (b) Where the Grants of leases or licences relates to an asset where the length of the lease is less than 10 years:-
- where the value of the asset is over £25,000, the disposal has been discussed with the portfolio holder; and
 - the market rent for an annual market rent does not exceed £10,000£50,000 per annum; or
 - the market value of the asset does not exceed £25,000£10050,000 and
 - the length of the lease is less than 10 years;
- (c) Disposals of land acquired under compulsory purchase powers to the original owners of that land or their successors;
- (d) Disposals of freehold in land where the interest disposed of is estimated not to exceed £10,000£10050,000 in market value in the professional opinion of a member or fellow of RICS; Note the Council does not dispose of freehold property unless under statute but will consider a long term lease or if exceptional circumstances.
- (e) Long term lease under the Councils Community Asset Transfer Policy.

9.4716 The Chief Finance Officer (in consultation with the Leader of the Council and Monitoring Officer) may give written authorisation to waive the requirements of Regulation 9.13 ~~to 9.15~~ where he/she is satisfied that the proposed disposal or lease will be in the best interest of the Council and that the proposed terms of the disposal or lease are unlikely to be bettered by complying with Regulation 9.13 ~~to 9.15~~.

9.4817 All disposals and leases are to be accounted for on a gross basis showing the market value of the transactions. Any form of non cash transaction such as an exchange of land, nomination rights, or a concessionary rent below market value or similar transaction forms part of a budget holders' financial control (as set out in section 5 above).

9.4918 Where a disposal or lease of land or buildings has been expressly approved by Council or the Leader of the Council, that decision shall be actioned by Officers.

Acquisitions

9.20 Where an asset has been identified for acquisition, if the market value of the asset is less than £50,000£200,000 the Officer Scheme of Delegation applies, if in excess of £50,000£200,000 the Leader of the Council (where the acquisition is within the budget approved by the Council) or Council (if the acquisition is outside the budget and policy framework) shall approve the acquisition of that asset. In both cases this is subject to the funding being identified for the purpose, any ongoing revenue implications considered and will then be included in the Capital Strategy.

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10. Inventories (Moveable Property)

10.1 Items of moveable property are defined as any equipment used by a service in their duties including office equipment, specialist equipment, IT equipment including mobile phones, laptops and iPads.

(Note: Stock items used for service delivery such as printing and highways stock, and items for sale see section 11 below.)

10.2 All Heads of Service shall be responsible for preparing and maintaining an inventory of moveable property, in a standard form agreed by the Chief Finance Officer (see 10.5 below), for each of the establishments under their control. All inventory records should be held electronically on the Council's network.

10.3 The inventory will record an adequate description of all moveable items of equipment, office machinery, ICT and communication equipment and other property belonging, held on leasing agreement, donated to, or on trust to the Council, valued at over £500. Where there are vulnerable items these should be recorded in inventories irrespective of price.

10.4 All Heads of Service shall be responsible for the physical security and inventory of all computer hardware and software within their business units in accordance with ICT security policy (where this has not been purchased through ICT Services as set out in 10.2 above). Where hardware and software is purchased through ICT Services or has been assigned a Torbay asset number, ICT Services will maintain an appropriate inventory record.

10.5 Details on the inventory should include:

- (a) The name of supplier;
- (b) The normal location of the item;
- (c) The original purchase price;
- (d) Any relevant model or serial numbers, etc; and
- (e) Lease, loan and trust agreement details.

10.6 All property belonging to the Council and covered by the inventory category must be recorded in inventories immediately on receipt and notified to the Council's Insurance Section where the cost is more than £500. Where practicable, inventory items should be marked in a suitable manner as being the property of the Council.

10.7 Inventories shall be checked and certified as correct and complete by an authorised officer on an annual basis and copies of the inventories shall be supplied to the Chief Finance Officer on request. Deficiencies and/or surpluses should be reported to the Chief Finance Officer for action by the Devon Audit Partnership.

10.8 Inventory items deemed to be surplus to requirements and saleable old materials shall be disposed of only on the written authority of the Head of Service or

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authorised deputies. Where appropriate, items should be offered to other areas of the Council before being put up for use by other groups or offered for sale. Heads of Service shall obtain the best possible prices when disposing of redundant and obsolete items.

- 10.9 The Chief Finance Officer or authorised representative shall, at all reasonable times, have access to all property of the Council to audit the inventory.

11. Stocks and Stores

- 11.1 Each Head of Service shall be responsible for the care and custody of stock including items for sale and stores for items used by the service in their business unit.
- 11.2 Stores shall not be in excess of reasonable requirements.
- 11.3 Records controlling the receipt and issue of all stores and equipment shall be kept in a form to be approved by the Chief Finance Officer.
- 11.4 The Chief Finance Officer, or authorised representative, shall be entitled to check stores and be supplied with such information relating thereto as may be required for the accounting, costing and financial records of the Council. They shall take such action as deemed necessary to deal with any discrepancies shown in any items of stock revealed at any time. In the event of the Head of Service, or authorised representative, becoming aware of any deficiency or theft a report should be made to the Chief Finance Officer immediately so appropriate action may be taken.
- 11.5 The Head of Service or other authorised officer shall certify that the quantities of stocks and stores held at 31 March each year are reasonable and necessary and, except where agreed by the Chief Finance Officer, that there has been adequate continuous and cyclical stocktaking carried out independently of the person in charge of the store/stock concerned.
- 11.6 The valuation method used for the year end stock valuation will be approved by the Chief Finance Officer.
- 11.7 Surplus and obsolete stocks, having ensured that they cannot be of use elsewhere within the Council, shall be disposed of by competitive tender or public auction unless the Chief Finance Officer, in consultation with the appropriate Head of Service, decides otherwise.
- 11.8 Whenever an Officer in charge of stores hands over, leaves or ceases to have custody of the stores, the Head of Service shall ensure that a prior check is made of the stores concerned and that a handing over certificate is signed by the outgoing and incoming Officer.

12. Investments, Borrowing, Loans, Guarantees and Trust Funds

- 12.1 Treasury management activities will comply with the CIPFA Code of Practice for Treasury Management in the Public Services and the Council has formally adopted the following clauses:

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- i. The Council will create and maintain, as the cornerstones for effective treasury management:
 - (a) A treasury management policy statement, stating the policies, objectives and approach to risk management of its treasury management activities;
 - (b) Suitable treasury management practices (TMPs), setting out the manner in which the Council will seek to achieve those policies and objectives, and prescribing how it will manage and control those activities;
 - (c) A Minimum Revenue Provision Policy; and
 - (d) An Investment Strategy.
 - ii The content of the policy statement and TMPs will follow the recommendations contained in Sections 6 and 7 of the Code, subject only to amendment where necessary to reflect the particular circumstances of this organisation. Such amendments will not result in the organisation materially deviating from the Code's key principles.
 - iii The Council will receive reports on its treasury management policies, practices and activities, including, as a minimum, an annual strategy and plan in advance of the year, a mid-year review and an annual report after its close, in the form prescribed in its TMPs.
 - iv The Council delegates responsibility for the implementation and regular monitoring of its treasury management policies and practices to the Audit Committee, and for the execution and administration of treasury management decisions to the Chief Finance Officer, who will act in accordance with the organisation's policy statement and TMPs.
- 12.2 All Treasury Management decisions will adhere to the annual Treasury Management Strategy and Annual Investment Strategy approved by Council.
- 12.3 Investment of Council funds shall be made by the Chief Finance Officer in the name of Torbay Council or nominated deputies.
- 12.4 The Treasury Management Strategy (in line with the CIPFA Code for Treasury Management in Local Authorities and any other relevant legislation in force at the time) shall be adhered to at all times. The Strategy to include Non Treasury Investments such as loans, investment properties, pension guarantees and other guarantees.
- 12.5 The Chief Finance Officer shall be authorised to invest temporarily or utilise such surplus monies of the Council as may seem proper and in the Council's interest.
- 12.6 Investments to any one borrower shall not exceed the limits determined by the Chief Finance Officer in line with the overall counter party creditworthiness policy.
- 12.7 The Chief Finance Officer shall be responsible for the safe custody of securities and

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shall maintain a record of all such borrowing.

- 12.8 The Chief Finance Officer will ensure that the borrowing requirements of the Council including overdrafts are in accordance with the CIPFA Prudential Code for Capital Finance and do not exceed the Authorised Limit approved by Council.
- 12.9 All borrowing transactions must be approved by the Chief Finance Officer or his authorised deputies.
- 12.10 All Trust Funds shall be administered by the Chief Finance Officer acting on the behalf of the legally appointed trustees.
- 12.11 All officers acting as trustees by virtue of their official position have a legal duty to exercise due care of valuables, documents, securities etc. and shall appropriately deposit them.
- 12.12 The requirements of the Charities Acts legislation must, where appropriate, be observed.
- 12.13 The granting of a loan or a guarantee to a third party for a service purpose, which is part of the Council's policy and budget framework. The Chief Finance Officer has delegated powers to approve a loan or guarantee if value is under £50,000.

13. Income and Debtors

Income

- 13.1 Income is defined as all forms of income receipts, including internet payments, cash, bank credits, debit and credit card payments, cheques and self billing. This section also applies to partners dealing with income and cash on behalf of the Council.
- 13.2 Arrangements for the collection of all money due to the Council shall be subject to the approval and control of the Chief Finance Officer
- 13.3 All books of accounts, all official receipt forms or books, licences, tickets and all documents or vouchers representing receipts for cash or other forms of income, shall be in the form approved by the Chief Finance Officer. The Head of Service of the appropriate service or his/her nominated officer shall be responsible for the ordering, control and issue of these documents and all receipts and issues thereof shall be properly recorded and acknowledged.
- 13.4 Receipts by credit or debit card, including internet payments are acceptable where proper arrangements have been made for this facility. The Chief Finance Officer and Senior Information Risk Owner (SIRO) must approve all new card payment facilities and outlets offered by the Council and these must be subject to a Data Protection Impact Assessment which is approved by Chief Finance Officer, Data Protection Officer and SIRO. All new requests should initially be made to the Corporate Debt and Incomes Manager.
- 13.5 All money received on behalf of the Council shall be promptly receipted and shall without delay be either paid to the Chief Finance Officer or banked in full in the Council's name as instructed. Such banking shall be made daily or at such

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intervals as the Chief Finance Officer may decide, but in any event not less frequent than once per week and in any case where the cash and cheques exceeds the insurance level of the respective safe or other facility used for holding the income.

- 13.6 Heads of Service shall be responsible for the safe custody of cash and items having a cash value entrusted to the care of their Business Unit. The arrangements made for safe custody shall be subject to review and authorisation by the Chief Finance Officer.
- 13.7 Where a new safe is required the Head of Service shall be responsible for notifying the Insurance Manager of the required level of cover, type of safe to be purchased and its proposed location to ensure insurer's requirements are met. The Chief Finance Officer shall be consulted prior to the purchase of any safes to ensure the insurance limits are adequate for the Council's needs.
- 13.8 Maximum limits of cash holdings shall be agreed with the Chief Finance Officer and must not exceed the insurance limit of the safe concerned.
- 13.9 Collecting officers shall ensure that all cheques received are correctly dated, the words and figures agree and are signed. Wherever possible, cheques should be endorsed on the reverse with the cheque card details (i.e. number, valid date and value).
- 13.10 In all cases cheques should be marked on the reverse with either the appropriate Business Unit date stamp or a source reference (i.e. account number, Business Unit, waybill number and payer's reference) before banking.
- 13.11 Postal Remittances:
- (a) All postal opening duties shall be clearly defined and supervised by the appropriate Head of Service or an authorised deputy and two officers should empty all post boxes;
 - (b) All post shall be opened promptly in the presence of two officers and all cheques must be marked on the reverse with the appropriate Business Unit date stamp. Cash remittances received via the post **must** be promptly and accurately recorded by the responsible officers and paid in as agreed in 13.5 above.
- 13.12 Transfer of monies from one member of staff to cashiers must be properly recorded and receipted.
- 13.13 Money held on the Council's behalf must at all times be kept separate from private or unofficial money and must never be used for private or unauthorised purposes.
- 13.14 All cash collection devices shall be emptied at frequent and regular intervals as laid down by the Chief Finance Officer in consultation with the Head of Service. This shall be done by two officers who shall agree and certify the amounts of cash collected, or such arrangements as the Chief Finance Officer may determine.
- 13.15 Personal cheques shall not be cashed or money loaned out of cash held on the behalf of the Council.

