

Monday, 10 February 2025

**CABINET**

A meeting of **Cabinet** will be held on

**Tuesday, 18 February 2025**

commencing at **5.30 pm**

The meeting will be held in the Banking Hall, Castle Circus entrance on the left corner of the Town Hall, Castle Circus, Torquay, TQ1 3DR

**Members of the Committee**

Councillor David Thomas (Chairman)

Councillor Billings	Councillor Jacqueline Thomas
Councillor Bye	Councillor Tranter
Councillor Chris Lewis	Councillor Tyerman

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**A Healthy, Happy and Prosperous Torbay**

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**Governance Support, Town Hall, Castle Circus, Torquay, TQ1 3DR**

Email: [governance.support@torbay.gov.uk](mailto:governance.support@torbay.gov.uk) - [www.torbay.gov.uk](http://www.torbay.gov.uk)

# CABINET AGENDA

1. **Apologies**  
To receive apologies for absence.
2. **Minutes** (Pages 5 - 18)  
To confirm as a correct record the Minutes of the meeting of the Cabinet held on 23 January 2025.
3. **Disclosure 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.)
4. **Urgent Items**  
To consider any other items the Chairman decides are urgent.
5. **Matters for Consideration**
6. **Acquisition of land to deliver Scheme 2 of the Accommodation Repurposing Programme ("Hotels to Homes")** (Pages 19 - 114)  
To consider a report that seeks approval for the acquisition of Scheme 2 of the Hotels to Homes Programme.
7. **Rent and Service Charge Policy and Proposed Changes to Social Housing Rents** (Pages 115 - 154)  
To consider a report that seeks approval to adopt the Rent and Service Charge Setting Policy and authorisation to implement the proposed rent increases for Torbay Council's housing stock.
8. **Revenue and Capital Budget 2025/2026 Proposals**

To receive the recommendations of the Overview and Scrutiny Board on the Cabinet's draft budget proposals for 2025/2026 and to make final recommendations to the Council.

- 9. Budget Monitoring 2024/25 - April to December 2024 Revenue and Capital Outturn Forecast** (Pages 155 - 176)  
To consider 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. Torbay Council Climate Change Action Plan** (Pages 177 - 214)  
To consider a report that seeks approval of the Climate Change Action Plan.
- 11. Land Disposal at Penn Meadow, Brixham** (Pages 215 - 224)  
To consider a report that sets out a request, the terms agreed for the proposed transfer and if in agreement consent to dispose of the land to Brixham Town Council.
- 12. Local Development Scheme (Local Plan Timetable)** (Pages 225 - 230)  
To consider a report that seeks to agree an updated timetable for the Local Plan, known as a Local Development Scheme.
- 13. Adult Social Care electronic recording system replacement** (Pages 231 - 252)  
To consider a report that seeks approval for the procurement and subsequent award of contracts for the provision of a new Case Management System and related Finance Module for use in the delivery of the Council's statutory duties in relation to Adult Social Care Services.
- 14. Torbay Interagency Carers' Strategy Action Plan 2024-27** (Pages 253 - 270)  
To consider a report that seeks approval of the Torbay Interagency Carers Strategy Action Plan.
- 15. Adopt South West Annual Report 2023-24** (Pages 271 - 326)  
To consider a report that sets out the Adopt South West Annual Report 2023-24.
- 16. Review of the Membership of Community Infrastructure Levy (CiL) Spend Panel** (Pages 327 - 330)  
To consider a report that seeks to expand the membership of the CiL Spend Panel.

### **Live Streaming and Hybrid Arrangements**

To encourage more people to engage in our public meetings the Council is live streaming our Cabinet 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>.

We are also using hybrid meeting arrangements to enable officers and Councillors who are not members of the Cabinet to either attend the meeting in person or to attend the meeting remotely via Zoom. Anyone attending the meeting remotely must use their raise hand function when they wish to speak and to declare any interests at the appropriate time. If anyone attending the meeting remotely loses connection the meeting will continue and they will have the option to follow the meeting via the YouTube live stream.

**Minutes of the Cabinet**

**23 January 2025**

**-: Present :-**

Councillor David Thomas (Chairman)

Councillors Billings, Bye, Chris Lewis, Jacqueline Thomas, Tranter and Tyerman

(Also in attendance: Councillors Amil (virtual), Cowell (virtual), Douglas-Dunbar, Foster, Johns, Law (virtual), Barbara Lewis (virtual), Long, Spacagna and Tolchard (virtual))

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**80. Minutes**

The Minutes of the meeting of the Cabinet held on 9 January 2025 were confirmed as a correct record and signed by the Chairman.

**81. Disclosure of Interests**

No interests were declared.

**82. Matters for Consideration**

The Cabinet considered the following matters, full details of which (including the Cabinet's decisions and recommendations to Council) are set out in the Record of Decisions appended to these Minutes.

**83. Outcomes on the Proposal for a Locality Model for Special Educational Needs in Torbay: Improving Support for Special Educational Needs and Disability (SEND)**

**84. Torbay Food Strategy**

**85. Torbay and Devon Safeguarding Adult Partnership (TDSAP) Annual Report 2023/2024**

**86. Torbay Council Annual Pay Policy Statement and Review of Pensions Discretions**

**87. Appointment of Member Champions**

Chairman/woman

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## Record of Decisions

### Outcomes on the Proposal for a Locality Model for Special Educational Needs in Torbay: Improving Support for Special Educational Needs and Disability (SEND)

#### Decision Taker

Cabinet on 23 January 2025.

#### Decision

1. that the 'blueprint' for a "Torbay Locality Model" be approved as the framework for a pilot for those parties wanting to be a part of the same;
2. that the Director of Children Services, in consultation with the Cabinet Member for Children's Services, be given delegated authority to develop the scope and operating procedures of the pilot with interested parties, schools and clusters in order for the pilot model to run between June and December 2025, and the outcomes of the pilot be presented to Cabinet in early 2026;
3. that the Director of Children Services be instructed to continue to work with other schools not in the pilot, to grow confidence and coproduce a Locality system which they can support;
4. that the Head of Legal Services be instructed to undertake all necessary arrangements to extend the lease held by People's Parkfield to include a lease of the MySpace building at Parkfield, with the requirement that Mayfield Sixth Form is provided with a sub-lease;
5. that the Director of Children Services be instructed to co-produce a Service Level Agreement with People's Parkfield and Mayfield Sixth Form, which ensures that Mayfield Sixth Form can be a long-term tenant on the site (ensuring financial sustainability for the building), whilst key groups in the community such as Electively Home Educated families, Youth Services, care experienced and cared for children and other disadvantaged young people, can be provided for in this newly run community model;
6. that Torbay Education Limited ceases to trade as an arm's length company of Torbay Council, as the staff delivering Medical Tuition Services transition to a new delivery model in line with the outcomes of the consultation; and
7. that the Chief Executive be given delegated authority to oversee the practical arrangements, to bring about the cessation of Torbay Education Limited as an arm's length company of the Council.

#### Reason for the Decision

A Torbay locality model would enable better use of the expertise in the system by developing a way to allow families, colleagues in health, education and social care to work together. This would in turn ensure a full focus on better outcomes for children and young people which would directly affect the future local workforce and prosperity of Torbay residents.

Furthermore, by enabling the school and Special Educational Needs and Disabilities (SEND) system to develop into a community-based approach, Torbay would be reducing the need for families and their children to wait to receive a statutory Education, Health and Care Plan

(EHCP) or a medical diagnosis before any support or specialist provision could be offered. This would enable early intervention to be at the forefront of support for the young residents of Torbay. Helping all children and young people to thrive at school, be valued, visible, and supported to feel that they are included in their local communities, and are better prepared for a happy, healthy, and productive adulthood.

## **Implementation**

This decision will come into force and may be implemented on 5 February 2025 unless the call-in procedure is triggered (as set out in the Standing Orders in relation to Overview and Scrutiny).

## **Information**

In 2021, a joint inspection between Ofsted and the Care Quality Commission (CQC) found that Torbay's SEND systems worked in silos and did not promote collaboration easily. In addition, they found that parents felt they had to 'fight' for support through an Education, Health and Care Plan (EHCP) and wait for a specialist assessment or diagnosis. Since 2021, a huge amount of improvement work had been taking place, however the impact had been more limited than the Council had wanted for Torbay's children and their families.

Following a full Needs Analysis and Review of the SEND provision within Torbay, alongside the increasing demand for specialist education support, it was proposed to implement a locality model across the area, in order to bring services together to support the children and young people of Torbay in their local community to build inclusive Ordinarily Available Provision, reducing the requirement for an EHCP to receive support and therefore reduce the wait that families were experiencing in receiving the support that their children needed to thrive. Following the consultation rather than proceeding to implement a locality model as a final model it was proposed to pilot it with a range of interested parties who wished to be a part of the same, with the outcome of the pilot to be presented to Cabinet in early 2026.

Through the pilot this model would see whole communities coming together to support children and young people within their local area. Torbay's SEND provision would become needs-led, focusing on the needs of children and young people within each local area, and allowing local stakeholders to make decisions on how the children and young people's needs could best be met.

At the meeting oral representations in support of the proposals were received from Evie Semmens and Stuart Heron. Councillor Bye proposed and Councillor Chris Lewis seconded a motion that was agreed unanimously, as set out above.

## **Alternative Options considered and rejected at the time of the decision**

Option 1: The current system and processes could remain the same within the Torbay with no changes. This option was discounted as there were a number of disadvantages, mainly being that children and young people would continue to experience long waits for the support required, families distrust in the education and SEND system would continue to grow and the pressures on the budgets would continue to increase. This would also pose a high risk in any forthcoming Ofsted Inspection (currently overdue), as Torbay Council would not be taking action to address systemic failures blocking impact for children and young people with SEND.

Option 2: A pilot project to be co-developed and run between September and December 2025,



with ongoing work to engage secondary schools and 'grow' this Locality approach. This model aligned with the Labour Government's aspirations to enhance the inclusivity and provision within mainstream schools and to focus on children and young people receiving the right support, in the right place, at the right time, in their own local communities.

**Is this a Key Decision?**

No

**Does the call-in procedure apply?**

Yes

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

None

**Published**

28 January 2025

Signed: \_\_\_\_\_ Date: \_\_\_\_\_  
Leader of Torbay Council on behalf of the Cabinet

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## Record of Decisions

### Torbay Food Strategy

#### Decision Taker

Cabinet on 23 January 2025.

#### Decision

- 1) That the Food Strategy for Torbay for 2025 – 2030 be endorsed; and
- 2) That the Director of Public Health and the Partnerships and Inclusion Manager be instructed to develop a food action plan for Torbay Council to deliver against the aims of the Strategy and present it to the Cabinet for approval within three months.

#### Reason for the Decision

Adoption of a five-year Food Strategy for Torbay would help to ensure a strategic and focused approach to promoting positive change within our food system locally and would support the future resilience of communities.

#### Implementation

This decision will come into force and may be implemented on 5 February 2025 unless the call-in procedure is triggered (as set out in the Standing Orders in relation to Overview and Scrutiny).

#### Information

Since 2023, the Torbay Food Partnership had been hosted by Local Motion, Torbay, which was facilitated by Torbay Communities. This had been a positive, neutral space for collaboration, connecting different departments and sectors to amplify work already underway and think creatively about the future.

In 2024, the Torbay Food Partnership took its next development step and became a member of the Sustainable Food Places (SFP) network – a national partnership programme led by the Soil Association, Food Matters, and Sustain: the alliance for better food and farming.

The Torbay Food Partnership had developed a Food Strategy for Torbay which aimed to set out the blueprint for the approach to sustainable food systems change in Torbay. The Strategy set out a vision for the Torbay food system which could be used for the purposes of engagement, awareness, and influence across all aspects of the community.

At the meeting Councillor Tranter proposed and Councillor Tyerman seconded a motion that was agreed unanimously by the Cabinet, as set out above.

#### Alternative Options considered and rejected at the time of the decision

To not progress with a food strategy. This was not deemed to be a sustainable or suitable option. The scale and complexity of challenges within our local and national food system were significant, and therefore they would require a more strategic, joined-up approach to address them in any meaningful way. Many interventions needed were not within our gift locally, but

those which were, would require longer to implement.

**Is this a Key Decision?**

No

**Does the call-in procedure apply?**

Yes

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

None

**Published**

28 January 2025

Signed: \_\_\_\_\_ Date: \_\_\_\_\_  
Leader of Torbay Council on behalf of the Cabinet

## Record of Decisions

### Torbay and Devon Safeguarding Adult Partnership (TDSAP) Annual Report 2023/2024

#### Decision Taker

Cabinet on 23 January 2025.

#### Decision

That the contents of the Torbay and Devon Safeguarding Adult Partnership Annual Report 2023/2024 (as set out in appendix 1 to the submitted report) and the requirement for the Torbay and Devon Safeguarding Adult Partnership to publish the Annual report be noted.

#### Reason for the Decision

It is a statutory requirement of the Care Act 2014, for each Safeguarding Adults Board to produce and publish an Annual Report and given the importance of the work of the Safeguarding Adults Board political oversight was sought.

#### Implementation

This decision will come into force and may be implemented on 5 February 2025 unless the call-in procedure is triggered (as set out in the Standing Orders in relation to Overview and Scrutiny).

#### Information

The Safeguarding Adult Annual Report sets out the purpose, structure, scope of membership, key data summaries and summarises the current strategic priorities of the Torbay and Devon Safeguarding Adult Partnership.

At the meeting Councillor Tranter proposed and Councillor David Thomas seconded a motion that was unanimously agreed by the Cabinet, as set out above.

#### Alternative Options considered and rejected at the time of the decision

None

#### Is this a Key Decision?

No

#### Does the call-in procedure apply?

Yes

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

None

**Published**

28 January 2025

Signed: \_\_\_\_\_ Date: \_\_\_\_\_  
Leader of Torbay Council on behalf of the Cabinet

## Record of Decisions

### Annual Pay Policy and Pension Discretions (LGPS)

#### Decision Taker

Cabinet on 23 January 2025.

#### Decision

That Council be recommended that:

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

#### Reason for the Decision

To meet the statutory requirements to review these reports and policies.

#### Implementation

The recommendations of the Cabinet will be considered at the Council meeting on 6 February 2025.

#### Information

The submitted report set out the Council's Annual Pay Policy Statement, as required under Section 38 (1) of the Localism Act 2011. It was noted that the pay policy statement drew together the Council's overarching policies on pay and conditions and 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.

At the meeting Councillor Jackie Thomas proposed and Councillor Billings seconded a motion that was agreed unanimously by the Cabinet, as set out above

#### Alternative Options considered and rejected at the time of the decision

None

#### Is this a Key Decision?

Yes

#### Does the call-in procedure apply?

No

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

None

**Published**

28 January 2025

Signed: \_\_\_\_\_ Date: \_\_\_\_\_  
Leader of Torbay Council on behalf of the Cabinet



## Record of Decisions

### Appointment of Member Champions

#### Decision Taker

Cabinet on 23 January 2025.

#### Decision

1. that Cabinet give thanks to Councillor Tranter for the work she has undertaken to date, to champion the Council's work in respect of the Armed Forces;
2. that Councillor Spacagna be appointed as the Armed Forces Champion until May 2027; and
3. that Councillor Johns be appointed as the Domestic Abuse and Sexual Violence Member Champion until May 2027.

#### Reason for the Decision

To change the Member appointed as the Member Champion for Armed Forces for the remainder of the current four-year term of office and respond to the request of the Overview and Scrutiny Board to appoint a Domestic Abuse and Sexual Violence Member Champion.

#### Implementation

This decision will come into force and may be implemented on 5 February 2025 unless the call-in procedure is triggered (as set out in the Standing Orders in relation to Overview and Scrutiny).

#### Information

Member champions are Elected Members who act as an advocate or spokesperson for a specific area of the Council's business. The main responsibility of each Member Champion is to encourage communication and positive action over the issue they represent.

At the meeting, Councillor David Thomas proposed and Councillor Chris Lewis seconded a motion that was agreed unanimously by the Cabinet, as set out above.

#### Alternative Options considered and rejected at the time of the decision

None

#### Is this a Key Decision?

No

#### Does the call-in procedure apply?

Yes

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

None

**Published**

28 January 2025

Signed: \_\_\_\_\_ Date: \_\_\_\_\_  
Leader of Torbay Council on behalf of the Cabinet

**Meeting:** Cabinet

**Date:** 18 February 2025

**Wards affected:** St. Marychurch and All Wards in Torbay

**Report Title:** Acquisition of land to deliver Scheme 2 of the Accommodation Repurposing Programme (“Hotels to Homes”).

**When does the decision need to be implemented?** 14 March 2025

**Cabinet Member Contact Details:**

Cllr. Alan Tyerman – Cabinet Member for Housing and Finance, [alan.tyerman@torbay.gov.uk](mailto:alan.tyerman@torbay.gov.uk).

**Director Contact Details:**

Anthony Payne – Interim Director of Place, [Anthony.payne@torbay.gov.uk](mailto:Anthony.payne@torbay.gov.uk)

## 1. Purpose of Report

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- 1.1. To allocate funding, due to be approved by the Council as part of the 2025/26 budget setting process on 27 February 2025, to provide match funding to secure an allocated grant from the Devon and Torbay Devolution Deal, and the capital uplift secured from Second Homes Council Tax funding, to extend and increase the scale of our innovative “Hotels to Homes” programme.
- 1.2. To consider and approve the acquisition of Scheme 2 of the Hotels to Homes Programme as outlined in this paper, taking account of the associated risk and funding conditions.
- 1.3. To provide the necessary officer delegations to secure the site, demolish it and prepare it for affordable housing delivery.
- 1.4. To endorse the proposed governance methodology, with this paper representing a ‘First Stage’ business case that seeks approval for the acquisition and pre-development funding, with a ‘Second Stage’ Business Case coming back to Cabinet in the future to quest and allocate the necessary funds for capital delivery.
- 1.5. To note that due to a delay by government on the announcement of the next Homes England Affordable Homes Programme the report requested at the September 2024 Cabinet meeting in respect of a proposal to make Hotels to Homes into a long-term self-sustaining programme, must be delayed until after the 2025 Comprehensive Spending Review (or point at which officers have sufficient confidence on an applicable route to grant funding, to support delivery of the programme).

## 2. Reason for Proposal and its benefits

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- 2.1. This paper sets out a proposal to acquire “Scheme 2” of the Hotels to Homes programme, building upon the scheme presented for approval to the September 2024 Cabinet meeting at the former Brampton Court Hotel in Torquay. The Council has now entered into contract to acquire this, subject to the revised planning consent being issued in March 2025, which

will deliver 14-much needed homes for social rent. In this instance, officers have identified a suitable redundant hotel with an existing planning consent, that we can acquire by the end of March 2025, as required to meet the objectives of the Devolution Deal grant. In contrast to the turnkey deal at Brampton Court, Scheme 2 will see the Council directly build out a scheme ourselves, to meet our specification and to address the local need.

- 2.2. We are uniquely placed to deliver this programme: an increase in supply is a highly beneficial outcome, but the additional benefit is that it can help stop such sites entering a state of dereliction, as well as reducing the likelihood of long-term anti-social behaviour.
- 2.3. Officers have previously outlined the ambition to prove that Hotels to Homes can be a viable way to increase the supply of affordable housing in Torbay. This remains the programme's core objective. However, in light of the additional focus now being given to accelerated and increased housing supply by the new government, there is also an additional ambition; to prove that such schemes can increase housing delivery overall; and that these small brownfield sites can play an increasingly important role in meeting an enhanced Local Plan housing delivery target.
- 2.4. The Council has so far secured £3.000m of capital grant to 'seed fund' the first scheme at Brampton Court. A revenue allocation of £0.250m has also been secured. Through the Devon and Torbay Devolution Deal, the Council has now secured an additional indicative allocation of a further £2m of capital grant, subject to the following conditions:
  - That the next site will be purchased by the end of March 2025 (with associated spend on works and fees);
  - Committing to deliver the acquired site for social housing, to meet the objective of the Hotels to Homes programme;
  - Demonstrating spend of at least £2m overall on related social housing activities by the end of March 2025; and,
  - Torbay Council committing the match-funding of £1.000m of capital.
- 2.5. With the above in mind, it is necessary to bring this paper to Cabinet for approval to:
  - a) Secure the delegations to acquire the scheme, commission demolition and undertake the next stage of design works (as described in Exempt Appendix 1); and,
  - b) Outline the process that will follow for the redesign and progression towards a full business case (taking account of the funding criteria and timescales set by MHCLG).
- 2.6. It is worth noting the complexities associated with the Devolution Deal grant, to help understand the delivery model we need to deploy in this instance. Despite bids being submitted to in Spring 2024, the grant (and therefore the project) was not confirmed to the Council until late Autumn 2024; however, to effect drawdown, we are obliged to deliver the required outputs by March 2025. It is not possible to achieve the acquisition, demolition and construction of a site within such a short window; however, MHCLG (and as a result, the CCA) have so far declined to offer more realistic timescales.
- 2.7. Officers have therefore had to consider the options this presents: 1) take the grant terms at face value and, due to the impossibility of achieving the full original outcomes in the considerably reduced timescale, decline the grant allocation and pause any further work; or,

2) find a creative way to achieve the objectives, whilst substituting related spend into the programme, but making the necessary internal accounting provisions to provide an equivalent amount of capital back to secure and fund the original proposal.

- 2.8. Officers strongly believe that it is in the public's best interest to use all reasonable endeavours to secure the grant funding for the people of Torbay; both to provide the originally stated project benefits from delivering additional social housing for local people, but also to avoid reputational damage and likely impact the Council's ability to secure future funds from the CCA going forward. This paper therefore sets out the recommended approach to achieving Option 2 as set out in para 2.7, above.

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

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- 3.1. That subject to the Council approving the Revenue Budget and Capital Programme on 27 February 2025, which includes an allocation of £1.000m to affordable housing, the Cabinet:
1. Approve the inclusion of 'Scheme 2' within the Hotels to Homes Programme and allocate a 'First Stage' budget of £1.500m (to fund the acquisition, fees and on-costs, demolition & clearance, and redesign of the site), funded from Devolution Deal grant;
  2. Delegate authority to the Director of Finance, in consultation with the Director of Pride in Place and Cabinet Member for Housing and Finance, to agree suitable terms to acquire Scheme 2, for a price not exceeding the value stated in Exempt Appendices 1 and 3 (subject to the satisfactory completion of all necessary due diligence);
  3. Instruct the Head of Strategic Housing & Delivery to appoint:
    - 3.2. a demolition contractor (along with any associated technical surveys, reports and required project management etc.) to clear the site and prepare it for newbuild construction, in consultation with the Head of Commercial Services; and,
    - 3.3. a design and project management team to redesign the site for the optimum form of affordable housing, in consultation with the Head of Commercial Services;
  4. That a 'Second Stage' cost plan to request the necessary capital uplift to construct a scheme (taking account of grant conditions, scheme viability and planning considerations at that time) be presented to a future meeting of the Cabinet.
  5. That Cabinet note due to a delay by central government on the announcement of the next Homes England Affordable Homes Programme, the further report requested of officers at the September 2024 Cabinet meeting must be delayed until after the 2025 Comprehensive Spending Review (or other such time as we have suitable confidence on the funding available to support delivery of this programme).

### Appendices

- a) (Exempt) Appendix 1 – Housing Business Case
- b) (Exempt) Appendix 2 – Valuation
- c) (Exempt) Appendix 3 – Schedule of key financial information

## Background Documents

d) Chief Finance Officer's 2025/26 Budget Update report – February 2025

### 4. Introduction

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- 4.1. In the early 2000s, the Torbay LA area regularly delivered an average of 100-180 new affordable homes per annum, reaching a peak in 2013/14 of 273 new affordable homes. Since then, delivery has dropped significantly; average annual delivery over the last 4 years has been just 36 homes (data extracted from [MHCLG Live Table 1008C](#)). This is against a backdrop of high, and growing need for homes by local households registered with Devon HomeChoice.
- 4.2. This is largely a result of the current macro-economic and policy situation, compounded by the specific geographic issues we face in Torbay that collectively suppress new growth. With the majority of affordable homes provided through s106 by private sector developers, issues that affect private sector development have a direct implication on the proportion of new affordable homes provided. Added to this, many Registered Providers are scaling back their delivery programmes with little new commitment to growth reasons at present, as a result of the regulatory issues faced by the sector. The cumulative impact of this being: house price increases, a decline in the quality of private rental stock (as there is no financial incentive to strive for quality), diminished supply and, ultimately, a reduced ability for the Council to help those in most need.
- 4.3. The Council has committed to address this and increase affordable housing supply. A Housing Delivery Plan has been created to identify opportunities over the next five years, both for direct council delivery, and indirect delivery through partners. To that end, we have recently commenced development of the first new 'council housing' in Torbay for a generation, through redevelopment of the former St. Kilda's care home in Brixham for 23 homes for social rent, for older people.
- 4.4. Additionally, we have committed to deliver the Accommodation Re-purposing Project, now known as 'Hotels to Homes'. This has been specifically designed to respond to Torbay's unique profile of having relatively few suitable and supportable greenfield opportunities, but large numbers of small-medium urban brownfield sites in the form of unviable leisure and holiday accommodation. Through this initiative, the Council will acquire and convert or redevelop sites into purpose build social housing for local people; officers are pleased to confirm that the Council is now in contract to deliver its first such scheme (subject to a revised planning consent being issued in March 2025), at Brampton Court Hotel in Torquay for 14-homes for social rent. We have secured an initial £3.000m of grant subsidy from the Levelling-Up Fund to commence delivery at Brampton Court and we have now been awarded a second tranche of grant funding from the Devon and Torbay Devolution Deal to extend this to deliver more much-needed social housing for the local community.
- 4.5. The private sector does sometimes regenerate sites of this type into housing. However, the numbers of homes delivered in this way is small; furthermore, such developer-led opportunities typically provide few – if any – affordable homes. This is because such sites are either only large enough for a maximum of 14 dwellings (and therefore fall below the Local Plan threshold for affordable housing) or developers design their schemes such that

they artificially end up below the affordable housing threshold. Regardless, though, of the actual size or developer appetite, it is true to say that such schemes are comparatively expensive to build and present a greater risk to a developer than – say – a typical greenfield site. Consequently, there is often a genuine viability argument that may legitimately reduce any affordable housing or other s106 obligation. Conversely, our Hotels to Homes programme is specifically designed to redevelop these sites for **100% affordable housing**. As they offer a below-market income, such schemes can only be delivered where there is a suitable form of subsidy to bridge the viability gap between cost and social housing incomes, either from Homes England or other public source.

- 4.6. Whilst new homes will be let through Devon HomeChoice to eligible local households, there is an intention to make these schemes attractive to households where at least one adult is working in a key local industry (what has historically been called “keyworkers”). This is to seek to specifically address the chronic recruitment issues faced by parts of the public sector such as the NHS, where a lack of affordable, good quality housing is having a direct impact on recruitment and retention, creating major difficulties for the health service and ultimately impacting upon the health outcomes of Torbay residents.
- 4.7. Hotels to Homes is an ambitious proposal to increase the supply of new homes that are ideal for people working in key local industries, without sacrificing more of the green spaces within the Bay. It is also intended, in the medium-term, to be a self-sustaining, cyclical investment programme that blends Council-secured borrowing with Homes England grant, the Levelling-Up Fund subsidy and the CCA grant into a combined social housing development ‘fund’. Overall, we are working towards the Council having a medium-sized ongoing programme of social housing development specifically on brownfield sites. This is to both increase our delivery numbers and provide much-needed small-scale regeneration urban renewal. The intention is to:
  1. Purchase sites and enable their redevelopment;
  2. Let the built homes to local people working in key industries, at social rents;
  3. Build up a portfolio of stock over a medium term;
  4. To attempt to sell this portfolio (with tenants) to a partner RP, generating a capital receipt to (which can be used to fund the next tranche of delivery); and,
  5. Repeat (ad infinitum).
- 4.8. To achieve the ambitions of the Devolution Deal grant, we have extensively searched the market to identify a site that:
  1. meets the council’s delivery objectives,
  2. is possible to acquire by 31 March 2025, and,
  3. where we can secure a demolition contractor to immediately clear the site following purchase (to prepare the site for redevelopment and reduce the liability in respect of ownership of a dilapidated building).
- 4.9. A Torquay-based specialist project management firm has been contracted to support us with this process, and expert conveyancers are managing the acquisition. The building is vacant, being a former hotel that ceased trading some time ago.
- 4.10. The site has the benefit of an extant planning consent, but officers consider that a more efficient form of design could be achieved to increase the scale of development without compromising design. Once purchased, we will undertake a feasibility exercise to consider

the most appropriate form and scale of development, to maximise the viability position. Whilst we will seek to increase density, the presence of the extant consent significantly reduces the risk profile; it also means that we have a ‘fallback position’ if necessary.

- 4.11. As such we are effectively splitting the project and budget approvals into the following:
  1. A First Stage business case (this paper) – to approve the acquisition of the asset and demolition, and redesign the project to increase the number of units on the site; and
  2. A Second Stage business case – to consider the revised scheme and overall capital allowance for construction of the built homes, and proposed procurement strategy.
- 4.12. Splitting the scheme has enabled us to achieve the threshold required for the CCA in respect of securing a site for the Hotels to Homes Programme, which when combined with our other social housing delivery activity throughout the Bay has enabled us to unlock the grant. To expedite the redesign, the Council is negotiating the transfer of relevant technical studies, rather than having to recommission work unnecessarily. The target is to submit any revised planning application by Autumn 2025.
- 4.13. Officers have secured a Red Book valuation for the site, which is attached at Exempt Appendix 2. The Council’s initial offer was at the price stated in the valuation; however, this was refused. In consultation with the Director of Finance, officers have had an offer accepted at 105.6% of the valuation. Whilst this is not the standard approach, we have to recognise that we are bound by extremely tight deadlines, which means our negotiation options have been limited. Further, as the difference between the valuation and the accepted offer is so small; this strategy is considered – on balance – to be a suitable way to both secure our next site, and ultimately the external grant funding for the benefit of the people of Torbay.
- 4.14. Officers have exchanged Heads of Terms with the vendor and the conveyance is progressing at pace. We are working to a target of simultaneous exchange and completion on 14 March 2025, with demolition following as soon as possible thereafter.
- 4.15. As a First Stage business case, this paper does not propose the building strategy or capital budget for the new homes’ construction – this will follow in a Second Stage appraisal. This is because officers consider that the default scheme is not an ideal way to deliver the project in the context of current market conditions and grant regime; we intend to work up an alternative proposal once the site is in our ownership to attempt to improve viability (although we believe that it would be possible to deliver the default scheme if necessary through enhanced use of internal affordable housing subsidies).
- 4.16. There are two disadvantages with this staged approach, though:
  1. It means that there will be some duplication in respect of governance, as officers will need to draft a second paper to allocate the necessary capital delivery funding.
  2. Officers cannot currently give certainty about the costs associated with construction of the new homes, as we do not know what will be built.
- 4.17. Officers have undertaken an indicative modelling exercise utilising BCIS benchmark build costs and using standard assumptions in respect of on-costs and fees etc. (with preliminary advice from an external Quantity Surveyor). In the event that we have to build out the default scheme we believe that it would be possible to deliver a project using the capital grant sources outlined in this paper, along with standard rates of borrowing, and – if absolutely



necessary – additional internal affordable housing subsidy to fund delivery. Although should it be necessary, there would be an option to sell the site on if necessary.

- 4.18. Cabinet should be clear that whilst the proposal is considered the most pragmatic way to meet the challenging grant conditions and secure the investment in Torbay, our only option is to purchase with the acceptance that this will be a (calculated) commercial risk in the event that: a) we cannot obtain an improved planning consent, or b) that we cannot identify a more efficient scheme through the redesign process. Furthermore, purchasing the scheme (and accepting the grant income), will create an obligation on us to find a way to deliver a built scheme for affordable housing. As outlined above, in the worst case scenario the solution would be build the default scheme and use additional internal subsidy to address any financial shortfall. With the extremely limited time available to us, it is impossible to eliminate these risks; however, with them expressly considered as part of the appraisal by Cabinet, officers – on balance – recommend proceeding as set out.
- 4.19. All homes would be built to modern standards, with an expectation that we can achieve at least EPC B, utilising low carbon heating (with renewable energy, if this is supported through the planning process). The site is within an attractive, tree-lined area or Torquay where values are comparatively high, and where a number of similar properties have been converted to residential accommodation in recent years. A combination of on and off-street parking will also be provided, and homes will meet Homes England's requirements in respect of NDSS standards. We also anticipate providing a fire suppression system within the scheme to enhance the protection offered to tenants and our investment. A tender exercise for demolition has recently been undertaken by the appointed Project Management firm, for the figure outlined in Exempt Appendix 3. Main construction of a site like this is likely to take in the region of 12 months from start to completion.
- 4.20. As outlined, officers hope to encourage local "keyworkers" to bid for such properties when they come available, but it's important to note that we cannot restrict allocations to this cohort as this would be a conflict with current Homes England grant funding criteria (which is an essential consideration, in respect of being able to convert the pilot project into a long-term programme). However, we will work with local key employment industries to encourage applications from eligible local workers on the housing register, where we can.
- 4.21. Unlike Brampton Court, we will be wholly responsible for the design and build of the scheme. As such, it will be constructed to our specification and be delivered by the Council's in-house Strategic Housing & Delivery Service. This will involve working with private sector suppliers, in a similar way to the St. Kilda's project, which is now underway.
- 4.22. In the September 2024 cabinet paper, officers outlined an expectation to outline an approach to move from a site-by-site approach to individual projects, to a programme approach with an associated funding strategy. This was based on the information available at that time, which suggested that the Labour Government would announce the next Homes England programme before the end of 2024. This has not yet happened, with the current expectation that this will now follow the June 2025 Comprehensive Spending Review. As a result, officers have no option but to postpone presentation of this paper as we don't yet know what the new subsidy regime will look like and what level of investment the grant will enable us to leverage through borrowing. As such, the Head of Strategic Housing & Delivery will bring this paper to members for consideration as soon as we have sufficient direction from the government/Homes England on the likely direction of travel in this regard.