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- 13.17 Debtors are defined as all forms of income due including sundry debtors, car parking, libraries, s106 (and CIL) agreements, rent, fines, benefit overpayments, council tax and NNDR.
- 13.18 All income due shall be recognised by the raising of a debtor. This includes any income raised on any service specific financial systems.
- 13.19 Heads of Service shall notify the Chief Finance Officer as early as possible of all money due to the Council under contracts, leases, tenancy agreements, agreements for the sale of property and any other agreements involving the receipt of money by the Council.
- 13.20 The Head of Service or other authorised officers shall provide such particulars of charges for work done, goods supplied or services rendered on behalf of the Council and of other amounts due, as the Chief Finance Officer may require ensuring prompt recording of all funds receivable by the Council. Sundry Debtor invoices and credit notes should be raised promptly and shall be produced in keeping with current FIMS procedures, guidance, training and advice. Invoices should not normally be raised for amounts of less than £25.00. Heads of Service or other authorised officers including partners should arrange, wherever possible, for all amounts to be collected at the actual time or in advance of the supply of goods or rendering of the service and paid in by such method as agreed by the Chief Finance Officer.
- 13.21 A credit note should only be raised where the invoice was incorrectly raised. In all other case the write off procedure should be followed.
- 13.22 The Chief Finance Officer, in consultation with Heads of Service, will review all outstanding debt at year end and will estimate the value of debt that is likely to be uncollectible.
- 13.23 Debtor Account Write-Offs and any debt on any service specific financial systems, excluding Council Tax, NNDR and Housing Benefit Overpayments will be dealt with as follows:
- (a) The Debtor Administrator for the specific finance system, within the Accounts Receivable (AR) module, known as FIMS will recommend debts for write off to Heads of Service, Director/Divisional Director and the Chief Finance Officer;
 - (b) Heads of Service or Director/Divisional Director raising the charge shall be empowered, after giving due consideration to all the circumstances involved, to write off individual's or businesses' debts up to £1,000 in total and shall inform the Chief Finance Officer of the action taken and state their reasoning;
 - (c) For all other individual's or businesses' debts of £1,000 or above in total, the Heads of Service or Director of Divisional Director shall request that the Chief Finance Officer approves the write off of the debt, in consultation with the Cabinet Lead for Finance;
 - (d) The Chief Finance Officer will maintain a written record of any amounts written off per individual or business over £1,000 in total. A quarterly report shall be made to the Overview and Scrutiny Board of the total amounts

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written off per individual or business which exceed £5,000, by category and stating the reason for write-off.

- (e) The Debtor Administrator shall be empowered to write off 'de minimis' individual or business debts of upto £100.00.
- (f) Provided that the Debtor Administrator has recommended debts for write off to Heads of Service and Director/Divisional Director, the Chief Finance Officer has the authority to write off debt of any amount.

13.24 For Debtor write offs for Council Tax, NNDR and Housing Benefit Overpayments, the following will apply:

There will be statutory debts raised under the above debt types, which after due consideration of the circumstances relating to an account, it may be considered as un-collectable and it is appropriate to write off the outstanding balance. The outstanding balances for write off's will be identified, written off and reported on a quarterly basis each financial year as follows:

- (a) The Corporate Debt and Incomes Manager will consider a sample of debts (e.g. five for each debt type) and will sign that that they are appropriate accounts to be written off;
- (b) The Corporate Debt and Incomes Manager will sign the Write Off Report, that all of the accounts will have been subject to a checking process by two relevant members of staff, before the debt is recommended for write off on the system; and
- (c) For debts over £5,000 the Chief Finance Officer will sign off the Write Off Report.

Debts which are written off in the quarterly process which exceed £5000 will be reported to Overview and Scrutiny Board and Council, by debt type and stating the reason why the debt has been written off.

14. Orders for Work, Goods and Services

14.1 Orders must be issued for all work, goods and services supplied to the Council (including those supplied under a call off contract or where supplier pro-forma orders are used) and must be produced via the Council's Financial Information Management System (FIMS) except in the following circumstances:

Invoice payments relating to:-

- Rent
- Taxes e.g. NNDR and Council Tax
- Utility Bills e.g. Electric, Gas, Water, Telephones, TV Licences and Internet Charges

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- Other Electronic Ordering Systems
- Programmed Contract Work where an official Contract Payment Certificate has been used.
- Supporting People Contracts – interface and periodic payments should be used where possible
- Temporary creditor, for 'one off' supplier payments

Or payments where it is inappropriate to obtain an invoice including:-

- Grants
- Refunds/overpayments
- Other - in agreement and format with the Payments Manager.

Any further exceptions must be agreed by the Payment Manager with the Heads of Service concerned and with the Chief Finance Officer.

- 14.2 A list of all persons approved to authorise orders within Business Units will be maintained by the FIMS Team and displayed on the Council's intranet site. Heads of Service are responsible for ensuring these lists are complete and accurate.
- 14.3 Authorisation controls shall be maintained within the FIMS system. Each Head of Service shall review authorisation permissions regularly and ensure that the FIMS Team is notified of any changes to the authorisation structure immediately.
- 14.4 The Chief Finance Officer may allow orders to be auto 'Goods Receipted' in the FIMS system where it has been proven that authorisation has occurred in a system prior to the order being raised (i.e. Mayrise).
- 14.5 The Chief Finance Officer has the discretion to change the authorisation / Goods Receipting tolerance levels (either in totality or for individual contracts) if he is satisfied that it is in the best interest of the Council and that any associated risks have been minimised.
- 14.6 Orders shall be produced in keeping with current FIMS guidance, training and advice (including Purchase Order Processing FAQs).
- 14.7 Orders shall comply with current contracts and framework agreements where they exist.
- 14.8 Suppliers should be aware of contractual conditions and liabilities imposed by the Council.
- 14.9 No order shall be issued for goods, work or services unless the cost is covered by the approved annual budgets, a supplementary estimate or by virement approved by paragraph 5.8 above or delegated powers and the goods, services or works have been procured in accordance with Contract Procedures.
- 14.10 Every officer issuing an official order (or ordering via any other approved medium) shall ensure, and be able to show that, as far as is reasonable and practicable and

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with regard to the sums of money involved, that ~~the best terms are~~ best value obtained in respect of each transaction (as per Contracts Procedures).

- 14.11 The Chief Finance Officer may approve alternative arrangements for the ordering of goods etc., where circumstances or trading necessity make this desirable. Such approval must be given in writing.
- 14.12 Verbal orders must only be given in cases of urgency and must only be given by officers who have the appropriate budgetary responsibility. Where a verbal order is made, it must be confirmed no later than the next working day by the issue of an official order, endorsed 'confirmation order'. With regard to major emergencies, reference should be made to paragraphs 14.16 and 14.17 below.
- 14.13 The Chief Finance Officer shall assist Heads of Service to ensure that they are able to obtain ~~the fullest possible price advantage~~ best value in line with any appropriate corporate purchasing policy. Devon Audit Partnership will assist Heads of Service by carrying out relevant Value for Money exercises where resources allow.
- 14.14 Each Head of Service or other authorised officer is authorised, in accordance with this Constitution and powers delegated by the Council or the Leader of the Council, to incur normal recurring and non-recurring expenditure, subject to the following conditions:
- (a) Budgetary provision has been made for the expenditure by way of revenue or supplementary estimate or compensating income is recoverable from a third party; and
 - (b) The ~~quotation and tendering~~ procurement procedures described by the Contracts Procedures and these Financial Regulations have been observed and it has been demonstrated that ~~value for money~~ best value has been obtained, unless minuted authority has been given by the Council or Chief Finance Officer for their waiving.
- 14.15 In cases where orders have been lost by suppliers, confirmation of the order shall be given by sending a 'copy' of the order. This copy needs to be endorsed as being a copy as opposed to resending the original.
- 14.16 In the case of a major emergency (as declared by the Chief Executive or his/her authorised deputy), the ordering of goods, works or services may be undertaken by 'non-authorised' officers (i.e. no budgetary responsibility) as part of the Emergency Team. This may constitute the issue of verbal order. However, evidence of such orders must be appropriately documented with the senior officer responsible for dealing with the emergency informing of any costs likely to lead to significant expenditure by the Council.
- 14.17 In the case of an emergency and where officers identify a need for expenditure of a strategic nature, then the requirements of this Constitution should prevail.
- 15. Payment of Accounts/Invoices**
- 15.1 The payment of all money due from the Council shall be made by the Chief Finance Officer or authorised deputies, with the exception of payments made from imprest

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accounts and petty cash in line with section 8 above. (Note: Special arrangements have been made for some schools.)

- 15.2 Each Head of Service shall arrange for invoices to be sent in the first instance to the Payments Section and any exceptions to this must be previously agreed with the Payments Manager or deputy. In accordance with directions to be specified on the orders, the supplier shall be asked to quote the name of the Business Unit, the number of the order, details of the goods or service supplied and the place where the work was done or goods delivered.
- 15.3 Where purchases have been made using an approved Purchase Card scheme where one exists, it is the responsibility of each Head of Service to ensure that all card statements are checked, reconciled and authorised and that the goods/services are for business use and comply with all the current guidelines issued for Purchase Cards.
- 15.4 Invoices shall not be made out by officers of the Council except in any case or category of cases agreed by the Chief Finance Officer. Paper invoices shall only be accepted on which details are written in ink, typewritten, printed or computer generated. All invoices from VAT registered suppliers are required to be a valid VAT invoice in accordance with HMRC requirement. Emailed invoices can only be accepted if they are sent directly to the Payment Section by the supplier and where appropriate should quote a Financial Information Management System (FIMS) order number. Electronic invoices may be accepted from suppliers if they meet the Council's prescribed conditions in line with Statutory Legislation.
- 15.5 No amendments shall be made to an invoice. Incorrect invoices should be returned to the supplier for replacement. At the discretion of the Payments Manager or deputy, invoices which do not include a valid FIMS order number may be returned to the supplier requesting further information before payment is made.
- 15.6 The authorisation of an invoice implies that the responsible officer(s) has examined, verified and certified that:
- (a) The goods/services have been received, examined and approved as to quality and quantity, or that services rendered or work done have been performed satisfactorily;
 - (b) They conform to the order;
 - (c) The price is in accordance with the quotation, contract or current market rate, whichever is applicable or is otherwise reasonable;
 - (d) The arithmetic accuracy of the invoice is correct and that all trade and cash discounts, other proper allowances and other credits due have been deducted;
 - (e) The expenditure has been properly incurred, has been duly authorised and is within the financial provisions;
 - (f) The cost allocations are correct;
 - (g) The invoice has not previously been passed for payment and is a proper

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liability of the Council;

- (h) Where items of moveable property are purchased costing more than £500, an entry has been made in the appropriate Inventory;
- (i) Where the purchase is over £25,000 for a single item, an appropriate entry has been made in the Council's Asset Register maintained by the Chief Finance Officer
- (j) Where the value exceeds £5,000 Officers must ensure that the Contracts Register, available via Procurement, Contract Management and Commissioning, is completed.
- (k) The duties of "ordering; receiving goods, works and services" and then "certifying the relative invoices for payment" has not be performed by the same officer, subject to the Chief Finance Officer being informed if such a separation of duties in any individual instance is impracticable.

The above checks should be undertaken irrespective of the order or payment mechanism used.

- 15.7 A list of officers authorised to certify invoices/vouchers shall be sent by each Head of Service to the FIMS Systems Team, including specimen signatures and initials. All amendments to the list shall be notified to the Chief Finance Officer in writing.
- 15.8 Invoices not received centrally (by prior agreement) shall be date stamped, examined by the Business Unit promptly and submitted within 3 working days to the Payments Section for payment. Care should be taken to ensure that 'prompt payment' discounts are not lost or any penalties incurred (i.e. late payment fees).
- 15.9 There are certain circumstances when it may be necessary to make a 'Manual' Payment:
- (a) Invoices received (where a POP order was not required, as per 15.1);
 - (b) Payment required, but no invoice received and POP order not required as per 15.1; or
 - (c) Special arrangements, due to the nature of the service (i.e. Occupational Health); or one-off payments at the discretion of the Payments Manager.

Although these types of payments are classified as 'Manual', the method by which they are actually paid could vary, i.e. via a paper voucher or an electronic process. Authorisation for such payments (where appropriate) are in line with the Council's main Financial system, and a list of the types of payments falling into the above categories is held within the Payments Section 'Processes & Procedures' document (subject to change).

- 15.10 The Payments Section shall examine, in so far as is considered necessary, all invoices passed for payment and shall be entitled to make all such enquiries and to receive such information and explanations as are necessary to ensure that the invoices are in order.
- 15.11 Subject to the foregoing regulations being complied with, the Payments Section

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shall pay all invoices passed for payment.

- 15.12 All paid invoices and certificates shall be retained by the Chief Finance Officer, or authorised officer, in line with the Council's Retention of Documents Policy.
- 15.13 Each Head of Service, or authorised deputy, shall be responsible for prompt processing of invoices. This includes both FIMS and manually processed invoices and shall imply the following:
- (a) Prompt despatch of manually certified invoices to the Payments Section;
 - (b) Prompt receipt goods/services (also known as GRN) on the FIMS system;
 - (c) Prompt response to system generated Business Event Manager messages with regard to mismatched (held) invoices on the FIMS system; and
 - ~~(d)~~ ~~(d)~~ Prompt response to emails from the Payment Section with regards to logged invoices.
- ~~(d)~~(e) Compliance with the duty under the Procurement Act 2023 to make payment within 30 days of receipt of the invoice.

16. Salaries, Wages, Travelling, Subsistence and Other Expenses

- 16.1 All staff must comply with the current version of the Council's Human Resources Policies in respect of salaries, wages, travelling subsistence and other expenses.

17. Members' Allowances

- 17.1 Allowances for the Leader of the Council and councillors shall be paid in accordance with the Council's approved Members' Allowance Scheme as set in the Council's Constitution.

18. Insurance

- 18.1 The Insurance Manager, in consultation with the Head of Legal Services and Chief Finance Officer, shall effect all approved insurance cover and negotiate all claims and maintain necessary records.
- 18.2 Each Head of Service shall give prompt notification to the Insurance Manager of all new risks to be insured, any existing risks for which cover is no longer required and any changes to existing policies.
- 18.3 If there has been a failure by a Head of Service (or equivalent) to take reasonable precautions to prevent or minimise accidental injury, loss or damage or a disregard to Health and Safety requirements or the Council's Risk Management policy an uninsured loss (excess) may be charged to the client department concerned.
- 18.4 Each Head of Service must notify the Insurance Manager as soon as is practically possible and then confirm in writing details of any loss, liability or damage or any event likely to lead to a claim against the Council.
- 18.5 Heads of Service must assist the Insurance Manager by supplying all information required promptly in order that the Insurance Manager may comply with current legislation and enable claims to be settled as quickly as possible.

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- 18.6 The Insurance Manager shall, at regular intervals, provide other Head's of Service with details as to the progress and eventual settlement of all claims made on their behalf.
- 18.7 The Heads of Service shall maintain a continuous review of insurance cover held, which must include a regular review of valuations and the types of risks covered by existing policies.
- 18.8 All appropriate Council employees shall be insured by fidelity guarantee insurance.
- 18.9 No indemnities shall be given without the written authority of the Head of Legal Services, who will inform the Council's insurers when appropriate.
- 18.10 The Head of Legal Services and the Chief Finance Officer in consultation with the Insurance Manager shall administer the Council's Insurance Fund and take appropriate decisions regarding all insurance strategies. This will include financing expenditure from the fund to mitigate future risks in line with the protocol for managing the Insurance Fund.
- 18.11 The Insurance Manager will determine whether leased out property is insured by the Council or tenant. Where the tenant does not insure, the Asset Management Service will recover the insurance charge on behalf of the Council, through the lease.
- 18.12 All external contracts with a value exceeding £25,000 must include a requirement for the supplier to hold appropriate levels of insurance for the goods, services or works supplied. These must be checked at the point the contract is awarded and on at least an annual basis during the term of the contract.

19. Risk Management

- 19.1 Directors, Assistant Directors and Heads of Service shall ensure that risk is managed effectively in each service area within the agreed Performance and Risk Framework by ensuring all staff are aware of the Strategy and the processes detailed within it.
- 19.2 Heads of Service and Service Managers will identify and manage risks within their area of responsibility and these shall be communicated directly to the Head of Policy, Performance and Community Engagement for inclusion on the appropriate Risk Registers.

20. Security

- 20.1 Each Head of Service is responsible for maintaining proper security of assets used by their service such as cash, keys and equipment at all times and shall consult the Chief Finance Officer where security is thought to be defective or where it is considered that special security arrangements may be needed.
- 20.2 The loss of any assets must be reported to the Head of Devon Audit Partnership and the Chief Finance Officer.
- 20.3 Each Head of Service is responsible for maintaining proper security of all buildings, furniture and equipment under their control. They shall ensure that all members of

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their staff are aware of the Corporate Security Policy, of their responsibility for the security of offices, the possession of keys and other means of access.

21. Group Entities

- 21.1 Council associates and subsidiary companies shall comply with accounting treatments and reporting as required by Chief Finance Officer to meet Council reporting requirements.

22 Working with our Partners

- 22.1 All Council arrangements with partners, in whatever legal form, that involves the Council's expenditure, income, service provision, assets, liabilities or data will apply the Financial Regulations and comply with the Council's information governance, system access and user requirements as if they were staff employed by Council. Where appropriate they will also comply with the Council's Code of Corporate Governance.
- 22.2 Financial Regulations apply to individuals and companies acting as staff although not employed as such e.g. agency staff, seconded staff and other contractual arrangements.
- 22.3 The Financial Regulations apply to the Council and any associated companies. The Chief Finance Officer legislative requirements apply to all council assets and liabilities included subsidiary companies. The Chief Finance Officer therefore has responsibility for the financial systems, financial procedures and financial regulations in use by the subsidiary companies.
- 22.4 Working arrangements with partners to include, but not exclusively, companies the Council has a shareholding in, joint committees, pooled budgets, specific client/contractor relationships, Health Act joint working and shared services. Heads of Service are to inform the Chief Finance Officer of any working arrangement entered into to ensure all parties are aware of their responsibilities in relation to Financial Regulations.
- 22.5 The Chief Finance Officer:-
- (a) Must ensure that the accounting arrangements to be adopted when working with our partners are satisfactory;
 - (b) Consider overall corporate governance arrangements and legal issues, in consultation with the Monitoring Officer, when arranging contracts with external bodies;
 - (c) Ensure risks have been fully appraised before agreements are entered into with external bodies; and
 - (d) Must protect Council data.
- 22.6 The Chief Finance Officer must ensure, where appropriate, partners:-
- (a) Are aware of their responsibilities under the Council's Financial Regulations

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and Contracts Procedures in particular Council procurement and contract guidance, and Information Governance standards;

- (b) Permit an “open book” access to information as required by the Chief Finance Officer;
- (c) Provide information the Council relies on in a form and to a timetable as defined by the Chief Finance Officer or relevant contract;
- (d) Must not incur expenditure which will be funded by the Council without establishing that an approved budget exists and the approval of Council’s Budget Holder;
- (e) Can not authorise a payment from the Council to themselves;
- (f) Access to the Council’s finance and other systems is to be approved by the Chief Finance Officer or Head of Service. Access to be reviewed on an annual basis; and
- (g) Have agreed and formally accepted the roles and responsibilities of each of the partners involved in the project before the project commences.

22.7 Where partner uses the Council’s Financial Management Information System (FIMS) on behalf of the Council. The Head of Service in consultation with the Chief Finance Officer is to ensure that the partner fulfils the Council’s requirements in relation to its statutory duties and the Constitution including these Financial Regulations.

22.8 For the avoidance of doubt partners must adhere to the Council’s Financial Regulations and guidance on income, rental agreements, write offs and credit notes.

22.9 Partners must also adhere the Council’s Financial Regulations and Information Governance in relation to information held by or accessed by partners on other Council’s systems e.g. Asset Register and Paris.

22.10 The Chief Finance Officer is to approve access to Council systems for internal (Devon Audit Partnership) and the Council’s appointed External Auditors

23. The Council working for third parties

23.1 All proposals for working with third parties are to be fully costed. Where these costings exceed £25,000 approval from the Chief Finance Officer is required before contracts are drawn up or when applying for a contract opportunity through a tender process.

23.2 Advice should be sought from Procurement, Contract Management and Commissioning Commercial Services when applying for a contract opportunity through a tender process.

23.3 The Chief Finance Officer, in consultation with Heads of Service, must ensure:-

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- a) That the Council is not put at risk from bad debts wherever possible;
- b) The contract is not subsidised by the Council;
- c) That wherever possible, payment is received in advance of delivery of the service;
- d) That such contracts do not impact adversely upon the services provided by the Council; and
- e) Insurance arrangements are in place.

23.4 Heads of Service will provide any documentation or information the Chief Finance Officer requires for financial reporting.

Contracts Procedures

A. Introduction

24. Procurement Definition

24.1 Procurement is the award, entry into and management of a contract.

24.2 In the context of these Procedures reference to Procurement includes:

- a. any step taken for the purpose of awarding, entering into or managing the contract;
- b. all or part of the procurement; and
- c. termination of the procurement before award of the contract;

regardless of whether the procurement is covered under public procurement legislation.

25. Procurement Objectives

25.1 When putting external contracts in place the Council will give regard to the importance of:

- a. delivering value for money;
- b. maximising public benefit;
- c. sharing information for the purposes of allowing Suppliers and others to understand the Council's procurement policies and decisions;
- d. acting, and being seen to act, with integrity (acting transparently, fairly and proportionately); and
- e. supporting achievement of the strategic priorities set out in the Torbay Community and Corporate Plan.

25.2 During a Procurement the Council will treat Suppliers the same unless a difference between the Suppliers justifies different treatment. Where different treatment is justified the Council will take all reasonable steps to ensure it does not put a Supplier at an unfair advantage or disadvantage.

25.3 The Council will give regard to the fact that small and medium-sized enterprises may face particular barriers to participation and will consider whether such barriers can be removed or reduced without putting a Supplier at an unfair advantage or disadvantage.

25.4 The Council will give regard to the strategic priorities set out in the National Procurement Policy Statement.

25.5 Where the Procurement falls under the Health Care Services (Provider Selection Regime) Regulations 2023 (PSR) the Council will act with a view to:

- a. securing the needs of people who use the services;
- b. improving the quality of the services; and
- c. improving efficiency in the provision of services.