## 5. Options under consideration

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- 5.1. The short timescales associated with this grant mean there are just three options available:
- 5.2. **Option 1** is to acquire the scheme as set out in Exempt Appendix 1. This must be in acceptance of the risks highlighted in respect of not currently knowing the best delivery route for this site (in respect of size and scale etc. with the most viable way to deliver the project therefore not yet known. Officers believe there is a more efficient way to develop the site, but this cannot be known for definite until the redesign exercise has been concluded – the risk for the council is that it is not possible to conclude this review until after the grant claim deadline. However, this would mean the inevitable return of the grant funding, and the non-provision of the much-needed affordable homes.
- 5.3. **Option 2** would be to withdraw from the purchase of Scheme 2 and attempt to identify a hotel for acquisition at auction, which would have to be purchased on an ‘as seen’ basis. Very little (if any) due diligence would be possible within the timescales which would therefore represent a considerable risk to the Authority. Furthermore, we would have no option but to attempt to purchase whatever is available through that purchase route at that point in time – it may be difficult to find something that meets our requirements in the time available; furthermore, the liability associated with purchasing something we know practically nothing about is considerable, and it would require a significant leap of faith to proceed down this route. We would also have limited ability to test the likely support from the planning team and have to rely on whatever information is readily available, as opposed to making an informed purchase. This option is considered to represent far too great a risk and cannot be recommended as a way forward.
- 5.4. **Option 3** would be to hand back the grant and decline to proceed further. This would be detrimental to our relationship with MHCLG, the new government and the CCA. This may also cause wider implications for other Council delivery programmes and funding streams, too. Ultimately, this would also mean that the additional affordable housing supply we urgently need, would not materialise. This would be extremely detrimental, and reputationally very damaging, and cannot be recommended either.
- 5.5. The reality is that **Option 1**, by virtue of the fact that the Council is already underway with the due diligence of the acquisition is likely to be the best way forward and has the greatest chance of successfully delivering the new homes, of the three options considered here. It is clearly far less than ideal to have been set such unachievable timescales for delivery, which has severely hampered what we have been able to identify and purchase. It means that we have no option but to purchase with a two-stage business case process (with the inevitable risk this creates), but it really is our only option to preserve this grant allocation for the community in Torbay. As such, whilst members should again be mindful of the commercial risks associated with this approach, Option 1 is the recommended way forward, as the only reasonable way to preserve the grant award for the community in Torbay, and to drive this much needed growth in social housing, within the confines allowed for the grant award.

## 6. Financial Opportunities and Implications

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- 6.1. This proposal seeks to increase Torbay Council’s capital programme by £3.000m, funded through £2.000m of grant from the Devon and Torbay Devolution Deal, with £1.000m of match-funding from Torbay Council. The Director of Finance, in his Chief Finance Officer’s

Report has outlined the financial implications of the proposed budget but suffice to say that the Council's £1.000m of match funding is a funded allocation in the budget, funded from the increase in Second Homes Council Tax income. There are not considered to be any other financial implications associated with increasing the capital programme in this way.

6.2. In respect of the scheme, a business case has been presented to the Capital & Growth Board in respect of the land acquisition. The proposal was considered by the Director of Finance, Director of Pride in Place, Director of Regeneration and other senior officers within the Council. A copy of the business case presented is attached at Exempt Appendix 1. Inevitable concerns were expressed about the two-stage nature of this proposal; however, in light of the alternative position of handing back the grant and reputational damage this would incur, the Board provided its endorsement for the proposal.

6.3. The financial benefits and disbenefits of the acquisition are considered below:

6.4. Benefits:

1. The acquisition will not require council borrowing. As such, there will be no net impact to tax payers, or our overall borrowing headroom position.
2. The acquisition makes good use of the grant funding, for its intended purpose and in accordance with our obligations.
3. Whilst it has not been possible to spend the full £2.000m of grant on a newbuild scheme as per the original intention (as it's not possible to achieve the ambition in just c.4months), agreeing to proceed to purchase the asset in this way unlocks an ability to substitute in other related affordable housing activity to justify the full grant award being made to the Council.
4. The project will generate rental income once complete, which will fund any borrowing associated with the final scheme.
5. An allocation will be made from the gross rental income to pay for costs associated with management, maintenance, long-term refurbishment and to cover void risk etc. Service charges will also be levied on top of the gross rent to cover aspects such as communal maintenance/management and fire suppression servicing etc.
6. The scheme has potential to secure additional Homes England grant (subject to assessment and approval) once the government have confirmed the nature of the next Affordable Homes Programme. This will be essential for the conversion into a long-term self-funding model.
7. Redevelopment of this hotel to additional homes generates additional Council Tax income for the Authority.
8. In the event of any major structural defect arising within the first 10 years of completion, the Council's investment will be protected by a construction warranty.

6.5. Disbenefits:

1. The Council will be taking the commercial risk of an acquisition as set out.
2. We do not currently know the best form of delivery for the project, or the quantum of homes that it could facilitate but must acquire the site for the fixed sum.
3. The Council has an aspiration to enable a medium-term sale of any housing stock it purchases to a partner Registered **Page 27** It is possible that the Council may not be

able to find a partner that is able to commercially acquire stock from us, in the future. In this circumstance, the Council would not be able to generate a disposal receipt, which would necessitate the need for further borrowing to sustain the current growth ambitions, which is not the current brief.

4. If officers are unable to secure the necessary additional funding to convert the first projects into a long-term self-financed model, the Council will be in ownership of two schemes of this type, which would be inefficient in terms of management.
5. There is a hypothetical risk that the Council is unable to secure either Homes England grant, which would mean utilising all of the CCA grant, all of the Council's match-funding, and further subsidising the project with additional internal subsidy (likely from receipts). This would result in less headroom overall, meaning we deliver fewer schemes (it should be noted that there can be no guarantees of Homes England grant – this will depend on the outcome of the new government's vision for the next Affordable Homes Programme);
6. There is a hypothetical risk that we cannot find suitable tenants to occupy the new homes. However, this is very unlikely, considering the extent of housing need on Devon HomeChoice with a local connection.

## 7. Legal Implications

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- 7.1. The Council will be entering into a commercial arrangement to purchase an asset on the open market. External lawyers have been appointed to undertake the conveyance, and the transaction will not proceed unless and until the relevant due diligence has been undertaken to a satisfactory conclusion. However, once we have exchanged contracts, the Council will not be able to withdraw from the purchase without considerable penalty.
- 7.2. Unlike the Brampton Court scheme, the Council will be responsible for securing the site and ultimately enabling its redevelopment. Corporately, the Council will need to commit the relevant resources to securing the site to keep members of the public safe, and also to expediting the procurement processes associated with demolition and new build, in due course. The Council will also need specialist legal advice in respect of construction contracts and utilising the specialist skills of an Employer's Agent to protect our investment.

## 8. Engagement and Consultation

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- 8.1. In this instance, the principle of redevelopment has already been set through the planning consent. As part of the normal planning process, nearby residents and neighbours will have been given chance to comment on proposals; similarly, affected local people will have the normal right to comment on the revision to the planning application, which will be submitted to the Local Planning Authority in due course.
- 8.2. The SRO has engaged with senior officers throughout development of this proposal, and through the Capital & Growth Board process. Support has been received to proceed, with the Board specifically noting the risks outlined but endorsing the recommended way forward in light of the challenging grant obligations and the need to progress at speed.

- 8.3. The SRO has engaged extensively with the Portfolio Holder for Housing and Finance, who is supportive. Cabinet are also aware of the scheme through information sharing sessions, Capital & Growth Board and through the development of the Housing Delivery Plan.
- 8.4. The SRO will meet with the Shadow Portfolio Holder for Housing & Finance, prior to the cabinet meeting
- 8.5. The SRO will offer to meet with the elected members that represent the ward, prior to the cabinet meeting.
- 8.6. The SRO will liaise with the Council's in-house housing management team prior to the Cabinet meeting.
- 8.7. The SRO will liaise with the Housing Options service ahead of Cabinet.
- 8.8. The SRO has engaged with Homes England representatives in developing this proposal. Homes England are broadly supportive but are unable to confirm outright backing until they scrutinise any forthcoming grant bid and financial appraisal.
- 8.9. The SRO has liaised with Planning Policy colleagues to ensure no fundamental conflict in respect of an attempt to densify the number of homes on the site.

## 9. Procurement Implications

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- 9.1. The acquisition of land falls outside of the Contract Procedures Rules; such transactions do not constitute a procurement.
- 9.2. The Council has procured a local Project Management firm to run the project day-to-day. They have procured on our behalf some of the technical surveys etc., required to proceed to the next stage.
- 9.3. The Council will be procuring a demolition contractor to clear the site. The PM Team has tendered this; two responses have been received and the best value for money quote is currently being formally procured.
- 9.4. The Council will need to procure a full range of additional surveys and design work – this will use either a framework supplier, or other approved route to market.
- 9.5. The Council will need to commercially tender for a construction partner, to build the scheme (on appropriate terms). This has not yet taken place.
- 9.6. The Council has appointed an external commercial advisor to support this project, and the scheme has been sourced through this route. The Council's Head of Commercial Services has supported this procurement exercise.
- 9.7. The Council has appointed external legal representation for the conveyance, through the Council's Legal Service. In this instance, industry expert social housing specialists have been procured to provide the conveyance support, to ensure no future issues in the event that the Council is able to sell batches of stock to a partner RP at some point in the future.
- 9.8. An Employer's Agent and Clerk of Works will need to be appointed in due course.

## 10. Protecting our naturally inspiring Bay and tackling Climate Change

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- 10.1. The acquisition of brownfield sites for redevelopment helps prevent greenfield sites being required to deliver housing growth. It also helps make better use of land and achieves our ambitions for intensifying housing within our urban centres where the existing use is no longer viable.
- 10.2. The new homes will be heated by air source heat pump/electricity only, meaning that fossil fuels will not be required to provide space or water heating.

## 11. Associated Risks

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- 11.1. There are risks associated with any commercial activity. The principal risks associated with this scheme are described throughout this paper and appendices.
- 11.2. As indicated throughout this paper, as a result of the grant conditions, this is a rapidly evolving scheme with an enhanced level of conveyancing due diligence. An 'additional conveyancing risk' has been identified, for reasons of commercial sensitivity cannot be disclosed publicly. This is described in greater detail in Exempt Appendix 3.

## 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
<p>Age</p> <p style="writing-mode: vertical-rl; transform: rotate(180deg);">Page 31</p>	<p>18% of Torbay residents are under 18 years old.</p> <p>55% of Torbay residents are aged between 18 to 64 years old.</p> <p>27% of Torbay residents are aged 65 and older.</p>	<p>Due to the client group to be targeted, this project is likely to provide a benefit to younger households.</p> <p>The flats would be let to occupants who are suitable to sustain a tenancy in the property. Considerations would be paid to accessibility requirements, support needs and suitability of location.</p>	<p>The project is aimed at local people working in key industries and it is therefore reasonable to anticipate that older people are less likely to secure a home in these schemes.</p> <p>Older households will not be excluded, however, through the lettings process if they are otherwise the most suitable candidates to secure one of the homes provided.</p>	<p>Lettings and Housing Management</p>
<p>Carers</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>Lettings would not discriminate against the caring responsibilities of future tenants</p>		<p>Housing Management and Lettings</p>
<p>Disability</p>	<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</p>	<p>Due to the nature of converting existing buildings, it will not always be possible to create flats that are suitable for occupants with a physical disability. Any</p>	<p>Consider accessibility and mental health needs in designs of conversions</p>	<p>Strategic Housing</p>

	physical or mental health condition or illness.	support needs would be assessed at the time of letting the flats		
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.	We would not discriminate against gender on general needs rented properties unless there was a specific requirement to have same sex accommodation, for example in the case of a women's refuge.	N/A	ALL
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 marital status of occupants should not influence the suitability of the flats. No adverse impact expected.	NA	ALL
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 areas.	Only flats with 2 or more bedrooms would be considered suitable for families.	NA	Lettings and Housing Management
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.	No adverse impact expected as we would not discriminate on the lettings of flats based on ethnicity	NA	Lettings and Housing Management



Religion and belief	64.8% of Torbay residents stated that they have a religion in the 2021 census.	No adverse impact expected as religion would not be a consideration in the lettings process	NA	Lettings and Housing Management
Sex	51.3% of Torbay's population are female and 48.7% are male	No adverse impact expected as general needs lettings does not discriminate on gender	NA	Lettings and Housing Management
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.	No adverse impact expected as sexual orientation is not discriminated against	NA	Lettings and Housing Management
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 served in the UK armed forces.	Theoretically, affordable housing is more likely to be available to former service personnel and their families, as there is a degree of preference awarded to such households when they join the housing register.	Consider needs during the lettings process	Lettings and Housing Management
<b>Additional considerations</b>				
Socio-economic impacts (Including impacts on child poverty and deprivation)		No negative impact expected. Affordable housing supports those in need of a safe and warm home, facilitating the improvement of socio-economic prosperity	NA	NA
Public Health impacts (Including impacts on the general health of the population of Torbay)		By providing suitable, safe, and warm affordable housing we can lower public health impacts and improve the health of occupants.  Removing dilapidated hotels from the market, and preventing them being	NA	NA

		converted into poor quality HMO-style housing has a positive public health benefit in terms of living conditions, and the impact on local services and infrastructure etc.		
Human Rights impacts		No negative impact expected	NA	NA
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.	No negative impact expected as the flats will not discriminate against children. Only flats that have more than one bedroom will be suitable for children	NA	Lettings and Housing Management

## 13. Cumulative Council Impact

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- 13.1. An increase to the Council's portfolio of social housing, which requires ongoing management etc. However, this will be accounted for within the Second Stage financial case for the project and programme, with suitable allowances made to ensure the long-term, appropriate management and maintenance of our housing stock.

## 14. Cumulative Community Impacts

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- 14.1. An increase in the provision of affordable housing, accessible to local people, providing a considerable benefit.
- 14.2. Improvement in recruitment and retention opportunities for key public services, through the prioritisation of relevant key worker households for occupation of new homes.

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**Meeting:** Overview and Scrutiny Board/Cabinet

**Date:** 12 and 18 February 2025

**Wards affected:** All Wards

**Report Title:** Rent and Service Charge Policy and proposed changes to social housing rents

**When does the decision need to be implemented?** February 2025

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

**Director Contact Details:** David Carter, Director of Regeneration, david.carter@torbay.gov.uk

## 1. Purpose of Report

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- 1.1. The report seeks approval to adopt the Rent and Service Charge Setting Policy and authorisation to implement the proposed rent increases for Torbay Council's housing stock, due to be set by the Council on 27 February 2025 as part of the budget setting process, and to be implemented from 1 April 2025.
- 1.2. It is proposed that Torbay Council's social housing stock rent increase is set in line with the Government's Rent Standard Guidance and the Council's Rent and Service Charge Setting Policy includes a rent increase cap for 2025-2026 to remain at CPI + 1%. It should be noted that Temporary Accommodation and Service occupancy accommodation do not fall under the Government Rent Standard.

## 2. Reason for Proposal and its benefits

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- 2.1. The proposals in this report help us to deliver our vision of a healthy, happy, and prosperous Torbay by ensuring fair rent for the Council's Housing Stock.
- 2.2. The reasons for the proposal, and need for the decision is to ensure the Council has an up to date Rent and Service Charge Policy, which sets the framework for all its housing stock that any rent increases will operate within as is in accordance with the Government's Rent Guidance.

## 3. Recommendation(s) / Proposed Decision

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1. that the Rent and Service Charge Setting Policy set out at Appendix 1 to the submitted report be approved;

2. that Council on 27 February 2025 be recommended to approve as part of the Revenue Budget Fees and Charges the proposed rent increase for 2025/2026 whereby all Social Housing rents are increased by 2.7% (CPI+1%); and
3. that rent reviews take place on all Service Occupancy properties and those rents be increased up to open market value.

## 4. Appendices

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Appendix 1: Rent and Service Charge Policy

Appendix 2: Temporary Accommodation Charging Procedure

Appendix 3: Rent and Service Charge policy - Equality Impact Assessment

## 5. Background Documents

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[Rent Standard and Guidance - GOV.UK](#)

## Supporting Information

### 6. Introduction

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- 6.1 Last year saw the rents increase with CPI + 1% which equated to a total of 7.7%. The Government also increased the LHA rates for the period April 2024 to March 2025 and these are not set to increase for the forthcoming financial year. The table below shows the current LHA levels and the proposed increase to rents in Torbay Council's social housing stock.

#### Local Housing Allowance rates 2024/2025

Shared room	One bedroom	Two bedroom
£366.16	£503.62	£673.14

#### Proposed Social Housing Rents 2025/2026

Shared room	One bedroom	Two bedroom
£311.54	£496.36	£661.81

- 6.2 Social Housing tenants need to receive at least one month's notice to increase their rent, notices are normally hand delivered the last week in February. Some of the social housing stock remains with TorVista Homes at this time. During their Board meeting on 5 December 2024 TorVista homes Board approved the proposed rent increase for their stock at that meeting.

### **Temporary Accommodation**

- 6.3 Torbay Council have a framework they use to charge a service charge for all households in temporary accommodation to enable the recovery of ineligible housing costs. The Policy also allows the recovery of housing costs up to the value of the Local Housing Allowance (LHA) rate where the household are not eligible for housing benefit or have failed to submit a claim. In addition the Policy also allows the recovery of costs incurred by the service in discharging it's duties, such as kennels and removals.
- 6.4 The charges set are for use and occupation of the accommodation and the charge will be reasonable under the terms of s206(2) Housing Act 1996. The Licence fee (rent charged) is capped in line with the current LHA rates.

### **Service Occupancy Accommodation**

- 6.5 Under the terms of the existing service occupancy agreements there is no rent review clause. However under the Housing Act 1988 a Section 13 notice can be served by a landlord to propose an increase in rent.

## **7. Options under consideration**

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- 7.1. Not applicable

## **8. Financial Opportunities and Implications**

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- 8.1. Agreeing a policy that proposes rent increases below what is permitted under the Governments rent guidance has the potential to create revenue pressures with the management and maintenance of the properties. The proposal as set out reduces this risk.

## **9. Legal Implications**

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- 9.1. Not applicable

## **10. Engagement and Consultation**

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- 10.1. Not applicable

## **11. Procurement Implications**

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- 11.1. Not applicable

## 12. Protecting our naturally inspiring Bay and tackling Climate Change

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12.1. Not applicable

## 13. Associated Risks

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13.1. Agreeing a policy that proposes rent increases below what is permitted under the Governments rent guidance and that is being proposed has the potential to create revenue pressures with the management and maintenance of the properties. The proposal as set out reduces this risk.

## 14. 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
<p>Age</p> <p>Page 119</p>	<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>Safe, secure and affordable accommodation is vital to ensure wellbeing. This is key as people tend to experience increased fragility as they age.</p> <p>It is recognised that paying fees and charges may be difficult for some pensioners due to high levels of poverty within this demographic. Furthermore, some pensioners may difficulty accessing financial wellbeing information due to the societal shift to ‘digital first’ models of service delivery.</p> <p>Safe, secure and affordable accommodation is also important for children and young people to ensure that they can reach their potential.</p>	<p>We will work in a person centred and trauma informed manner alongside other Council departments to ensure that individual needs are met.</p> <p>Information about charges and fees will be clearly communicated to tenants in a format and manner that is accessible to them. The service will also signpost service users to partner agencies where additional support is required.</p> <p>This signposting will supplement the information about the cost-of-living crisis</p>	<p>Pride in Place</p> <p>Rent Arrears and Debt Recovery policy promotes a payment culture, early intervention when arrears occur and signposting to relevant agency.</p>

			<p>which is provided by Torbay Council.</p> <p><u>Help with the cost of living - Torbay Council</u></p>	
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>Safe, secure and affordable accommodation is vital to ensure wellbeing.</p> <p>It is recognised that paying fees and charges may be difficult for some carers due to higher levels of poverty within this demographic.</p> <p>However it is recognised that people with caring responsibilities are more likely to experience financial hardship.</p>	<p>We will work in a person centred and trauma informed manner alongside other Council departments to ensure that individual needs are met.</p> <p>Information about charges and fees will be clearly communicated to tenants in a format and manner that is accessible to them. The service will also signpost service users to partner agencies where additional support is required.</p> <p>This signposting will supplement the information about the cost-of-living crisis which is provided by Torbay Council.</p> <p><u>Help with the cost of living - Torbay Council</u></p>	Pride in Place



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>Safe, secure and affordable accommodation is vital to ensure wellbeing.</p> <p>It is recognised that people with disabilities and in particular learning disabilities face increased vulnerabilities when compared to the wider population.</p> <p>It is recognised that paying fees and charges may be difficult for some people with disabilities due to higher levels of poverty within this demographic.</p> <p>It is also recognised that those with some mental health conditions may find applying for financial support daunting.</p>	<p>We will work in a person centred and trauma informed manner alongside other Council departments to ensure that individual needs are met.</p> <p>Information about charges and fees will be clearly communicated to tenants in a format and manner that is accessible to them. The service will also signpost service users to partner agencies where additional support is required.</p> <p>This signposting will supplement the information about the cost-of-living crisis which is provided by Torbay Council.</p> <p><a href="#"><u>Help with the cost of living - Torbay Council</u></a></p>	Pride in Place
Gender reassignment	<p>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.</p>	<p>There is no differential impact anticipated.</p>	<p>Not applicable</p>	<p>Not applicable</p>

	This proportion is similar to the Southwest and is lower than England.			
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.	There is no differential impact.	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 numbers of live births since the middle of the last decade across all geographical areas.	There is no differential impact.	Not applicable	Not applicable
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	It is recognised that people who are from black, Asian or minority ethnic backgrounds are more likely to experience financial hardship.	We will work in a person centred and trauma informed manner alongside other Council departments to ensure that individual needs are met.  Information about charges and fees will be clearly communicated to	

	the 20% most deprived areas in England.		<p>tenants in a format and manner that is accessible to them. The service will also signpost service users to partner agencies where additional support is required.</p> <p>This signposting will supplement the information about the cost-of-living crisis which is provided by Torbay Council, this includes links for benefit and finance advice, housing and homelessness.</p> <p><a href="#"><u>Help with the cost of living - Torbay Council</u></a></p>	
Religion and belief	64.8% of Torbay residents who stated that they have a religion in the 2021 census.	There is no differential impact.	Not applicable	Not applicable
Sex	51.3% of Torbay's population are female and 48.7% are male	It is recognised that families and households headed by females are more likely to experience financial hardship and be on lower income and thus, experience homelessness.	We will work in a person centred and trauma informed manner alongside other Council departments to ensure that individual needs are met.	Pride in Place

			<p>Information about charges and fees will be clearly communicated to tenants in a format and manner that is accessible to them. The service will also signpost service users to partner agencies where additional support is required.</p> <p>This signposting will supplement the information about the cost-of-living crisis which is provided by Torbay Council.</p> <p><u><a href="#">Help with the cost of living - Torbay Council</a></u></p>	
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.	There is no differential impact		Not applicable
Armed Forces Community	In 2021, 3.8% of residents in England reported that they had previously served in the UK armed forces. In Torbay,	Veterans often suffer complex physical and/or mental medical conditions resulting from their service experiences.	We will work in a person centred and trauma informed manner alongside other Council departments to ensure	Pride in Place

	<p>5.9 per cent of the population have previously served in the UK armed forces.</p>	<p>Torbay Council is committed to working with Veterans under the Localism Act.</p>	<p>that individual needs are met.</p> <p>Information about charges and fees will be clearly communicated to tenants in a format and manner that is accessible to them. The service will also signpost service users to partner agencies where additional support is required.</p> <p>This signposting will supplement the information about the cost-of-living crisis which is provided by Torbay Council. Help with the cost of living - Torbay Council.</p> <p><u><a href="#">Help with the cost of living - Torbay Council</a></u></p> <p>We will also signpost to appropriate organisations providing support to the armed forces community.</p>	
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Additional considerations				
Socio-economic impacts (Including impacts on child poverty and deprivation)		Torbay Council set rents under the Rent Standard set by the Government. Rents are capped at the Local Housing Allowance rate.	That we take steps under this policy to support this.	Pride in Place
Public Health impacts (Including impacts on the general health of the population of Torbay)		There is no differential impact anticipated	Not applicable	Not applicable
Human Rights impacts		There is no differential impact anticipated	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.	There is no differential impact anticipated	Not applicable	Not applicable

## 15. Cumulative Council Impact

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15.1. None

## 16. Cumulative Community Impacts

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16.1. None

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# Rent & Service Charge Policy

August 2024

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## 1. Version control

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Date	Details	Updated by
August 2024	V1	

## 2. Policy Statement

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Torbay Council will set its rents and service charges annually for customers. We will work within the framework set out by the Regulator of Social Housing and we will provide the correct notices within the correct timeframe to all customers.

## 3. Scope

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This policy covers:

- Current and New Social Rent tenants, including any specialist projects.
- New build, including Affordable Rent
- Service Charges

This policy does not cover any charges payable or collected by Torbay Council on behalf of a third party. These will be set out in the relevant agreements.

This policy applies to all social housing tenants of Torbay Council owned properties. This policy does not apply to any commercial tenancies or agreements between Torbay Council and a third party. This policy provides the framework for Torbay Council to set both rent and service charges on an annual basis and is supported by the terms and conditions within occupation agreements.

## 4. Aims & Objectives

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### 4.1 Overall Aim

The overall aim of this policy is to ensure that rents and service charges are applied and recovered in accordance with legislative and regulatory requirements and provide a fair and affordable system of charging to customers that represents good value.

## 4.2 Objectives of the policy

The objective of this policy is to ensure that rents and service charges:

- are set and maintained in accordance with The Safety and Quality Standard, which was introduced on 01st April 2024 ([Safety and Quality Standard - GOV.UK \(www.gov.uk\)](https://www.gov.uk))
- are charged in accordance with the conditions of any lease and / or other legal document for leasehold properties.
- are compliant with the requirements of the Landlord & Tenants Act 1985 (and subsequent amendments) and other relevant legislative requirements.
- are set at levels that are affordable to customers on low incomes and / or in receipt of state benefits, represent value for money, and which adequately meet the operating and other costs of Torbay Council.

## 5. Responsibilities

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Key areas of responsibility relevant to the approval and implementation of this policy are set out below:

5.1 Cabinet - is responsible for establishing the overall framework for the setting of rents and service charges, and ensuring the policy is reviewed annually so that it complies with regulatory and legislative requirements as well as meeting Torbay Council's Financial Plan.

5.2 Director - has responsibility for ensuring this policy is applied to ensure compliance with regulatory and legislative requirements.

5.3 Head of Finance - has the responsibility for ensuring that rents and service charges are calculated in accordance with this policy, and that appropriate financial and other support and advice is provided to Cabinet and Director as required.

5.4 Housing Manager – The Housing Manager will have the day-to-day responsibility for the implementation of rent and service charges and ensuring timely communication with tenants, including:

- ensuring prompt implementation of rent and service charges increases / decreases following the Cabinet's decisions
- ensuring housing management and other systems are updated in a timely manner
- ensuring there is timely and appropriate communication with customers, and that customer enquiries are dealt with promptly and effectively
- ensuring prompt implementation of any internal audit recommendations.
- Tenants are required to comply with all terms and conditions of their Tenancy Agreement, lease or other legal agreement. The framework for collection of rents and service charges due is covered separately under the Income and Arrears Policy.

## 6. Definitions

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### **Social rented housing**

Since 2001 social rents have been set based on a government formula which uses average sector rent, relative county earnings, number of bedrooms and property value. This is known as formula rent and once calculated is subject to annual adjustments based on the rent uplifts since 2001 and the subsequent four reductions from 2016. Flexibilities allow us to charge at up to 5% above formula rent to take account of local circumstances and affordability.

### **Affordable rented housing**

This is housing that is subject to a Homes England housing supply delivery agreement, or an agreement between a local authority (Torbay Council in this instance) and the Secretary of State, which allows homes to be let at affordable rent. The rent, including service charges, must not exceed 80% of the gross market value.

### **Service Occupancy Agreement**

This is an Assured Shorthold Agreement where accommodation is linked to employment with Torbay Council. The agreement is between Torbay Council as the Employer and the employee. The accommodation is tied to the employment for the length of the employment contract. The rent has been set at two thirds of the open market rent of the accommodation.

### **CPI**

Consumer Price Inflation - The rate of inflation is the change in prices for goods and services over time. Measures of inflation and prices include consumer price inflation, producer price inflation and the House Price Index.

### **RPI**

Retail Price Index is another method of measuring consumer inflation and is produced by the Office for National Statistics.

## 7. Rent Setting Current and New Social Rent Tenants

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The Government announced that the previous Rent Standard Guidance would be reinstated for a five-year period (2020/21 – 2024/25 inclusive) at the end of the rent reduction period. This allows Registered Providers to increase social housing rents by CPI + 1% per year, with CPI taken by reference to the prevailing CPI rate at the September prior to the increase being implemented. A CPI + 1% rent increase will be applied for four years from April 2020. This increase has been extended for April 2025/26.

In setting its rent Torbay Council will following how the government sets social rents. This is called 'Rent Formula' and is for the rent and not the service charges. The formula uses the following factors:

**Value of house or flat (by the district valuer, not estate agents)**

**Property size (number of bedrooms)**

## **Average income for the region (set by government)**

### **Plus 5%**

Rents will be calculated and collected over a 12-month period each year. Rent increases / decreases will take effect on any day within the month. Tenants will be notified in writing at least 28 days prior to the change in changes coming into effect.

The rent chargeable on re-let mid-year will be the same as the rent charged under the previous tenancy, excluding any specific allowances / adjustments applied that relate specifically to the individual tenant(s).

The Cabinet will revisit this policy annually and confirm the policy assumptions set out above remain appropriate or make amendments to the policy as deemed appropriate. Key policies and rent settings will always go back to the Cabinet.

Affordable Rent Tenants - The Affordable Rent calculated will be set at no more than 80% of comparable Market Rents. Any Affordable rent will be recommended by Cabinet to the council as part of the fees and charges within the overall annual budget setting process.

Rent increases for Affordable Rent properties will be calculated using the same formula and timescales as defined under 'Current and New Social Rent Tenants'.

The initial rent for any new build affordable rental properties will be calculated in accordance with the current Government Policy, any delivery agreement with Homes England or any other partner. Where there is no delivery agreement in place, the approach to setting initial rents will be determined by Cabinet on a scheme-by-scheme basis.

## **8. Re Lets**

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Existing social rent properties will be re-let at formula rent plus 5%. If the existing rent exceeds formula rent plus 5% the rent at re-let will be lowered to formula rent plus 5%. We will ensure that these rents do not exceed the local housing allowance levels, including service charges.

Existing affordable rent properties will be revalued at re-let to ensure that they do not exceed 80% gross market rent or local housing allowance levels, including service charges. At re-let we may use comparable affordable rent properties or desktop reviews instead of a full valuation.

Where social rent properties are re-let to the same tenant at renewal of a fixed term tenancy the rent will remain the same.

Where affordable rent properties are re-let to the same tenant at renewal of a fixed term tenancy the rent will be re-set, using a valuation, to ensure it is no more than 80% of gross market value. We will not increase the rent by more than CPI plus 1% or local housing allowance, whichever is lower.

## 9. Annual Rent Reviews

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In accordance with the Welfare Reform & Works Act 2016 social and affordable rents were reduced by a further 1% in April 2019.

From April 2020 social and affordable rents increased by CPI (September the previous year) plus 1% for the next five years. The figure will be reviewed annually and reported to the Cabinet. No tenant will have their rent increased by more than CPI plus 1% during this period, including those who have had a renewal of a fixed term tenancy at a re-valued rent.

Service Occupancy Agreements are valued on an annual basis to ensure their rents remain at two-thirds of the open market rent.

The Head of Finance will oversee the preparation of a schedule of revised rents for any given annual review and the Housing Manager will ensure that tenants are notified of their revised rents using the appropriate notices within the required time, usually at least one month prior to the revised rent coming into effect and subject to the Council approving the rents as part of the annual budget setting process.

## 10. Service Charges

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Under the terms of its tenancy agreements and leases, Torbay Council operates a variable service charge regime. Service charges applied by the business are additional to the basic rent charge; they are property-specific and are calculated on the basis that Torbay Council recovers the full cost of providing these services, and that these costs are fair and reasonable.

Service charges are reviewed on an annual basis to ensure the service charge income is sufficient to cover future costs of service provision. In the instance of new developments, a token service charge will be set in the first year, to be reviewed at the end of the financial year and will be adjusted accordingly once there is a clear picture of the annual cost for the service provision.

Any service charges for which an individual tenant or leaseholder is liable to pay will be detailed in the relevant tenancy agreement, lease, or other legal documentation.

For the purposes of this section of the policy, tenants or leaseholders are referred to collectively as 'customers' and provisions apply to all unless specifically stated otherwise.

The Service Charges cycle - The variable service charges regime will be operated on a cyclical basis as illustrated at Appendix 1.

Relevant services – Torbay Council will recover from tenants the costs associated with providing services to schemes, blocks of flats, estates and / or individual dwellings that fall outside its statutory duties as a social landlord.

Costs will be recovered from tenants and leaseholders in accordance with the terms of the lease / legal agreement.

Each customer will pay service charges only in respect of the service and work pertaining to the scheme / block / estate in which their property is situated.