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26. Governing Legislation

- 26.1 These Contract Procedures are made under Section 135 of the Local Government Act 1972 and take into consideration the requirements of Sections 1 to 29 of the Local Government Act 1999.
- 26.2 These Procedures are governed by:
- a. the World Trade Organisation Agreement on Government Procurement (GPA), which takes precedence over national procurement regulations and legislation;
 - b. the Procurement Act 2023 (for goods, services and works procurements commenced on or ~~or~~ after 24 February/02/ 2025) which, where they apply, take precedence over local procurement consideration;
 - c. the Health Care Services (Provider Selection Regime) Regulations 2023 (for relevant health care services procurements commenced on or after 01 January /01/2024) which, where they apply, take precedence over the Regulations and local considerations;
 - ~~b.d.~~ the Public Contract Regulations 2015, the Concession Contract Regulations 2016 and Utilities Contract Regulations 2016 (collectively the Regulations) (for goods, services and works procurements commenced before 24 February /02/2025 and relevant health care services procurements commenced before 01/01/ January 2024) which, where they apply, take precedence over local procurement considerations;
 - ~~c.~~ the Health Care Services (Provider Selection Regime) Regulations 2023 which, where they apply, take precedence over the Regulations and local considerations;
 - ~~d.e.~~ other applicable primary or secondary legislation (including, but not limited to, the Procurement Regulations 2024 effective from 24 February /02/ 2025) and regulations (refer to definitions for further details); and
 - ~~e.f.~~ the Council's Constitution, specifically Financial Regulations and the Officer Scheme of Delegation.
- 26.3 In implementing these Procedures the Council will give due regard to best practice and national guidance, including government Procurement Policy Notes (PPNs) and Procurement Playbooks; the National Procurement Policy Statement, National Procurement Strategy for Local Government in England and relevant case law.

27. Application of Contract Procedures

- 27.1 These Procedures constitute the Council's Procurement governance framework, how the Council will implement these Procedures is set out in the Commercial Policy.
- 27.2 These Procedures will be fully applied by any Officer or agent of the Council for:
- a. all Contracts for goods, services, supplies and works, including spot purchased, ad-hoc or one-off requirements;
 - b. the expenditure of third-party funding;
 - c. all Contracts for services and works concessions;

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- d. the disposal of assets or awarding of leases and development agreements where it becomes a procurement as defined in section 9 of the Financial Regulations, [the Procurement Act 2023](#) or the Public Contracts Regulations 2015; and
- e. applicable collaborative Contracts or expenditure devolved to a third party Contracting in the Council's name.

27.3 These procedures will be applied in part as applicable by any Officer or agent of the Council for:

- a. the expenditure of third-party funding, where the funder has specified a procurement method which differs from that set out in these Procedures; or
- b. the award of grants (refer to the Commercial Policy for further information on the award of grants); or
- c. direct awards to Council wholly owned companies, companies where the Council has joint ownership with other contracting authorities or between the Council and one or more other contracting authorities, or

d. permitted direct awards for the provision of specific services to individual children and young people; or

e. [The following contracts exempted under Part 1 of Schedule 2 of the Procurement Act 2023:](#)

- i. [vertical arrangements](#)
- ii. [horizontal arrangements](#)
- iii. [defence and security contracts](#)
- iv. [utilities contracts](#)

f. [The following subject-matter exempted contracts under Part 2 of Schedule 2 of the Procurement Act 2023, with the exception of the subject-matter exempted contracts identified at 27.4a. below.](#)

- i. [Broadcasting](#)
- ii. [Electronic communications services](#)
- iii. [alternative dispute resolution services](#)
- iv. [legal services](#)
- v. [research and development services](#)
- vi. [utilities contracts](#)
- +vii. [concessions contracts](#)

e.g. permitted direct awards under [the Health Care Services \(Provider Selection Regime\) Regulations 2023](#)PSR; or

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e-h. where the requirements of regulation 12 of the Public Contracts Regulations 2015 or regulation 17 of the Concession Contracts Regulations 2016 are met¹; or

f.i. works contracts where a Utility has a non-contestable right to undertake the work; or

g-j. contracts covered under regulation 9, 10(c), 10 (d), 10(h), 10(i), 10(j), 11 and 17 of the Public Contracts Regulations 2015²; or

h-k. contracts covered under regulation 10, 11, 12, 13, 14 and 16 of the Concessions Contracts Regulations 2016³.

27.4 These procedures will not apply to:

a. the following subject-matter contracts specifically exempted under Schedule 2 of the Procurement Act 2023:

i. land and buildings

ii. financial services

iii. employment

iv. emergency services

v. public passenger services

vi. international agreements and organisations

vii. national security

viii. intelligence activities

ix. defence and security

ix. commercial contracts of the City of London

b. contracts excluded under regulations 8, 10(a), 10(b), 10(e), 10(f) and 10(g) of the Public Contracts Regulations 2015⁴, or

c. the disposal of assets (such as land) and the awarding of leases, except where it becomes a procurement as defined in section 9 of the Financial Regulations or the Public Contracts Regulations 2015; or

d. sponsorships.

24.2 These Procedures, supported by relevant policies, procedures and guidance, set out the minimum standards necessary to:

e. deliver best value, economy, efficiency and effectiveness within external Contracts;

f. meet legislative requirements;

g. avoid practices which may distort, restrict or prevent competition; and

¹ refer to definitions for further details

² refer to definitions for further details

³ refer to definitions for further details

⁴ refer to definitions for further details

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e-h. meet transparency obligations in relation to the spending of public funds;

24.3 The only exemptions to these Procedures are those set out in Section H (Waivers).

28. Contracting Authority

24.4 Torbay Council (the Council) is the Contracting Authority, this means all Contracts will be executed in the Council’s name and not in the name of individual directorates or services.

24.5 Where a company wholly owned by the Council is putting a Contract in place this will also be in the Council’s name unless the wholly owned company is the Contracting Authority.

24.6 Where the Council is entering into a collaborative Contract with other public sector organisations the Council may not be Contracting Authority but will remain accountable for ensuring the Contract is put in place in a compliant manner and for meeting its obligations under the Contract.

29. Roles and Responsibilities

Table 1: RACI Matrix

Task	Monitoring Officer / section 151 Officer	Directors / Divisional Directors	Commercial Services Team	Officers / Agents ⁵ of the Council	Members	Internal Audit
Administration and monitoring or these Procedures	A / R	C	C	I	I	I
Ensuring understanding of and compliance with these Procedures	A	A	C	R	R	I
Advising on the Application of these Procedures	A	C	R	C	I	C
Developing the policy, guidance and training materials which sit below these Procedures	I	I	A / R	C	C	C
Completing Procurement training relevant to the role	I	A	C	R	R	I

⁵ Including staff within Council wholly or jointly owned companies

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Monitoring and reporting compliance with these Procedures	A	R	R	I	R	C
Definitions						
R = Responsible The people who do the work to complete the task.			A = Accountable The person who makes sure the responsible people know the expectations and complete the task on time.			
C = Consulted The people who provide input and feedback on the work, as they have a stake in the outcome of the task.			I = Informed The people who need to be aware of the progress of the task, they need to know what is going on but are not decision makers			

30. Breach of Contract Procedures

- 30.1 Any breach of these procedures will be dealt with in accordance with the Council’s Commercial Policy and human resources policies.
- 30.2 Where the breach is also a breach of legislation or regulations the Council and / or individual Officers may be subject to legal proceedings.

31. Use of Consultants

- 31.1 Any consultant or agent acting for the Council in a procurement capacity will be required to comply with the requirements of these procedures and must be competent in public procurement.

32. Spend Category Definitions

- 32.1 Services – the provision of any type of service other than those which fall within the definition of a works Contract or a social and other specific services Contract.
- 32.2 Light Touch / Social and Other Specific Services – the provision of certain health, education, social, religious, hospitality, legal, security, community and prison related services.
- 32.3 Relevant Health Care Services - any service that has a direct effect on the health of the service user accessing it.
- 32.4 ~~Supplies-Goods~~ – the purchase, lease, rental or hire purchase (with or without an option to buy) of goods, supplies or products, which may also include, incidental to the supply, the siting or installation of the product.
- 32.5 Works – the execution or design and execution of construction, civil engineering, demolition, building installation and building completion works.
- 32.6 Concession – the supply, for financial interest, of works or services where at least part of the consideration for that supply is a right for the Supplier to exploit the works or services and where the Supplier is exposed to real operating risk.

B. Procurement Planning

33. Authority to Undertake a Procurement and Award Contracts

- 33.1 Approval to commence a Procurement and the subsequent award of a Contract will be obtained in accordance with the Officer Scheme of Delegation.
- 33.2 Officers undertaking procurement activity will be appropriately trained in accordance with the requirements set out in the Commercial Policy.

34. Estimated Value of the Contract

- 34.1 The estimated value of a Contract will be calculated in accordance with the requirements set out in the Regulations and the Commercial Policy, considering any options to extend the Contract and/or the division of the Contract into lots.
- 34.2 The Council will not sub-divide or artificially disaggregate Contract values in any way and will consider spend across the whole Council for the requirement.

35. Threshold Values

- 35.1 The UK Government biennially sets Threshold Values for the purposes of applying the Regulations. There are different Threshold Values for goods and services and supplies, light touch services, works and concessions (services and works) Contracts.
- 35.2 The Council will take the Threshold into account when determining how to conduct a Procurement.

36. Procurement Timescales

- 36.1 The time limit for receipt of Tenders will be set in accordance with the requirements of the Regulations for above Threshold Procurements, considering the procurement procedure used, the complexity of the Contract and the length of time required by Suppliers to complete their Tender.
- 36.2 The time limit for receipt of Tenders for below Threshold Procurements will be based on the complexity of the Contract and the time required by Suppliers to complete their Tender.

37. Conflicts of Interest

- 37.1 To avoid any distortion of competition and ensure equal treatment of Suppliers the Council will take all appropriate measures to effectively identify, remedy and prevent any conflicts of interest which may arise during the course of a Procurement, in accordance with regulatory requirements (e.g. Part 5 of Chapter 6 of the Procurement Act 2023, regulation 24⁶ of the Public Contracts Regulations 2015) and the Commercial Policy.
- 37.2 Officers will be bound by their obligations under the Code of Conduct for Employees and the Bribery Act 2010.

⁶ refer to definitions for further details

38. Confidentiality

- 38.1 The Council will consider any requirements for the disclosure of information under the Regulations, Freedom of Information Act and any other requirement or permission that is applicable under the law.
- 38.2 All Officers, agents of the Council or other stakeholders having access to information or documentation about the Procurement will be bound by the confidentiality requirements set out in the Commercial Policy.
- 38.3 Where there is a requirement to share confidential information with Suppliers, such as details relating to the transfer of staff, this will not be disclosed unless the Supplier has signed and submitted an appropriate Confidentiality Agreement.

39. Risk Assessments

- 39.1 The Council will take a risk-based approach to determining the route to market and level of Contract management required for individual Contracts. This approach is set out in the Commercial Policy.
- 39.2 For high value Contracts where there is a significant level of risk the Council may consider the requirement for a Supplier to provide some form of bond or guarantee. The inclusion of bonds or guarantees will be subject to the approval of any officer within Financial Services nominated by the Director of Finance to give such approval.
- 39.3 The assessment of Supplier financial standing will be undertaken in a manner that is proportionate to the nature of the Contract and level of risk, giving due regard to ensuring requirements do not have the effect of disadvantaging SMEs, VCSEs or new businesses or barring them from Tendering.

C. Routes to Market

40. Procurement Procedures

- 40.1 The procurement procedure used will be established in accordance with [Table 2](#)~~Table 2~~, considering the value, complexity and risk associated with the Contract.
- 40.2 Instructions on how to calculate the estimated value and full details of the individual procurement options are contained within the Commercial Policy.

Below Threshold Procurements

- 40.3 Commercial Services will establish the appropriate route to market from those identified in [Table 2](#)~~Table 2~~ considering the value, risk and complexity of the Contract and market capacity.

Above Threshold Procurements

- 40.4 The Council will use only those procedures permitted under the Regulations, Commercial Services will establish the appropriate route to market considering the value, risk and complexity of the Contract and size of the market. This includes the use of Framework Agreements, ~~and~~ Dynamic Purchasing Systems ([procured under the Public Contracts Regulations 2015 and available for use, in accordance with the transition arrangements set out in the Procurement Act 2023, after 24 February 2025](#)) and [Dynamic Markets](#) which the Council is eligible to access and where the Procurement can be undertaken in accordance with the specific call-off process.

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Table 2: Procurement procedures - below and above threshold Contracts

<u>Goods/Services⁷/Supplies/Works⁸</u> Estimated Value of the Procurement	Procurement Procedure
Up to £25,000	<p>Where the requirement is not complex and can be assessed purely on the basis of price or price and simple quality requirements:</p> <ul style="list-style-type: none"> • obtain at least one written quote. To ensure best value quotes should be requested from a minimum of three Suppliers; • wherever possible, this should include two Torbay based Suppliers. <p>Where award of the Contract is subject to complex quality requirements one of the options from £25,001 to Threshold should be used.</p>
£25,0001 to Threshold	<p>The most appropriate option identified by Commercial Services, considering risk, value, complexity, market and urgency of the Contract:</p> <ul style="list-style-type: none"> • informal or formal written quotes from at least three Suppliers by email, wherever possible this should include two Torbay based Suppliers; • informal or formal written quotes through the SupplyDevon hub, targeting Torbay based Suppliers; • request for quote from at least three Suppliers through the Council's e-tendering portal, wherever possible this should include two Torbay based Suppliers; • open invitation to tender through the Council's e-tendering portal; • call-off from an established framework or dynamic purchasing system; • call-off from an approved standing list; • direct award to a company wholly owned by the Council or jointly owned with other contracting authorities where best value is demonstrated; • direct award to another contracting authority where best value is demonstrated; • direct award where it can be clearly demonstrated that only one Supplier can meet the need (refer to the Commercial Policy and guidance for the specific circumstances under which a direct award can be considered).
Above Threshold	<ul style="list-style-type: none"> • advertised invitation to tender through the Council's e-tendering portal;

⁷ Including Service Concessions

⁸ Including Works Concessions

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<u>Goods/Services⁷/Supplies/Works⁸</u> Estimated Value of the Procurement	Procurement Procedure
	<ul style="list-style-type: none"> • call-off from an established framework, <u>dynamic market</u> or dynamic purchasing system; • direct award to a company wholly owned by the Council or jointly owned with other contracting authorities where the conditions set out in the Regulations permitting a direct award are met and best value is demonstrated; • direct award to another contracting authority where the conditions set out in the Regulations permitting direct are met <u>and</u> best value is demonstrated.

40.5 Where the Contract relates to funding provided by an external body the procurement procedure selected must comply with any requirements or thresholds set by the funder or laid out in relevant statutory guidance. Where there is no such guidance the process will be established in accordance with 40.1 above.

Procurements captured by the Health Care Services (Provider Selection Regime) Regulations (PSR)-2023 (PSR)

40.6 There are no spend thresholds associated with PSR, the Procurement procedure used will be established in accordance with PSR guidance and will comprise only those the procedures permitted under the legislation as set out in Table 3 ~~Table 3~~.

40.7 Procurement under PSR will be undertaken in all cases where the subject matter of the Contract encompasses any of the relevant health care specified within the legislation.

40.8 When a contract comprises a mixture of in-scope health care services and out-of-scope goods or services, relevant authorities may only use the PSR to arrange those services when both of the below requirements are satisfied:

- a. the main subject-matter⁹ of the Contract is in-scope healthcare services;
- b. the relevant authority is of the view that the other goods or services could not reasonably be supplied under a separate contract.

Table 3: Procurements for health services which fall under the Provider Selection Regime

In-scope Health Care Services	Procurement Procedure
All levels of spend – Procurements where all of the requirements are captured under PSR	One of the following options will be used, subject to the specific circumstances set out in the PSR which apply to the contract: <ul style="list-style-type: none"> • direct award process A; • direct award process B; • direct award process C;

⁹ The main subject-matter of the contract is determined by the component that is higher: a) the estimated lifetime value of the health care services; or b) the estimated lifetime value of the other goods or services.

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In-scope Health Care Services	Procurement Procedure
	<ul style="list-style-type: none"> the most suitable provider; the competitive process.
All levels of spend – Mixed Procurements where only some of the requirements are captured under PSR	<ul style="list-style-type: none"> here all of the conditions for undertaking a mixed procurement under PSR are met the appropriate Procurement procedure as set out above will be used. where all of the conditions for undertaking a mixed procurement under PSR are not met the appropriate Procurement procedure as set out above will be used for those requirements which fall under PSR, all other requirements will be procured in accordance with Table 2Table-2 .

40.9 Further information on PSR award processes is provided within the Commercial Policy or can be found at: [NHS England » The Provider Selection Regime: statutory guidance](#).

41. Tender Advertising and Publication of Awarded Contracts

41.1 The Council will advertise procurements and publish details of awarded Contracts as follows:

Table 4: Advertising and publication requirements under the Regulations, Local Government Transparency Code and PSR

Notice Type	Below Threshold Procurements ¹⁰	Above Threshold Procurements
Prior Information	In some cases, a Prior Information Notice (PIN) may be published to inform the market of the Council's intention to issue a Tender in the future or to advertise Contract specific Supplier events.	
Advertising Tenders with restricted competition	There is no requirement to publicly advertise Tenders with a value below £5,000 (excl. VAT). Tenders with a value of £5,000 (excl. VAT) or more, where competition is restricted to pre-selected Suppliers (including quote processes, Framework further competitions and some awards through the waiver process) will not be publicly advertised.	Framework further competitions and all other forms of restricted competition will not be publicly advertised.
Advertising Tenders with open competition	All open Tenders with a value between £5,000 (excl. VAT) and £30,000 (inc. VAT) will be	As a minimum all open Tenders will be advertised in accordance with the advertising requirements set

¹⁰ Please note there are no thresholds in respect of Procurements carried out under PSR

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Notice Type	Below Threshold Procurements ¹⁰	Above Threshold Procurements
	<p>advertised in a manner appropriate to the route to market and the contract being tendered.</p> <p>As a minimum all open Procurements with a value in excess of £30,000 (inc. VAT) will be advertised in accordance with the advertising requirements set out in the Regulations and on the Council's E-tendering System.</p>	<p>out in the Regulations and on the Council's E-tendering System.</p>
<p>Other means of advertising</p>	<p>In addition to the advertising requirements set out above, where applicable to the nature of the Contract, the opportunity may be advertised through other means, including social media or in relevant trade publications.</p>	
<p>Publishing contract award notices</p>	<p>As a minimum details of awarded Contracts with a value of £30,000 (inc. VAT) or more will be published in accordance with the publication requirements set out in the Regulations</p> <p>Where the Procurement is conducted under PSR, details of awarded contracts will be published in accordance with the requirements set out in PSR.</p>	<p>As a minimum notices relating to the award of a Contract will be published in accordance with the publication requirements set out in the Regulations or PSR.</p>
<p>Publishing contract modification notices</p>	<p>As a minimum notices relating to the modification of a Contract will be published in accordance with the publication requirements set out in the Regulations or PSR.</p>	
<p>Contracts Register</p>	<p>Where it meets the threshold (£5,000 excl. VAT) for publication under the Local Government Transparency Code 2015 details of the awarded Contract will be published on the Council's Contracts Register.</p> <p>Details of awarded Contracts with a value below £5,000 (excl. VAT) will not be published, other than where they appear on the Spend Over £500 report.</p> <p>The Contracts Register will be updated when a Contract is extended, varied or terminated.</p>	

41.2 The Council will make all documents and information (other than that considered to be confidential) relating to the Procurement and its requirements available to Suppliers at the start of the procurement, where applicable this will be within any timescales from the date of publication set out in the Regulations.

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- 41.3 Suppliers will be given free and unrestricted access to Tender documents, other than where they are of a confidential nature.
- 41.4 Confidential information will be issued to Suppliers following completion and submission of a confidentiality agreement.
- 41.5 The Council will run procurements through the E-tendering System where:
- the Contract is above Threshold, including where competition is restricted (e.g. Framework further competitions, [Dynamic Market](#) and DPS call-offs¹¹);
 - for below Threshold Contracts the procurement procedure used specifically requires use of the E-tendering System or where it is considered appropriate for market and process being undertaken.

unless the Commercial Services Team considers use of the E-Tendering System is not deemed appropriate for a particular procurement, e.g., where a Framework / DPS owner specifies use of an alternative system.

D. Procurement Process and Tender ~~Evaluation~~Assessment

42. Communication

- 42.1 The Tender documents will specify:
- the manner in which Suppliers must submit clarification questions during the tender period and the deadline for submission of clarification questions;
 - the manner and timescales in which the Council will respond to clarification questions;
 - the manner in which post tender clarification questions will be issued to Suppliers and the manner in which they must respond.
- 42.2 Suppliers' clarification questions will be restricted to questions relating to the Tender documentation or the process as a whole. The Council will not accept or respond to questions relating to the negotiation of any of the substantive terms and conditions of the Tender.
- 42.3 Unless a Supplier's question is innovation based the response will be provided to all prospective Suppliers. The identity of the Supplier who raised the question will remain confidential.
- 42.4 Where a clarification leads to amendments to the Tender documents or any of the Tender requirements, the changes will be communicated to Suppliers either through the clarification process for the procurement or through the issuing of clearly marked revised documents, as applicable to the nature of the change.
- 42.5 Where Tender documents are subject to significant modification the Council will extend the submission deadline where it is deemed further time is required by Suppliers to address the changes.
- 42.6 Post tender clarification will be for the sole purpose of clarifying the content of a Supplier's submission. The Council will not enter into negotiations on fundamental aspects of a submitted Tender which is likely to distort competition.

¹¹ [Refer to 40.4 for further information on use of DPS](#)

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- 42.7 Post tender clarification may be issued electronically or during a formal meeting with the Supplier. Where post tender clarification meetings are held a record of the meeting will be made and held on file.
- 42.8 The Council will consider whether any specific post tender clarification questions relate to and should be asked to just one or all Suppliers.
- 42.9 Where post tender clarification results in a material change to the requirements and/or resultant Contract approval to proceed with the Procurement will be sought from the Commercial Services Team.
- 42.10 Where the Tender is being run through the E-Tendering System all communication with prospective Suppliers will be conducted through the E-Tendering System.

43. Reserved Contracts

- 43.1 The Council may reserve the right to restrict participation in a particular Procurement where explicitly permitted to do so under the Regulations or other secondary legislation, including sheltered workshops / sheltered employment programmes, social enterprises / public service mutuals and SMEs or VCSEs.

44. Collaborative Arrangements

- 44.1 Where it is of benefit to the Council, considering any adverse effect on the local economy, opportunities to collaborate with other public bodies or use existing national or regional Contracts, Frameworks and Dynamic Purchasing Systems, including those put in place by Central Purchasing Bodies, will be explored.

45. Tender Pack

- 45.1 The Council's above Threshold Tender templates will be used for all above Threshold procurements to ensure compliance with Regulations and consistency for Suppliers, other than where use of a Framework Agreement or DPS requires use of specific Tender documents.
- 45.2 The Council's below Threshold Tender templates will be used for below threshold procurements where it is appropriate to do so, subject to the nature and complexity of the Contract, to provide consistency for Suppliers.
- 45.3 Where the value of the Contract is £25,000 (excl. VAT) or more the Council will issue an appropriate set of terms and conditions with the Tender pack, this may be the Council's own standard terms for the provision of goods or services ~~or supplies~~, industry standard contracts such as JCT and NEC, Framework or DPS call-off contracts.

46. Tender Submission, Opening and Acceptance

- 46.1 The manner and deadline for submission of Tenders will be set out in the Tender documents, the Council will only accept Tenders submitted in accordance with the Tender requirements.
- 46.2 Where the E-Tendering System is used all above Threshold Tenders and some below Threshold Tenders will be electronically sealed until the submission deadline has passed. Tenders will be unsealed at the same time by an authorised Verifier, independent of the Procurement, in the presence of the relevant procurement lead officer.

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- 46.3 The Council will not accept Tenders which are received after the prescribed date and time for submission.
- 46.4 The Council will, at its sole discretion, have the right to reject Tenders under any of the following circumstances:
- a. the Supplier has not submitted a full Tender response, i.e. where response documents are missing or are not fully completed;
 - b. the Supplier has not submitted their Tender response in the format stipulated in the Tender documents;
 - c. the Supplier is in breach of any of the conditions set out in the Tender documents;
 - d. the price submitted by the Supplier is deemed by the Council to be abnormally low where, in accordance with the Regulations, the Supplier is unable to satisfactorily account for the low price or the Supplier has received a Subsidy which has resulted in a distortion of competition;
 - e. where the price exceeds the budget declared in the Tender documents and it is stated that Suppliers' prices cannot exceed that budget.
- 46.5 If the lowest price obtained exceeds the Threshold and the Procurement has not been undertaken in accordance with the Regulations the Council will restart or abandon the Procurement.