Where specific equipment or an individual service has been provided to support a tenant in maintaining their tenancy, the cost of that service and of servicing any equipment will be charged as a service charge specific to that property / tenancy, e.g., a stair lift.

A list of services for which costs are recharged through service charges is provided as Appendix 2 to this policy.

### **Apportioning shared service costs.**

In apportioning costs between residents in a block and / or estate, Torbay Council will seek to achieve a fair and reasonable apportionment of the costs between all residents in the block and / or estate.

Apportionment will be calculated for all customers on the same basis, regardless of tenure, and costs applied equally across all properties unless there are specific grounds to use an alternative method of apportionment. Apportionment will be based on the services that are available to, but not necessarily used by, customers, in accordance with the terms of their individual agreement.

There are some service costs which are non-recoverable from tenants, but which are charged to leaseholders, typically for an apportioned contribution to the maintenance of common parts and buildings insurance. In these instances, costs will be apportioned based on the total number of properties receiving the service, but only charged to those properties eligible to pay for them.

An estimate of the budgeted costs for providing services for the forthcoming year will be used as the basis of costs to be apportioned.

### **Management, Administration and Other Costs**

A management and administration charge of 15% of the estimated service costs (before over/under recovery adjustment) can be applied to all service charges to cover the costs of centralised management and administration of the variable service charges regime.

Statement of Actual Income and Expenditure and Over / Under Recovery of Service Costs, service charges for the year will be calculated based on the estimated costs of service provision for the forthcoming year. Within six months of the end of each financial year, each customer will be provided with a written statement (the Service Charge Statement) setting out details of actual income and costs for the year. Where there has been under-recovery of actual costs, this will be recovered in accordance with the rules applicable to a variable service charge regime. The amount of any under-recovery will be added to the amount of service costs to be recovered in the year immediately following the date of the Service Charge Statement and recovered in equal instalments throughout the year.

Where there has been an over-recovery of actual costs, this will be adjusted for in accordance with the rules applicable to a variable service charge regime. The amount of any over-recovery will be deducted from the amount of service costs to be recovered in the year immediately following the date of the Service Charge Statement and adjusted for in equal instalments throughout the year.

Management will seek to minimise the level of over and under recovery each year through setting appropriate budgets based on historic data and forecast activity.

Notification and Recovery of Service Charges. All customers will be notified in writing of the service charges applicable to the forthcoming financial year, at least four weeks in advance of the new charges coming into effect (the Rent and Service Charges Letter). This will include details of whether charges are eligible to be covered by Housing Benefit (or not). Following the introduction of Universal Credit, the Department for Work and Pensions has issued further guidance, 'Universal Credit service charges – guidance for landlords (April 2013)', which provides detail as to which charges are eligible / ineligible for inclusion in calculating UC entitlement.

Where there is a change in circumstance in-year that results in the introduction of a new service charge, e.g. completion of a disabled adaptation, customers will be notified in writing at least 28 days in advance of the new charge being applied to their account. Charges will be made and recovered monthly.

Customers are required to pay service charges under the conditions of their tenancy, lease or other legal agreement. Non-payment will result in the relevant arrears recovery policy being applied.

### **Challenging Service Charges**

The law requires that service charges can go up or down without any limit, but the landlord can only recover those costs which are reasonable. Leaseholders have rights to challenge service charges that they feel are unreasonable at the Tribunal.

The law also expects the landlord to behave in a 'reasonable' manner with regard to his expenditure on the building. The landlord has a long-term interest in maintaining the condition and the value of his investment. The leaseholder may have a much shorter-term view, only intending to remain in the property for a few years. These different viewpoints often lead to dispute.

A landlord is not usually bound to minimise the costs. However, the law states that service charges must be 'reasonable' and where the costs relate to works or services are of a reasonable standard.

Both landlords and leaseholders have a right to ask the Tribunal whether a charge, or a proposed charge, is reasonable; however, there is no statutory definition of what is 'reasonable'. The Tribunal will consider the evidence presented and then decide on the matter.

An application may be made to the Tribunal whether the charge has already been paid. It can be in respect of costs already incurred for works, services or other charges, or in respect of an estimate or budget. However, if the charges have been agreed or admitted by the leaseholder or finally determined by a court or tribunal, or by post-dispute arbitration, no application to a Tribunal can be made.

Further information can be found at: <https://www.gov.uk/housing-tribunals/apply-to-the-tribunal>

There are various laws that are relevant to this policy (detailed below) but in summary the law says that we should identify accurate costs of managing services to tenants and reasonable costs should be passed onto tenants with clear explanations.



Law	Summary
<p><b><u>Landlord and Tenant Act 1985 (as amended)</u></b></p>	<p>Definition of service charges            Provision for managing variable service charges            Can only charge or vary service charges as set out in the tenancy/lease            Tenants' rights in relation to service charges, consultation, information, recognised tenant's association            Amounts payable must be reasonably incurred            Services provided must be of a reasonable standard</p>
<p><b><u>Housing Act 1996</u></b></p>	<p>Makes it easier for leaseholders to challenge unreasonable service charges            Gives jurisdiction for Leasehold Valuation Tribunals (LVT) to determine service charge disputes.</p>
<p><b><u>Commonhold and Leasehold Reform Act 2002</u></b></p>	<p>Improved definition of variable service charges            Meaning and reasonableness of administration charges (Schedule 11)            Requirement to supply the Administration Charges (Summary of Rights and Obligations) (England) Regulations 2007 every time a demand for an administration charge is made.            Wider jurisdiction of the LVT (liability to pay, reasonableness of administration charges, variations of leases)            Improved rights regarding consultation about 'qualifying works' and 'qualifying long-term agreements'.</p>
<p><b><u>The Service Charges (Consultation Requirements) (England) Regulations 2003</u></b></p>	<p>Required consultation before we can lawfully charge for 'qualifying works or services under 'qualifying long-term agreements'.</p>
<p><b><u>The Service Charges (Summary of Rights and Obligations, and Transitional Provision) (England) Regulations 2007</u></b></p>	<p>Required content and format of service charge demands, to include summary of rights or tenants have the right to withhold payment.</p>

## 11. Sinking Funds

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Sinking funds may be provided for expenditure that may be incurred periodically, such as replacement of equipment. The use of sinking funds avoids the necessity for large amounts to be collected from the customer in a single year when the replacement expenditure is incurred.

Payments into sinking funds will be in accordance with the tenancy, lease or legal agreement, and will either be:

- In advance of the asset being replaced, based on an estimate of the likely replacement cost and anticipated useful economic life of the existing asset.
- Retrospectively in respect of the initial costs being depreciated, based on the actual cost incurred and anticipated useful economic life of the asset.
- The annual payments into the sinking fund will be held separately and attract interest, based on the rate of interest achieved by Torbay Council in respect of its own funds, to offset or partially offset future inflationary increases in replacement cost.
- In holding such sinking funds, the Torbay Council acts as a trustee under Section 42 of the Landlord and Tenant Act 1987, with funds held in trust. If, at the point of replacement, the cost of replacement exceeds the amount held in the sinking fund Torbay Council will consult with relevant customers to determine how this money is to be dealt with e.g. to support another project or refunded. A clear majority will be needed e.g. (more than 55% of all residents impacted). If there is no clear majority the money will be held in trust until a majority can be achieved.
- If the cost of replacement is less than the balance within the sinking fund, the Torbay Council will consult with customers as to whether to refund the surplus or utilise it to reduce future contributions to the fund.
- An annual statement of movements in the sinking fund, including receipts, expenditure and interest accrued, will be provided to all customers paying such a charge within six months of the year end.

## 12. Communication with Customers

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As set out above, customers will receive the following regular communication in respect of service charges:

**Rent & Service Charges Letter:** sent out four weeks prior to the implementation of new service charges (typically late February), this letter will detail the charges payable for the forthcoming financial year, the date from which they come into effect, supporting information on how charges are calculated, and advice / contact information for customers who are experiencing financial difficulties.

**Sinking Fund Statement:** sent out to customers where relevant with the Service Charges Statement, the Sinking Fund Statement provides details of the amount held in the fund, interest accrued, and any costs offset against the sinking fund balance during the year.

Detailed calculations of service charges and actual costs are not provided routinely. Customers can request additional information regarding how their charges are calculated, this will be provided on a case-by-case basis.

## 13. Equality & Diversity

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Torbay Council is committed to promoting equality and inclusion and to ensuring that our communities thrive. We complete equality impact assessments (EIAs) to help us understand the possible impacts that our decision may have on different groups. This toolkit guides you through the different stages of the equality impact assessment process to help ensure that your EIA is meaningful and robust.

The Equality Act 2010 provides legal protection from discrimination across nine 'protected characteristics' which are: age, disability, gender reassignment, race, religion or belief, sex, sexual orientation, pregnancy and maternity and marriage and civil partnerships.

Under the Act, the Council is subject to the Public Sector Equality Duty (PSED) which means that we must take steps to actively promote equality. The PSED requires public authorities to have due regard to the need to:

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.
- Advance equality of opportunity between people who share a protected characteristic and those who do not, and
- Foster good relations between people who share a protected characteristic and those who do not.

The PSED requires us to give 'due regard' to equality when making decisions and delivering services. This is to ensure our actions actively promote equality and do not directly or indirectly adversely affect people with protected characteristics.

## 14. Associated Documents

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- Lettings Policy
- Rent Arrears and Debt Recovery Policy

## 15. Appendices

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Appendix 1 – Summary of Rent types and changes

Appendix 2 - Schedule of Chargeable Services, including Eligibility for Housing Benefit or Universal Credit.

## Appendix 1 – Summary of rent types and changes

Rent type	Circumstance	Rent charge	Service charge	LHA cap to be applied	Reference
<b>SOCIAL</b>	New tenant	Formula rent plus 5% (rent flexibility).	Additional	Yes	Welfare & Reform Act 2016. Sch 2 Part 1 Section 1 Paras (3) to (5).
	Newly acquired property	Formula rent plus 5% (rent flexibility).			Feb 2019 Policy Statement para 2.2 and 2.14. Rent Standard 2020.
	Re-let (end of Fixed term tenancy)	Continue previous rent, with no re-base.			Assignment (no change).
<b>AFFORDABLE</b> (including rent conversions)	New tenant	The higher of (1) formula rent (2) 80% of current MV rent (revalued).	Included	Yes	Feb 2019 Policy Statement para 3.17 does not prevent change to social rent to increase rental
	Newly acquired property	80% of current MV rent (revalued).			Per IDS / relevant grant programme
	Re-let (end of FTT)	80% of current MV rent (revalued) or continue with previous rent if valued higher.			Feb 2019 Policy Statement para 3.15 & 3.16

## Appendix 2

### Schedule of Chargeable Services, including Eligibility for Housing Benefit or Universal Credit.

Service Charge Description	Description	HB eligible	UC Eligible
Communal Adaptations	Servicing of communal lifts and any other specific adaptations	Yes	Yes
Equipment Maintenance	Servicing of communal equipment and installations  Running costs of intercom system (excluding repairs)	Yes	Yes
Estates and Communal Areas	Caretaking / Cleaning of communal spaces and associated direct costs (including communal window cleaning)  TV license for communal areas	Yes	Yes
External Contractor Charges	3rd party block management charges (where TorVista Homes hold properties on long lease)	Yes	Yes
Grounds Maintenance and Landscaping	Maintenance of communal green spaces and associated direct costs	Yes	Yes
Laundry Charges	Running costs of communal laundry facilities	Yes	Yes
Utilities Communal	– Gas, electric and water supplies to communal areas / facilities	Yes	Yes
Utilities Personal	– Recharge of gas, electric and water supplies that are supplied through a communal meter but which relate to individual residential properties	No	No

Window Cleaning Personal	– Cleaning of external windows of residential properties within a block	No	Yes - if property is not on ground floor
Personal Adaptations	<p>Servicing of lift provided as a specific property adaptation (i.e. property adaptation rather than communal adaptation)</p> <p>Decommissioning of adaptations that are no longer required (one-off, on request)</p>	No	No
Insurance	Apportioned share of landlord property insurance	Yes	Yes
Management	15% of calculated service charges	Yes	Yes

This list may be subject to change and will be periodically updated if new charges are applied or if an existing charge is discontinued.

# Temporary Accommodation Charging Procedure 2025

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## Version control

<b>Date</b>	<b>Details</b>	<b>Updated by</b>
V1- July 2023	Initial Draft	
V2 November 2023	Review	Torbay Council - Housing Needs Manager
V2.1 December 2023	Review	Torbay Council - Divisional Director Community and Customer Services
V2.2 January 2024	Review	Torbay Council - Divisional Director Children Services
V2.3 January 2024	Final Draft	
V2.3 February 2024	Agreed – Record of Decision	Torbay Council Director of Adults and Community Services
V3 January 2025	Review and updated	Torbay Council- Housing Needs Manager
V3 January 2025	Reviewed	Torbay Council - Divisional Director Community and Customer Services



## **1. Scope**

1.1 The Procedure details the framework Torbay Council will use to charge a licence fee to homeless households living in Temporary Accommodation (TA) where they are not entitled to full housing benefit or have failed to make an application for housing benefit.

1.2 It also details the charge for Council Tax, Utilities, and any furniture the tenant has in storage. It will also provide charging structure and mechanism by which to reclaim costs as appropriate associated with the use and provision of accommodation.

1.3 The procedure also applies to accommodation that is provided to a family in the event that housing do not owe a duty, under section 17 of the Children Act 1989 and the duty to safeguard and promote the welfare of children in need. There are circumstances whereby Children's Services may provide accommodation under section 17 of the Children Act 1989, in the event that the family have been found to be intentionally and are not eligible for assistance under homelessness legislation. Under this legislation, Children's services have the power (as opposed to duty) to provide financial assistance and accommodation to the child in need and their family (this refers to the child's parents, those with parental responsibility or other family members whom Children's Services deem to be responsible for the child's upbringing. If, at any stage, the care arrangements for a child change, the decision to exercise the power to provide accommodation and the associated assessment of need will be reviewed, which may result in the provision of accommodation being terminated.

1.4 Glossary of Terms and abbreviations can be in located in Appendix 1

## **2. Introduction & Aims**

2.1 Under the Housing Act 1996, the Council has a right to make a reasonable charge for temporary accommodation, to reduce inappropriate use of this accommodation and to ensure it is available to those with the greatest housing need. Where a household is to be placed into temporary accommodation, an affordability assessment (means test calculation) will be carried out to determine whether a contribution or full payment will be required. This assessment will be based on the national standards for assessing affordability as outlined in the Government's Code of Guidance to Local Authorities. When doing so, regard will also be given to the Homelessness (Sustainability of Accommodation) Order 1996 as amended.

2.2 The Council has the power to require the payment of reasonable charges in accordance with s206(2) Housing Act 1996. The charges are for the use and occupation of the accommodation, and it is anticipated the majority of households will be entitled to either full or partial housing benefit.

2.3 In all housing tenures, housing providers set a standard expectation that rental payments are the responsibility of residents; either through direct payments from their salary/income and/or, where entitled, through the application and receipt of housing benefit. It is therefore important that the Council supports the development of the financial skills of those living in TA, so they are not only able to secure more permanent accommodation but also sustain that accommodation.

2.4 The Council is committed to ensuring TA charges are affordable for everyone and therefore any licence fee that households will be expected to pay will be capped at Torbay's Local Housing Allowance (LHA) rates.

2.5 The licence fee a household will be required to pay will not be the full cost of the property that is paid by the Council, but a reasonable charge to the household for use and occupation (capped at the LHA rate). The difference between the actual cost and the household contribution (licence fee) will be met, by the Council.

2.6 The Council also has a duty to provide storage for homeless households to place their furniture if they become homeless and there would be a risk that their furniture would need to be disposed of. Local Authorities are legally allowed to charge households for this service at a level at which would be affordable for an individual household.

2.7 Torbay Council have not historically charged households any amount towards this cost but will do so in line with this procedure.

### **3. Objective of the Procedure**

3.1 The objective of the Procedure is to ensure that the licence fee charged is affordable to all. That it meets the operational costs of TA provision or as much as it reasonably can and does not act as a disincentive for households to work while ensuring a fair charge to those who can afford to pay.

### **4. Guiding Principles**

4.1 The Charging Procedure applies the following guiding principles:

- Focus on independent living – single people and families will be able to manage their money effectively by the time they leave Temporary Accommodation
- Provide Appropriate Support - Where single people and families experience financial budgeting difficulties support will be provided through the Welfare Assistance Team.
- Only charge proportionately - charging will be based upon what people can pay; the Council will not charge indiscriminately.

### **5. Legislative framework**

5.1 The principles of the policy are in line with the Council's Homelessness and Rough Sleeping Strategy 2020-2025 and is compliant with;

- Housing Act 1996 Part VII (as amended)
- Homelessness Reduction Act 2017.
- Homelessness Code of Guidance for Local Authorities (2018)
- Equality Act 2010

### **6. Overview of Charges**

6.1 In addition to the licence fee, households living in accommodation that is provided to a family under the Homelessness Act or Section 17 of the Children Act 1989 will be expected to pay other household bills, including Council Tax, Utilities (Gas, Water and Electricity) and where applicable the cost of storing furniture and other personal belongings.

<b>Charges</b>	<b>Description</b>
Accommodation Rental charges	Fees will reflect the relevant Broad Rental Market Area (BRMA) LHA levels for accommodation and will form the basis of any related needs assessments. The household will be required to contribute up to a set amount deemed suitable from the affordability assessment. This will include any shortfall between the Housing Benefit claimed and the cost of the nightly rental charge for the accommodation. Where the household in temporary accommodation or accommodation provided by Children's Services is not eligible for Housing Benefit, the Council will only seek to recover a reasonable charge towards the rent, equivalent to the LHA. Where it is affordable to the household, they will be required to pay the full costs associated with temporary accommodation for the full duration of the stay.
Cancellation/non-attendance charge	Where a household is booked into, but does not take up accommodation, the Council will still be charged by the provider for the booking or incur costs. In such cases, the Council may recharge the full amount to the household and seek to recover these costs in line with accommodation fees, as per above.
Storage of household possessions including pets	The Council will have due regard to Chapter 20 of the Homelessness Code for Guidance relating to the protection of personal property. Where possible, the Council will work with housing association partners to utilise any vacant residential garages for storage, if considered safe and secure. The Council will also work with registered local kennels and catteries when considering these options for animals. A household will be recharged for any removal/storage/kennel's/cattery's requirements during occupation of any temporary accommodation.
Utilities charges	Gas, electricity and water charges will be the responsibility of the licensee. Where utilities charges are separate to rent costs, the Council may recharge for utilities costs up to the full amount or based on an affordability assessment. Alternatively, the household may be required to pay the utility costs directly to the accommodation provider.
Damage to property and/or loss to ancillary items	Damage to property and/or loss to ancillary items Where accommodation is damaged and/or ancillary items (e.g. furniture; fixtures and fittings etc) are removed/lost, the Council will recharge the full amount to the household and seek to recover costs up to the full amount, based on an affordability assessment.
Cleaning	Where cleaning is required over and above what is considered reasonable, either whilst the household is occupying or vacating the accommodation, the Council will recharge the full amount to the household and seek to recover costs up to the full amount, based on an affordability assessment.
Council Tax Charges	Council Tax Charges will vary, and it will be dependent on the size and location of the property, this will also include hostel accommodation. The amount of Council Tax charged will be based on the current council tax banding scheme. Those receipt of passporting benefits will be eligible for Council Tax support.
Rents in Advance and Deposits	Where the Council offers any advance rent or deposits, the Council will seek to recover these amount via a repayment scheme and this will be based on an affordability assessment.

## **7.0 Housing Benefit and the recovery of Licence Fee**

7.1 All households entering TA or emergency accommodation offered by Children Services, will be expected to complete a Housing Benefit application as some customers will be eligible for assistance towards the licence fee through housing benefit. The Council will provide support to households to ensure that a housing benefit claim is made.

7.2 Housing Benefit will be assessed on the full rental charge of the temporary accommodation.

7.3 The outcome of the housing benefit claim will determine what charges will apply as follows:

- Where the household is entitled to full housing benefit, households will be liable for a full or partial contribution towards utility bills, subject to the type of temporary accommodation allocated.
- If the household is not eligible for full housing benefit due to the amount of income they receive, the Council will apply a maximum licence fee equivalent to their reduction in housing benefit due to excess income up to a capped amount. The capped amount will be in line with the current Local Housing Allowance (LHA) rate. Households will still be liable for a full or partial contribution towards utility bills, subject to the temporary accommodation they are allocated.
- Where households cannot reasonably afford the licence fee the Council will carry out a financial assessment to determine an affordable charge.
- If a household fails to apply for housing benefit the Council will expect them to pay the full licence fee however, where the household cannot afford this a financial assessment can be carried out to determine a reasonable charge. If a tenant is eligible for housing benefit or other welfare assistance but does not apply or provide follow up information required for the claim, they will be expected to pay the full charges for the temporary accommodation.

7.4 Torbay Council recognises some people may be unable to pay the full amounts e.g. they are subject to the Benefit Cap and therefore an affordability assessment will be completed where appropriate.

7.5 LHA levels are set nationally and are the maximum housing costs a household would receive through Housing Benefit/Universal Credit. [Local Housing Allowance \(LHA\) rates - GOV.UK \(www.gov.uk\)](https://www.gov.uk/local-housing-allowance-rates)

7.6 The Council will review the fee levels annually and any variation will be based on property size, location, LHA rates and any potential impacts from welfare reform. All licences will receive a minimum 28 days written notification of any variation.

## **8. Storage Charges**

8.1 The Council has a duty to take reasonable steps to prevent loss or prevent/mitigate damage to the personal property of the applicant and their household if the Council have reason to believe that there is a danger of loss or damage to the property and that there are no other suitable arrangements for the property. This duty applies whilst there is a risk of loss or damage.

8.2 All households will be expected wherever possible to make their own arrangements for the storage of their furniture and personal items.

8.3 Where the household has not been able to arrange this independently, the Council will arrange for furniture and personal items to be collected and stored by their preferred contractors. The Act makes provision for charges to be made for this under s211 (4) Housing Act 1996.

8.4 Households will be expected to pay the full storage costs including collection of the items, storage and delivery from storage to the follow-on destination.

8.5 The Council will not cover the collection of the items and delivery from storage to follow-on destination i.e. removal costs.

8.6 If the household cannot afford to pay upfront, they will be able to pay in instalments and required to sign a payment agreement. This will be a condition of the storage contract.

8.7 If the cost is not met or the instalments not maintained, the items in storage may be sold off to clear costs or disposed of. Where the household is unable to meet the cost of furniture storage, and the household is in receipt of full or partial housing benefit, they may be eligible for help from other welfare assistance provided by Torbay Council, subject to funding and eligibility criteria.

8.8 If items in storage (arranged by the Council on behalf of the applicant) are not removed within the requisite notice period of 28 days (Section 41 of the Local Government Act 1982), the items will be sold or disposed of (following relevant regulations) and the full cost of the storage and disposal will be charged to the owner.

8.9 When storage is arranged by the Council, but the items to be stored are refused by the storage provider, for example, where there is evidence of infestation which may affect other storage areas or items, the household will have to arrange alternative storage as it would require the Council to take unreasonable steps in seeking alternative arrangements.

## **9 Responsibilities of the Licensee**

9.1 All licensees will be provided with and be required to sign a condition of occupancy agreement (licence). The licence fee is part of the licence agreement and conditions of occupancy.

9.2 The licensee is responsible for applying and pursuing their housing benefit claim, including providing any relevant documentation to support their claim.

9.3 The licensee is responsible for applying and pursuing any other relevant welfare benefit, including providing any relevant documentation to support their claim.

9.4 The licensee must pay the licence fee on time.

9.5 The licensee must inform the Council's Housing Needs Team of any changes that will affect either their ability to pay the licence fee and/or the amount of housing benefit they receive.

9.6 The licensee will also be responsible for the payment of Council Tax, Utility charges (gas, water and electricity) and furniture storage where this has been provided.

## **10.0 Payments**

10.1 Upon occupying the accommodation and signing of the relevant documentation. Payments will be required on a weekly basis. Bills will be issued detailing the amount required and method of payment.

10.2 Where costs have been incurred associated with tenant damage, cleaning or other property related incidents, these costs will be directly invoiced to the tenant.

## **11.0 Arrears**

11.1 The Council intends for Licensees to be informed of any arrears in a prompt and timely manner with a view that early intervention can help with arrears.

11.2 Arrears will be recovered following the Council's Housing Needs arrears escalation procedure, the ethos is for early intervention and will involve officers making contact with customers, assisting with benefit claims, sending arrears reminder letters and setting up payment plans as customers with high arrears will be given the option to pay in instalments.

11.3 Where accommodation is provided under the Housing Act, eviction proceedings through legal action will be the final option available to the Council and will only be used once the Council is satisfied no further routes for recovery exist. This process will involve customers being issued a Notice to Quit giving up to 28 days to vacate the property, subject to which housing duty is owed to the applicant. The Council will also seek to recover costs incurred due to any legal proceedings.

11.4 Any potential notice will be subject to a case review and sign off from an officer who is senior to the officer intending to serve notice, this will normally be the team lead officer.

## **12. Recovery of outstanding costs**

12.1 If a Licensee leaves TA owing a debt, these outstanding charges are called former arrears and will follow a separate recovery process. Action will be taken to recover these arrears and households will be pursued for outstanding debts.

12.2 The Council will aim to minimise the level of arrears in a sensitive but effective manner, ensuring that there is early intervention in all cases before a debt becomes unmanageable. The process will be based on a preventative approach that seeks to maximise tenants' entitlement to benefits and secure regular payments. If arrears occur, prompt action will be taken to ensure that the arrears do not increase. Any decision to take legal action to recover outstanding payments will only be taken when all other means of recovery have been exhausted, in line with the Council's Debt Recovery Procedures

## **13. Complaints**

13.1 Torbay Council operates a complaints procedure that is open to all residents including tenants in temporary accommodation. A copy of the complaint procedure can be accessed at: [Complaints and compliments - Torbay Council](#)

## **14. Performance Monitoring**

14.1 The Council will monitor performance in charging and recovering income for temporary accommodation as follows:

- Total amount of temporary accommodation licence income and other charges due.
- Total amount of temporary accommodation licence and other charges collected.
- Total amount of arrears, showing number of accounts
- The number of tenants evicted due to rent arrears.
- Total arrears former debt
- Value of right offs

14.2 Other performance reports and statistics will be collected for management purposes.

14.3 The Council will review the Temporary Accommodation Charging Procedure annually or earlier if required by legislative changes.

## **15. Affordability Assessment.**

15.1 The Council will give due consideration to the affordability of any offer made. Where the household in temporary accommodation is eligible for Housing Benefit, the Council will seek to recover 100% of the Housing Benefit of the rent charged. If the household is required to pay a cost towards rent charges, the household's entire income will be taken into account as part of the affordability assessment. This includes any welfare state benefits, the cost of additional travel to and from the applicants' normal place of work, children's school or educational institute and access medical services for on-going treatment or aftercare.

15.2 The Council will consider whether the applicant can afford the housing costs without being deprived of basic essentials such as food, clothing, heating, transport and other essentials specific to their circumstances.

15.3 The Council will be guided by Universal Credit standard allowances (<https://www.gov.uk/universalcredit/what-youll-get>) when assessing the income that an applicant will require to meet essential needs aside from housing costs. The Council will ensure that the needs and circumstances of the applicant and their household are considered. The wider context of the household's particular circumstances will be considered when looking at the household overall expenditure. Further details on how this assessment will be carried out can be found at Appendix 2.

**APPENDIX 1: Glossary of Terms**

TA	Temporary Accommodation, Accommodation used to house customers who are homeless and owed a statutory duty under s188, S190 or s193 of the Housing Act 1996.
Provider charge	The cost the Council pays to any accommodation providers of temporary accommodation.
Section 41	S41 Local Government Act 1982 entitles the authority to give notice in writing requiring the collection of property, if this is not done the property will vest in the Local Authority.
TA–Subsidy gap	the limit the Government will pay through Housing benefit towards the cost of Temporary Accommodation, any difference or gap is covered by the Council.
LHA / Local Housing Allowance	This is used to work out how much Housing Benefit that can be paid as rent.
Licence fee	A fee charged for the use and occupation of the property. The licence fee is equivalent to the household's reduction in housing benefit due to excess income up to a capped amount. The capped amount will be in line with the current Local Housing Allowance (LHA) rates.
Licence/ Occupancy agreement	An agreement signed by the tenant, it will clearly set out responsibilities for the tenant and Council.
Tenants	Licence holders within temporary accommodation, assured shorthold tenancies are never used for temporary accommodation.
B &B	Bed and Breakfast
BRMA	Broad Rental Market Area

**APPENDIX 2: Affordability Assessment Calculations  
Homelessness Code of Guidance for Local Authorities**

Under section 210(2), the Secretary of State has made the Homelessness (Suitability of Accommodation) Order 1996. The 1996 Order specifies that in determining whether it would be, or would have been, reasonable for a person to occupy accommodation and in determining whether accommodation is suitable a housing authority must consider whether the accommodation is affordable by them, and in particular must take account:

<https://www.gov.uk/guidance/homelessness-code-of-guidance-for-local-authorities/chapter-17-suitability-of-accommodation>



### APPENDIX 3: Full Service Charges

The Department for Work and Pensions (DWP) use Local Housing Allowance (LHA) rates to calculate Housing Benefit for tenants renting from private landlords. LHA rates relate to an area in which a claim is made - these areas are called Broad Rental Market Areas (BRMA). A BRMA is where a person could reasonably be expected to live taking into account access to certain facilities and services.

The current local housing allowance amounts can be found at:

<https://lha-direct.voa.gov.uk/>

#### Temporary Accommodation Service Charge each year

Below is a table of the recommended charges set out by government for 2024 - 2025 and is intended to give an illustration of the charges someone may incur in temporary accommodation. The actual amount households pay, will depend upon the type of accommodation they are provided with and what services are already included in the core rent. For example, a hotel room will usually have all services included in the nightly rate but will not have cooking facilities. Self-contained accommodation will not have services included but will have cooking facilities. Officer's will select the ineligible charges that apply when they prepare the temporary accommodation licence.

Temporary accommodation has to meet the suitability criteria outlined in the Housing Act and Homelessness Code of Guidance and our fees must not create financial hardship. As such, in some cases, the Council may need to subsidise charges applied such as for Care Leavers for whom the Council are corporate parents.

<b>Service</b>	<b>Weekly Charge</b>
Water	£4:10
Heating	£35:25
Lighting	£2:85
Laundry/Bedding	£4:10
Cleaning	£4:10
Cooking	£4:10
Breakfast	£4:30
Service Charge	£20:00
Maintenance/Furnishings	£50:00

Table: 1 Government recommended weekly service changes for 2024 – 2025

The table 2 shows the difference between the charges due by the household if they are ineligible for help with housing costs, compared to a household who are eligible for help with housing costs.

Assuming a service charge of £40 per week, a household in receipt of housing costs will be expected to pay £40 per week only, as they will have their eligible rent covered by housing benefit.

A household not in receipt of housing costs, will be expected to pay the appropriate LHA rate for their household and the accommodation they are in plus the service charge.

	Property Bedroom Size	Weekly Licence Charge	Utilities Charge Water	Utilities Charge Gas	Utilities Charge Elec	Council Tax	Service Charge	Weekly Total
Applicant on FULL benefits (with valid HB claim)	1 Bed or B&B	£0.00 Covered by HB	£ 10.00	£ 10.00	£ 10.00	£ 0.00 Covered by C/Tax Benefit	£ 10.00	£ 40.00
Applicant Working full time	1 Bed or B&B	£ 103.56	£ 10.00	£ 10.00	£ 10.00	£ 26.00 BAND A	£ 10.00	£ 169.56
Applicant on FULL benefits (with valid HB claim)	3 Bed	£0.00 Covered by HB	£ 10.00	£ 10.00	£ 10.00	£ 0.00 Covered by C/Tax Benefit	£ 10.00	£ 40.00
Applicant Working full time	3 Bed	£ 168.00	£ 10.00	£ 10.00	£ 10.00	£ 30.33 BAND B	£ 10.00	£ 238.33

Table 2: Illustrative service charge for those ineligible for assistance with housing costs.