47. Tender ~~Evaluation~~Assessment

- 47.1 Tenders will be ~~evaluated~~ assessed against the criteria set out in the Tender documents, including any sub-criteria, weightings and scoring methodology. The ~~evaluation~~ assessment criteria will be proportionate and applicable to the nature, value, level of risk and complexity of the Contract and cover the following:
- a. Mandatory and discretionary grounds for exclusion – this looks backwards at whether the supplier and any other organisations (including parent company or sub-contractors) have been convicted of any of the offences set out in Schedule 6 (Mandatory Exclusions Grounds) or Schedule 7 (Discretionary Exclusion Grounds) of the Procurement Act 2023 or any other mandatory or discretionary exclusion grounds relevant to the regulations under which the contract is being procured.
 - a-b. ~~Selection criteria~~ Conditions of Participation – this looks backwards at the Supplier's track record, considering ~~grounds for mandatory or discretionary exclusion as set out in the Regulations,~~ their suitability to pursue a professional activity, economic and financial standing and technical and professional ability; and
 - b-c. Award criteria – this looks forwards at what will be provided under the Contract, directly linked to the subject matter of the Contract, used to establish the Most Advantageous Tender (MAT) and comprising an assessment of quality, price and social value.

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47.2 Where there are errors or discrepancies within a Supplier's Tender response the Council will give the Supplier the opportunity to rectify the errors or discrepancies only if it is determined the Supplier will not gain an unfair advantage.

47.3 ~~Evaluation~~Assessments will be conducted by an appropriately skilled and experienced panel and, subject to the route to market, will be moderated by a member of the Commercial Services Team.

E. Award Procedures

48. Contract Award

48.1 Contracts will be awarded in accordance with the stated criteria and all awards will be approved in accordance with the Officer Scheme of Delegation.

48.2 The Council will notify Suppliers of the Tender outcome in accordance with the requirements of the Regulations (where applicable), the Commercial Policy. Where mandated under the Regulations this will include the observance of a standstill period before the Contract can be entered into.

48.3 Where applicable the Council will prepare an award report as required under Regulation 84 of the Public Contracts Regulations 2015 or the Procurement Act 2023 and any associated secondary legislation such as the Procurement Regulations 2024.

48.4 Notices will be published as stated in paragraph 42 (Tender Advertising and Publication of Awarded Contracts).

49. Contracts Arrangements

Note: This Procedure (so far as it relates to Contracts entered in the course of the discharge of executive functions) complies with the requirements of Article 8 of the Local Authorities (Executive and Alternative Arrangements) (Modifications of Enactments and Further Provisions) (England) Order 2001 (SI 1517/2001) and power to modify this Procedure may not be delegated by the Council.

49.1 Any Contract with a value exceeding £25,000 (excl. VAT) entered into on behalf of the Council in the course of discharge of any function (whether executive or Council) will be made in writing and in a form in accordance with Financial Regulations and these Procedures. The Supplier will not be permitted to commence any activities until the Contract has been signed by both parties.

49.2 All Contracts with a value exceeding £50,000 (excl. VAT) will be made under the common seal of the Council attested by at least one Officer.

49.3 The use of Supplier Terms and Conditions will not be permitted other than where explicitly approved through the Waiver Procedure.

F. Contract Management

50. Contract Performance Management

50.1 An appropriate Officer will be appointed to act as the Contract Manager, to conduct regular reviews of the Supplier's performance against the requirements and key performance indicators specified in the Contract and monitor compliance against contractual obligations for the life of the Contract.

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- 50.2 All Contracts with a value exceeding £25,000 (excl. VAT) will be risk assessed using the Contracts Risk Matrix to determine the required level of Contract Management and frequency of Contract review meetings required.
- 50.3 The level of contract management and monitoring will be based on the value, risk and complexity of the Contract. The outcome of all Contract review meetings will be recorded in writing.
- 50.4 The Contract Manager will deal with any instances of poor performance, claims or disputes in accordance with the procedures set out in the Contract.
- 51. Contract Modification**
- 51.1 Approval to modify Contracts during their term will be in accordance with the Officer Scheme of Delegation.
- 51.2 Contracts will be modified following the Change Control Procedure set out in the Contract terms and conditions and in accordance with the Commercial Policy.
- 51.3 Changes will only be made where the Regulations, the Tender documents and / or the terms and conditions explicitly permit the change.
- 52. Contract Termination**
- 52.1 Approval for the early termination of a Contract will be in accordance with the Officer Scheme of Delegation. Where the value of the Contract exceeds £100,000 Legal Services, the Chief Finance Officer and the Monitoring Officer will be consulted prior to termination of the Contract.
- G. Other Procurement Considerations**
- 53. Gifts and Hospitality**
- 53.1 Officers will comply with the Council's Code of Conduct for Members and Employees and the Local Protocol on Gifts and Hospitality in their dealings with Suppliers and Suppliers.
- 53.2 Officers will not be permitted to accept any gift or hospitality, including drinks, meals, entertainment, overnight accommodation, travel and holidays, but does not include a lift in a private or company car, a taxi, or refreshments in the course of their duty.
- 54. Audits**
- 54.1 Officers will agree any response to audits by external funders in relation to procurement procedures used in spending of the funds with the Commercial Services Team, including meetings and written responses.
- 54.2 Where an internal audit raises concerns or identifies areas of non-compliance with these Procedures the Commercial Services Team will be consulted by the service on any actions required to rectify the issues.
- 55. Nomination of Sub-contractors**
- 55.1 Where the Council stipulate use of specific sub-contractors by a main Supplier this will only be permitted where the sub-contractor has been appointed in accordance with these Procedures.

H. Waivers

56. Waiver Procedure

- 56.1 Officers may only seek exemptions to the application of these Procedures in respect of the requirements set out in this section.
- 56.2 Exemptions to the application of these Procedures will be subject to written authorisation in accordance with the Waiver Procedure set out in the Commercial Policy.
- 56.3 The Council will maintain a record of all waivers requested, declined and approved.

57. Exemptions from Using the Applicable Procurement Procedure

Below Threshold Contracts

- 57.1 An exemption to use an alternative Procurement Procedure to that stipulated in these Procedures will only be considered where the requesting officer is able to provide appropriate justification and supporting evidence in respect of the request, for example:
 - a. the proposed contract is of a very specialist nature and there are insufficient Suppliers to undertake the applicable procedure, including:
 - genuine monopoly Supplier situation where it is not possible to undertake a competitive tender exercise;
 - specialist products where no legal challenge from an alternative Supplier could occur;
 - standardisation policy or compatibility requirements for products / equipment / services where there is only one source of supply and change could result in significant alterations to working practices or service delivery;
 - b. the proposed contract is required urgently, the urgency is not brought about by events that were foreseeable by or attributable to the Council and where the situation would result in risk of harm to individuals or loss or damage to the Council;
 - c. it would be in the best interests of the Council or local people not to undertake the applicable procedure.
- 57.2 All Contracts put in place through an exemption will be for the minimum period necessary and appropriate due diligence checks will be undertaken in respect of the selected Supplier(s).
- 57.3 All other requirements of these Procedures will apply to the award of the Contract, other than where the waiver includes Other Exemptions as set out at section 60 below.

Above Threshold Contracts

- 57.4 Exemptions to the application of these Procedures for above Threshold Contracts will only be considered where the alternative procedure is permitted under the Regulations and the specific circumstances under which an alternative procedure can be undertaken are met.

58. Other Exemptions

Tender Pack

58.1 Agreement may be sought for the use of alternative Tender templates to those applicable to the Procurement procedure.

Tender Submission, Opening and Acceptance

58.2 Agreement may be sought to follow an alternative route for the issuing and submission of tender to facilitate ease of access to opportunities for SMEs VCSEs.

Contract Arrangements

58.3 Exemption may be sought for the use of Supplier Terms and Conditions, subject to review of the terms and conditions in accordance with the Commercial Policy.

58.4 Use of another contracting authority's terms and conditions of contract.

I. Definitions

Term	Definition
Above Threshold	A Procurement which is above the relevant Threshold for the requirement.
Award	The process used by the Council to determine the successful Supplier following a Procurement or the process of awarding the Contract, considering any specific requirements set out in the Regulations.
Award Criteria	The criteria against which Tenders are assessed and on which Contract award decisions are made, will include but is not limited to consideration of quality, price and social value.
Award Notice	The official notice which the Council is required to publish under the Regulations to notify the details of Contracts awarded.
Below Threshold	A Procurement or Contract which is below the relevant Threshold for the requirement.
Call-Off	The process of awarding a Contract under a Framework or Dynamic Purchasing System.
Call-Off Contract	The Contract awarded following a call-off from a Framework or Dynamic Purchasing System.
Central Purchasing Body	<p>A contracting authority which:</p> <ul style="list-style-type: none"> • acquires goods or services or supplies intended for one or more Contracting authorities; • awards public Contracts intended for one or more Contracting authorities; or • concludes framework agreements for work, works, goods or services intended for one or more Contracting authorities.
Commercial Policy	The set of rules and associated guidance which set out the Council's procedures for meeting the requirements of these Procedures, the Regulations and other legislative or regulatory obligations in relation to Procurement.
Commercial Services	The Council department responsible for the management and oversight of Procurement activities, including the setting of policies and guidance.
Concession (Contract)	<p>A contract for the supply, for pecuniary interest, of works or services to a contracting authority where:</p> <ul style="list-style-type: none"> • at least part of the consideration for that supply is a right for the Supplier to exploit the works or services; and • under the contract the Supplier is exposed to a real operating risk.

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Term	Definition
	<p>An "operating risk" is a risk that the Supplier will not be able to recover its costs in connection with the supply and operation of the works or services, where the factors giving rise to that risk:</p> <ul style="list-style-type: none"> • are reasonably foreseeable at the time of award; and • arise from matters outside the control of the contracting authority and the Supplier.
<p>Concession Contracts Regulations 2016</p>	<p>The legislation incorporated into English law concerning the procurement by public authorities or utilities of public services or works concessions contracts.</p> <p>The Concession Contracts Regulations 2016 (legislation.gov.uk)</p>
<p><u>Conditions of Participation</u></p>	<p><u>The criteria used to establish a Supplier's legal, economic and financial standing, capacity and capability to fulfill the requirements of the Contract.</u></p>
<p>Confidentiality Agreement</p>	<p>An agreement which binds one or more parties to non-disclosure of confidential or proprietary information.</p>
<p>Constitution</p>	<p>The document which sets out the rules governing the Council's business.</p>
<p>Contract(s)</p>	<p>A legally binding agreement between the Council and one or more Suppliers, including formal terms and conditions of contract or the terms stated on a Council Purchase Order.</p>
<p>Contract Management</p>	<p>The process and approach taken to implement, monitor and review what is being provided under the contract to ensure what has been agreed is being provided to the required standards and all parties to the contract are meeting their obligations.</p>
<p>Contract Procedures</p>	<p>The rules and procedures in place to ensure the Council is compliant with legislation, fair and accountable in its dealings with economic operators and obtains value for money.</p>
<p>Contract Value</p>	<p>The estimated or actual price of the Contract to be awarded.</p>
<p>Contracting Authority</p>	<p>A public authority or body governed by public law in whose name the Contract is awarded.</p>
<p>Contracts Finder</p>	<p>The government website on which the Council must publish all openly advertised opportunities and all subsequently awarded Contracts, regardless of the route to market, above £30,000 (inc. VAT).</p>
<p>Contracts Register</p>	<p>The register containing the information the Council is required to publish, under the Local Government Transparency Code, for all spend and Contracts entered into with a value that exceeds £5,000 (excl. VAT).</p>

Torbay Council – Constitution Financial Regulations and Contracts Procedures

Term	Definition
Council	Torbay Council
Criteria	The standards against which a Supplier's Tender will be assessed.
DPS	Dynamic Purchasing System
<u>Dynamic Market</u>	<u>Is a procedure available under the Procurement Act 2023 for above threshold goods, services, or works commonly available on the market and operated through a completely electronic system, which is open throughout its duration for the admission of economic operators.</u>
Dynamic Purchasing System(s)	Is a procedure available <u>under the Public Contracts Regulations 2015</u> for contracts for <u>goods, services, supplies</u> or works commonly available on the market and operated through a completely electronic system, which is open throughout its duration for the admission of economic operators.
Economic Operator	The generic term used in the Regulations to cover a contractor, provider, supplier, service provider, applicant, bidder, candidate, tenderer, company, organisation or any other legal entity bidding for or awarded a Council Contract.
E-Tendering System	A web-based system used to facilitate a complete Tendering process, covering advertising, issuing and receiving Tender related information, <u>evaluation/assessment</u> and Contract award.
Find a Tender Service	The government website on which the Council must advertise all opportunities above Threshold and publish details of the subsequently awarded Contracts.
Formal Request for Quote	Quote process undertaken using the relevant Council Tender templates.
Framework Agreement(s)	An agreement between one or more contracting authorities and one or more Suppliers, the purpose of which is to establish the terms governing contracts to be awarded during a given period.
<u>Goods</u>	<u>The purchase, lease, rental or hire purchase (with or without an option to buy) of goods, supplies or products, which may also include as an incidental the siting or installation of the product.</u>
GPA	World Trade Agreement on Government Procurement
Health Care Services (Provider Selection Regime) Regulations 2023	The rules for procuring health care services in England by organisations termed relevant authorities. For the purposes of the regulations relevant authorities are: <ul style="list-style-type: none"> • NHS England; • integrated care boards (ICBs); • NHS trusts and NHS foundation trusts;

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Term	Definition
	<ul style="list-style-type: none"> local authorities and combined authorities. The Health Care Services (Provider Selection Regime) Regulations 2023 (legislation.gov.uk)
Informal Request for Quote	Quote process undertaken without the need to use Council Tender templates.
JCT	Joint Contracts Tribunal
JCT Contract	A nationally recognised suite of construction contracts developed and provided by the Joint Contracts Tribunal.
Light Touch	The regime under which certain above Threshold social and other specific services may be procured.
Local Business, SME or VCSE	<p>A business, SME or VCSE that is located and operated from within the Torbay local authority boundary, i.e. postcodes TQ1 to TQ5.</p> <p>Or where, there is no such organisation within the Torbay local authority boundary, one that is located and operated from within Teignbridge or South Hams district councils' boundaries, i.e. postcodes TQ6 to TQ14</p>
Monitoring Officer	The statutory officer responsible for matters relating to the conduct of councillors and officers, the operation of the Council's Constitution and reporting on matters they believe to be illegal or amount to maladministration.
National Procurement Policy Statement (NPPS)	<p>Guidance from Cabinet Office setting out the strategic priorities for public procurement and how contracting authorities can support their delivery.</p> <p>National Procurement Policy Statement.pdf (publishing.service.gov.uk)</p>
National Procurement Strategy (NPS) for Local Government in England	<p>Sets out the ambition of the sector, including guidance and a roadmap to improvement and innovation.</p> <p>This strategy promotes:</p> <ul style="list-style-type: none"> adding value; fulfilling our social value priorities through procurement; building even greater connections and partnerships locally, across the public sector, with suppliers and the voluntary sector; attracting, developing and retaining talent; exploiting data and technology; effective contract, supplier relationship and supply chain management; and embracing public procurement transformation and innovation including making procurement easier for bidders.
NEC	New Engineering Contract.

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Term	Definition
NEC Contract	A nationally recognised suite of engineering and construction contracts created by the UK Institution of Civil Engineers.
Officer Scheme of Delegation	A framework that confers powers to conduct an authority's executive functions on chief officers and certain other designated officers, setting out the arrangements for the delegation of authority to officers to carry out the Council's various functions.
Other Applicable Legislation	<p>Primary and secondary legislation and regulations relevant to public procurement, this includes but is not limited to:</p> <ul style="list-style-type: none"> • Bribery Act 2010; • Children Act 2014; • Contract (Rights of Third Parties) Act 1999 • Data Protection Act 2018 and UK General Data Protection Regulation; • Fraud Act 2006; • Freedom of Information Act 2000; • Health and Safety at Work etc. Act 1974; • Health and Care Act 2022; • Human Rights Act 1998; • Insolvency Act 1986; • Intermediaries Legislation (IR 35); • Local Government Transparency Code 2015; • Modern Slavery Act 2015; • Prevent Duty; • Prevention of Corruption Act 1906; • Public Bodies Corrupt Practices Act 1889; • Public Sector Equality Duty; • Public Services (Social Value) Act 2012; • Transfer of Undertakings (Protection of Employment) Regulations 2006.
<u>Participation</u>	<u>The process by which Suppliers are selected to move forward to the next stage of the Procurement, in accordance with the criteria listed in the Regulations.</u>
<u>Participation Questionnaire</u>	<u>The questionnaire completed by Suppliers to set out their legal, economic and financial standing, capacity and capability to fulfill the requirements of the Contract.</u>
Procedures	These Contract Procedures.
Tender Document(s)	The documents issued by the Council setting out the rules for the Procurement together with the documents submitted by Suppliers containing their Tender response. Which may be in the form of an official Tender pack or written instructions within an email or letter to Suppliers.
Procurement(s)	1. The award, entry into and management of a contract, including:

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Term	Definition
	<ul style="list-style-type: none"> • any step taken for the purpose of awarding, entering into or managing the contract; • all or part of the procurement; and • termination of the procurement before award of the contract, <p>regardless of whether the procurement is covered under the Regulations or not. And / or</p> <p>2. Steps taken for the purpose of awarding, entering into or managing a contract include, but are not limited to:</p> <ul style="list-style-type: none"> • pre-tender planning and decision making; • market engagement; • the procurement procedure itself; • contract issuing and signing; • mobilisation/implementation; • contract and performance management; • exit management; and • de-commissioning.
<u>Procurement Act 2023</u>	<u>The rules, effective from 24 February/02/ 2025, for procuring public contracts for the provision of goods, services or works. Procurement Act 2023</u>
<u>Procurement Regulations 2024</u>	<u>Secondary legislation to the Procurement Act 2023, effective from 24 February/02/ 2025 The Procurement Regulations 2024</u>
Procurement Lead Officer	The officer who is leading on the provision of procurement advice and support for a Procurement.
Procurement Playbooks	Guidance which sets out how government departments should approach outsourcing projects and outlines the government's expectations on how contracting authorities and suppliers engage with each other. The playbooks encompass the following: <ul style="list-style-type: none"> • sourcing; • construction; • consultancy; • digital, data and technology.
Procurement Policy Note (PPN)	A document that sets out information and guidance for public bodies on procurement regulations and policies issued by the UK and devolved governments.
Tender Template(s)	The proforma Tender Document(s) for completion by the contracting department and procurement lead officer.
Provider Selection Regime	Health Care Services (Provider Selection Regime) Regulations 2023.
PSR	Provider Selection Regime

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Term	Definition
Public Contracts Regulations 2015	The legislation incorporated into English law concerning the Procurement by public authorities of public <u>goods</u> , <u>services</u> , <u>supplies</u> and works Contracts, as amended from time to time. The Public Contracts Regulations 2015 (legislation.gov.uk)
Public Service Mutual	An organisation which: <ul style="list-style-type: none"> • has left the public sector; • continues to deliver public services and aims to have a positive social impact; • has a significant degree of staff influence or control in the way it is run.
Regulation 8 – Public Contracts Regulations 2015	Public contracts, or design contests, for the principal purpose of permitting contracting authorities to provide or exploit public communications networks or to provide to the public one or more electronic communications services.
Regulation 9 – Public Contracts Regulations 2015	Public contracts awarded, and design contests organised, pursuant to international rules.
Regulation 10 – Concession Contracts Regulations 2016	Concession contracts awarded to a contracting authority or a utility or to an association of such contracting authorities or utilities on the basis of an exclusive right.
Regulation 10 – Public Contracts Regulations 2015	<ul style="list-style-type: none"> (a) acquisition or rental, by whatever financial means, of land, existing buildings or other immovable property, or which concern interests in or rights over any of them; (b) (i) the acquisition, development, production or co-production of programme material intended for audiovisual media services or radio media services, which are awarded by audiovisual or radio media service providers, or (ii) broadcasting time or programme provision that are awarded to audiovisual or radio media service providers; (c) arbitration or conciliation services; (d) (i) legal representation of a client by a lawyer in an arbitration or conciliation or judicial proceedings before a court, tribunal or public authorities, or (ii) legal advice given in preparation of proceedings referred to in paragraph (i) or where there is tangible indication and high probability that the matter to which the advice relates will become the subject of such proceedings; (e) (i) financial services in connection with the issue, sale, purchase or transfer of securities, (ii) central bank services, or (iii) operations conducted with the European Financial Stability Facility and the European Stability Mechanism; (f) loans; (g) employment contracts;

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Term	Definition
	(h) civil defence, civil protection and danger prevention services provided by not-for-profit organisations, except patient transport services; (i) public passenger transport services by rail or metro; (j) political campaign services when awarded by a political party in the context of an election campaign.
Regulation 11 – Concession Contracts Regulations 2016	Concession contracts for the principal purpose of permitting contracting authorities to provide or exploit public communications networks, or to provide to the public one or more electronic communication services.
Regulation 11 – Public Contracts Regulations 2015	Service contracts awarded on the basis of an exclusive right.
Regulation 12 – Concession Contracts Regulations 2016	(a) concession contracts awarded to provide or operate fixed networks intended to provide a service to the public in connection with the production, transport or distribution of drinking water; (b) concession contracts awarded to supply drinking water to such networks; (c) concession contracts for either or both of the following: (i) hydraulic engineering projects, irrigation or land drainage, provided that the volume of water to be used for the supply of drinking water represents more than 20% of the total volume of water made available by such projects or irrigation or drainage installations, or (ii) the disposal or treatment of sewage, when the contracts are connected with an activity referred to in paragraph (a) or (b).
Regulation 12 – Public Contracts Regulations 2015	Award of contracts to controlled persons; award of contracts where there is joint control and contracts which establish or implement co-operation between contracting authorities.
Regulation 13 – Concession Contracts Regulations 2016	Concession contracts awarded: (a) by a utility to an affiliated undertaking, or (b) by a joint venture, formed exclusively by a number of utilities for the purpose of conducting activities listed in Schedule 2, to an affiliated undertaking of one its members; where the conditions set out in regulation 13 are met.
Regulation 14 – Concession Contracts Regulations 2016	Concession contracts awarded to a joint venture or to a utility forming part of a joint venture.
Regulation 16 – Concession Contracts Regulations 2016	Concession contracts awarded by utilities where it has been established that the activity is directly exposed to competition in accordance with regulation 34(2) of the Utilities Contracts Regulations 2016.