A list of the annually agreed service charges can be found on Torbay Council Website [www.Torbay.gov.uk](http://www.Torbay.gov.uk)

**Meeting:** Overview & Scrutiny Board/Cabinet/Council    **Date:** 12<sup>th</sup>/18<sup>th</sup>/27<sup>th</sup> 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  
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## 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
<b>TOTAL</b>	<b>139.204</b>	<b>139.215</b>	<b>0.011</b>

- 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
			<b>0.025</b>	<b>0.232</b>

*(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
<b>Revised Budget 2024/25</b>	<b>£33,365,000</b>	<b>As approved in November 2024 by Cabinet and reported at Q2</b>
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 <b>Appendix 2</b>
<b>2024/25 Quarter 3 Revised Budget</b>	<b>£36,209,180</b>	
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 <b>Appendix 1</b> Schools Capital Programme - <b>£0.081m</b> Projects under Feasibility & Development - <b>£2.538m</b> Environment/Climate Capital Investment - <b>£1.422m</b> Transport Capital Investment - <b>£0.679m</b> Coastal Defence / Flood Alleviation - <b>£0.249m</b> Sports, Leisure & Culture – <b>0.119m</b>
<b>2024/25 Revised Approved Budget</b>	<b>£32,612,830</b>	

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
<b>Total Approved</b>	<b>£1,492,650</b>	

## 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)



<b>Total</b>	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
<b>Total</b>	<b>474</b>	<b>5</b>	<b>479</b>	<b>17</b>	<b>479</b>	<b>0</b>	<b>479</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>479</b>

### Projects under Feasibility and Development

Page 108 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

<b>Total</b>	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
<b>Total</b>	<b>4,627</b>	<b>25</b>	<b>4,652</b>	<b>3,456</b>	<b>4,652</b>	<b>0</b>	<b>4,652</b>	<b>575</b>	<b>0</b>	<b>0</b>	<b>5,227</b>

### 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
<b>Total</b>	<b>3,402</b>	<b>400</b>	<b>3,802</b>	<b>2,389</b>	<b>3,802</b>	<b>0</b>	<b>3,802</b>	<b>7,242</b>	<b>1,000</b>	<b>1,000</b>	<b>13,044</b>

### 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
<b>Total</b>	<b>3,773</b>	<b>454</b>	<b>4,227</b>	<b>1,268</b>	<b>2,805</b>	<b>1,422</b>	<b>2,805</b>	<b>534</b>	<b>0</b>	<b>3,339</b>

## 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
<b>Total</b>	<b>4,622</b>	<b>0</b>	<b>4,621</b>	<b>1,563</b>	<b>3,942</b>	<b>679</b>	<b>3,942</b>	<b>5,252</b>	<b>3,284</b>	<b>3,121</b>	<b>15,599</b>

## 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
<b>Total</b>	<b>1,562</b>	<b>97</b>	<b>1,659</b>	<b>355</b>	<b>1,410</b>	<b>249</b>	<b>1,410</b>	<b>7,177</b>	<b>6,900</b>	<b>2,233</b>	<b>17,720</b>



## 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
<b>Total</b>	<b>2,038</b>	<b>0</b>	<b>2,038</b>	<b>1,440</b>	<b>1,919</b>	<b>119</b>	<b>1,919</b>	<b>56</b>	<b>0</b>	<b>0</b>	<b>1,975</b>

## 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
<b>Total</b>	<b>694</b>	<b>260</b>	<b>954</b>	<b>419</b>	<b>954</b>	<b>(0)</b>	<b>954</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>954</b>

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### Appendix 2 - 2024/25 Q3 Other Budget revisions

Project Name	Amount	Comments
<b><u>Schools Capital Programme</u></b>		
Capital Repairs and Maintenance	(£44,330)	Transfer funding to Sherwell School Salix Project
Education Review Projects	(£5,162)	Moved to fund PCSA Expansion Project
<b><u>Schools Closed Projects</u></b>		
PCSA Expansion Project	£5,162	Addition funding required in respect of sewer works, funded from Education Review Projects (see above)
<b><u>Projects under Feasibility and Development</u></b>		
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
<b><u>Economic Development / Regeneration</u></b>		
Paignton Picture House (Future High Street Funding)	£25,000	Budget profiling adjustment from future years to reflect revised spend projection in 2024/25
<b><u>Environment / Climate Capital Investment</u></b>		
Tor Park Road Site Improvements	(£80,300)	Slippage from 2023/24 to match spend in year
<b><u>Coastal Defence / Flood alleviation</u></b>		
Flood Alleviation - Monksbridge	(£184,000)	Funding aligned to Jan 2025 CGB report
Flood Alleviation - Cockington	(£6,000)	
<b><u>Closed Projects</u></b>		
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
<b>Total Other Budget Revisions</b>	<b>£43,480</b>	

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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](mailto: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
<b>Total – Forecast Outturn Position 24/25</b>				<b>£1.409m</b>

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 and Scrutiny Board/Cabinet      **Date:** 12 February 2025/18 February 2025

**Wards affected:** All

**Report Title:** Torbay Council Climate Change Action Plan

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

**Cabinet Member Contact Details:** Cllr Chris Lewis, Cabinet Member for Place Development and Economic Growth, Chris.Lewis@torbay.gov.uk

**Director Contact Details:** Interim Director of Place, Anthony Payne  
anthony.payne@torbay.gov.uk

## 1. Purpose of Report

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2. To provide an update to Overview and Scrutiny Board on the revised Torbay Council Climate Change Action Plan 2024-2026 and make any recommendations to Cabinet prior to their consideration of the Plan on 18 February 2025. The Climate Change Action Plan outlines actions to reduce carbon dioxide emissions across Torbay Council's operations and services.

## 3. Reason for Proposal and its benefits

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- 3.1. To meet the Community and Corporate Plan's continued commitment to tackle the Climate Emergency a new Torbay Council Climate Change Action Plan has been drafted. This is to replace the out-of-date Carbon Neutral Council Action Plan 2022- 2024.

## 4. Recommendation(s) / Proposed Decision

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- 4.1. For Overview and Scrutiny Board to consider the Action Plan and make any recommendations to Cabinet prior to their consideration of the Plan.
- 4.2. That Cabinet approves the Torbay Council Climate Change Action Plan 2024-2026 as set out in Appendix 1 to the submitted report.

## 5. Appendices

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Appendix 1: Draft Torbay Council Climate Change Action Plan

Appendix 2: Refreshed Environment and Net Zero Carbon Policy

## 6. Background Documents

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[A Greener Way for Our Bay Framework and Action Plan.pdf](#)

## Supporting Information

### 7. Introduction

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- 7.1. This report focusses only on continued action to tackle the climate emergency across council operations and services.
- 7.2. In line with a request from Cabinet last year, a refreshed council action plan for 2024-2026 has been drafted. The new draft is outlined in Appendix 1. It was developed by the Climate Change Officers' Group and focuses on delivering actions that will reduce carbon emissions that arise from council's operations and services.
- 7.3. According to the latest carbon footprint for Torbay Council, carbon emissions over the past four years have reduced by seven percent in total.
- 7.4. This Board asked to see a draft action plan prior to it going to Cabinet for approval.
- 7.5. The Action Plan includes:
- Net Zero Carbon Target for 2030
  - Priority Actions – explained in detail below in para 7.6
  - Other actions

The draft is attached in Appendix 1.

- 7.6. The Priority actions are outlined in more detail below:

#### **Phase 1 - Priority Actions**

To maximise carbon savings and to help the Council save money on its energy bills, over the next 2 years we will firstly focus on:

- Subject to the development and approval of the business case, installing a new streetlighting control management system and LED lighting. The installation of a control management system and more energy efficient lighting will enable more efficient control of our streetlighting inventory and deliver significant carbon and energy savings.
- Undertake feasibility studies and whole building assessments to understand how to decarbonise ten of the council's worst energy performing buildings, including exploring the role of generating free energy from renewable energy sources such as solar power. Any propositions which provide a viable return on investment will be developed into business cases and will seek funding through business.
- Decarbonise Sherwell Valley Primary School (subject to a securing external funding)
- Decarbonise the Brixham Harbour estate (subject to a positive decarbonisation study)

- Decarbonise Tor Hill House building
- Recruit an Energy Officer to be take on the responsibility of managing the council's energy consumption, exploring quick win energy efficiency that can be enacted to reduce consumption and to lead on future decarbonisation and renewable energy projects.
- Introduce a new environment and climate change impact assessment tool for all council-led construction projects. The tool will be used by the Council's Capital and Growth Board to understand and help reduce negative environmental and climate related impacts of the things the council builds.
- Embed carbon and sustainability accounting into the early stages of procurement and commissioning. This will help reduce negative environmental and climate related impacts of the things the council buys/commission.

## Phase 2 - Priority Actions

### Travel

The Council and SWISCo need to fully understand how its staff and fleets operate in order to then reduce fuel consumption, costs and associated carbon emissions. This will take longer to explore and develop; hence this work will be undertaken as Phase 2 of the Action Plan.

Staff travel and journeys made by the Council and SWISCo fleets are responsible for the production of carbon emissions and other harmful pollutants (including staff using their personal cars for Council business, travel by bus, rail, taxi and other forms of travel i.e., hire cars). In 2022/23, these emissions accounted for 35%<sup>1</sup> of the Council's carbon footprint. We will explore work towards decarbonising the fleet and staff travel<sup>2</sup> through reducing the demand for travel, prioritising active, sustainable modes of transport and where journeys need to be made, make them in ultra-low/electric vehicles (EV)/car clubs where possible.

To maximise carbon savings and to help the Council and SWISCo save money on their fuel bills Over the next two years we will:

- Working with SWISCo, explore how to begin the transition of both the Council's and SWISCo's fleets to EV alternatives, whilst improving the optimisation of the fleet and improving the management of the fleet moving forward.
- Explore how council staff travel when out on council business and explore developing a series of actions to reduce the carbon emissions and costs arising from staff travel.

7.7. These priorities have been added to the CCAP and will be the priority over the next two years. The remaining actions within the action plan will continue to be delivered where capacity and funding allow. These are deemed deliverable by all lead officers. Many

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<sup>1</sup> SWISCo fleet makes up 32% of these travel related carbon emissions

<sup>2</sup> Travel made in council employee's own vehicles or other i.e public active transport modes to perform council duties

require no funding and only officer time. Other actions are enabling actions and must also be delivered to continue to make progress post 2026.

- 7.8. Please note that whilst these prioritised actions will deliver some carbon emissions savings to support the council net zero carbon target, action will need to be significantly accelerated from 2026/27 and up to 2030 (the estimated savings needed or offset by 2030 is approximately 1800 tonnes of carbon dioxide equivalents). Future budgets will need to factor-in funding to deliver the accelerated carbon emissions savings needed by 2030.
- 7.9. The Council has an Environmental and Carbon Neutral Policy that was adopted in March 2022. Appendix 2 is a proposed updated version of this Policy and based on the proposed changes in within the new draft Action Plan.

## 8. Options under consideration

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### 8.1. Option 1 – Adopt the revised CCAP

Benefits of Option 1: Outlines a co-developed, realistic and fundable set of actions that can deliver significant carbon and energy savings across our council estate, fleet and streetlighting. Also provides the framework for enabling actions that will deliver feasible solutions to create a pipeline of investable projects that can be delivered post 2026 and up to 2030.

Cons of Option 1: Whilst the plan does offer some significant carbon savings which are above the councils' historic levels of reduction (since 2019, the council has only made a 7% reduction in its carbon footprint), it does not meet the level of reduction required to meet the councils 2030 net zero target. Significant funding and actions will need to be taken post 2026 to ensure we meet our 2030 net zero target.

### 8.2. Option 2– Do not adopt the CCAP

Cons of Option 2: Without an adopted plan, the council will risk taking an unstructured and disjointed approach to tackling carbon emissions and reaching the 2030 net zero target. As a council it also won't meet our objectives as set out in the Council's Community and Corporate plan to ensure the effective use of our council resources and improving upon the council's value for money. This is highlight in the potential financial savings which will be missed from not taking a proactive approach to our energy consumption in our buildings and streetlighting and the fuel used by our council and SWISCo fleets.

## 9. Financial Opportunities and Implications

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- 9.1. To deliver the CCAP's newly prioritised actions – phase 1, the estimated cost is £1,027,895. These costs are based on current estimations and are subject to finalised business cases; these funded actions can deliver annual savings of £238,440 and reduce over 566 tonnes of carbon emissions annually. The existing funding sources to deliver the priority actions in CCAP are outlined below:

<b>Actions – Phase 1</b>	<b>Funding status</b>	<b>Cost to Deliver</b>	<b>Annual Savings</b>	<b>Annual Carbon Savings</b>
Installing a new streetlighting control management system and LED lighting.	Council funded subject to an attractive Business Case, CGB approval (and Full Council)	£955,717 <sup>3</sup>	£226,271	533
Embedding the new impact assessment into the Capital and Growth Board business case templates/wider processes.	No additional funding required	£0	N/A	100*
Procurement (Embed carbon and sustainability accounting into the early stages of procurement and commissioning Including IT).	No additional funding required	£0	N/A	50*
Decarbonise Sherwell Valley Primary School.	Subject to a successful PSDS round 4 bid	£19,361 (Subject to successful PSDS round 4 bid)	£12,500	32
Decarbonise the Brixham Harbour estate.	N/A (this will follow once feasibility work undertaken – see action below)	N/A (Funding for any identified solutions will be sought through business cases)	N/A	N/A
Decarbonise the Tor Hill House building.	N/A (this will follow once feasibility work undertaken – see action below)	N/A (Funding for any identified solutions will be sought through business cases)	N/A	N/A
Recruiting an Energy Officer.	Council funded – existing budget	£0	The officer in post will identify quick energy saving wins.	From the identified energy savings, carbon savings will be identified.

<sup>3</sup> Subject to finalised costs

Undertake feasibility studies / whole building assessments including Solar PV on ten of the councils' buildings within the estate. Any propositions which provide a viable return on investment will be developed into business cases and will seek funding through business cases.	Council funded – existing budget	£30,000 (Existing Budgets)	The solutions that will be identified by the surveys will deliver carbon savings.	The solutions that will be identified by the surveys will deliver carbon savings.
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\*These savings are dependent on each project that is influenced by these new processes and will vary in the level of savings.

- 9.2. More work needs to be undertaken before we can identify how to fund any projects that arise from Phase 2. These projects will be subject to an approved business case and follow the usual council/SWISCo approval processes for capital spend.
- 9.3. Future projects identified from actions such as the feasibility studies will seek additional funding through sources such as loans or grant funding where applicable or utilise the Climate Initiative Fund the delivery of any solutions. These projects will be subject to an approved business case and follow the usual council/SWISCo approval processes for capital spend.
- 9.4. The existing actions within the council action plan are broken down by their funding status below:
- 7 actions have secured funding through existing budgets or external grant funding, Including;
    - Installation of LED light upgrades in Tor Hill House
    - Feasibility work to explore decarbonisation solutions for Brixham harbour and the new development
    - Feasibility studies of the Council and SWISCo estate to establish renewable energy potential
  - 27 actions that don't require any additional funding, Including:
    - Developing projects that will be suitable for external grant funding
    - Procurement and Social Value actions to embed sustainable practices and best value principles in council contracts
    - Quantification of carbon impacts for all major schemes including housing and transport schemes
    - Staff Behaviour actions including the roll out of Staff Carbon Literacy Training, a mandatory I-Learn Climate Change Module and extensive staff behavioural communications

- 6 actions will require additional funding subject to approval of their business cases, Including;
    - Transport actions for the transition of the Torbay Council and SWISCo fleet to EV or low carbon alternatives including EV charging infrastructure
    - Any low-carbon or renewable energy solutions that are identified as per the estate feasibility work and provide a return on investment
- 9.5. The funding for council actions which are externally focused and will be undertaken with the Torbay area have been costed within the already endorsed Greener Way for the Bay framework and action plan and therefore not included with these costs.

## 10. Legal Implications

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10.1. N/A at this stage.

## 11. Engagement and Consultation

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11.1. The original actions within the new plan were developed and agreed by Climate Change Officers group. The refined set of prioritised actions have been developed with SLT and Senior Responsible Officers.

## 12. Procurement Implications

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- 12.1. All actions will adhere to the Council's current procedures. Procurement colleagues are aware of three procurement exercises to be delivered in 2025 including;
- Streetlighting upgrade – value £955k + the additional costs to procure and install the CMS system and LED upgrades
  - Decarbonisation Technical feasibility works on our shortlist of Council and SWISCo buildings - Value £30k
  - Subject to a successful PSDS round 4 bid for heat pump installations at Sherwell Valley Primary School – Value £433k

## 13. Protecting our naturally inspiring Bay and tackling Climate Change

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- 13.1. This action plan will be a vital part of delivering the on-going commitment to tackle the climate emergency (Community and Corporate Plan 2024 – 2040). A Protecting our naturally inspiring Bay and tackling Climate Change Impact Assessment has been carried out. The Action Plan will have a positive impact on our naturally inspiring Bay and efforts to tackle climate change. It will:
- Reduce Greenhouse Gases, mainly Carbon Dioxide, that arise from across the Council's operations and services. The Action Plan includes a range of actions across the estate and fleet + other to achieve this.

- Reduce energy consumption across the council estate and fleet. There are actions to explore roof top mounted solar schemes and to install low carbon heat pumps and two solar farms.
- Protect and enhance biodiversity and nature recovery. It includes developing a new Green Infrastructure Action Plan, new Nature Recovery Plan and actions to protect and enhance local Sea Grass populations.
- Embed sustainable procurement and commissioning practices. This Action Plan includes actions to work with our procurement and commissioning teams to embed sustainable procurement and commissioning practices The Action Plan also includes actions to achieve this within the Council's capital programme and major regenerations schemes.
- Support the Council to withstand future impacts from climate change on its own services. This action plan includes the Council identifying the impacts climate change is/will have on key services and planning appropriate actions to minimise significant risks now and in the future.

## 14. Associated Risks

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- 14.1. The streetlighting priority action and future estate and fleet projects (paragraph 7.6) are all subject to the development of attractive business case and Capital Growth Board approval (and Full Council approval/ similar if for SWISCo).
- 14.2. We have undertaken a review of the action plan to identify any risks, their impact and probability of arising. Many of the actions within the plan have no inherent risks. Three actions face minimal risk of disrupted service delivery, through the construction stages of the project:
- Decarbonise the Brixham Harbour estate.
  - Decarbonise the Tor Hill House building.
  - Upgrade our streetlighting to LED lighting.

However, strategies will be in place to minimise such risks and ensure business continuity throughout.



## 15. 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  Page 185	18 per cent of Torbay residents are under 18 years old. 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.	Installing a new streetlighting control management system and LED lighting: Consideration needs to be given to ensuring that areas are well illuminated to ensure safety for all ages.	Mitigation actions will be identified in the development of the business case.	SWISCo Streetlighting team
Carers	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.	No adverse impacts identified.		
Disability	In the 2021 Census, 23.8% of Torbay residents answered that their day-to-day activities were limited a little or a lot by	No adverse impacts identified.		

	a physical or mental health condition or illness.			
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.	No adverse impacts identified.		
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.	No adverse impacts identified.		
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.	No adverse impacts identified.		

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.	No adverse impacts identified.		
Religion and belief	64.8% of Torbay residents who stated that they have a religion in the 2021 census.	No adverse impacts identified.		
Sex	51.3% of Torbay's population are female and 48.7% are male	Installing a new streetlighting control management system and LED lighting: Consideration needs to be given to ensuring that areas are well illuminated to ensure safety for all sexes.	Mitigation actions will be identified in the development of the business case.	SWISCo Streetlighting team
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.	No adverse impacts identified.		
Armed Forces Community	In 2021, 3.8% of residents in England reported that they	No adverse impacts identified.		

	had previously served in the UK armed forces. In Torbay, 5.9 per cent of the population have previously served in the UK armed forces.			
<b>Additional considerations</b>				
Socio-economic impacts (Including impacts on child poverty and deprivation)		No adverse impacts identified.		
Public Health impacts (Including impacts on the general health of the population of Torbay)		No adverse impacts identified.		
Human Rights impacts		No adverse impacts identified.		
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.	No adverse impacts identified.		

## 16. Cumulative Council Impact

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- 16.1. The impact from actions that will lead to the implementation of new assets such as solar panels, heat pumps or upgrades to our streetlighting could, whilst being implemented, have some impact upon our council and SWISCo operations. However, these impacts will be mitigated to ensure that these works are undertaken with necessary decantation strategies in place to enable operational continuity.
- 16.2. All the actions have been deemed deliverable by officers with the two-year plan and will fall within the existing work programmes.

## 17. Cumulative Community Impacts

---

- 17.1. The community impacts are minimal given this is an internal council action plan, however where examples such as the upgrading of streetlighting may impact the operations of services, the necessary actions will be taken to minimise impact. The community impacts from our influencing council actions are covered with the Greener Way for the Bay framework and action plan.

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# Torbay Council Climate Change Action Plan

2024 - 2026



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# Introduction

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## Background

Our operations and services are directly, and indirectly, responsible for a range of impacts on our natural environment. From the power we use in our offices, to the fuel powering our refuse vehicles, they all have a negative impact on the environment and are responsible for emitting carbon dioxide and other greenhouse gases (GHG) into the atmosphere, which are contributing to global warming and a changing climate.

In 2019 Torbay Council declared a climate emergency<sup>1</sup>. Our new Community and Corporate Plan commits us to continue to address the Climate Emergency so as to create a sustainable future. It also commits us to protect and enhance our natural environment.

Torbay (area-wide), through the Torbay Climate Partnership's Greener Way For Our Bay Framework and Action Plan, aims to become Net Zero<sup>2</sup> by 2050.

This Action Plan primarily focuses on what the Council will do reduce carbon dioxide emissions that relate to Council services and operations.

## Our Council Carbon Emissions

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Councils are responsible for carbon dioxide emissions<sup>3</sup> that arise from the operations and services within their direct and indirect control or where they have financial responsibility. The Council calculates its direct and indirect carbon emissions to create its carbon footprint. It is made up of emissions that arise from a range of assets and direct and indirect activities across the Council, including:

- All council buildings (including offices, maintained schools, other)
- Street lighting
- Council fleet
- School travel
- Staff travel (including staff using their personal cars for Council business (grey fleet), rail, taxi and other forms of travel i.e., hire cars)
- Others indirect sources (including outsourced services and SWISCo)

Torbay Council's total Carbon emissions from 2019 to 2023 have fallen by 7%. In the 2022/23<sup>4</sup> the Council was responsible for 5,011 tCO<sub>2</sub>e. The largest sources of emissions arose from the fuel

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<sup>1</sup> The climate emergency reflects the need for urgent action to reduce or halt climate change and avoid potentially irreversible environmental damage resulting from it.

<sup>2</sup> 100% reduction in carbon emissions by 2050. Technically this means that the total emissions (see 8 below) would be equal to or less than the emissions removed from the environment. This can include the use of offsetting to actively remove residual emissions.

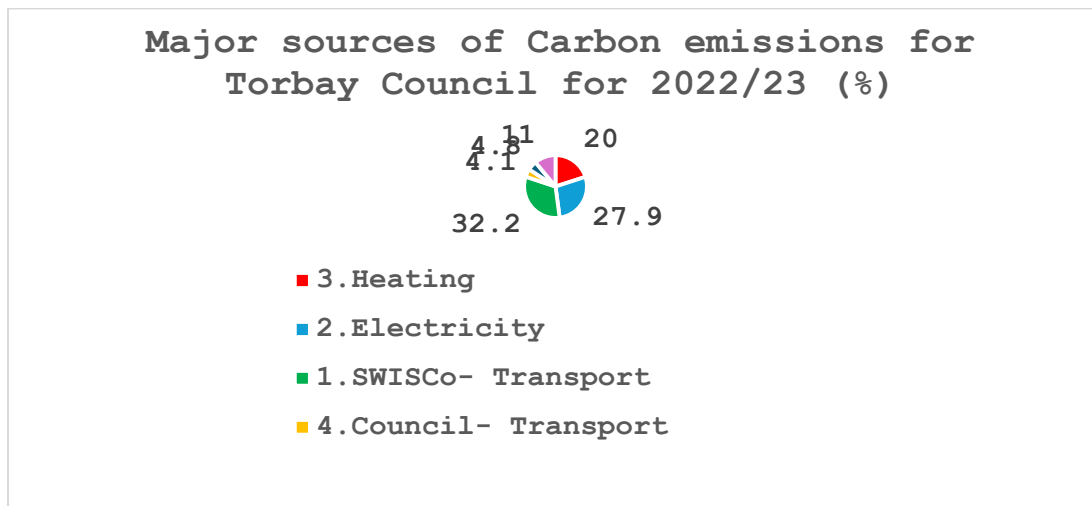
<sup>3</sup> Known collectively as Greenhouse gases but expressed as carbon dioxide equivalents. Hereon in referred to as carbon emissions

<sup>4</sup> Most up to date data set

used by the SWISCo fleet and the gas and electricity used to heat our buildings. These made up over 90% of the Council’s total carbon footprint. The remaining 10% of the carbon footprint was made up of water consumption, emissions from waste and from staff’s business travel. The following graph highlight this.

Excluding indirect emissions<sup>5</sup> including SWISCo’s fleet and outsourced services, direct carbon emissions in 2022/23 were 3,265 tCO<sub>2</sub>e.

Pie Chart 1: Summary of Torbay Council’s total Carbon Footprint for 2022/23.



The data used to compile the Footprint includes gas, electricity, water, fuel and waste consumption data as well as fleet data broken down into vehicle type. Currently, some data is not readily available in a consistent and standardised format nor is it available in one place.

## Our target

To lead by example the Council is committed to working to become a net zero carbon<sup>6</sup> authority by 2030. The primary focus will be on tackling emissions that directly relate to Council operations. For example, carbon emissions that arise from heating and powering our council estate, staff travel and from our council fleet, plus others<sup>7</sup>

## Scope

This action plan aims to deliver a range of actions that reduce carbon emissions that directly arise across the council’s estate and fleet and help meet the Council’s Net Zero Carbon Target<sup>8</sup> by 2030.

However, there are also emissions that arise from indirect, outsourced services like SWISCo, that also make up the Council’s total carbon footprint (as above).

<sup>5</sup> Excluding Scope 3 emissions see 4 (and the baseline for the Council’s net zero 2030 target)

<sup>6</sup> 100% reduction in carbon emission equivalents (TCO<sub>2</sub>e) by 2030 (See 8 below). Technically this means that the total emissions would be equal to or less than the emissions removed from the environment. This can include the use of offsetting to actively remove residual emissions, only as a last resort.

<sup>7</sup> Target includes direct emissions arising from gas and electricity consumption across the council estate (including streetlighting), Torbay council staff travel and fleet (known as Scope 1 and 2 emissions (GHG Reporting Protocol)). This target excludes indirect emissions arising from procurement/commissioning, capital projects and SWISCo fleet (known as Scope 3 emissions).

<sup>8</sup> See 4 above.

There are also some emissions that we currently do not have access to the data.

Therefore this action plan also addresses these indirect emissions. These procured and commissioned goods and services, all construction projects and the SWISCo fleet and estate. Whilst they don't contribute to meeting the target, some of these indirect emissions make up the largest sources of the Council's carbon footprint, so are also addressed in this action plan.

The Action Plan will run up to December 2026

There are many actions within this plan that will also help the Council save money on its energy, water and fuel bills, and through new efficient working/building procedures/practices.

The Council can use its influence to help reduce carbon emissions that arise from across the wider Torbay area in homes, businesses and transport. These actions undertaken by the Council, THA and SWISCo are part of the Torbay Climate Partnership's Greener Way for the Bay Framework and Action.

## Actions delivered from Carbon Neutral Action Plan for 2022-2024

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Under the previous Carbon Neutral Council Action Plan (2022- 2024), the following actions have been delivered:

- Installed Heat pumps at Torre Abbey Arid House which is estimated to save 100 tonnes of Carbon Dioxide (tCO<sub>2</sub>e) over the lifetime of the project.
- Installed at Torbay Leisure Centre energy efficiency measures, air source heat pumps and solar panels estimated to save 320 tCO<sub>2</sub>e per annum.
- Through our Partnership with Devon County Council, we have received the following grants to help decarbonise homes by installing energy efficiency measures and/or low carbon heating measures. *Please note Devon County Council were the accountable body and the funding was to cover all of Devon, including Torbay.*
  - **Green Homes Grant Local Authority Delivery Scheme** - £1,144,200.00: Date - October 2020 (Completed)
  - **Sustainable Warmth** - £2,472,500.00 & £7,151,059.00: Date - November 2021 (Completed)
  - **Home Upgrade Grant 2** - £13,339,272.00: Date - January 2023 (Complete)
- Secured £1,895,054 worth of Public Sector Decarbonisation Scheme funding;
  - Torbay Council received a **Phase 2 Low Carbon Skills Fund** grant to carry out heat decarbonisation plans on 7 schools - £36,000: Date – October 2021 (Complete)
  - Parkwood Leisure secured for Torbay Council £1.8m from the **Public Sector Decarbonisation Scheme** to install heat pumps and solar PV at Torbay Leisure Centre - £1.8m: Date - Sept 2021(Complete)
  - Torbay Council received **Phase 3b Public Sector Decarbonisation Scheme** funding to install low carbon heating at Watcombe Nursery - £59,054: Date – Jan 2023 (Complete)
- Secured £723,230 in local transport schemes;

- Torbay Council received **various bus** funding to support an increase in bus usage (NB: some of this was linked to covid response and some are annual grants) - £414,246: Date – June 2020 onwards (Complete)
- Torbay Council received **Travel Demand Management** funding for travel plans and encouraging more walking and cycling - £125,000: Date – Oct and Dec 2020
- Torbay Council received **various Active Travel** funding to provide safe walking and cycling opportunities - £183,984: Date: Jan 2022 onwards (Live)
- Secured £7.1m worth of funding to deliver public EV buses, run by Stagecoach, over the next three years.
- Secured just under £900k of funding to support the rollout of electric vehicle charge points from the government's Local Electric Vehicle (LEVI) fund.
- Implemented a 3-year Salix Recycling Fund programme on energy efficiency projects.
- Completed a Green Fleet Review which detailed the requirements and routes for how the council and SWISCo fleets can transition to electric vehicle alternatives. The transition of the fleet could have an estimated 188 tCO2e savings per annum.
- Carried out a Hire Car Review and developed a fully electric programme with three EV pool cars available for staff to use for their business travel.
- Installed 30 green roofed bus stops which will over their lifetime sequester carbon emissions, reduce traffic pollution, improve air quality and support biodiversity.
- Finalised an electric charging infrastructure strategy for Torbay and begun the scaling up on the delivery of public charging points across Torbay. 13 contracts have been awarded to enable the installation of electric chargers within council owned car parks, with four car parks are having works completed to enable installation.
- As part of a successful Devon-wide Sustainable Warmth programme, Since August 2020, 547 homes have been supported, 180 homes visited and issued practical advice and 63 events and clinics attended. It is estimated that this support will help save residents £387,350 off their energy bills. With Devon County Council, and through the Local Authority Delivery Grant 2, we have helped 119 homes to save energy through installing a range of measures such as insulation and replaced old gas boilers with new low carbon heat pumps.
- Continued to work with Exeter Community Energy to provide local energy saving practical support and advice, with 109 homes helped, 53 home visits and 20 clinics held.
- Developed a Healthy Torbay Sustainability Checklist that includes the requirements of major planning applications to meet the Local Plan's current Climate Change Policies.
- Integrated climate change considerations into the Council's new Social Value Policy to ensure all procurements and commissions reduce their climate and wider environmental impacts.
- Planted over 2,000 new trees in the Torbay area, through Forestry Commission grants, which will create long-term woodland areas, support biodiversity and sequester carbon in future years.
- Supported the formation of the Torbay Climate Partnership (TCP) in 2021, bringing together various organisations and local communities to accelerate climate action in Torbay.
- Supported the development of the Greener Way for the Bay Framework and Action Plan, which is a series of actions to be implemented by the various partners in the TCP to tackle climate change within the Torbay region. The framework and action plan are currently out for consultation, with the results of the consultation due in April 2024.
- Refreshed the Carbon Neutral Impact Assessment Tool into all decision-making reports and project management processes.

- Secured UK Shared Prosperity Funding to deliver a range of decarbonisation programmes in homes, with businesses and a green skills training programme for young people.

## Torbay Council Climate Change Action Plan 2024 – 2026

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To become a net zero carbon Council by 2030 we will need to rapidly reduce carbon emissions by as much as we possibly can.

This Action Plan has been developed by many officers from across the Council, SWISCo and Torbay Harbour Authority, with support from members, and focusses on the areas of the Council where most carbon emissions arise from. These include the operation of our estate, fleet and business travel. As a wholly owned company of the Council, who deliver a range of services for the Council, actions that relate to SWISCo are also included in this action plan. Some ongoing actions from the previous iteration of the action plan are also included within this new plan.

There are many actions within this plan that will also help the Council save money on its energy, water, fuel bills, and through new efficient working/building procedures/practices.

### Phase 1 - Priority Actions

To maximise carbon savings and to help the Council save money on its energy bills, over the next 1-2 years we will focus on:

- Subject to the development and approval of the business case, installing a new streetlighting control management system and LED lighting. The installation of a control management system and more energy efficient lighting<sup>9</sup> will enable more efficient control of our streetlighting inventory and deliver significant carbon and energy savings.
- Undertake feasibility studies and whole building assessments to understand how to decarbonise ten of the council's worst energy performing buildings, including exploring the role of generating free energy from renewable energy sources such as solar power. Any propositions which provide a viable return on investment will be developed into business cases and will seek funding through business cases
  - Decarbonise Sherwell Valley Primary School (subject to a securing external funding)
  - Decarbonise the Brixham Harbour estate (subject to a positive decarbonisation study).
  - Decarbonise Tor Hill House building
- Recruit an Energy Officer to be take on the responsibility of managing the councils energy consumption, exploring quick win energy efficiency that can be enacted to reduce consumption and to lead on future decarbonisation and renewable energy projects.
  - Introduce a new environment and climate change impact assessment tool for all council-led construction projections. The tool will be used by the Council's Capital and Growth Board to understand and help reduce negative environmental and climate related impacts of the things the council builds.

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<sup>9</sup> To complete the LED bulb roll out to 100% of all streetlights in Torbay

- Embed carbon and sustainability accounting into the early stages of procurement and commissioning. This will help reduce negative environmental and climate related impacts of the things the council buys/commission.

## Phase 2 - Priority Actions

### Travel

Staff travel and journeys made by the Council and SWISCo fleets are responsible for the production of carbon emissions and other harmful pollutants (including staff using their personal cars for Council business, travel by bus, rail, taxi and other forms of travel i.e., hire cars). In 2022/23, these emissions accounted for 35%<sup>10</sup> of the Council's carbon footprint, with the SWISCo fleet accounting for 32.2% of these emissions alone. We will explore work towards decarbonising the fleet and staff travel<sup>11</sup> through reducing the demand for travel, prioritising active, sustainable modes of transport and where journeys need to be made, make them in ultra-low/electric vehicles (EV)/car clubs where possible.

To maximise carbon savings and to help the Council and SWISCo save money on their fuel bills Over the next two years we will:

- Working with SWISCo, explore how to begin the transition of both the Council's and SWISCo's fleets to EV alternatives, whilst improving the optimisation of the fleet and improving the management of the fleet moving forward.
- Explore how council staff travel when out on council business and explore developing a series of actions to reduce the carbon emissions and costs arising from staff travel

### Other Actions

#### Council estate, energy and streetlighting

In 2022/23, the energy (gas and electricity) used in our council buildings made up around 62% of our carbon footprint. Building on the priority actions above, over the next two years we will continue to work towards decarbonising key assets across the estate, starting by evaluating and improving the worst energy performing<sup>12</sup> buildings.

Over the next two years we will:

- Based on studies completed in the priority actions above, develop a pipeline of investment ready energy efficiency, low carbon heating and solar photovoltaic (PV) projects, which subject to attractive business cases, seek internal and/or external funding to deliver these decarbonisation plans.
- Explore green electricity and gas energy tariffs to further reduce our carbon emissions and work towards net zero.

<sup>10</sup> SWISCo fleet makes up 32% of these travel related carbon emissions

<sup>11</sup> Travel made in council employee's own vehicles or other i.e public/active transport modes to perform council duties

<sup>12</sup> Highest consumers of gas and or electricity

- Building on priority actions 2, explore the electric vehicle infrastructure, subject to the feasibility of renewable energy generation being able to power the required infrastructure, to support the roll out of electric vehicles across our fleet (including generation and storage).

## **Corporate services and processes**

The way the Council makes decisions about what we do can help reduce environmental impacts and carbon and other greenhouse gas emissions. We can reduce the environmental impacts of the things we build and buy, along with the services we commission, through understanding the likely negative impacts and making more sustainable, environmentally friendly, low/zero carbon choices.

Over the next two years we will:

- Work with five contracts to pilot how to reduce their carbon emissions from their supply chain.
- Monitoring the carbon emissions related Social Value commitments in new contracts.
- Refresh the Environment and Carbon Neutral corporate policy.
- Review our core values to ensure tackling climate change and the principles within the new Environment and Carbon Neutral Policy are part of the organisation (if required).
- Review the Council's Water consumption and explore options to reduce consumption and costs.
- Provide training on the new Protecting our naturally inspiring Bay and Tackling Climate Change Impact Assessment Tool and roll out staff training to support its implementation.
- Explore quantification of carbon impacts for all major schemes - including transport and housing schemes.

## **Staff Behaviour**

Through colleague engagement and empowerment, we can garner effective action from all our staff to reduce the Council's carbon emissions and help them to understand how they all have a part to play within their day-to-day duties.

To support this, we will:

- Create a mandatory climate change I-learn module for all staff and councillors, helping to create better understanding and knowledge of the difficulties we face and how our actions can overcome this.
- Train several staff as Carbon Literacy trainers so that Carbon Literacy training can be rolled out to staff, including train the trainers' opportunities.
- Develop an internal staff behavioural change campaign on how to save energy, water and waste across the estate.
- Install better recycling collections for Tor Hill House and Town Hall.

## **Climate Adaptation and Resilience**

In addition to reducing our emissions, the Council will also need to ensure that all its operations and services are resilient to a changing climate. We will need to understand where we are currently vulnerable to weather events and where we will be vulnerable in the future as our climate continues to change.

Over the next two years we will:

- Use the results of the Adaptation Strategy for Devon, Cornwall and the Isles of Scilly to carry out a high-level climate change risk assessment on key services. This will ensure Torbay Council understands its current and future vulnerability to a changing climate and takes actions to reduce any current risks and strengthen service's resilience.

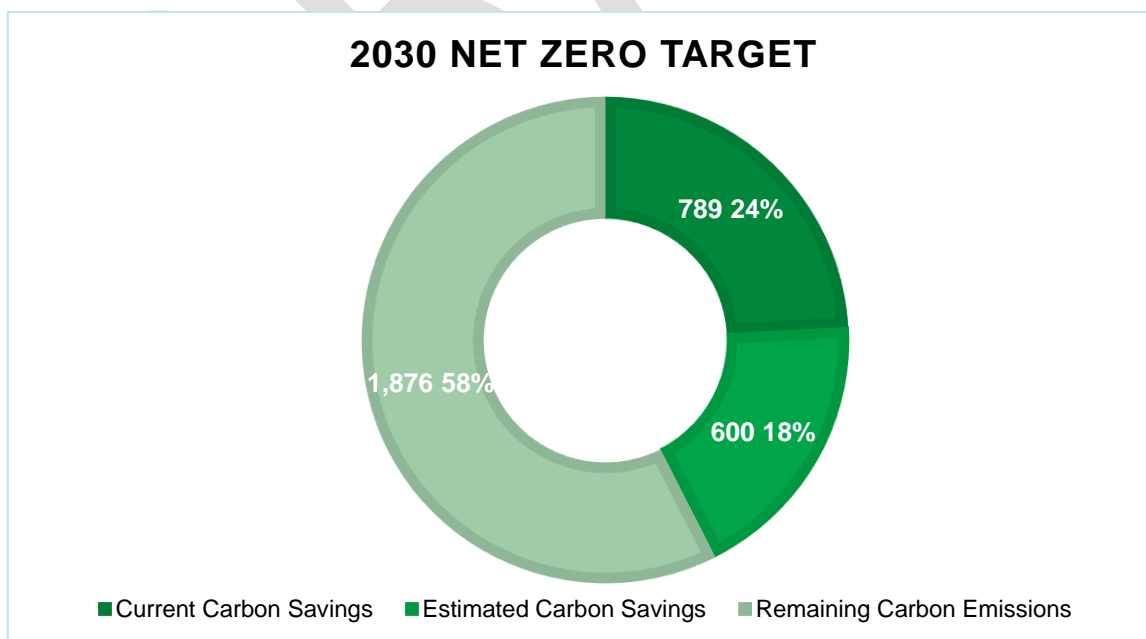
It is important to note that additional actions may be created to tackle high carbon intensity areas, such as for decarbonising the Councils estate or in the transitioning of the fleet to more sustainable alternatives. Therefore, this action plan needs to be flexible to meet changes in direction and focus during the next two years.

All large actions within this plan will be subject to having a positive and attractive business case that saves carbon emissions, and where possible, will save the council money or create a range of economic/social/wider environmental benefits.

## Carbon emission savings

This action plan will help the Council continue to work towards becoming a net zero carbon authority by 2030 and aims to tackle the largest sources of emissions that arise directly or indirectly across the Council's and SWISCo's operations. It acts as stepping stone towards meeting the target but will not result in the target being met yet.

In order to meet the proposed net zero carbon target by 2030 the Council will need to save or off set (only as last resort) just under 3,265 tonnes<sup>13</sup> of carbon dioxide equivalent emissions. Since 2019, the council has saved 789 tonnes of carbon dioxide equivalent emissions towards meeting the net zero carbon target.



<sup>13</sup> Scope 1 and 2 emissions only.



The priority actions within this action plan are estimated to save 600 tonnes of carbon. The other actions will also save or enable further savings to then be made towards the target, we are not able to quantify these at the moment<sup>14</sup>.

Based on the current savings and the estimated savings from the prioritised actions, the council will need to make savings of 1,876 tonnes of carbon dioxide equivalent emissions by 2030 to achieve the net zero carbon target.

By annually collating and monitoring our carbon footprint we be able to see how much more the Council will need to do to achieve this target. This action plan is designed to be flexible, likely to change and, therefore, is a live document, that will be updated regularly.

## Barriers to Overcome

Between 2019 – 2023 overall our total carbon emissions have fallen by seven percent. There are a range of barriers that the Council will need to overcome if it is to really start to reduce its carbon emissions and adapt to a changing climate. Many relate to coordinated and proactive fleet and estate management, dedicated budgets and senior leadership support. The following areas were identified as key barriers to overcome within the duration of this plan;

- Continued management of council fleets and staff travel and the transition to lower/EV alternatives over time
- The TDA coming back in-house within the Council to be seen as an opportunity to jointly work with the Climate Team and others to ensure decarbonisation of the estate is improved and energy bills are reduced annually.
- Recruitment of an Energy Officer.
- Need for a pipeline of investable projects.
- Explore embedding the new impact assessment into the Capital and Growth Board business case templates/wider processes.

## Funding this Action Plan

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The Council already spends a significant amount of money on improving the environment. Some of the work outlined in this action plan can be delivered through existing budgets and through existing staff. We recognise that transitioning to net zero emission will require significant additional capital and revenue funding, but that delivering this ambition is essential and the real/social cost of inaction will be far greater.

## Cost of delivering this plan

The estimated cost to deliver the phase 1 of the priority actions within this plan is approximately £1 million. These costs are based on current estimations and are subject to finalised business cases showing attractive carbon and cost savings. These actions can deliver cost savings estimated at

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<sup>14</sup> Preparatory actions are required to develop many carbon savings projects/similar i.e. feasibility work. Until these projects are fully developed, we cannot estimate CO2 savings (and other economic or social benefits)

£240,000 annually with the potential to reduce 570 tonnes of carbon emissions annually. Phase 2 requires more work, before establishing costs.

Please note it is not possible to cost all of the other actions contained within the Plan, however, actions relating to the transition of Council and SWISCo vehicles to EV's and any viable decarbonisation propositions that are identified by the feasibility work will require business cases to see additional funding. All other actions are funded through existing or already secured external funding sources.

The Council has a £1m dedicated Climate Initiative fund. This may help to fund a range of projects within this action plan:

- Decarbonisation Plans for the worst performing buildings.
- Match funding for forthcoming Public Sector Decarbonisation Scheme funding bids.
- See above for the limitations of this funding.

Some actions will also save money through reducing energy and water consumption or transitioning the fleet to electric vehicles which are cheaper to fuel and maintain.

Examples of external funds include the following:

- Low Carbon Skills Fund
- Public Sector Decarbonisation Scheme
- South West Net Zero Hub - Net Zero Fund
- Workplace Charging Scheme
- ChargePoint authorisation
- On-street Residential Charge point Scheme
- Ultra Low Emission Taxi Infrastructure Scheme

Other funding sources may become available as and when they are made available, at which point we will seek to work with the relevant officers to submit bids to secure these funding sources.

## Cost of doing nothing?

Failing to reduce the Council's energy, water, waste, and transport fuel consumption is a missed opportunity to save the Council money, which could be used to support other priority services or invest in more projects to save even more money. For example, the councils total spend on electricity and gas between April 2023 to March 2024 was £3,052,015. We can reduce these operational costs through retrofitting the buildings within our estate with high levels of energy efficiency measures, renewable and low carbon heating and power. There is also the reputational risk, if as a Council, we are not seen to be taking a lead to tackle carbon emissions and mitigating the effects of climate change.

There is the environmental impact of not acting urgently to tackle climate change. With a changing climate, there will be hotter summers and wetter winters, which will cause further issues such as flooding. Under current policies, the total cost of climate change damages to the UK are projected

to increase from 1.1% of GDP at present to 3.3% by 2050 and 7.4% by 2100, with the Torbay region likely to experience a 6.5% loss in local GDP<sup>15</sup>.

Should the Council not manage to reduce carbon emissions in line with its net zero target, residual emissions remain in 2030, these will need to be offset locally/nationally, and annually, through accredited carbon offset schemes at a financial cost to the Council. It's important to note that offsetting should be seen as a last resort to reduce carbon emissions as alone they are not enough to solve the climate change crisis and can't be used as a substitute for directly reducing carbon emissions.

The current price of carbon offsetting is £10 per tonnes of carbon dioxide (CO<sub>2</sub>); however, this has the potential to increase to £20-50 per tonnes of CO<sub>2</sub> as more investment is required in projects that take carbon out of the atmosphere in the long-term<sup>16</sup>.

Based on the assumption that prices rise by 2030 to £50 per tonnes of CO<sub>2</sub> and using our current trend of carbon reduction of 7-8% a year, we can predict that offsetting will cost the council £54k to offset its remaining residual emissions in 2030, and every year after that until greater carbon reduction is achieved. This figure is based on our current estimates for our carbon footprint, which doesn't include some direct emissions and indirect emissions that relate to council operations or the things we buy, or commission are not currently included within our carbon footprint. Therefore, the amount of residual carbon emissions could be a higher, having a knock-on effect of more residual emissions to offset.

It's important to note that the potential price of offsetting credits by 2030 could rise further due to other Local Authority's and organisations also offsetting their residual emissions. This could accelerate prices due to this spike in demand, whilst also requiring the offsetting sector to keep pace with this increased demand. This highlights the need for actions to reduce our carbon emissions as much as possible without relying on offsetting to cover any residual emissions.

## Monitoring progress

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The implementation of this action plan will be overseen by the Council's Climate Change Action Group on a quarterly basis. Any delivery issues will be directed to the Divisional Director Planning, Housing and Climate Emergency who can then escalate issues to the Council's Senior Management Team.

Half yearly progress reports will be compiled by the Officers' Group and presented to the Council's Senior Leadership Team and the Council's Cabinet and Overview and Scrutiny Board.

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<sup>15</sup> [What will climate change cost the UK? Risks, impacts and mitigation for the net-zero transition - Grantham Research Institute on climate change and the environment \(lse.ac.uk\)](#)

<sup>16</sup> Ten-fold increase in carbon offset cost predicted | UCL News - UCL – University College London

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# Environment and Net Zero Carbon Policy

Updated December 2024

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## Introduction

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Torbay Council's operations and services are directly, or indirectly, responsible for a range of impacts on our natural environment. Whilst we carry out a lot of actions to reduce our environmental

impacts, more action is needed. Torbay Council declared a climate emergency <sup>1</sup>in 2019 and is committed to continuing to tackle climate change locally, and:

- becoming a net zero carbon emission Council<sup>2</sup> by 2030, and
- working with others to create a net zero carbon emission Torbay by 2050.

Continuing to tackle climate change is committed to in Torbay Council's Community and Corporate Plan (2023 -2040).

The co-benefits of protecting our environment and tackling climate change, for instance for health, the economy, and our communities, means it must be part of the way we all work across the Council.

Therefore, we are changing how we work, developing future actions and ways of working that will help us all to minimise the impact the Council has on the natural environment and to play our part in tackling the climate change locally.

The overarching principles and aims of the Environment and Net Zero Carbon Policy are:

- **Reduce carbon emissions**  
To become net zero carbon emissions Council by 2030 by reducing carbon emissions across the Council and to:
  - **Reduce energy and generate clean energy**
  - **Minimise waste and water consumption**
  - **Transition to a zero-emission fleet by 2030**
  - **Use sustainable resources**
  - **Protect and enhance the natural environment**
  - **Climate resilience**
  - **Measure and report our performance**

## Scope

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This policy applies to all Council employees. It also applies to SWISCo employees and all services commissioned by Torbay Council.

## Related Policies and guidance

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<sup>1</sup> The climate emergency reflects the need for urgent action to reduce or halt climate change and avoid potentially irreversible environmental damage resulting from it.

<sup>2</sup> Carbon emission are reduced by 100% from 2019 levels by 2030. If met it means that the total emissions would be equal to or less than the emissions removed from the environment. This can be achieved by a combination of emission reduction and emission removal. Not all emissions can be reduced to zero, so those that remain need to be matched by actively removing carbon emissions from the atmosphere. This is known as " Carbon offsetting". For simplicity, we use the term 'carbon emissions' as shorthand for all greenhouse gases.



Please refer to the:

- [Community and Corporate Plan](#)
- [Initial Carbon Neutral Torbay Action Plan 2021](#)
- [Greener Way for Our Bay - Torbay Council](#)

Please refer to the [Carbon Neutral Council](#) page for guidance on how to assess and reduce environmental impacts and help tackle the climate emergency.

## Benefits

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By implementing different ways of working there are benefits to our employees, the organisation, and our customers:

### **Benefits for employees:**

- Add value by delivering environmental improvements as part of our existing and future work
- Can play a part in helping the Council tackle the climate and ecological emergency
- Physical and mental health benefits from increased support for business travel and service delivery through active travel

### **Benefits for the Council:**

- A working culture that is reducing environmental impacts, tackling the climate and ecological emergencies, and meeting its Community and Corporate Plan (2023-2040) vision including helping Torbay thrive.
- More efficient and effective use of natural resources such as energy, fuel, water, and paper
- Ability to reduce the Council's carbon footprint
- A more efficient use of Council resources<sup>3</sup>
- More teams coordinating action, sharing of best practice, cross-service working and effective management
- Improved employee physical and mental health through increased use of active travel

### **Benefits for our customers:**

- A more efficient use of Council resources meaning that more funds can be devoted to direct service delivery
- Torbay is also reducing environmental impacts, tackling the climate and ecological emergencies, and meeting its Community and Corporate Plan vision
- Improved air quality and fewer cars & vans on the road

### **UN Sustainable Development Goals**

This policy will also help the Council to begin to work towards the Sustainable Development Goals (SDGs). These have been designed to be a "blueprint to achieve a better and more sustainable

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<sup>3</sup> Initially, costs may be higher for what we are procuring, or delivering to meet this policy but that delivering this ambition is essential and the real/social cost of not doing so will be far greater for the council in the future.

future for all". These were adopted by the United Nations and the UK Government as a universal call to action to end poverty, protect the planet, and ensure that by 2030 all people enjoy peace and prosperity.

There are 17 goals. These goals also align with our Community and Corporate Plan (2019-2023) vision to make Torbay thrive. This policy will help to meet the following SDGs: 7 (Affordable Clean Energy), 12 (Responsible Consumption and Production) 13 (Climate Action), 14 and 15 (Life below water and Life on Land)



There are 17 goals. These goals also align with our Community and Corporate Plan (2019-2023) vision to make Torbay thrive. This policy will help to meet the following SDGs: 7 (Affordable Clean Energy), 12 (Responsible Consumption and Production) 13 (Climate Action), 14 and 15 (Life below water and Life on Land)

## Key Principles of this policy

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- **Reduce carbon emissions**

To become a net zero Carbon emissions Council by 2030<sup>4</sup> by reducing Carbon emissions across the range of Council operations<sup>5</sup>. Interim targets will be established<sup>6</sup>. The option of Carbon Offsetting any residual emission will be seen only as a last resort to achieving net zero emissions for the Council. A separate policy will be developed on Carbon offsetting emissions.

- **Reduce energy and generate clean energy**

To minimise energy use and reduce carbon dioxide emissions arising across Torbay Council's estate through the introduction of energy efficient measures, renewable/low carbon electricity generation, low carbon heating, use of renewable energy tariffs and staff behavioural initiatives.

- **Minimise waste and water consumption**

To minimise water consumption and waste created from Council operations and services through reduction, reuse, recycling, and staff behavioural change initiatives and remove consumer single use plastic from the Council's office estate.

- **Transition to a zero-emission fleet by 2030 and tackle air quality and improve health**

To reduce Carbon emissions, cut harmful pollutants and improve local air quality by supporting staff to travel for work purposes by healthier and more sustainable modes of travel such as walking, cycling, e-bikes, e-cargo bikes, and public transport. Where journeys need to be made in vehicles, the use of electric vehicles will be encouraged, and we will work towards transitioning our fleet to zero emission vehicles<sup>7</sup>.

- **Use sustainable resources**

To reduce environmental impacts of the things we build, buy and the services we commission, through making more sustainable, environmentally friendly, and low carbon choices.

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<sup>4</sup> Scope 1 and 2 emissions only.

<sup>5</sup> The target is an aggregated Torbay Council wide target and not bespoke minimum performance targets for individual departments, or wholly owned companies.

<sup>6</sup> Interim targets will be determined once further estate audits and fleet reviews have been carried out and a robust baseline is in place.

<sup>7</sup> Where there are no feasible or viable zero emission solutions, transition to ultra-low emission alternatives.

- **Protect and enhance the natural environment**

To protect, enhance and increase the biodiversity where appropriate of the Council's natural assets through a range of environmentally friendly conservation practices. We will also encourage improvements to our natural assets, including tree planting and rewilding initiatives, to achieve carbon storage and nature-based solutions for climate resilience. We will also protect and enhance where appropriate the marine environments Torbay Council are responsible for. A more detailed Marine Users Policy will be developed in partnership with Tor Bay Harbour Authority.

- **Climate resilience**

Understand the near-term and future risks of climate change for essential Council operations and services and plan for how we will build climate resilience across the Council.

- **Measure and report our performance**

Report progress towards becoming a Net Zero Carbon Council through an annual Greenhouse Gas Report and annual report to the Council's Cabinet and the Overview and Scrutiny Board. We will report on how we are taking action to conserve and enhance biodiversity in accordance with our Natural Environment and Rural Communities (NERC) Act duty.

**Managers must ensure that staff have properly considered the above aims and principles when developing new projects, policies, programmes, new procurement contracts and/or commissions.**

Employees and managers must acknowledge this policy and support the principles set out in this policy in their work.

## Funding

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There will be times when additional funding may be required to support this policy. Where staff cannot identify any internal or external funding please contact Jacqui Warren, Principal Climate Emergency Officer for advice. Some environmentally friendly, carbon saving projects/products may have an initial up-front cost that is more expensive, however, please consider the full costs over the whole lifecycle of the project/product, including any operational savings such as using less energy or fuel and reduced maintenance costs. When seeking approval for new proposals, and where funding cannot be found, officers must identify this in their Emerging Issues papers or Cabinet reports under the Climate Change section.

## Training and support

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### All staff and managers

All staff must support this policy wherever possible in their job roles.

Line managers are expected to challenge their teams and individuals to ensure this policy is adhered to.

Please refer to the [Carbon Neutral Council](#) page for guidance on how to assess and reduce environmental impacts and help tackle the climate emergency in projects, policies, programmes, new procurement contracts and/or commissions.

General guidance on what you can do in the office and at home is also available on the [Climate Change Council webpages](#).

Carbon Literacy Training is also available. Please contact [hrtraining@torbay.gov.uk](mailto:hrtraining@torbay.gov.uk) for further information.

## Equality statement

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This policy applies equally to all Council employees, as above, regardless of their age, disability, sex, sexual orientation, race, religion or belief, gender reassignment, pregnancy and maternity, marriage, and civil partnership. Care will be taken to ensure that no traditionally excluded groups are adversely impacted in implementing this policy.

## Policy Feedback

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If you have any feedback on this policy, please email [Jacqui.Warren@Torbay.gov.uk](mailto:Jacqui.Warren@Torbay.gov.uk)

## History of Policy Changes

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Date	Who	Page	Details of Change	Agreed by:
<b>Date</b>	Who	Page	Details of Change	<b>Agreed by:</b>
<b>August 2021</b>	Carbon Neutral Council Officers Group, Geopark, Director of Place	All	Added more on our NERC duties, aligned policy to the UN SDGs and added an interim carbon saving target.	
<b>November</b>	TJCC	All	N/a. Emailed TJCC. Comment received was supportive of the policy.	
<b>4/11/2021</b>	ELT	All	N/a. Supportive.	
<b>Dec/Jan 2022</b>	Carbon Neutral Council Officers Group and TDA (Director of Asset	Various	<ul style="list-style-type: none"> <li>Clarified 1) scope – footnote 6, 2) amended the principle to - Transition to zero emission fleet by 2030 and 3)</li> </ul>	

	Management, Investment and Housing)			
7/1/2022	Director of Place	All	<ul style="list-style-type: none"> <li>Various and minor</li> </ul>	
18/1/2022	SLT	All	<ul style="list-style-type: none"> <li>Removal of an interim target until a robust baseline and various studies have been undertaken. Establish boundaries for the Policy with TDA.</li> </ul>	
15/2/2022	SWISCo Board		<ul style="list-style-type: none"> <li>No major issues</li> </ul>	
15/2/2022	TDA Board		<ul style="list-style-type: none"> <li>No major issues</li> </ul>	
<b>20/12/2024</b>	<b>Divisional Director – David Edmondson, Planning, Housing &amp; Climate Emergency</b>	All	<ul style="list-style-type: none"> <li><b>Updated policy wording. Removing carbon neutral with Net Zero Carbon Emissions. Web links have also been updated.</b></li> </ul>	

As it is a climate emergency this policy is to be reviewed every 2 years or when legislation or operational reasons require it sooner.

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**Meeting:** Cabinet

**Date:** 18<sup>th</sup> February 2025

**Wards affected:** St Peters with St Marys

**Report Title:** Land Disposal at Penn Meadow, Brixham

**When does the decision need to be implemented:** Upon conclusion of the call-in process

**Cabinet Member Contact Details:** Cllr Chris Lewis, Cabinet Member for Place Development and Economic Growth. [chris.lewis@torbay.gov.uk](mailto:chris.lewis@torbay.gov.uk)

**Director Contact Details:** Malcolm Coe, Director of Finance. [malcolm.coe@torbay.gov.uk](mailto:malcolm.coe@torbay.gov.uk)

## 1. Purpose of Report

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- 1.1 The Town Clerk of Brixham Town Council wrote to the Chief Executive of Torbay Council in March 2024 requesting the freehold transfer of a parcel of land located on the east side of Penn Meadows, Brixham from Torbay Council, shown in Plan EM4250.
- 1.2 The purpose of this report is to consider the request, the terms agreed for the proposed transfer and if in agreement consent to dispose of the land to Brixham Town Council.
- 1.3 The intended outcome for Brixham Town Council is to connect the land known as Wishings Field within their ownership, shown outlined blue on attached plan EM4270, located to the south west of the land at Penn Meadow. This will create a gateway from Penn Meadow and lead through to the natural open space within Wishings Field so that all the land ownership and control rests with Brixham Town Council.

## 2. Reason for Proposal and its benefits

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- 2.1 The land which is subject to the request measures c.712sq m and consists mainly of sycamore trees and saplings which have self-seeded and matured over many years. The land historically was subject to fly-tipping and a general level of inattention.
- 2.2 In recent years, the local community and Brixham Town Council has endeavoured to tidy the site, trimming and cutting back overgrowth and have improved the land with the planting of daffodils and bluebells. With Brixham Town Council's support there has been a noticeable improvement in the reduction of fly-tipping.
- 2.3 The benefit of transferring this land to Brixham Town Council is twofold. Torbay Council will see the removal of any ongoing maintenance liability and reduce the necessity for staff and resources to be deployed in this remote part of Brixham. Transferring ownership will allow an opportunity to extend the accessible footpath to the entrance of Mudstone Lane, resulting in three accessible access points to Wishings Field. Wishings Field will

subsequently be extended allowing Brixham Town Council to formally work with South Devon National Landscape and the community to promote wildlife habitat, protecting the biodiversity of the area for future generations.

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

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- 3.1. That the Director of Finance be authorised to dispose of the freehold interest of land known as land at Penn Meadow, Brixham to Brixham Town Council for a nominal sum of £1 and subject to a restrictive covenant and clawback conditions in relation to the land continuing as public open space, with legal costs associated with the transfer being met by Brixham Town Council.

### 4. Appendices

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- 4.1 Plan EM4250 – Land to be transferred Penn Meadow, Brixham.  
Plan EM4270 – Land known as Wishings Field, Brixham



# Supporting Information

## 1. Introduction

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- 1.1 The Town Clerk of Brixham Town Council wrote to the Chief Executive of Torbay Council in March 2024 requesting the freehold transfer of a parcel of land (EM4250) located on the east side of Penn Meadows, Brixham from Torbay Council. Brixham Town Council purchased land known as Wishings Field in April 2023. The boundary of Wishings Field extends onto land owned by Torbay Council on the east side of Penn Meadow. There is no visual boundary separation on the ground.
- 1.2 Brixham Town Council have an aspiration to enhance Wishing Field and the land at Penn Meadow into an accessible wildlife habitat where the open green space can be used by the local community for quiet enjoyment and a place that welcomes wildlife. Brixham Town Council has engaged with South Devon National Landscape, on how they can work in partnership with their 'Life on the Edge' project. The first step in this project is to create an accessible footpath which runs from St Mary's Hill leading from Wishings Road, which forms part of the BX9 Public Right of Way. The project would be extended to Penn Meadows with the inclusion, for example of wildlife boxes.
- 1.3 Extending the accessible footpath from Mudstone Land will then provide three accessible access points to Wishings Field.
- 1.4 The land which is subject to the request measures c.712sq m and consists mainly of sycamore trees and saplings which have self-seeded and left to mature over many years. The ground space is covered with Alexander weed, which the Town Council routinely strim. Torbay Council's land ownership is minimal in this area of Brixham. Consequently, there has been little formal ground maintenance undertaken. Consequently, the land historically was subject to fly-tipping and a general level of inattention.
- 1.5 Upon transfer Brixham Town Council has stated it will manage the land at Penn Meadow in accordance with its Biodiversity Policy which states:
- Use environmentally friendly practices that promotes biodiversity
  - Consider the conservation of land and management of open space through the adoption of beneficial practices regarding cutting and removal of vegetation, timing of maintenance work and removal of the use of pesticides.
  - Where feasible, involve the community in biodiversity projects on the land, for example tree planting, wildflower meadows and birdbox making.
- 1.6 The transfer of this land to Brixham Town Council will ensure the land remains as a public asset for the community to access.
- 1.7 Given the Council's minimal interest in the land and the existing use as public open space and amenity land, it is unlikely that an alternative higher value use is likely to come forward. Nevertheless, consent to transfer the land at a nominal sum of £1 will be on the understanding the existing use will continue. The existing use will be covered by way of a restrictive

covenant being placed on the Land Registry Title. Should Brixham Town Council ever seek to dispose of the land for an alternative use Brixham Town Council would be obliged to seek a release of the covenant from the Council. To release the covenant, the Council would seek a premium to reflect the difference in value between the restricted use and the proposed use.

## 2. Options under consideration

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- 2.1 There are no other options under consideration in this report.
- 2.2 The Council is under no obligation to consider the transfer and could simply reject the request. However, given the Council's limited involvement historically with the land and benefit that would be realised by transferring the land to Brixham Town Council it appears this would be a missed opportunity should the Council reject the proposal.

## 3. Financial Opportunities and Implications

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- 3.1 The current book value of this land is de minimis and is considered public open space and amenity land. Transferring the land for a nominal £1 would be on the understanding the existing use would continue and would be ensured indefinitely by placing a restrictive covenant on the Land Registry Title on the land.
- 3.2 Should Brixham Town Council ever seek to dispose of the land for an alternative use they would be obliged to seek a release of the covenant from the Council. To release the covenant, the Council would seek a payment premium to reflect the difference in value between the restricted use and the proposed use.
- 3.3 At present, the Council's maintenance cost for the land is minimal. However, should a significant fly tip event occur or concern is raised about the condition of the trees for example, then the Council would be obliged to remedy the situation. A transfer of the land would remove this liability.

## 4. Legal Implications

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- 4.1 A legal transfer document will be required, containing the relevant covenants and clawback conditions that will need to be observed. The legal costs associated with the transfer will need to be met by Brixham Town Council.

## 5. Engagement and Consultation

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- 5.1 No formal consultation is required.

## 6. Procurement Implications

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- 6.1 Not applicable.

## 7. Protecting our naturally inspiring Bay and tackling Climate Change

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- 7.1 Transferring the land to Brixham Town Council will ensure the land is actively managed now and in the future. Brixham Town Council will adopt the use of their Biodiversity Policy on the land that will promote wildlife conservation and habitat and ensure any work undertaken will not harm the natural environment.

## 8. Associated Risks

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- 8.1 The risk associated with the proposal not being implemented would inevitably see the withdrawal of community engagement and interest in the land. The Council would therefore be expected to manage the land in a more active way and at a greater cost, hitherto experienced in recent years. With a local disengagement this may result in anti-social behaviour and increase in fly-tipping.

## Equality Impacts

## 9. Identify the potential positive and negative impacts on specific groups

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	Positive Impact	Negative Impact & Mitigating Actions	Neutral Impact
Older or younger people	Improve community engagement with opportunities for the wider community of all ages.		
People with caring Responsibilities			No differential impact specific to this group
People with a disability			No differential impact specific to this group
Women or men			No differential impact specific to this group
People who are black or from a minority ethnic background (BME) (Please note Gypsies / Roma are within this community)			No differential impact specific to this group

Religion or belief (including lack of belief)			No differential impact specific to this group
People who are lesbian, gay or bisexual			No differential impact specific to this group
People who are transgendered			No differential impact specific to this group
People who are in a marriage or civil partnership			No differential impact specific to this group
Women who are pregnant / on maternity leave			No differential impact specific to this group
Socio-economic impacts (Including impact on child poverty issues and deprivation)	Improve community engagement with volunteering opportunities for the wider community of all ages.		
Public Health impacts (How will your proposal impact on the general health of the population of Torbay)	Opportunities for physical activity and enjoyment of the natural environment.		