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Term	Definition
Regulation 17 – Public Contracts Regulations 2015	Public contracts and design contests involving defence or security aspects which are awarded or organised pursuant to international rules.
Regulation 24 – Public Contracts Regulations 2015	Conflicts of interest – contracting authorities shall take appropriate measures to effectively prevent, identify and remedy conflicts of interest arising in the conduct of Procurement procedures so as to avoid any distortion of competition and to ensure equal treatment of all economic operators.
Regulations	<p><u>The Procurement Act 2023, the Procurement Regulations 2024 and other applicable secondary legislation - for goods, services and works contracts procured on or after 24 February /02/2025.</u></p> <p><u>The Health Care Services (Provider Selection Regime) Regulations 2023 – for relevant health care services procured on or after 01 /01/January 2024</u></p> <p>The Public Contracts Regulations 2015, the Concession Contracts Regulations 2016 and/or Utilities Contract Regulations 2016. <u>For goods, services and works contracts procured before 24 February/02/ 2025 or relevant health and care services procured before 01 January/01/ 2024.</u></p>
Section 151 Officer	The statutory officer responsible for the arrangements for the proper administration of the Council’s financial affairs.
Selection Questionnaire	The questionnaire completed by Suppliers to set out their legal, economic and financial standing, capacity and capability to fulfill the requirements of the Contract.
Services	The provision of any type of service other than those which fall within the definition of a works Contract or a social and other specific services Contract.
Services Concessions	The provision and management of services (other than the execution of works) for financial interest, giving the Supplier the right to exploit the services with or without payment.
SME	Small and medium enterprise.
Social and Other Specific Services	Specific services which can be subject to Light Touch Procurement.
Social Enterprise	A business which trades for a social or environmental purpose.
Sub-Criteria	The criteria which sit below the main criteria, against which the Supplier’s Tender will be assessed.

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Term	Definition
Subsidy	Where a public authority provides support to an enterprise that gives them an economic advantage, meaning equivalent support could not have been obtained on commercial terms.
Supplier	The generic term to cover a contractor, provider, supplier, service provider, applicant, bidder, candidate, tenderer, company, organisation or any other legal entity who may or does Tender for or is awarded a Contract.
Supplies	The purchase, lease, rental or hire purchase (with or without an option to buy) of goods or products, which may also include as an incidental the siting or installation of the product.
Tender(s)	An invitation to bid for a Contract or Supplier's response to that invitation.
Threshold(s)	<p>The contract value thresholds (inclusive of VAT) set by the UK government above which the Regulations apply, as amended every two years, covering:</p> <ul style="list-style-type: none"> • goods • light touch regime services • services • services and works concessions • supplies • works
Threshold Values	Means the same as Threshold(s).
Utility	<p>An entity which pursues one of the following activities and is a contracting authority or public undertaking or is not a contracting authority or public undertaking but whose activities include and operate on the basis of special or exclusive rights:</p> <ul style="list-style-type: none"> • gas and heat; • electricity; • water; • transport services; • ports and airports; • postal services; and • extraction of gas, oil, coal or other solid fuels.
Utilities Contracts Regulations 2016	<p>The legislation incorporated into English law concerning the Procurement by utilities of public goods, services, supplies and works Contracts, as amended from time to time.</p> <p>The Utilities Contracts Regulations 2016 (legislation.gov.uk)</p>
Verifier(s)	The officer(s) authorised to unseal electronic Tenders.
VCSE	Voluntary and community sector enterprise.

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Term	Definition
Waiver Procedure	The procedure set out in the Commercial Policy governing the exemption of the application of these Procedures.
Weighting	A score which may be allocated to individual criteria and/or sub-criteria to denote their level of importance in comparison to other criteria.
Works	The execution or design and execution of construction, civil engineering, demolition, building installation and building completion works.
Works Concessions	The execution of works for financial interest, giving the Supplier the right to exploit the works with or without payment.
World Trade Agreement on Government Procurement (GPA)	A plurilateral agreement under the auspices of the World Trade Organization (WTO) which regulates the procurement of goods and services by the public authorities of the parties to the agreement, based on the principles of openness, transparency and non-discrimination. Government Procurement Agreement [WP for Windows Docs] (wto.org)

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Standing Orders – Council Meetings – Petitions Scheme

Proposed amendments in **bold text**.

6. How will the Council respond to my petition?

All petitions received by the Governance Support Team will be acknowledged within 10 working days of receipt. The acknowledgement will be sent to the petition organiser and will explain what we plan to do with the petition and when you can expect to hear from us again. Your petition details will be provided to the Leader of the Council, the Civic Mayor, the Group Leaders and the Chief Executive. Details of any petitions that have not been accepted for the reasons cited in 3.1 will also be provided to those listed above for information purposes.

If we can do what your petition asks for, the acknowledgement may confirm that we have taken the action requested and the petition will be closed.

If the petition needs more investigation, we will tell you the steps we plan to take.

If the petition applies to a planning or licensing application, relates to a subject where consultation by the Council is currently being undertaken or is due to be undertaken in the next six months (e.g. Formal Budget/Savings Proposals consultation), or is a statutory petition on a matter where there is already an existing right of appeal (such as Council tax banding and non-domestic rates) other procedures apply. In our acknowledgment to you, we will explain these procedures and how you can express your views. Where a petition is passed to another department it may then become subject to any conditions relating to representations for such matters i.e. a petition in respect of a planning representation may be published in full which includes names and address of those who have signed the petition.

Petitions containing less than **5025** signatures will not be presented to a Council meeting, but treated as general correspondence and forwarded directly to the relevant service department for response.

‘Ordinary’ petitions

For petitions containing at least **5025** valid signatures you can present your petition to a meeting of the Council (which all Councillors can attend).

Alternatively, you (as the petition organiser) and up to two other people who

have signed the petition, can choose to meet directly with the relevant decision-maker to present your petition.

Once an 'ordinary' petition is received the Governance Support Team will write to you to inform you which body/decision-maker will respond to your petition and confirm which of the above options you would like to proceed with.

Presentation to Council

If you wish for the petition to be presented to a meeting of the Council you can speak in support of the petition at the meeting for up to five minutes. Confirmation of speaking in support of a petition must be received from the petition organiser by 4.00 p.m. the day before the Council meeting by registering with the Governance Support Team (by telephone on 01803 207087 or by e-mailing governance.support@torbay.gov.uk).

At each Council meeting, 30 minutes is allocated for the presentation of petitions received (except petitions with over 1,000 signatures – see further information below). To ensure sufficient time is allowed for presenting petitions a maximum of 5 petitions can be presented at a single Council meeting. The Civic Mayor may allow additional petitions in exceptional circumstances, those circumstances to be determined by the Civic Mayor. Petitions are included in the order that they have been received and once verified by the Governance Support Team. Subsequent petitions will be included on the agenda for the following Council meeting unless requested by the lead petitioner not to do so and request that it is referred directly to the decision-maker or they wish to withdraw the petition.

Please note the petition will not be debated by the Councillors at the Council meeting, it will be referred straight to the relevant decision maker following presentation of your petition at the meeting.

Also, if the subject of the petition is due to be considered by the decision-maker before the next meeting of the Council it will be referred to the decision-maker direct and you will not, therefore, have the opportunity to present the petition at a Council meeting.

Meeting with decision-maker

If you wish for the petition to be submitted directly to the decision-maker you will be informed of who will be contacting you to make the necessary arrangements for meeting with the decision maker. This meeting will normally be arranged within 28 days from notifying the Governance Support Team of your decision to proceed with this option.

The decision-maker may respond to the issues raised in your petition in one or more of the following ways:

- Taking the action requested in the petition;
- Holding an inquiry into the matter;
- Undertake research into the matter;
- Hold a public meeting; and/or
- Undertake consultation.

Full Council Debates

If a petition contains more than 1,000 valid signatures it will be debated by all Councillors at a meeting of the Council unless the matter is resolved before the meeting to the Petition Organiser's satisfaction. **Petitions with over 1,000 valid signatures will be listed as separate agenda items for debate and are not subject to the 30 minutes time allocation, to enable debate.**

You will receive notification from the Governance Support team with details of the Council meeting to which your petition will be submitted. The Council will endeavour to consider the petition at its next meeting, although on some occasions this may not be possible and consideration will then take place at the following meeting. You will be given five minutes to present the petition at the meeting and the petition will then be discussed by the councillors.

The Council will decide how to respond to the petition at this meeting, it may decide to:

- take the action the petition requests;
- not to take the action requested for reasons put forward in the debate;
- make recommendations to the Leader of the Council if the issue is one for him/her to make the decision; or
- commission further investigation into the matter, for example by a relevant committee.

The petition organiser will receive written confirmation of this decision. This confirmation will also be published on our website.

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Standing Orders – Council Meetings – A24 Public Question Time

Proposed amendments in **bold text**.

A24.1 Members of the public shall be entitled to ask questions/make statements during the Question Time sessions held at the meetings of Council ~~provided that the~~. **The total time allowed for questions or statements shall not exceed 30 minutes except with the consent of the Civic Mayor and a maximum of three public questions may be asked at a single meeting. Questions submitted will be dealt with in the order they are received, with any questions submitted after the maximum number for the Council meeting has been reached refused and referred back to the person asking the question. The Civic Mayor may allow additional questions in exceptional circumstances, those circumstances to be determined by the Civic Mayor.**
Questions/statements must:

- (a) relate to the Council and/or the services it provides (or are provided on its behalf) to local people or to a matter that affects local people more than the general public nationally and is relevant to the area or areas of responsibility of the person to whom the question or statement is directed;
- (b) do not relate to planning or licensing applications to be considered by the Authority;
- (c) do not relate to any matter where public consultation is being undertaken in the next six months by the Council; and
- (c) are provided to the Head of Governance Support in writing (including by e-mail if verified by the Head of Governance Support) by no later than 4.00 p.m. on the tenth clear working day before the date of the meeting in order that a suitable response may be prepared. The Civic Mayor may permit a question/statement after this deadline in exceptional circumstances, **those circumstances to be determined by the Civic Mayor**, and the questioner has given a copy of his/her question to the Head of Governance Support by 4.00 p.m. two clear working days prior to the meeting.

However, the Chief Executive, in consultation with the Civic Mayor may decline to accept any question or statement if it is in his/her opinion:

- (i) factually inaccurate; or

- (ii) it is identical or materially similar to a question which has been presented to a meeting of Council or a Council committee within the 12 months preceding the Council meeting; or
- (iii) it is illegal, defamatory, scurrilous, irrelevant or otherwise objectionable; or
- (iv) to respond to the question or statement would require a disproportionate amount of officer time (having regard to any possible benefits such work would deliver) and the question or statement is not of such nature that would require a response if made pursuant to the Freedom of Information Act 2000.

And the reasons for rejection will be provided.

- A24.2 The Head of Governance Support will immediately send a copy of the question/statement to the member to whom it has been put and publish the questions/statements.
- A24.3 ~~The total time allowed for questions or statements shall not exceed 30 minutes except with the consent of the Civic Mayor of the body concerned.~~ No person may submit more than **2 one** questions at any one meeting, and no more than **2 one** such questions may be asked on behalf of **an one** organisation.
- A24.4 Each person addressing the meeting shall be restricted to five minutes of speech or such period as the Civic Mayor may allow. Any persons addressing the Council under this Standing Order may only refer to matters relevant to the question or statement and shall:
- (a) not use discriminatory or offensive language;
 - (b) not make any party political statements;
 - (c) not use personal abuse; and
 - (d) treat others with courtesy and with respect.
- If the Civic Mayor considers that any of these requirements have been breached he/she may take such action as he/she considers appropriate (including prohibiting the person addressing the Council from speaking further).
- A24.6 Every question shall be put and answered without discussion although the questioner may be permitted by the Civic Mayor to ask one supplementary question provided that it is relevant to the original question (or the

response thereto) and his/her allocation of five minutes is not exceeded (subject to Standing Order A24.4).

A24.7 **Where a statement is made, this ~~Statements~~ will not be responded to at the meeting.**

A24.8 **Five minutes shall be allocated for the A response to a question and shall take the form of:**

(i) a direct oral answer; or

(ii) where the reply to the question cannot conveniently be given orally, an undertaking that a written reply will be provided.

A24.89 Unless the Civic Mayor decides otherwise, no discussion will take place on any question or statement, but any member may move that a matter raised by a question or statement be referred to the Executive or appropriate committee or sub-committee. Once seconded, such a motion will be voted on without discussion.

A24.910 Copies of all questions will be circulated to all members and will be made available to the public attending the meeting.

(Note: This Standing Order A24 shall also apply to a member with an interest that means they should not be present when the matter is under consideration but who wishes to make a representation, but having made his/her representations he/she must withdraw from the meeting room and cannot vote on the matter.)

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