## 10. Cumulative Council Impact

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10.1 None

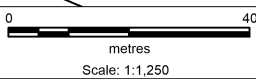
## 11. Cumulative Community Impacts

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11.1 None

# Agenda Item 11

## Appendix 1



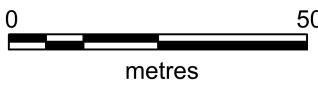
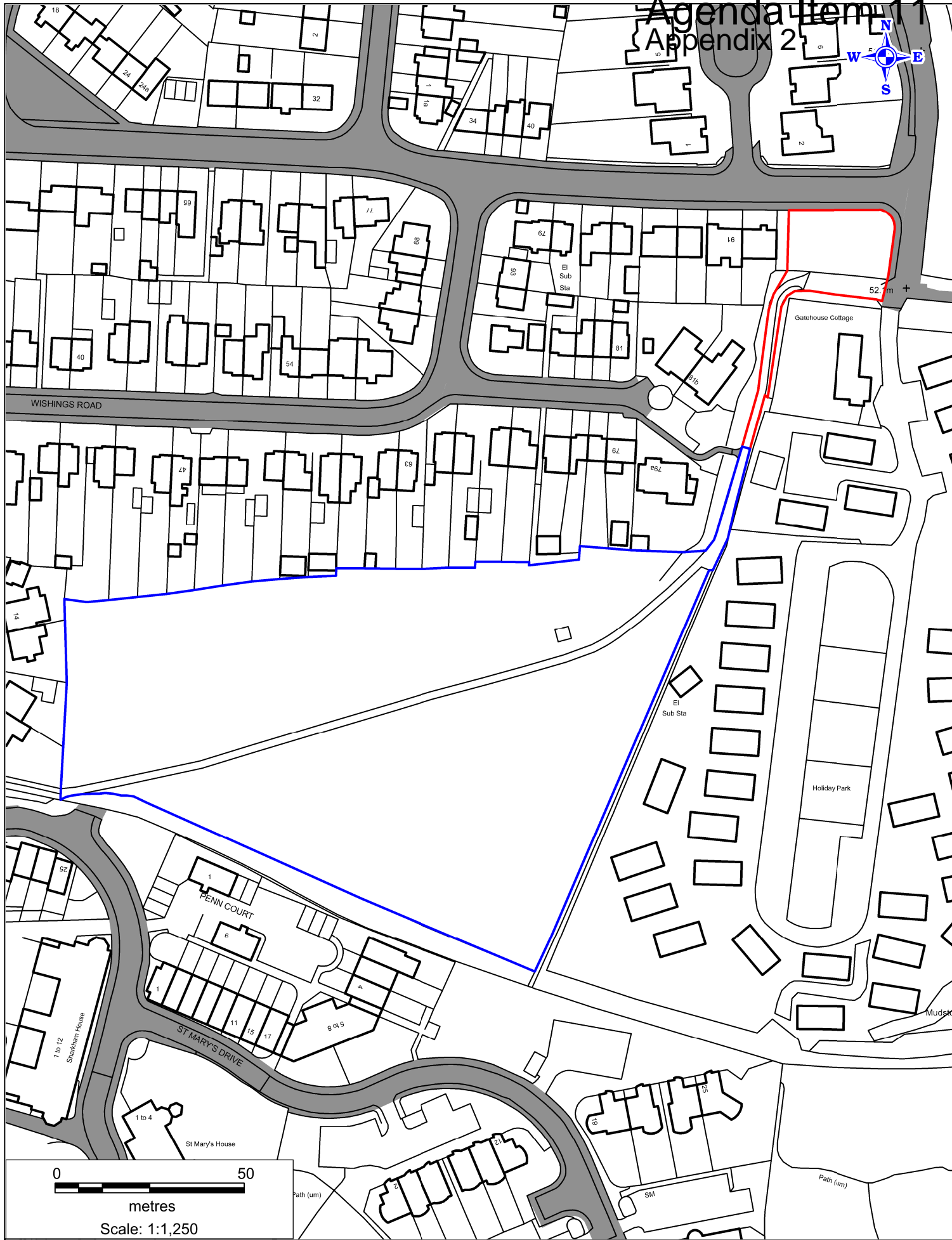
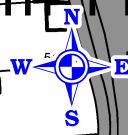
EM Plan No: EM4250  
Date: 23rd July 2024  
Title: Land at Penn Meadows, Brixham

Asset No: B0400AB  
LR Title No: DN511259  
Scale: 1:1250  
Area: 712.9966 m<sup>2</sup>

**TORBAY**  
COUNCIL



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Scale: 1:1,250

EM Plan No: EM4270  
Date: 15 January 2025  
Title: Land at Penn Meadows, Brixham

Asset No: B0400AB  
LR Title No: DN511259  
Scale: 1:1250



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**Meeting:** Cabinet

**Date:** 18 February 2025

**Wards affected:** All

**Report Title:** Local Development Scheme (Local Plan Timetable)

**When does the decision need to be implemented?** A draft Local Plan timetable needs to be submitted to the Government by 6 March 2025.

**Cabinet Member Contact Details:** Councillor Chris Lewis, Deputy Leader of Torbay Council and Cabinet Member for Place Development and Economic Growth.

**Director Contact Details:** Anthony Payne, Interim Director of Pride in Place  
anthony.payne@Torbay.gov.uk

## 1. Purpose of Report

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- 1.1. The purpose of this report is to agree an updated timetable for the Local Plan, known as a Local Development Scheme.
- 1.2. As part of its drive to boost housebuilding and expedite Local Plan preparation, the Government has required local planning authorities to update their timetable for Local Plan preparation. The Ministry of Housing Communities and Local Government (MHCLG) has set local planning authorities a deadline of 6 March 2025 (12 weeks for the publication of the amended National Planning Policy Framework).
- 1.3. No substantive decisions on the content of the Local Plan are needed at this stage. The Local Development Scheme (LDS) merely sets out a timetable for plan preparation. The LDS can be amended if circumstances change.

## 2. Reason for Proposal and its benefits

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- 2.1. This report sets a draft timetable for Local Plan preparation to meet the Government's requirements for this to be published by 6 March 2025. The Local Plan itself sets a legal framework for determining planning applications and sets land use policies to help us to deliver our vision of a healthy, happy, and prosperous Torbay.
- 2.2. The proposed timetable for Plan preparation is set out below. It is emphasised that this timetable does not require decisions about the content of the Plan, and that the timetable can be amended to take account of changing circumstances, such as those noted in section 6.

- 2.3. The timetable recommends the consultation of a full draft Local Plan in Summer 2025. Although at “Regulation 18” issue and options stage, the purpose of this is to consult on a full draft Plan. Reasonable alternatives must be assessed as part of the Sustainability Appraisal. However, the Council has already consulted on different growth options (in March 2022 and October 2022) and now needs to consult on a draft Plan.

Date	Stage
February-August 2025	Evidence base, discussion of options and sites with Members etc. Local Plan drafting, cross party Local Plan Working Party meetings.
Spring/Summer 2025	Consultation on draft policies on detailed matters such as Core Tourism Investment Areas, affordable housing, and climate change. If appropriate these could be approved as Supplementary Planning Documents in advance of the Local Plan.
September 2025	Agreement of full Draft Local Plan by Cabinet (At Regulation 18 stage)
October 2025	Public Consultation on full Draft Local Plan
Spring 2026	Agreement of “preferred option” (Regulation 19) for consultation by Council (Followed by 6 week Reg 19 Consultation)
Autumn 2026	Agreement of Submission Local Plan by Council
By December 2026	Submission of Local Plan to Secretary of State
2027	Examination, Modifications if needed, Adoption.

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

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1. That Ministry of Housing Communities and Local Government (MHCLG) be informed of the timetable for the Local Plan preparation as set out in the submitted report, by 6 March 2025.
2. That the Local Plan preparation timetable be kept under review and updated as necessary and the Divisional Director of Planning, Housing and Climate Emergency be authorised to make amendments to the Local Development Scheme (LDS) in consultation with the Cabinet Member for Place Development and Economic Growth.

### 4. Appendices

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None

### 5. Background Documents

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- [Chief Planner's newsletter December 2024](#)
- [Planning and Compulsory Purchase Act 2004](#)

# Supporting Information

## 6. Introduction

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- 6.1. Local Development Schemes (LDSs) are required by Section 15 of the Planning and Compulsory Act 2004. They set out a timetable for plan preparation and should be kept up to date. LDSs should specify: The documents that will comprise local development documents (i.e. the Local Plan), the geographical area that the local plan will cover, and the timetable for plan preparation/revision. MHCLG has instructed local planning authorities to review and update their LDSs in light of the revised NPPF, within 12 weeks of its publication (i.e. by 6<sup>th</sup> March 2025). The LDS timetable was discussed at the Local Plan Working Party on 29<sup>th</sup> January 2025.
- 6.2. The Council previously consulted on Local Plan Growth Options and Housing Site Options in January and October 2022. The next step is to publish a full Draft Local Plan including detailed development management policies. It is recommended that this is carried out under “Regulation 18” (The Town and Country Planning (Local Planning) (England) Regulations 2012) rather than moving to Regulation 19 Pre-Submission Plan. The Council held an advisory meeting with the Planning Inspectorate on 28 November 2024, who advised the Council to publish a full draft under Regulation 18.
- 6.3. It is recommended that a full draft Local Plan is prepared for consultation over Autumn 2025, in accordance with the timetable noted above. This will allow the Council to set out draft policies on matters such as climate change, affordable housing, and tourism. Once a full draft has been prepared and consulted on, and representations considered, the preparation of a Regulation 19 “Preferred Option”/Pre-Submission Plan could be carried out more speedily. The timetable may be amended in light of changing circumstances, including those noted below.
- 6.4. Despite the Government’s drive to get local plan coverage, there are several substantial challenges to the planning system on the horizon, and it is recommended that these are kept under review, and that the timetable be amended if necessary in the light of changing circumstances. The Levelling Up and Regeneration Act 2023 (The LURA) amends the Local Plan making system to create “new style” 30-month plans that are prepared over a fixed and pre-specified timeframe. The Regulations, and content requirements, for new-style plans have not yet been published and commentators have noted that 30-month plan preparation may not be workable. A new Plan making system will inevitably have teething troubles, and will be subject to legal challenges. The deadline for preparing Local Plans under the current system is for them to be submitted for examination by December 2026. Given progress of the Local Plan so far, it is recommended that the council proceeds under the current system.
- 6.5. The Government has set out revised Standard Method Local Housing Need (LHN) targets, which raises Torbay’s housing need figure from 600 dwellings a year to 940. Officers have advised that this places additional challenges on Plan preparation. Many Councils are in this position. However, there is a legal requirement for Councils to prepare local plans setting out strategic policies for achieving sustainable development. In this context “sustainable development” means applying the tests in Paragraph 11 of the National Planning Policy Framework (NPPF). Other briefing notes have looked at this issue in more detail. Without a Plan in place, the Council is vulnerable to speculative housing

development. Nor can it set its own policies on matters such as S106 developer contributions, density, climate emergency, or affordable housing.

- 6.6. The Devolution White Paper will have significant implications for local government. In planning terms, it proposes to introduce “Spatial Development Strategies” by the end of this Parliament. More details of SDSs may be set out in the Planning and Infrastructure Bill, due to be published in the Spring. Torbay Council has indicated for several years that growth levels need to be set on a larger than local basis and that Torbay is unable to meet its Standard Method Local Housing Need figure. In the short term, however, unmet local needs must be addressed through the Duty to Cooperate. The revised NPPF contains additional advice on the Duty to Cooperate. It is necessary for Torbay to determine how much of its development needs it can meet in order to go to its neighbours with the deficit. The Planning Inspectorate Advisory visit recommended arriving at a figure as soon as possible in order to be able to advise neighbours.

## 7. Options under consideration

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- 7.1. The recommended approach is to prepare a Local Plan under the existing system. This is set by the Planning and Compulsory Purchase Act 2004 and Local Plan Regulations 2012. A draft Plan should be consulted on in Autumn 2025, with the intention of preparing a Regulation 19 “Preferred Option” in early 2026. The timetable does allow for some more detailed consultation over the summer on matters such as affordable housing, climate change, and Core Tourism Investment Area policies. This would allow greater engagement and testing on key policies that will need to be included in the Local Plan.
- 7.2. Since the Council has consulted on growth options under regulation 18, it could legally jump to Regulation 19 Pre-Submission Plan (also called the “Preferred Option”). Council officers advise against this. Although it would mean that the Local Plan arrives at Regulation 19 slightly quicker (e.g. in Winter 2025), it would leave many detailed matters not consulted on. The Planning Inspector carrying out the Advisory Meeting in November 2024 advised that anyone who makes representations at Regulation 19 stage has a right to appear at Examination. Regulation 18 is the chance to set the scope of the Local Plan. Things shouldn’t change too much by Regulation 19 stage, and carrying out several Regulation 19 consultation stages would make the Examination and its administration very complicated.
- 7.3. Another option would be to wait for “new style plans” under the Levelling Up and Regeneration Act. These have to be prepared to a strict 30-month timescale, and the regulations for preparing them have not yet been published. They will inevitably take several years to bed in and for court judgements to clarify the system. If the Regulations are published in 2025 and appear to offer significant advantages over the 2012 Regulations; the council can decide to jump to the new system.
- 7.4. Sub-regional spatial development strategies are further off and require primary legislation to put in place. As yet the geography that they will cover, and the administrative arrangements under which they will be prepared is not known. Should the Devon and Torbay Combined County Authority take on responsibilities to prepare Spatial Development Strategies (SDSs), this can be reflected in the Local Plan timetable at a later date. SDSs will be required to meet the sum of Standard Method Local Housing Need within the wider

plan area. Therefore, it will still be necessary for Torbay to come to a view about how much of its development needs it is able to meet within the current boundary of Torbay.

- 7.5. There is a legal requirement for local planning authorities to prepare strategic plans, although many have not done so. The Government has indicated that it will use its legal powers to intervene should Councils not make progress with plan preparation. In the short term the Council will be more vulnerable to speculative planning applications, particularly on greenfield sites. The greatest pressure is in the south of Torbay, which is also the most environmentally sensitive and least accessible part of Torbay. Without a Plan in place, the Council is less able to set out policies directing the type of development it wishes to see, set infrastructure funding priorities etc. It is unable to update its policies on developer contributions.

## 8. Financial Opportunities and Implications

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- 8.1. None for the LDS, other than for the Council to show good faith in seeking to prepare a Plan and to promote regeneration schemes etc. The Local Plan allows the Council to update policies for infrastructure funding (Community Infrastructure Levy (CIL) and Section 106).

## 9. Legal Implications

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- 9.1. The Local Plan is subject to numerous legal requirements. However, the LDS may be amended when circumstances change and there are limited legal implications for the LDS.

## 10. Engagement and Consultation

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- 10.1. The Local Plan is subject to several stages of consultation. The LDS sets a timetable for carrying out consultation and engagement. The contents of the Local Plan are currently being considered by the Local Plan Working Party. More detailed papers on the Government's planning reforms have been discussed by the Working Party.

## 11. Procurement Implications

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- 11.1. Local Plans are expensive to produce, since they require an extensive evidence base, detailed mapping and consultation management software. The LDS has sought to take into account the timescales for procuring evidence.

## 12. Protecting our naturally inspiring Bay and tackling Climate Change

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- 12.1. The Presumption in Favour of Sustainable Development requires local plans to promote a sustainable pattern of development that seeks to meet the development needs of an area, align growth and infrastructure, improve the natural environment, mitigate climate change (including by making effective use of land in urban areas) and adapt to its effects.

## 13. Associated Risks

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- 13.1. The risk of not updating the LDS is that the Government could directly take over Plan making, or more likely commission private consultants to prepare a Plan. This is unlikely in

the case of Torbay, as some other LPAs have made far less progress with Plan preparation.

- 13.2. A more likely outcome of refusing to update the LDS would be the withdrawal of regeneration funding; and increased likelihood of housing applications being approved at appeal.

## 14. Equality Impact Assessment

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- 14.1. The Local Plan will have significant equalities impacts. However, the LDS has very limited impact on equalities. The proposed timetable seeks to maximise opportunities to engage with all groups.

## 15. Cumulative Council Impact

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- 15.1. None for the LDS

## 16. Cumulative Community Impacts

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- 16.1. None for the LDS

**Meeting:** Cabinet **Date:** 18<sup>th</sup> February 2025

**Wards affected:** All

**Report Title:** Adult Social Care electronic recording system replacement

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

**Cabinet Member Contact Details:** Councillor Hayley Tranter

**Director/Divisional Director Contact Details:** Lee Baxter, Divisional Director ASC

## 1. Purpose of Report

---

- 1.1 The Council is required to invest in new IT solutions to continue the provision of Adult Social Care services under the Section 75 agreement (which is our legal agreement for adult social care to be delivered by the NHS but with the council retaining statutory accountability) with Torbay and South Devon NHS Foundation Trust.
- 1.2 This report seeks approval for the procurement and subsequent award of contracts for the provision of a new Case Management System and related Finance Module for use in the delivery the Council's statutory duties in relation to Adult Social Care Services. There are also implementation and delivery partners listed below that will be procured separately to deliver the new IT solutions.
- 1.3 The Council's Officer Scheme of Delegation sets out that contracts with a total value above £500,000 are to be submitted to Cabinet or Council (where budget is not already approved) for approval to go out to tender. Where approval in consultation with the relevant member, or by Cabinet or Council is given to undertake the tendering, the Chief Executive, Director, Divisional Director or budget holder has the authority to award the resultant contract.

The proposed commitments (ex. VAT) are:

- 1.3.1 A contract for **£944,643** for the provision of an integrated Social Care and Finance IT system to **System C (Liquid Logic)** to support the delivery of Adult Social Care services across Torbay to deliver the statutory obligations of the Council.

- 1.3.2 Contract for **£800,000** for the provision of a Strategic partner [Channel 3 consultancy] to provide overall Programme Management and alignment to the Torbay Council Adult Social Care strategy
- 1.3.3 A contract for the provision of technical support resources dependant on future procurement exercise to the value of **£695,000** to deliver the new IT system into Torbay Council. This includes elements such as configuration, data migration training and go-live services.

## 2. Reason for the Contract and its benefits

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2.1 For delivery of adult social care services in Torbay we currently use an IT case management system provided by Civica (Paris).

2.1.1 The contract for Civica (Paris) is due to expire in December 2026 with no provision for further contract extensions. To meet the timescales of this contractual deadline it is recommended that the Council start work on a new IT system now. Best practice has the implementation of a social care IT system at between 12 and 18 months.

2.1.2 Torbay Council retains the statutory duties in relation to Adult Social Care and as such needs to provide a new solution for use in Adult Social Care to continue to fulfil its obligations.

2.2 This scheme supports the following areas of Torbay Council:

2.2.1 Continuation of delivery of high-quality Social Care services to residents

2.2.2 “Seamless transitions from Children’s to Adults Services” will be enabled by integration between the future systems in use by the 2 services.

## 3. Recommendation(s) / Proposed Decision

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- 3.1 That the contract for an integrated Social Care and Finance IT system be awarded to System C (Liquid Logic) and commencing in March 2025 (subject to contract agreement) for a 5-year period, be approved; and
- 3.2 That a direct award is made to Channel 3 consultancy to be extended for a one-year period, as our Strategic Partner, be approved



- 3.3 That a procurement exercise for the provision of technical support resources be approved. And any subsequent contract to be awarded in line with the officer scheme of delegation (Paragraph 1.3).

## Appendices

Appendix 1:

- VEAT Notice (January 2025)

## Background Documents

- There is an internal and joint NHS and Council Full Business Case. This is commercially sensitive and so not shared as part of this report.

## Supporting Information

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### 4. Overview

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Torbay Council require a new Adult Social Care case management system capable of supporting the needs of the statutory and evolving Adult Social Care Service.

#### Strategic Needs

**Service User Care Journey** - An adult social care case management solution that empowers adult social care workers by providing them with tools that support the service user care journey management, streamline data entry for use across multiple teams, and provide a centralised information hub.

**Statutory compliance** - We want a solution that meets all the statutory requirements for Adult Social Care, that will support us in standardised assessment, planning and reviewing documentation. The system must enable the reporting of all ASC outcomes and financial information in line with statutory reporting requirements.

<p><b>Self-management and personalisation</b> - Enhance customer autonomy support plans and provide the functionality to increase self-directed support in the Bay.</p>
<p><b>Better ASC worker experience</b> - support mobile working and ASC team and service users.</p>
<p><b>Insight</b> - Robust data and reporting tools to reduce onerous processes and facilitate insight-driven and evidence-based commissioning decisions.</p>
<p><b>Efficiency and effectiveness</b> - Systematic organising, tracking, and reviewing cases within the Case Management IT System so that unnecessary delays, duplications, and errors can be minimised.</p>
<p><b>Integrated case management and finance</b> - An integrated case management and finance solution that streamlines processes, reduces administrative overhead and improves overall productivity.</p>
<p><b>Children’s interoperability and alignment</b> - The solution will support seamless interoperability with our Children’s social care system, with a particular focus on transition planning.</p>
<p><b>Health and Social Care provision</b> - The solution will support coordinated health and social care service provisions.</p>
<p><b>Automation and AI</b> – The solution is future-proofed to enable advancements in automation and AI to be implemented to streamline services.</p>

4.2 Across Torbay a transformational approach is needed to the planning and delivering care based on lower cost and improved outcomes. The Adult Social Care Case Management System update is part a series of system-wide transformation programmes across social care and communities designed to improve the experience of our citizens and deliver improvements to the Torbay care system.

4.3 The system will bring together existing care management arrangements with financial, safeguarding and commissioning requirements to provide real time information to enable us to plan delivery and commission care and support for vulnerable people across the Bay.

4.4 Torbay Council’s preferred option is to award a contract to System C as the provider for Adult Social Care case management, finance, contracts, payments, assessments and billing. This will bring a significant benefit of aligning both Adult’s and Children’s services under a single contract, providing economies of scale and improving the experience for service users.

4.5 The current contract for the TSDFT and Torbay Council case management system (PARIS) has been extended to December 2026 with no option in the contract to extend beyond this date.

4.6 This offers the opportunity for Torbay Integrated Care Organisation (ICO) to review their options for their future CMS requirements and for a system to be procured that demonstrates value for money.

## 5. Options under consideration

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A commercially sensitive business case has been produced. This is summarised with the following options being considered:

### 5.1 Do nothing - continue system use as is

Discounted because:

- the Civica (Paris) contract ends in December 2026.
- Health services are moving away from Civica (Paris) in early 2026.
- The TFM system is built on older technology and as such is approaching the end of its usable life

### 5.2 Utilise another solution within Torbay Council

The only solution functionally viable is the Children's Case Management solution provided by System C, however the contract for this cannot be extended for use by Adult Social Care Services.

Discounted

### 5.3 Utilise another solution within TSDFT

Available option is the newly procured Epic system being introduced into TSDFT during 2026; however, this is not aligned to Children's Services and as such has not been considered further

Discounted.

5.4 Competitive procurement. Either through a framework or through a full Find a Tender Service (FTS) process. This has been disregarded in favour of 5.5 below.

Discounted

## **5.5 Direct award to supplier that strategically fits with Torbay Council's Adult Social Care Services and Torbay Council's Children's Social Care Services**

### **(Preferred option)**

A Voluntary Ex Ante Transparency (VEAT) Notice has been released to this effect.

## **6. Contract term and budget**

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6.1 System supplier – contract start: estimated for March 2025, with 'go live' in April 2026, for a period of five years, and may be extended for a period of up to 2 further years or until the end of the allocated budget, subject to termination clauses within Terms and Conditions of Contract and as provided for in 72 Modification of contracts during their term of the Public Contracts Regulations 2015.

6.2 Strategic partner – Contract start: estimated March 2025

12 months with 3 months extension

6.3 Technical partner – Dependant on procurement outcome, Contract start: estimated April 2025

12 months with 3 months extension

## **7. Procurement routes to market**

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System contract - Torbay Council and Torbay and South Devon NHS Foundation Trust (the Trust) has assessed the options available for procuring a new Case Management System for its Adults Services provision. Some market testing was undertaken in 2024 with three suppliers – System C (Liquidlogic), Access Group (Mosiatic), and OLM (ECLIPSE). Suppliers were invited to provide a demonstration of both their adult social care and finance solutions.

7.2 The purpose of these demonstrations was to test that our requirements were achievable within the market and provide our staff with an indication of what a potential new case management and finance solution could provide. Suppliers also provided an indicative implementation plan and costing information to inform our business case.

7.3 As another part of the early assessment of potential commercial routes, we held discussions with two neighbouring authorities within Devon, to identify if there was an option for any joint procurement activity to align solutions regionally. From these conversations we determined that there was not an available route for this currently. But the discussions highlighted that they were

aligning their Adult's and Children's services within a single system, showing that there is market precedent for doing so.

7.4 This early engagement and fact finding helped us assess and consider the best option for a new Adults system and the appropriate route to market, which included the option of a procurement process for a new system provision, against a direct award to the current supplier of the Council's Children's Services Case Management System.

7.5 We consider that the incumbent supplier demonstrates a deep understanding of our Children's Social Care requirements and is delivering high-quality outcomes. Their established processes, familiarity with our systems, and ability to provide an integrated Adults and Children's social care solution would provide a significant benefit to our residents.

7.6 We also considered that any incompatibility between the existing Children's system and a different new system solution, equipment, and services, could result in time consuming and complex redesign and modification.

7.7 Following extensive consultation with the Trust who will be the primary users of the system, we consider that differences in how the systems function will result in both organisations incurring considerable time and staffing resource requirements, and additional costs, in making the systems compatible with one another – if indeed, this is fully possible.

7.8 The benefits of the alignment between Adults and Children's are set out as follows:

**Continuity of Service:** Utilising the same supplier ensures seamless service delivery without the disruption that can occur from having separate Adult's and Children's systems. This is particularly crucial in sensitive areas such as Transitions between Children's and Adults, where information sharing, and consistency is paramount.

**Carers Identification and management:** A single solution across Children's and Adults would allow for better management of Young Carers as their record could be directly linked to the Adult Social Care record, the same is true for adults who are carers of Children.

**Proven Expertise:** The supplier has demonstrated expertise and a thorough understanding of our specific needs. Their experience and knowledge reduce the learning curve and associated risks that come with onboarding a new supplier.

**Efficiency and Cost-Effectiveness:** Engaging the same supplier avoids the costs and time associated with a competitive tender process. It also leverages the existing relationship and contractual terms, ensuring cost-effective service delivery.

**Integrated Approach:** The supplier's familiarity with our systems and processes allows for an integrated approach to service delivery, enhancing efficiency and effectiveness. This integration is vital for achieving our strategic objectives and delivering high-quality services to our service users.

**Risk Mitigation:** Changing suppliers can introduce significant risks, including service disruption, data migration issues, and potential non-compliance with regulatory requirements. The current supplier's established track record mitigates these risks.

7.9 It is these considerations which we believe could lead to disproportionate difficulties in implementing the new solution which differs to its Children's system, and the ongoing operation/maintenance of both systems, which will not deliver best value in the spending of public funds.

7.10 Therefore our Preferred Route to Market: Direct Award to System C / Liquidlogic (The Council's current Children's Services CMS supplier) as this is in the best interest of our organisation and stakeholders. It ensures continuity, leverages proven expertise, and provides a cost-effective and efficient solution. This approach aligns with our strategic goals and commitment to delivering high-quality services.as the supplier for Children's

7.11 A Voluntary Ex-Ante Transparency (VEAT) notice has been published to the market, signalling our intention to award the contract, which is subject to approval by Cabinet, of this recommendation. The purpose of issuing the notice, is to make the market aware of our intention and ensure any feedback is included in this report to Cabinet.

**Conclusion:** Awarding the contract directly to the current Children's Services CMS supplier (System C / Liquidlogic is in the best interest of our organisation and stakeholders. It ensures continuity, leverages proven expertise, and provides a cost-effective and efficient solution. This approach aligns with our strategic goals and commitment to delivering high-quality services.

## 8. Best value duty

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8.1 It is the considerations and conclusion detailed in section 7 above, with a direct award to the current Children's Services CMS supplier System C / Liquidlogic, which we believe is in the best interest of our organisation and stakeholders. And will deliver best value in the spending of public funds.

## 9. Engagement and consultation

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- 9.1 Issue of Voluntary Ex Ante Transparency Notice (VEAT) for system contract (January 2025)
- 9.2 Not applicable in this instance for social care service users, so no consultation required.

## 10. 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>A new IT system will support, identify and provide services that address equality and diversity. Ensuring all members of the public are assessed and treated equally.</p>	<p>New IT system will help mitigate</p>	<p>Adult social care as part of delivery of new IT system</p>
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>A new IT system will support, identify and provide services that address equality and diversity. Ensuring all members of the public are assessed and treated equally.</p>	<p>New IT system will help mitigate</p>	<p>Adult social care as part of delivery of new IT system</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</p>	<p>A new IT system will support, identify and provide services that address equality and diversity. Ensuring all members of the public are assessed and treated equally.</p>	<p>New IT system will help mitigate</p>	<p>Adult social care as part of delivery of new IT system</p>

	a physical or mental health condition or illness.			
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.	A new IT system will support, identify and provide services that address equality and diversity. Ensuring all members of the public are assessed and treated equally.	New IT system will help mitigate	Adult social care as part of delivery of new IT system
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.	A new IT system will support, identify and provide services that address equality and diversity. Ensuring all members of the public are assessed and treated equally.	New IT system will help mitigate	Adult social care as part of delivery of new IT system
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.	A new IT system will support, identify and provide services that address equality and diversity. Ensuring all members of the public are assessed and treated equally.	New IT system will help mitigate	Adult social care as part of delivery of new IT system



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.	A new IT system will support, identify and provide services that address equality and diversity. Ensuring all members of the public are assessed and treated equally.	New IT system will help mitigate	Adult social care as part of delivery of new IT system
Religion and belief	64.8% of Torbay residents who stated that they have a religion in the 2021 census.	A new IT system will support, identify and provide services that address equality and diversity. Ensuring all members of the public are assessed and treated equally.	New IT system will help mitigate	Adult social care as part of delivery of new IT system
Sex	51.3% of Torbay's population are female and 48.7% are male	A new IT system will support, identify and provide services that address equality and diversity. Ensuring all members of the public are assessed and treated equally.	New IT system will help mitigate	Adult social care as part of delivery of new IT system
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.	A new IT system will support, identify and provide services that address equality and diversity. Ensuring all members of the public are assessed and treated equally.	New IT system will help mitigate	Adult social care as part of delivery of new IT system

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 have previously served in the UK armed forces.	A new IT system will support, identify and provide services that address equality and diversity. Ensuring all members of the public are assessed and treated equally.	New IT system will help mitigate	Adult social care as part of delivery of new IT system
<b>Additional considerations</b>				
Socio-economic impacts (Including impacts on child poverty and deprivation)		Not applicable		
Public Health impacts (Including impacts on the general health of the population of Torbay)		Not applicable		
Human Rights impacts		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.	Not applicable		

## 11. Cumulative Council Impact

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11.1 This scheme supports the following areas of Torbay Council:

1. Continuation of delivery of high-quality Social Care services to residents
2. “Seamless transitions from Children’s to Adults Services” will be enabled by integration between the future systems in use by the 2 services

11.2 The transformation of adult social care in Torbay relies on the investment into a new case management IT system that is interoperable with other relevant health and social care systems.

1. Better quality data for monitoring and planning provision of services
2. Potential for better data to enable better outcomes for the people who are in receipt of services.
3. Streamlining our delivery of adult social care will increase productivity in the service

## 12. Cumulative Community Impacts

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Having an up to date IT system to support our adult social care team deliver efficient and joined up services will transform the way that we work and understand the impact of our work on the people of Torbay, I believe this will support us towards our shared vision “Thriving communities where people can prosper”

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This is a published notice on the Find a Tender service: <https://www.find-tender.service.gov.uk/Notice/000406-2025>

Awarded contract

## **Direct Award of Contract to provide an Adults Social Care Case Management System**

Torbay Council

F15: Voluntary ex ante transparency notice

Notice reference: 2025/S 000-000406

Published: 7 January 2025, 4:45pm

### **Section I: Contracting authority/entity**

#### **I.1) Name and addresses**

Torbay Council

Torbay Council Town Hall, Castle Circus

Torquay

TQ1 3DR

#### **Contact**

Mr Lawrence Brown

#### **Email**

[lawrence.brown@torbay.gov.uk](mailto:lawrence.brown@torbay.gov.uk)

#### **Telephone**

+44 1803208977

**Country**

United Kingdom

**NUTS code**

UKK42 - Torbay

**Internet address(es)**

Main address

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

Buyer's address

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

**I.4) Type of the contracting authority**

Regional or local authority

**I.5) Main activity**

General public services

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## **Section II: Object**

### **II.1) Scope of the procurement**

#### **II.1.1) Title**

Direct Award of Contract to provide an Adults Social Care Case Management System

Reference number

DN754839

#### **II.1.2) Main CPV code**

- 72260000 - Software-related services

#### **II.1.3) Type of contract**

Services

#### **II.1.4) Short description**

Purchasing a hosted case management system for Adults Social Care, plus support with implementation and data migration, and the on-going licencing and maintenance of the system.

The system will be used by Torbay Council and Torbay and South Devon NHS Foundation Trust.

#### **II.1.6) Information about lots**

This contract is divided into lots: No

#### **II.1.7) Total value of the procurement (excluding VAT)**

Lowest offer: £944,643 / Highest offer: £1,180,804 taken into consideration

### **II.2) Description**

#### **II.2.2) Additional CPV code(s)**

- 48611000 - Database software package

### **II.2.3) Place of performance**

NUTS codes

- UKK42 - Torbay

### **II.2.4) Description of the procurement**

Purchasing a hosted case management system for Adults Social Care, plus support with implementation and data migration, and the on-going licensing and maintenance of the system.

The system will be used by Torbay Council and Torbay and South Devon NHS Foundation Trust.

### **II.2.11) Information about options**

Options: Yes

Description of options

There will be an option to extend the on-going licensing and maintenance of the system beyond the initial term.

The system will be used by Torbay Council and Torbay and South Devon NHS Foundation Trust.

If in the future, devolved responsibility for delivery of Adult Social Care in Torbay moves from Torbay and South Devon NHS Foundation Trust, the replacement organisation will also use the system.

### **II.2.13) Information about European Union Funds**

The procurement is related to a project and/or programme financed by European Union funds: No



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## Section IV. Procedure

### IV.1) Description

#### IV.1.1) Type of procedure

Negotiated without a prior call for competition

- The works, supplies or services can be provided only by a particular economic operator for the following reason:
  - absence of competition for technical reasons

Explanation:

Torbay Council intends to direct award a contract for provision of its new Adults Services' Case Management System, to the incumbent supplier of its Children's Services' System.

The award is being made on the grounds that the works, supplies or services can only be provided by a particular economic operator due to an absence of competition for technical reasons.

Torbay Council undertook a further competition from Lot 3c of Crown Commercial Service Framework RM3821 Data and Application Solutions to appoint a supplier for the supply and ongoing maintenance of a children's social care case management system. The procurement allowed for the contract to be modified to include the future provision of an adult social care case management system, as the 2 systems are required to be compatible with one another. At the time it was expected the adult social care case management system would be required within 1-2 years of the contract being awarded. However due to unforeseen circumstances, including the impact of COVID on social care resources there has been a significant delay in putting a new system in place. Due to these delays and increases in the potential cost of the contract from that previously estimated, Torbay Council is of the view that it is no longer appropriate to modify the existing contract. However the requirement for a compatible system across children's and adult's social care remains.

Whilst there are alternative suppliers of case management systems, appointment of a different supplier will result in Torbay Council receiving a solution that is incompatible with the current children's social care case management system. The differences in how the systems function will result in additional costs (to make the systems compatible with one another) and disproportionate difficulties in implementing the new system and the ongoing operation / maintenance of both systems, which will not deliver best value in the spending of public funds.

This will deliver the following benefits to the Council, the system's end users and the public purse:

- Seamless and more cost-effective integration with the current Children's Case Management System (Liquid Logic) by utilising the same solution.
- Cost savings and efficiencies in hosting arrangements by utilising the same system's supplier.
- Efficiencies, consistency and effectiveness in reporting capabilities by utilising the same solution.
- Efficiencies, consistency and effectiveness in contract management by having the same supplier for both the Children's and Adult's Services Case Management System solutions.
- More efficient migration of data as, prior to the 2019 procurement the same system was operated across both children's and adult social care, meaning the Council's IT team have experience of migrating data from the old system to the new system.

Subject to outcome of this VEAT notice and Council approval being granted at the Cabinet meeting on 18 February, Torbay Council intends to award a contract to purchase the Liquid Logic system and begin implementation planning and data migration from its current system, at the earliest opportunity in 2025.

#### **IV.1.8) Information about the Government Procurement Agreement (GPA)**

The procurement is covered by the Government Procurement Agreement: Yes

### **IV.2) Administrative information**

#### **IV.2.1) Previous publication concerning this procedure**

Notice number: [2019/S 193-469495](#)

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## **Section V. Award of contract/concession**

A contract/lot is awarded: Yes

### **V.2) Award of contract/concession**

#### **V.2.1) Date of conclusion of the contract**

18 December 2024

#### **V.2.2) Information about tenders**

The contract has been awarded to a group of economic operators: No

#### **V.2.3) Name and address of the contractor/concessionaire**

Liquidlogic Limited

Arden Court, Arden Street

Stratford-upon-Avon

CV37 6NT

Country

United Kingdom

NUTS code

- UKG13 - Warwickshire

The contractor/concessionaire is an SME

Yes

#### **V.2.4) Information on value of contract/lot/concession (excluding VAT)**

Lowest offer: £944,643 / Highest offer: £1,180,804 taken into consideration

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## **Section VI. Complementary information**

### **VI.4) Procedures for review**

#### **VI.4.1) Review body**

Royal Courts of Justice

7 Rolls Building, Fetter Lane,

London

EC4A 1NL

Email

[tcc.issue@justice.gov.uk](mailto:tcc.issue@justice.gov.uk)

Telephone

+44 2079477156

Country

United Kingdom

**Meeting:** Cabinet

**Date:** 18 February 2025

**Wards affected:** All wards

**Report Title:** Torbay Interagency Carers' Strategy Action Plan 2024-27

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

**Cabinet Member Contact Details:**

Hayley Tranter, Cabinet Member for Adult and Community Services, Public Health and Inequalities, [Hayley.Tranter@Torbay.gov.uk](mailto:Hayley.Tranter@Torbay.gov.uk)

Nick Bye, Cabinet Member for Children's Services, [Nick.Bye@Torbay.gov.uk](mailto:Nick.Bye@Torbay.gov.uk)

**Director Contact Details:**

Joanna Williams, Director of Adult Social Services, [Joanna.Williams@Torbay.gov.uk](mailto:Joanna.Williams@Torbay.gov.uk)

Nancy Meehan, Director of Children's Services, [Nancy.Meehan@Torbay.gov.uk](mailto:Nancy.Meehan@Torbay.gov.uk)

## 1. Purpose of Report.

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- 1.1 The Torbay Interagency Carer's Strategy 2024-27 was adopted by the Council in March 2024. This report proposes the endorsement of the associated Action Plan, with a focus on the Council's actions and commitment to deliver the Strategy. The Strategy and action plan are attached at Appendix 1 to this report.
- 1.2 The inter-agency Carers Strategy came before the Overview and Scrutiny Board in March 2024. The Board requested Key Performance Indicators (KPIs) to be developed against each of the Carers' five 'I statements', and that quarterly updates would be provided to Cabinet. These KPIs (set out at Appendix 1) were co-produced with Carers and these, with the Strategy and action plan for 2024-25.
- 1.3 The Strategy Action Plan KPIs update for Quarter 3 is attached as Appendix Two.

## 2. Reason for Proposal and its benefits

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2.1 The Carers Strategy Action Plan is planned around multi-agency commitments to address the 'I statements' from Carers. These are:

- 'As soon as I start my caring role, I want to be identified, recognised and valued as a Carer.'
- 'I want to be able to easily find information, advice and support to meet my needs as a Carer'
- 'I want to know that every Carer involved in a person's care can have a Carer's assessment when they need one.'
- 'I want to be confident that Carers guide all things that affect them.'
- I want the care and support to the person that I care for to also meet my needs as their Carer.

## 3. Recommendation(s) / Proposed Decision

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1. That the Torbay's Interagency Carers' Strategy Action Plan 2023-27 (as set out at Appendix 3) be endorsed and approved.
2. That the overall Strategy KPIs update for Quarter 3 be noted
3. That the Council's specific actions be approved.

## 1. Introduction

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1.1 The 2024-27 Strategy was adopted in March 2024. This paper updates Cabinet on the actions committed to by Torbay Council, and more broadly by Partners.

## 2. Options under consideration

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2.1 There are no other options under consideration.

## 3. Financial Opportunities and Implications

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3.1 There are no additional financial implications

## 4. Legal Implications

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4.1 This Strategy meets the legal obligations of Health and Social Care organisations under:

- Care Act 2014
- Children and Families Act 2014
- Health and Care Act 2022

## 5. Engagement and Consultation

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5.1 There has been extensive consultation with the Carers of Torbay. This has been managed by Engaging Communities South West in order to maintain independence.

5.2 Carers have also been involved in shaping the strategy and action plans. Carers produced the 'I statements' around which both the strategy and action plan are based.

5.3 Carers' Representatives sit on the Strategy Steering Group and all working parties.

## 6. Purchasing or Hiring of Goods and/or Services

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6.1 Any services procured or provided by the public sector organisations under this Strategy will meet Social Value Act (2012) requirements.

## 7. Tackling Climate Change

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7.1 This Strategy does not alter ways of working that will impact on Climate Change. However on-line meetings, courses and support, with the associated benefit for Climate Change will continue to be developed.

7.2 There are Carers' Centres in each town which will reduce unnecessary travel. These are all accessible by nearby public transport.

## 8. Associated Risks

- 8.1 If the action plan is not implemented this could have significant negative impact on Torbay's Carers, their health, wellbeing and feeling of value. This would impact on the health and wellbeing of people they care for, and by increasing the risk of Carer breakdown, increase admissions to hospital / residential care and strain on Torbay's Health and Social Care.

## 9. Equality Impacts - Identify the potential positive and negative impacts on specific groups'

	Positive Impact	Negative Impact & Mitigating Actions	Neutral Impact
Older or younger people	Young Carers and older mutual Carers		
People with caring Responsibilities	Yes		
People with a disability	Yes - indirectly		
Women or men	(Targeting male Carers as underrepresented)		No differential
People who are black or from a minority ethnic background (BME) (Please note Gypsies / Roma are within this community)	Yes – explicitly targeting these groups to have positive impact		
Religion or belief (including lack of belief)			No differential
People who are lesbian, gay or bisexual	(promoting support to LGBTQ+ Carers)		No differential
People who are transgendered	(as above)		No differential
People who are in a marriage or civil partnership			No differential
Women who are pregnant / on maternity leave			No differential
Socio-economic impacts (Including impact on child poverty issues and deprivation)	Addressing support with Carers' finances and in areas of deprivation		
Public Health impacts (How will your proposal impact on the general health of the population of Torbay)	Positive impact on Carers' Health and Wellbeing and those who they care for.		



## 10. Cumulative Council Impact

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10.1 None

## 11. Cumulative Community Impacts

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11.1 None

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# **‘Working together for Torbay’s Carers’**

## **Torbay’s Plan for Carers 2024 -27 An Inter-agency Strategy for All Carers**

## **Who is a Carer?**

Anyone who cares for a relative, friend or neighbour who cannot manage alone without them. (Unless its 'usual' parenting, their paid or voluntary job.)

Two thirds of us will be a Carer within our lifetime. Carers can be:

- as young as four or five years old.
- older couples caring for each other.
- a parent caring for a child with a disability such as autism
- 'mutual Carers' – caring for each other. An example is a person with a learning disability whose parent has physical health needs.
- someone who 'keeps an eye' on a neighbour with dementia. They may collect shopping or prescriptions for them.
- someone supporting a friend with drug, alcohol or mental health needs. They may provide emotional support.

There are many other examples.

## **Why support Carers?**

Carers are very important. Without them, health and care services would not be able to provide enough support for people who need help.

There are laws and guidance about how Carers should be supported. Many local organisations have plans to support Carers or the people that they care for. They have agreed to work together to support Carers and signed a Commitment to Carers. (Sub-Appendix 1). It is based on the 'Triangle of Care'. This is equal partnership between professionals, Carers and the people that they care for. We try to make sure that work is 'joined up' -that we are all working towards the same goals.

## **What do Torbay's Carers want?**

Every three years, Torbay Carers' Service works with Carers to make a survey about what they want. Healthwatch manages the survey, so it is independent. The results are published on-line and help us agree the priorities for the next three years.

We also publish how we have performed against the previous plans.

This plan includes Young Carers under 25. Once it is agreed, they will develop their own more detailed plan.

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## **Carers' Priorities for 2024-27**

- 1. As soon as I start my caring role, I want to be identified, recognised and valued as a Carer.**
- 2. I want to be able to easily find information, advice and support to meet my needs as a Carer.**
- 3. I want to know that every Carer involved in a person's care can have a Carer's assessment when they need one.**
- 4. I want to be confident that Carers guide all things that affect them.**
- 5. I want the care and support to the person that I care for to also meet my needs as their Carer.**

Within these priorities, there are other issues to be addressed:

- a. Information to Carers to include support to the person they care for
- b. Carers and employment
- c. Carers' own mental health. Support to people with Mental Health issues and their Carers
- d. Partnership working / information sharing across organisations
- e. Carers' finance / cost-of living challenges
- f. Improving support at transitions
- g. Improving use of technology and digital support

### **What happens next?**

An outline action plan has been agreed for the three years of the Strategy ([link](#)). The detailed actions for 2024-5 are on the next page. For each of the five main priorities, organisations have agreed the first actions to focus on. These are written in bold.

### **How will Carers know what has been achieved?**

Actions will be measured and reported quarterly to the Carers' Strategy Steering Group. This is a group of Carers and staff from health and care organisations. They make sure that the plans are on track.

We will publish progress on-line every 3 months. <sup>4</sup> We will also report achievements in the Signposts magazine. Every year in April, we will update the action plan.

## 1. 'As soon as I start my caring role, I want to be identified, recognised and valued as a Carer.'

	<b>Target / Service Standard.</b> <i>Priority for 2024- 25 in bold.</i>	<b>Organisations</b>
1.1	<b>Have or develop basic Carer Awareness Training at induction and role-specific as required.</b> To cover identifying, involving and valuing Carers, including staff Carers. Ideally to be designed and delivered / co-delivered with Carers.	Devon Partnership Trust, Torbay + S Devon Trust, Torbay Council, GP practices
1.2	<b>Have mechanisms to identify staff Carers joining the organisation and at annual review</b>	Devon Partnership Trust, Torbay + S Devon Trust, Torbay Council, GP practices
1.3	Work towards identifying Carers at the earliest contact with their service.	All organisations above. Community Helpline
1.4	GP practices to increase numbers of people recorded with Carers' codes.	GP practices
1.5	Embed Triangle of Care in Acute and Community Hospitals	Torbay +S Devon NHS Foundation Trust
1.6	Embed Triangle of Care across inpatient and community Mental Health Services	Devon Partnership Trust
1.7	Evaluation about Parent Carers feeling valued by Children with Disability Team. To include transitions (links with 3.2 and 4.3)	Torbay Council with parent Carers and Carers Services

## 2. 'I want to be able to easily find information, advice and support to meet my needs as a Carer.'

	<b>Target / Service Standard.</b> <i>Priority for 2024- 25 in bold.</i>	<b>Organisations</b>
2.1	<b>To refer Carers to Signposts Information and Advice Service. To encourage Carers to join Torbay Carers to access support.</b>	Devon Partnership Trust, Torbay + S Devon Trust, Torbay Council, Community Helpline
2.2	Work with Carers to produce on-line and paper Carer information. To promote information for Carers' Week, Carers' Rights Day, Young Carers' Action Day.	Devon Partnership Trust, Torbay + S Devon Trust, Torbay Council, GP practices
2.3	To maintain Carer support to Carers of all ages as per Sub-Appendix 2.	Torbay + S Devon Trust, Torbay Council, Carers' Services, Young Carers' Services with Carers
2.4	To maintain a range of Carer information both on-line and in paper.	Torbay Carers' Service with Carers
2.5	To quickly produce a brief booklet about Carer support. Then co-produce a fuller version with Carers.	Torbay Carers' Service with Carers
2.6	To work together to ensure needs of Mental Health Carers are being met	Devon Partnership Trust, Torbay + S Devon Trust, Carers' Services, Young Carers' Service, Carers
2.7	Work with partners to develop volunteer-delivered sitting service	Torbay Carers' Service with partners

### 3. 'I want to know that every Carer involved in a person's care can have a Carer's assessment when they need one.'

	Target / Service Standard. <i>Priority for 2024- 25 in bold.</i>	Organisations
3.1	<b>All organisations that undertake Carer assessments to meet targets.</b>	Torbay Young Carers' Service, Children with Disabilities Team. Adult Social Care. Torbay Carers and commissioned Carers' services
3.2	<b>Evaluation of quality of assessments including waiting times (See 1.7, 4.3)</b>	Children with Disability team
3.3	<b>At every opportunity especially at transitions to ensure processes identify, involve and support <u>all</u> Carers.</b> Young Carers' Service to report referrals from: Adult Social Care Mental Health Services Substance Misuse Services	Torbay + S Devon Trust's Adult Social Care and Community Services. Children's Social Care, Devon Partnership Trust

### 4. 'I want to be confident that Carers guide all things that affect them.'

	Target / Service Standard. <i>Priority for 2024- 25 in bold.</i>	Organisations
4.1	<b>To involve Carers in service development / commissioning / policies / procedures / services that directly affect them. To include: Consultation, Engagement, Co-design and Co-production Carers to decide how to measure how well these are done.</b>	Young Carers' Service. Children with Disabilities Team. Devon Partnership Trust. Torbay Carers including Commissioned Carers' Services, Adult Social Care.
4.2	<b>Evaluation of quality of Parent Carer Needs Assessments and plans. (See 1.7 and 3.2). To be co-produced with parent Carers.</b>	Children with Disabilities team. Torbay Carers' Service Carer Evaluators
4.3	<b>Regular / sample audits of separate and combined Carers' Assessments re involvement.</b>	Torbay Carers' and Young Carers' Services, Adult Social Care, Children with Disability Team
4.4	To develop means for receiving timely feedback from Carers. Then respond in a timely fashion	Torbay Carers' Service

## 5. I want the care and support to the person that I care for to also meet my needs as their Carer.

	<b>Target / Service Standard.</b> <i>Priority for 2024- 25 in bold.</i>	<b>Organisations</b>
5.1	<b>To involve Carers in service development / commissioning / policies / procedures / services that affect the person that they care for. To include: Consultation, Engagement, Co-design and Co-production</b>  <b>Carers to decide how to measure how well these are done.</b>	Torbay + S Devon NHS F Trust, Adult Social Care, Children's Social Care Devon Partnership Trust (DPT)
5.2	<b>Regular sample audit of Assessments. Children with Disability Team, transitions. Adult Social Care, Mental Health and Older People's Mental Health</b>	Children with Disability Team, Adult Social Care, Devon Partnership Trust
5.3	<b>To improve access to and range of replacement care (respite) services.</b>	Adult Social Care Children's Social Care
5.4	<b>Triangle of Care rolled out across acute and community hospital wards. Regular audit of nursing records</b>	Torbay + S Devon NHS F Trust
5.5	Adult Social Care to investigate getting timely feedback from Carers and the person that they care for. Then to respond to concerns	Adult Social Care





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Appendix 1

**Quarter 3 Update - Torbay Carers' I Statements with Key Performance Indicators**

1. **As soon as I start my caring role, I want to be identified, recognised and valued as a Carer.**

**Q3 24-25 Progress**

- Torbay and South Devon NHS Foundation Trust (TSDFT) new induction program starts in February. Only staff Carers to be mentioned but there will also be a physical stand. Short on-line training developed for Carers of people in Hospital and is being rolled out across staff. Further training to be developed relevant to staff roles. 175 staff had awareness training this quarter.
- Children's Social Care investigating developing a suite of various levels of Carer awareness training relevant to people's roles across the Council.
- Devon Partnership Trust (DPT) rolling out training across its staff - 65% of secure inpatient staff completed e-learning this year. 38 completed webinar.
- Council – identified 80 staff Carers (21 this quarter)
- TSDFT – 121 staff Carers (7 this quarter)
- DPT – 93 staff Carers (9 this quarter)
- 98 Carers' lanyards issued this quarter
- Qualitative evaluation being planned by Children with Disability Team.

**Additional progress**

- Council's MyBay being free for unpaid Carers has raised awareness about unpaid Carers.
- All organisations were involved in Carers Rights Day events in November and associated publicity.

**2. I want to be able to easily find information, advice and support to meet my needs as a Carer.**

**Q3 24-25 Progress**

- Systems now set up to measure above data
- 165 self-referrals to Signposts, 141 self-referrals to Torbay Carers' Register.
- average referrals per quarter by partner organisations is 32 compared with 22 last year

**Additional Progress**

- Carers UK webinar organised for Council and Trust managers about supporting staff Carers.
- Carers most commonly-used leaflets have been updated and circulated to information sites.

**3. I want to know that every Carer involved in a person's care can have a Carer's assessment when they need one.**

**Q3 24-25 Progress**

- Amendments made to Adult Social Care to database to improve identification of Young Carers
- GP-based Carer Support Workers - 429 assessments against annual target 500.
- Carers Aid Torbay already reached annual target of 100 Assessments (111)
- Devon Link-up for Carers of people with a learning disability – new to service on April 1<sup>st</sup>, but now on track with 35 assessments against annual target of 50
- 1376 combined assessments by Adult Social Care
- Young Carers – disappointing figures for referrals from other organisations – 2 from Adult Social Care this quarter, none from mental health or substance misuse services.
- Qualitative evaluation being planned by Children with Disability Team.

**4. I want to be confident that Carers guide all things that affect them.**

**Q3 24-25 Examples**

- Carers Services – Carers involved in leaflets mentioned in Section 2, Carers Register developments, newsletter and Carers Rights Day planning
- DPT – Carers involved in Carers Awareness training
- Carer Feedback at Carers Rights Event attached at Appendix 2
- Qualitative evaluation being planned by Children with Disability Team.

**5. I want the care and support to the person that I care for to also meet my needs as their Carer.**

**Q3 24-25 Progress / Examples**

- Council – Carer involved in recruitment of Director of Adult Social Services
- Adult Social Care Community Services Manager engaging with Carers of Adults with a learning disability and addressing their feedback.
- DPT – Carer involvement in recruitment of CEO and Non-executive Director
- Audit questions amended to explicitly measure this.
- Qualitative evaluation being planned by Children with Disability Team.

## Update on Torbay Council Specific Actions

1. Torbay Council has promoted carer self-identification, our communications team have produced and disseminated communications to support public awareness of Carers such as during Carers' Week / Carers' Rights Day / Young Carers' Action Day. This is the Communications annual forward plan. The council tax booklet includes information on how to contact the Carers Service.
2. Torbay Council's HR team have developed systems to identify staff Carers at appointment and at annual reviews.
3. Torbay Council to have Carer Awareness training at a level appropriate to their role. Children with Disabilities Team are developing this in partnership with TSDFT.
4. The Council has maintained funding for Carers Services and Young Carers provision
5. As an employer we have consolidated our support to carer's endeavours to mitigate the negative impacts of caring – mental / physical / educational / financial / employment via a staff session with Carers UK and now have a staff network.
6. Torbay Council's HR team has worked across the organisation to offer supportive working arrangements to assist individuals to meet their caring responsibilities. Carer's leave was introduced in April 2024.
7. Torbay Council continued its recognition of Carers as employees with the 'my manager cares I'm a carer' award.
8. Torbay Council waived the fee for the 'My Bay' residents discount scheme for carer in thanks.
9. Young carers strategy refresh is due for 2025/30 and is being planned.

**Meeting:** Children and Young People Overview and Scrutiny Board / Cabinet

**Date:** 27 January 2025/ 18 February 2025 /

**Wards affected:** All

**Report Title:** Adopt South West Annual Report 2023-24

**When does the decision need to be implemented?** For information.

**Cabinet Member Contact Details:** Cllr Nick Bye, Lead Cabinet Member for Children's Services, nick.bye@torbay.gov.uk

**Director Contact Details:** Nancy Meehan, Director of Children's Services, Nancy.meehan@torbay.gov.uk

## 1. Purpose of Report

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- 1.1. Adopt South West is the Regional Adoption Agency which undertakes adoption functions on behalf of Torbay, as well as Devon, Plymouth, Somerset in addition now to Cornwall who joined this year. Whilst each local authority retains overall responsibility for their adoption services and for their cared for children, most adoption functions are delegated to Adopt South West.
- 1.2. The Adopt South West annual report 2023-24 outlines key data and information relating to these adoption functions, such as recruiting, assessing and supporting prospective adopters, non-agency adoption work including partner adoptions and for intercountry adoptions. It also outlines key performance in relation to family finding for all children with adoption plans in the Adopt South West region as well as the support Adopt South West provide to all parties affected by adoption, including adopters, adoptees, adoptive families, adopted adults and birth relatives.

## 2. Reason for Proposal and its benefits

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- 2.1. Under the national standards for adoption, all adoption agencies must provide to their responsible body, in this case the executive side of the local authority, a written report on the management, outcomes and financial state of the agency. The provision of an adoption service is a statutory requirement. The Adoption and Children Act 2002 provides the structure for an adoption service. Under the Adoption Act 2002 s3, each council must maintain within its area an adoption service designed to meet the needs of children who may be adopted, their parents, their natural parents and former guardians. These services are referred to as the Adoption Service (Adoption and Children Act 2002 s2 (1)). An

adoption agency refers either to a local authority or to a registered adoption society under the Adoption and Children Act 2002 s2 (1).

- 2.2. Torbay's vision is one whereby its people are able to thrive, and our fostering community is an integral part of the service provided to our cared for children. As outlined within Torbay's Corporate Parenting Strategy, we want our cared for and care experienced young people to be safe, happy and healthy, in order that they can reach their full potential, and as corporate parents, we wish to give our cared for and care experienced children and young people access to all of the opportunities that good parents afford their children, including wherever possible and in line with a child's best interests the opportunity for permanence through a plan of adoption. The dedication and commitment of our adoptive families plays a critical role in how we are able to achieve this vision.

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

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1. That the Children and Young People's Overview and Scrutiny Sub-Board note the report as set out in Appendix 1 to the submitted report; and
2. That Cabinet note and endorse the contents of the Adopt South West Annual Report 2023-24 as set out in Appendix 1 to the submitted report.

### 4. Appendices

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Appendix 1: Annual Report 1 April 2023 to 31 March 2024 – Adopt South West

Also available as a web based report <https://www.adoptsouthwest.org.uk/document/annual-report-1-april-2023-to-31-march-2024/>

### 5. Background Documents

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- [Adopt South West - Can you transform a child's future?](#)



## Supporting Information

### 6. Introduction

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- 6.1. The Adopt South West Annual Report 2023-24 provides an overview of the activity within Adopt South West as a regional adoption agency in the period from the 1<sup>st</sup> April 2023 to the 31<sup>st</sup> March 2024.
- 6.2. It includes an overview of Adopt South West's work with local authority partners, information relating to Cornwall joining, an outline of the governance and scrutiny of Adopt South West, data relating to children with a plan of adoption, family finding performance, performance relating to early permanence, an overview of adopter sufficiency and marketing and recruitment activity and an overview of adoption support, including maintaining relationships and birth relative support.

### 7. Options under consideration

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- 7.1. N/A – No other options have been considered.

### 8. Financial Opportunities and Implications

- 8.1 The Adopt South West Annual Report includes details in relation to finance, including the 2023-24 overall budget, the funding formula, and the 2024-25 budget. The Adopt South West Strategic Board is responsible for setting the annual budget, informed by the financial sub-group which includes a representative from Torbay's finance team.

### 9. Legal Implications

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- 9.1. Under the national standards for adoption, all adoption agencies must provide to their responsible body, in this case the executive side of the local authority, a written report on the management, outcomes and financial state of the agency. The provision of an adoption service is a statutory requirement. The Adoption and Children Act 2002 provides the structure for an adoption service. Under the Adoption Act 2002 s3, each council must maintain within its area an adoption service designed to meet the needs of children who may be adopted, their parents, their natural parents and former guardians. These services are referred to as the Adoption Service, (Adoption and Children Act 2002 s2 (1)). An adoption agency refers either to a local authority or to a registered adoption society under the Adoption and Children Act 2002 s2 (1).

### 10. Engagement and Consultation

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- 10.1. Adopted children and their families are encouraged to share their views regularly and in a variety of ways, and their voice is reflected throughout the Adopt South West Annual Report 2023-24.

## 11. Procurement Implications

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11.1. There are no procurement implications as a result of endorsing this report.

## 12. Protecting our naturally inspiring Bay and tackling Climate Change

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12.1. There are no relevant implications.

## 13. Associated Risks

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13.1. Should this report not be endorsed Torbay and Adopt South West will not be compliant with the statutory requirements in line with the national standards for adoption. There will no change in terms of the fundamental function of the service however the report would not be published, and could not be transparently shared with adopted children and their families, which would limit the ability of the service to share learning in respect of patterns and trends, and achieve clarity with our fostering families about the priorities for improvement.

## 14. 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  Page 275	<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 Adopt South West Annual Report 2023-24 outlines the strengths, areas of development and the priorities for the regional adoption agency, in addition to the vision and strategy to enhance the sufficiency of adoptive placements for children with this plan of permanence. It outlines the nature of the work undertaken to support all children with a plan of adoption, their adoptive families and their birth families, no matter their age.</p>		
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 Adopt South West Annual Report 2023-24 outlines the services available to support adoptive parents in their parenting roles, to ensure that children's needs are met for their majority and to mitigate against family breakdown.</p>		

Disability	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.	The report outlines Adopt South West's engagement in a specific project (the South West Permanence Project) which aims to increase and support adopters looking to care for children with additional needs.		
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.	No differential impact.		
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.	No differential impact.		
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	No differential impact.		

	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.	No differential impact.		
Religion and belief	64.8% of Torbay residents who stated that they have a religion in the 2021 census.	No differential impact.		
Sex	51.3% of Torbay's population are female and 48.7% are male	No differential impact.		
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.	No differential impact.		
Armed Forces Community	In 2021, 3.8% of residents in England reported that they	No differential impact.		

	had previously served in the UK armed forces. In Torbay, 5.9 per cent of the population have previously served in the UK armed forces.			
<b>Additional considerations</b>				
Socio-economic impacts (Including impacts on child poverty and deprivation)		The ambition of the regional adoption agency, as outlined in the report, is to ensure that any child, no matter their level of need or their socioeconomic status, is able to achieve a plan of permanence through adoption, should this be their agreed plan in line with their best interests.		
Public Health impacts (including impacts on the general health of the population of Torbay)		The role of the regional adoption agency is to ensure that all cared for children with an identified plan of adoption are able to realise this plan of permanence, and are placed in a timely way with the right support; as such, the provision of the service functions of Adopt South West can have a significant, positive impact on the longer term health outcomes for cared for children and care experienced young people. The provision of high quality post-adoption support to adoptive families also impacts positively on their emotional health.		

Human Rights impacts		This reports links to Articles 8 and 10.		
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.	The function of Adopt South West is critical to Torbay's child friendly ambition, in ensuring that children with plans of adoption realise permanence in a timely way in placements which are with the South West thereby supporting their regional identity and their access to post-adoption support.		

## 15. Cumulative Council Impact

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15.1 None.

## 16. Cumulative Community Impacts

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16.1. None.



# Annual Report 1 April 2023 to 31 March 2024

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## Introduction

Adopt South West started on 1 October 2018. It is the Regional Adoption Agency that undertakes adoption functions for the local authority areas of Devon, Plymouth, Somerset, and Torbay.

The Regional Adoption Agency (RAA) is hosted by Devon County Council.

Adopt South West was the 11<sup>th</sup> regional adoption agency to go 'live' and has been at the forefront of the development of regional adoption agencies. By March 2024 there were 33 RAAs across the country.

An Inter Authority Agreement between the local authorities and Regional Adoption Agency sets out the terms and conditions for the establishment and operation of Adopt South West including:

the key objectives of Adopt South West

the principles of collaboration

the governance structures for Adopt South West

the respective roles and responsibilities the parties have during the currency of the agreement.

The provision of an adoption service is a statutory requirement. The Adoption and Children Act 2002 provides the structure for an adoption service. Under the Adoption Act 2002 s3, each council must maintain within its area an adoption service designed to meet the needs of children who may be adopted, their parents, their natural parents and former guardians. These services are referred to as the Adoption Service, (Adoption and Children Act 2002 s2 (1)). An adoption agency refers either to a local authority or to a registered adoption <sup>^</sup>Society under the Adoption and Children Act 2002 s2 (1). [Top](#)

Whilst each local authority retains overall responsibility for their adoption services and continues to retain overall responsibility for their cared-for children, most adoption functions are delegated to Adopt South West. The detail of this is outlined in our [Statement of Purpose](#).

(<https://devoncc.sharepoint.com/:b:/s/PublicDocs/ChildSocCare/ERCnf7KZ7ExMk-CZtDwK2qcBsH69O83il5w5Sa3HE3pDCw?e=J9Y20Z>).

Adopt South West has responsibility for recruiting, assessing and supporting prospective adopters, for non-agency adoption work including partner adoptions and for intercountry adoptions. Adopt South West is responsible for family finding for all children with adoption plans in the Adopt South West region. Adopt South West provides support to all parties affected by adoption, including adopters, adoptees, adoptive families, adopted adults and birth relatives.

It is important to note that the data and information within this report is accurate as of 31 March 2024. Plans for children are dynamic and develop every day and the picture will have changed at the point this is read. Our task has been to place children promptly in adoptive families that have been robustly assessed and are well-prepared for the challenges of adoption. We support children and their families throughout their childhood and adolescence.



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## Working with Local Authority Partners



Adopt South West is responsible for discharging the local authorities' responsibilities as an Adoption Agency and therefore works closely with the local authority partners. There are processes in place for Adopt South West to support our local authority colleagues in progressing children's plans where adoption is the permanence plan. Team Managers across Adopt South West have established working relationships through attendance at specific local authority meetings, including tracking, permanence and legal planning meetings to achieve best outcome for children and young people who have a plan of adoption. Post adoption order when supporting families we have established working relationships across our partner agencies to enable access to the right support to meet their needs.

Lead managers for adoption from each local authority meet together with Adopt South West Operations Managers quarterly to review and develop regional process and practice. Adopt South West Quality Assurance Managers provide consultation, quality assurance and advice through their agency advisor roles and within the adoption panel advisor roles. Adopt South West provide practice learning and training in specific areas of adoption work across our regional local authorities to support local authority colleagues in their practice.

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## Governance and Scrutiny of Adopt South West

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The Operational Board meet as regularly as is necessary to perform its role, but in any event no less than every six weeks.

The Board membership is made up of the delegated Service Director/Divisional Director from each of the five partner local authorities, the appointed Independent chair (non voting) and Adopt South West Head of Service (non voting).

The Strategic Partnership Board meet as regularly as is necessary to perform its role, but in any event no less than six monthly. The core membership of the board is the Director of Children's Services for each of the five partner local authorities, the lead member for children's services for each of the five partner local authorities, the Independent chair of the Operational Board (non voting) and Adopt South West Head of Service (non voting).

Within each of the partner local authorities there is an operational senior manager who takes the lead role for adoption. This group of managers meet with the Adopt South West Operational Managers quarterly to review regional practice.

## Cornwall Joining Adopt South West



In 2023, Cornwall Council requested agreement from Adopt South West members and host Devon County Council to join the RAA. The request was to incorporate Cornwall and the Isles of Scilly Council Adoption Services, both pre and post order adoption services, into Adopt South West.

Cornwall Council believed that Adopt South West was the best Regional Adoption Agency for Cornwall to join, not just because of its locality but because it is a high performing agency that has developed excellent practice in the four years since it was set up.

# Essex Children and Families

Partner in Practice (PIP) have undertaken two Peer Reviews of Adopt South West, the first in December 2020 and the second in February 2022.

They found Adopt South West to be a 'very good, well-functioning organisation producing a large volume of high-quality work' and that they had achieved an enormous amount of progress in a very short timescale. [^](#)

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For the Isles of Scilly a Service Level Agreement will be in place for the provision of adoption services.

The existing partners in Adopt South West gave agreement to this proposal. The decision making process was concluded in December 2023 with final agreement by the host Devon County Council at a full council meeting.

During 2023 to 2024, adoption team members from Cornwall and Adopt South West worked together to align processes and practice to promote consistency to the child and the adopter experience and ensure a smooth transition of adoption services into the RAA.

Over the last year there has been the opportunity to share best practice across the Adopt South West region, encouraging further innovation in the delivery of adoption services.



Map of the Adopt South West region: Cornwall and the Isles of Scilly, Devon, Plymouth, Torbay and Somerset

We move into 2024-2025 welcoming the inclusion of Cornwall and the Isles of Scilly to Adopt South West, embracing the opportunities that the expansion to our Regional Adoption Agency will bring.

# The Children



In 2023 to 2024, we saw a steady increase in the number of children where the permanence plan was adoption. Nationally, there was a decrease in the number of children with an adoption plan, up to 31<sup>st</sup> December 2023 (Adoption and Special Guardianship data figures March 2024), however we are now seeing child plans for adoption increasing.

By year end regionally we have had **196** children with a **plan for adoption**, which is an increase of 15.2% and **10** children were granted **placement orders**, an **increase** of 12.5 %.

ASW experienced a reduction in the number of adoption orders, similar to that reported nationally: we saw a **decrease** in our adoption orders made by **13 %**. When considering this decrease we take account that the number of adoption orders made in 2022-2023 was higher than usual with more orders being made following the delays in the courts the previous year as a result of the Somerset ruling.



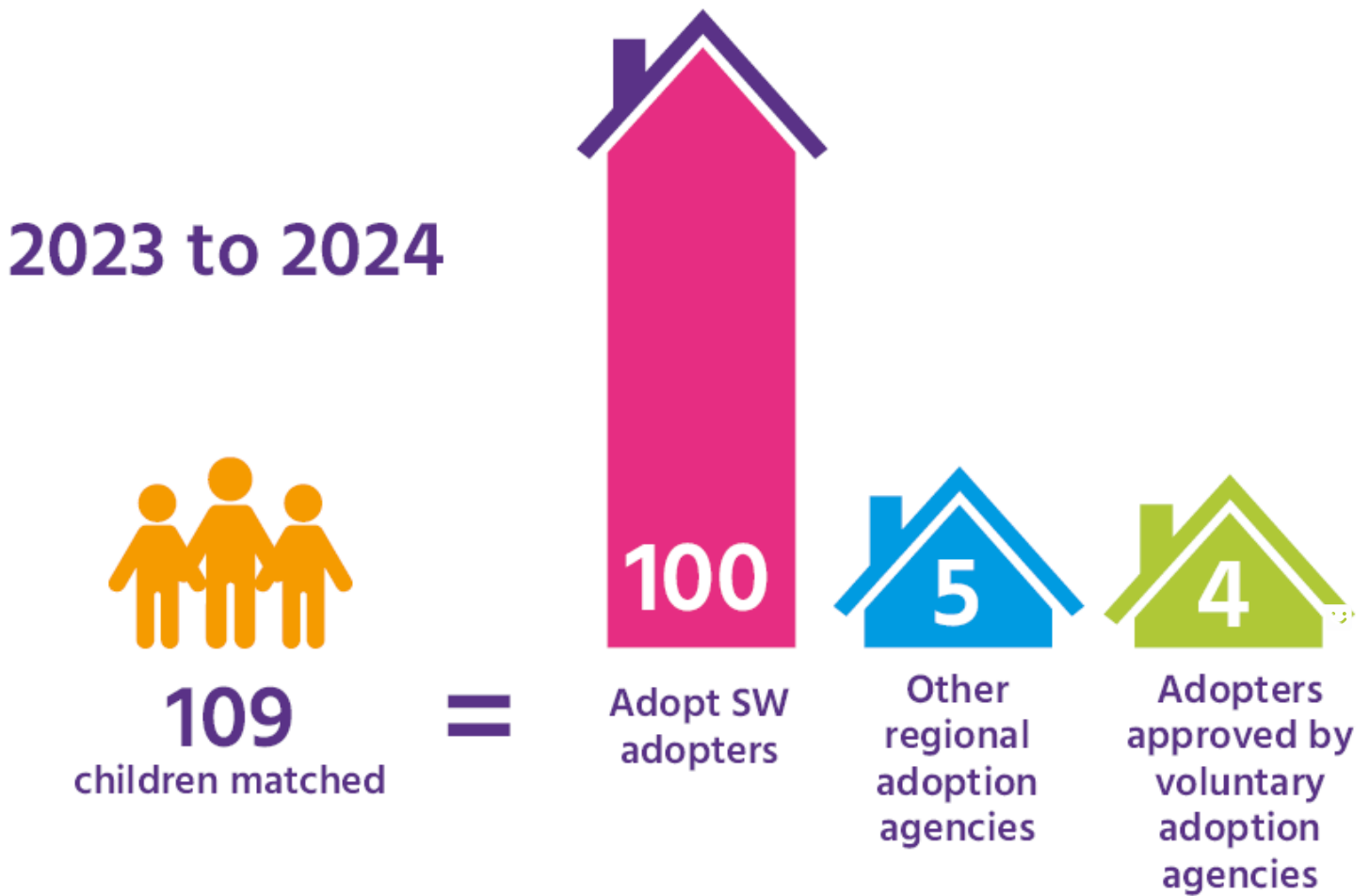
# Proportion of children placed with adopters approved by Adopt South West

One of our key aims is to place children from the Adopt South West region with Adopt South West adopters, which supports a child's regional identity and means the provision of adoption support remains within Adopt South West.

Of the **109** children placed in the 2023-24 year, **91.3% were placed with adopters approved by ASW.** This is over 8% more than last year and the third year we have seen an increase in our children being placed with adopters approved by Adopt South West.



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2023 to 2024: 109 children matched of those 100 were Adopt South West adopters, 5 from other regional adoption agencies, 4 from voluntary adoption agencies

# Family finding



Our family finders have been kept busy this year with the number of children being referred to Adopt South West for family finding on the increase, and an increase in placement orders. All opportunities are taken to know about children as early as possible in order that we are informed of the needs of children and for us to find a family as quickly as possible.

## Timeliness

One of our key performance indicators is the time it takes us to find the right family for a child. The data in the table below sets out the amount of time between the placement order being made and the child being formal matched with their adoptive family. The Adoption and Special Guardianship data descriptor for the A2 indicator, is the average time in days between the local council authority receiving court authority to place and deciding on a match, for children who have been adopted.

Area	Placement order to match 2021 to 22	Placement to adoption order 2022 to 23	Placement to adoption order 2023 to 24
England average	202	198	193
Adopt South West average	162	214	206
Devon	92	147	269
Plymouth	196	167	122 <sup>^</sup>
Somerset	168	351	206 <a href="#">Top</a>
Torbay	247	133	135

Adoption and Special Guardianship data quarter 3 up to December 2023

Across the region timeliness showed a slight improvement from 214 days in 2022/2023 to 206 days in 2023-2024

Timeliness for Devon children increased. Of the children who waited longest these included four sibling groups, at least three of who had some court delay through residual impact of the Somerset ruling. There were also delays for children where additional assessment of their needs was required to inform an adoption support plan and therefore is deemed to be expected and accepted delay.

## Family finding activities

Finding families is achieved through our family finding team's commitment and tenacity, and every year building on their innovative and supportive approach. Their work is centred on partnership working, requiring building good working relationship with children's social worker and foster carers.

**“I felt guided, supported by social worker with clear communication throughout.”**

**“We felt our expectations in the family finding process were well managed.”**

**“Family finding team were helpful and efficient. Even when our social worker was away, we knew how to get support and they were helpful and friendly.”**

— What adopters had to say

**Adopt South West Play Days** remain a popular and positive way in which we can bring together children and prospective adopters throughout the year in different locations in the South West. Adopters from other adoption agencies will also be invited to these events where there is agreement as they are considering one of

our regional children. Children and their foster families attend, play and meet adoptive families. The aim of the event is for the children to have fun playing alongside adopters and other children in foster care.

We have held 6 events over this period which **36 children** attended. As a result of coming together at these events **4 sibling groups of 2 children, and 5 individual children** have been matched and gone onto be placed with their adoptive families.

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We would acknowledge the importance of the time to build relationships and ask questions about a child and from the feedback it shows that the role of children's foster carers are integral to supporting this process.

**“Enjoyed meeting a variety of different age and gender children; really enjoyed being able to speak to foster carers and social workers.”**

**“Enjoyed being able to interact and play with the children on their level and just getting to meet the children.”**

**“Fantastic set up, lots of toys and safe play areas – great to meet the foster carers too.”**

**“No pressure; space to interact with the children; discussions with foster carers.”**

— What adopters had to say

**“Having the support from the staff.”**

**“Lots of choice of toys and enjoyed the outside area.”**

**“Good activities.”**

**“How informal it was with play zones, plenty of space and it did not feel overwhelming for both us and the children.”**

— What foster carers had to say

Where the needs of our children require it, we take part in pan regional and national events, both virtual and face to face, where we share our children's profiles and search for the right adopters to meet their needs.

# National work: Pan Regional, South West Permanence Project for children with disabilities



Logo for South West Permanence Project

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In conjunction with the regional adoption agencies (RAA) Adoption West and Aspire, Adopt South West received funding from the Department for Education, through the RAA national strategy group, to promote matching for children with disabilities. The project commenced in July 2023 and has funding to continue until September 2024

The aims of the project are separated into three primary areas of work.

## **Assessment and recruitment**

review training to adopters, develop material for training if required

encourage diversity of childcare experience while preparing to adopt

reduce early decision making about children with disabilities by adopters

develop an enhanced family finding model

## **Matching**

create best practice guidance for Link Maker

liaison with Link Maker In about further information being added for children with disabilities onto the system

all children on the project to have a video for their profiles

Individualised information on a child's disability to be provided

## Support

network meetings prior to placement to ensure support for the family

Children with Disabilities Team to contribute their knowledge toward support plans

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support plans to include adoption support services and disability services and consider future needs

buddy system to be explored with families who have adopted children with disabilities

Education Health Care Plans (EHCPs) to be applied for earlier and explore potential link with support plans

In Adopt South West there are currently five children who our dedicated family finder will be progressing enhanced family finding for, working closely with their local authority child care social workers.

## Early Permanence – first placement is the only placement

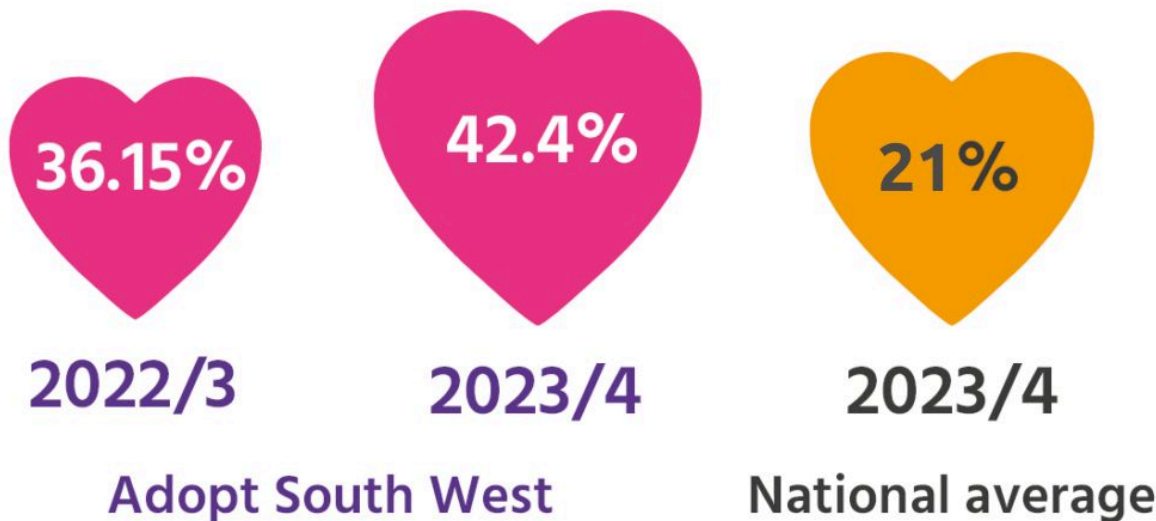
This year saw national adoption focus upon Early Permanence, often referred to as Foster for Adopt or Concurrency following on from the launch of the [Early Permanence National Standards](https://www.adoptionengland.co.uk/sites/default/files/2024-03/Early%20Permanence%20National%20Practice%20Standards.pdf) (<https://www.adoptionengland.co.uk/sites/default/files/2024-03/Early%20Permanence%20National%20Practice%20Standards.pdf>) in February 2023. We know that it benefits a child/ren to be placed with their adoptive families at the earliest possible stage.

Over the last two years we have seen a continued increase in our regional Early Permanence Placements.

In 2023 to 2024, 42.4% of children that we placed for adoption, started their placement under Early permanency regulations compared to 36.15 % in 2022-2023 (Adoption and Special Guardianship (ASGB) data Q3 (01.01.23 to 31.12.23)).

For the second year this represents one of the highest rates in the country.

## Children placed under Early Permanence Regulations



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Children placed under early permanence regulations:  
2022/23 is 36.15%, 2023/24 is 42.4%. National average, is 21%.

Adopt South West was proud to take part in national and regional Early Permanence Conferences, promoting better understanding of the benefits to children of Early Permanence and being part of the drive for practice improvement in this area.

Accreditation of Adopt South West's commitment to Early Permanence being at the centre of our practice was achieved with the award of the [Early Permanence Quality Mark](https://quality-mark.earlypermanence.org.uk/#The-benefits-of-the-Quality-Mark-for-adoption-agencies). (<https://quality-mark.earlypermanence.org.uk/#The-benefits-of-the-Quality-Mark-for-adoption-agencies>).

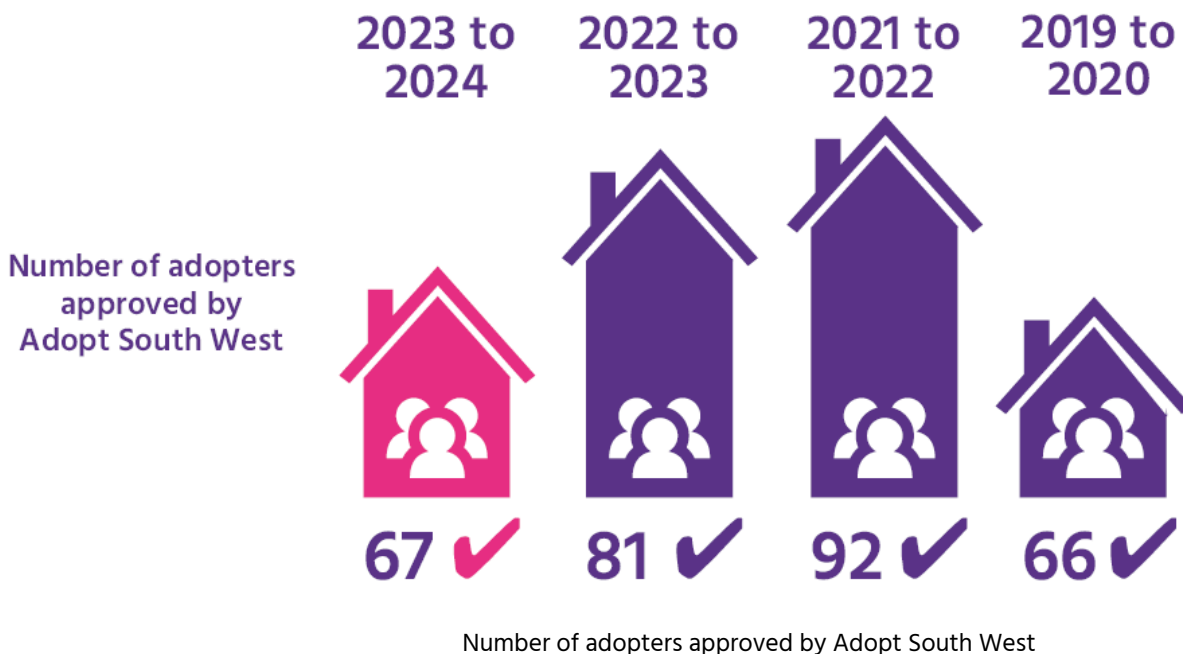


The feedback following our application for the quality mark:

**66** 'This is a succinct and compliant submission by Adopt South West (ASW), corroborating strong commitment to skilfully deliver early permanence via the route of Fostering for Adoption (FfA). The numbers of children who benefit from FfA placements at ASW are consistently above the national average, indicating the principles of practice of Early Permanence (EP) are embedding alongside a clear authority from senior leadership to maintain EP as a preferred route to permanence, wherever possible, to ensure best outcomes for children. It is acknowledged there are significant challenges in integrating a multiagency and holistic EP approach across a Regional Adoption Agency (RAA) and it is very positive that ASW has pushed this forward while engaging with and learning from RAA partners and others.'

## Adopters

Despite active marketing our recruitment of adopters in this year fell below that of last year by 19%.



The national data indicates a falling number of applicants in adoption across England, however at the beginning of 2024 we began to see an increase in people attending information sessions and found a difference of only 6% lower attendance from the last year. It is therefore anticipated that if we can maintain steady attendance at information events we will see an upturn in the coming year in adopter applications.



We know that it can take time for some people to progress with their adoption journey, so there can be a lag between recruitment campaigns and approvals. Figures for quarter 1 of 2024 are showing a slight increase in adopter approval compared to this time last year, and that is without the addition of families from Cornwall.

Despite a lower number of adopter approvals, we have seen the increase in our children being placed with Adopt South West adopters. [See The Children section above]



We have also seen our adopter gap, (the number of children needing families against the number of families available) slightly decrease on last year, from 29% to 27%, with 43% of our children who had been waiting 3 months placed. (ASGB Quarter 3 2023/24 data).

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From the beginning of the process of getting in touch with Adopt South West, attending an information event and having a social worker support an enquiry discussion, we have made it clear who our children are and our focus being for prospective adopters who will consider these children.

This focused approach has assisted progressing registrations of prospective adopters who can meet our children's needs as a priority. This continues to be our approach to all enquiries and registrations made.

We have reviewed and revised our adopter preparation training this year, using the practice alignment opportunity with Cornwall to enhance our content and presentation of our training.

Of the 67 adopter households approved this year, over 80% have wanted to consider early permanence. We consider that the information and promotion of the positive outcomes for children which is shared as part of training and revisited in the assessment stage of the process is therefore having the desired impact.

This year we have seen a birth parent being supported to share their story and the importance for a child of staying in touch with people who matter to them at Stage 2 training for prospective adopters. The presence of this mother at the training is having a profound and positive impact on prospective adopters, assisting them in understanding the reality maintaining relationships.

**66** **“I came away with a really positive feeling about contact with birth family, it is not something to be scared of or feared. But something to be embraced.”**

**“The talk from the birth mother was one of the highlights for us, as it helped demystify a lot of what we didn’t understand about contact.”** [Top](#)

**“We got a real appreciation of how important contact is for them and also photos that we can send. Particularly letters seem to be such a small sacrifice from the perspective of the adopter which could mean so much to the birth parent. We now understand how important it is to keep writing even if we are not getting a response from them.”**

— What adopters had to say

We seek feedback from our prospective adopters at each stage of their adoption journey to inform process and practice development.

**66** **"Felt stage 1 was efficient, empathic, timely, child-led."**

**"Our ASW social worker was fantastic and answered any questions that we had."**

**"We really enjoyed stage 2 with our social worker, we loved reminiscing about our childhood."**

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**"Great experience and really comfortable and easy."**

**"Our social worker was very supportive all the way through this process & always kept in touch."**

**"Our social worker was absolutely fantastic and we were sad to see her go after we got the adoption orders! The sessions with her were long and in depth but they always felt comfortable and never nosy for no reason. The workshops were fine and we moved through it on the expected timeline."**

**"Stage 2 was a very enjoyable and exciting process. We loved having our social worker come round and chatting to her."**

**"The training was so useful and really put your mind at ease about any behavioural challenges we might encounter in adopted children and Fetal Alcohol Spectrum Disorder ([FASD \(https://www.adoptsouthwest.org.uk/fetal-alcohol-spectrum-disorder-fasd-friends-south-west/\)](https://www.adoptsouthwest.org.uk/fetal-alcohol-spectrum-disorder-fasd-friends-south-west/))."**

**"We are third-time adopters and were worried that we would have to go through lots of stuff that we have already done or are very familiar with. Our Social Worker was able to give us enough support to ensure we were up to date with the world of adoption but not so much that we had to repeat lots of things that were not relevant to us."**

**"We appreciated our social worker's wealth of knowledge, experience, and practicality with our particular situation."**

## Marketing and recruitment

Since 2022, Adopt South West has developed an in-house campaign that focuses on the concept of time and the urgency to find families for the children that wait the longest, and to put the target audience in the child's shoes. We have used the voice of the child to highlight the positives and communicate what the children are looking for in their forever families.

Our theme is 'Think Again'. We look to appeal to those prospective adopters who may have previously considered adoption but had decided that it wasn't the right time. We're trying to encourage this group to act now, through the tagline 'now is the time to adopt' because the longer they wait to decide, the longer these children will have to wait.

Now is the time to adopt brothers and sisters



Watch our campaign videos: Now is the time to think again about adoption and change all of your lives. Now is the time to adopt brothers and sisters.

Adopt South West has an active presence on social media, local radio and television, and the number of potential adopters is increasing.

Throughout the year, we have shared life stories, interviews and short films featuring adoptive families and members of the adoption team. We also share national news and resources from trusted adoption organisation such as PAC-UK and Adoption UK. We also promote our own branded content on [Facebook](https://www.facebook.com/AdoptSouthWest/) (<https://www.facebook.com/AdoptSouthWest/>), [Instagram](https://www.instagram.com/adopt_south_west/) ([https://www.instagram.com/adopt\\_south\\_west/](https://www.instagram.com/adopt_south_west/)) [LinkedIn](https://www.linkedin.com/company/adopt-south-west/) (<https://www.linkedin.com/company/adopt-south-west/>) and [YouTube](https://youtu.be/HbJ4D8lhWqg?list=PLlhApjcvpNRY3taDKRUFDNKDLg6mN9eJ) (<https://youtu.be/HbJ4D8lhWqg?list=PLlhApjcvpNRY3taDKRUFDNKDLg6mN9eJ>), with links back to our website.

“Adopting has changed our life for the better” Lizzy ...



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“Adopting has changed our life for the better” Lizzy and Lillybelle’s story

In this video, Lizzy shares her family’s adoption story: Lizzy is Lillybelle’s adoptive mum. She and her husband are also mum and dad to two other adopted children. They adopted with Adopt South West.

News and media exposure throughout 2023 and 2024 was supported by [local press coverage](#) (<https://www.adoptsouthwest.org.uk/stories/bbc-spotlight-featuring-luke-and-adopt-south-wests-amanda-national-adoption-week/>) and the [news section of our website](#). (<https://www.adoptsouthwest.org.uk/news/>).

Regionally, we are critical friends with marketing and communications peers at bordering regional adoption agencies (RAAs) Adoption West RAA and Aspire RAA and collectively promote the national adoption campaign through local media and social media channels to be part of the consistent national ‘voice’ for adoption.

Adopt South West helps to shape the national focus on adoption. Adopt South West continues to support the national campaigns and measure the impact, bringing together best practice, and testing out new, innovative approaches to recruitment.

Going forward into next year, we are aiming to attend more events, setting ourselves the challenge to attend as many Pride events as we can, including extending our visibility at events in Cornwall.

While we find many families for children where there are high levels of uncertainty, we’re aware that children with disabilities are among the children who wait the longest for an adoptive family. The experience of the RAAs in the south and west is varied when finding adoptive families for children with disabilities or complex health needs. Their traditional approaches to adopter recruitment identifies very few adopters who feel they can provide a family for a child with a disability or complex health needs.

We know our children waiting are often children with additional needs which include health complexities and potential life limiting illness. Therefore, we are going into 2024 to 25 with a focus in our marketing to map regional diverse communities and reach people with work/life experience with children with additional health needs and disabilities.

# An overview of our activities and news in 2023 to 2024

2023 saw us getting ourselves back out there at events across the region.

During **June 2023** we were been part of a [\(\[groups that repeatedly wait longest to be adopted. The campaign saw a series of new films released featuring real life stories from those who have adopted and fostered children, and others who have been adopted themselves. The campaign also highlights how the circle of support is so important to adopters.\]\(https://eur02.safelinks.protection.outlook.com/?url=https%3A%2F%2Flnks.gd%2F%2FeyJhbGciOiJIUzI1NiJ9.eyJidWxsZXRpbI9saW5rX2lkIjoxMDQsInVyaSI6ImJwMjpbGjJayIsbnVybCI6Imh0dHBzOi8vZGVyMDIuc2FmZWxpbmtzLnByb3RlY3Rpb24ub3V0bG9vay5jb20vP3VpbD1dHRwcyUzQSUyRiUyRnd3dy5hZG9wdHNvdXRod2VzdC5vcmcudWslMkZmaW5kaW5nLWFkb3B0ZXJzLWZvciljajlsZHJlbi13aG8td2FpdC10aGUtbG9uZ2VzdC1mb3ItYS1wZXJtYW5lbnQtaG9tZSUyRiZkYXRhPTA1JTdDMDEIN0NtYVyaS5oYW1pbHRvbiU0MGRlcm9uLmdvdi51ayU3QzAxYTBJZWVjNDA5NzRmYzY5ZDk0MDhkYjc3MGU0NGYzJTdDGRhMTM3ODNjYjY4NDQzZmJiNGI5OTdmNzdmZDVlZmlIN0MwJTdDMCU3QzYzODIzNDY3NTUzODQxMTMwOS3Q1Vua25vd24IN0NUV0ZWYkdac2IzZDhleUpXSWpvaU1DNHdMakF3TURBaUxDSIFJam9pVjJsdU16SWIMQ0pCVCNklrMWhhV3dpTENKWFZDSTZnbjAlM0QlN0MzMdAwJTdDJTdTdTdJnNkYXRhPUY3cGpjTUUyOXB4NXFsbmlU2FibDRNVm5DaHFxS2glMkl1UmZueXhZRIRjcyUzRCZyZXNlcnZlZD0wliwiYnVsbGV0aW5faWQiOiIiOilyMDIzMDYyOS43ODk1MTQ1MSJ9.-sQzMPQvD9MrjORHnLj\_tv5iRPckRXnuE5jgLntmm-s%2Fs%2F172372590%2Fbr%2F211850759073-|&data=05%7C02%7CAmanda.White%40devon.gov.uk%7C0faca0294d4e42884f5208dc8ec78830%7C8da13783c68443fbb4b997f77fd5bfb%7C0%7C0%7C638542234862402584%7CUnknown%7CTWFpbGZsb3d8eyJWIjoicjAwMDAiLCJQIjoiV2luMzliLCJBTiI6IklhaWwiLCJXVCI6Mn0%3D%7C0%7C%7C%7C&sdata=eBCCr8w7GGvfMXR503chugvNn77VYqzft%2BxLenZPFc%3D&reserved=0\). to reach potential parents for children from certain</a></p></div><div data-bbox=\)](https://eur02.safelinks.protection.outlook.com/?url=https%3A%2F%2Flnks.gd%2F%2FeyJhbGciOiJIUzI1NiJ9.eyJidWxsZXRpbI9saW5rX2lkIjoxMDQsInVyaSI6ImJwMjpbGjJayIsbnVybCI6Imh0dHBzOi8vZGVyMDIuc2FmZWxpbmtzLnByb3RlY3Rpb24ub3V0bG9vay5jb20vP3VpbD1dHRwcyUzQSUyRiUyRnd3dy5hZG9wdHNvdXRod2VzdC5vcmcudWslMkZmaW5kaW5nLWFkb3B0ZXJzLWZvciljajlsZHJlbi13aG8td2FpdC10aGUtbG9uZ2VzdC1mb3ItYS1wZXJtYW5lbnQtaG9tZSUyRiZkYXRhPTA1JTdDMDEIN0NtYVyaS5oYW1pbHRvbiU0MGRlcm9uLmdvdi51ayU3QzAxYTBJZWVjNDA5NzRmYzY5ZDk0MDhkYjc3MGU0NGYzJTdDGRhMTM3ODNjYjY4NDQzZmJiNGI5OTdmNzdmZDVlZmlIN0MwJTdDMCU3QzYzODIzNDY3NTUzODQxMTMwOS3Q1Vua25vd24IN0NUV0ZWYkdac2IzZDhleUpXSWpvaU1DNHdMakF3TURBaUxDSIFJam9pVjJsdU16SWIMQ0pCVCNklrMWhhV3dpTENKWFZDSTZnbjAlM0QlN0MzMdAwJTdDJTdTdJnNkYXRhPUY3cGpjTUUyOXB4NXFsbmlU2FibDRNVm5DaHFxS2glMkl1UmZueXhZRIRjcyUzRCZyZXNlcnZlZD0wliwiYnVsbGV0aW5faWQiOiIiOilyMDIzMDYyOS43ODk1MTQ1MSJ9.-sQzMPQvD9MrjORHnLj_tv5iRPckRXnuE5jgLntmm-s%2Fs%2F172372590%2Fbr%2F211850759073-|&data=05%7C02%7CAmanda.White%40devon.gov.uk%7C0faca0294d4e42884f5208dc8ec78830%7C8da13783c68443fbb4b997f77fd5bfb%7C0%7C0%7C638542234862402584%7CUnknown%7CTWFpbGZsb3d8eyJWIjoicjAwMDAiLCJQIjoiV2luMzliLCJBTiI6IklhaWwiLCJXVCI6Mn0%3D%7C0%7C%7C%7C&sdata=eBCCr8w7GGvfMXR503chugvNn77VYqzft%2BxLenZPFc%3D&reserved=0). to reach potential parents for children from certain</a></u></p></div><div data-bbox=)

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([Also in \*\*June\*\* we joined Fostering Devon to celebrate Pride month, we met some amazing people who were keen to find out about the value of adopting and we loved meeting some familiar faces who shared their adoption stories with us.](https://eur02.safelinks.protection.outlook.com/?url=https%3A%2F%2Flnks.gd%2F%2FeyJhbGciOiJIUzI1NiJ9.eyJidWxsZXRpbI9saW5rX2lkIjoxMDUyInVyaSI6ImJwMjpbGjJayIsbnVybCI6Imh0dHBzOi8vZGVyMDIuc2FmZWxpbmtzLnByb3RlY3Rpb24ub3V0bG9vay5jb20vP3VpbD1dHRwcyUzQSUyRiUyRnd3dy5hZG9wdHNvdXRod2VzdC5vcmcudWslMkZmaW5kaW5nLWFkb3B0ZXJzLWZvciljajlsZHJlbi13aG8td2FpdC10aGUtbG9uZ2VzdC1mb3ItYS1wZXJtYW5lbnQtaG9tZSUyRiZkYXRhPTA1JTdDMDEIN0NtYVyaS5oYW1pbHRvbiU0MGRlcm9uLmdvdi51ayU3QzAxYTBJZWVjNDA5NzRmYzY5ZDk0MDhkYjc3MGU0NGYzJTdDGRhMTM3ODNjYjY4NDQzZmJiNGI5OTdmNzdmZDVlZmlIN0MwJTdDMCU3QzYzODIzNDY3NTUzODQxMTMwOS3Q1Vua25vd24IN0NUV0ZWYkdac2IzZDhleUpXSWpvaU1DNHdMakF3TURBaUxDSIFJam9pVjJsdU16SWIMQ0pCVCNklrMWhhV3dpTENKWFZDSTZnbjAlM0QlN0MzMdAwJTdDJTdTdTdJnNkYXRhPUY3cGpjTUUyOXB4NXFsbmlU2FibDRNVm5DaHFxS2glMkl1UmZueXhZRIRjcyUzRCZyZXNlcnZlZD0wliwiYnVsbGV0aW5faWQiOiIiOilyMDIzMDYyOS43ODk1MTQ1MSJ9.10y9f7AaKIJ759wZXVjvGgSetY7iWgO7R_c8OF9HDMk%2F%2F172372590%2Fbr%2F211850759073-|&data=05%7C02%7CAmanda.White%40devon.gov.uk%7C0faca0294d4e42884f5208dc8ec78830%7C8da13783c68443fbb4b997f77fd5bfb%7C0%7C0%7C638542234862410756%7CUnknown%7CTWFpbGZsb3d8eyJWIjoicjAwMDAiLCJQIjoiV2luMzliLCJBTiI6IklhaWwiLCJXVCI6Mn0%3D%7C0%7C%7C%7C&sdata=12fjYmky51TWD7WYLZy%2FuEXP1C0gJxqW9cAteGuJesc%3D&reserved=0). to reach potential parents for children from certain</a></p></div><div data-bbox=)

In **October 2023** we celebrated the generations of adopted people during National Adoption Week (Monday 16 to Friday 22 October) and we highlight adoption and celebrate the good that it brings, not just for children who are adopted, but also for parents who adopt and their extended families.







[pjbGljayIsInVybcI6Imh0dHBzOi8vbmV3ZmFtaWx5c29jaWFsLm9yZy51ay9hZncyNCIsImJ1bGxldGluX2lkIjoiMjAyNAzMDguOTE0OTMyMjEifQ.dk8smsLSoEIBLb4TcdlkJmNfbh34xnrj1Qd6een122w%2Fs%2F172372590%2Fbr%2F238467393370-](https://www.devon.gov.uk/infocentre/record.aspx?recordid=67393370)

[l&data=05%7C02%7CAmanda.White%40devon.gov.uk%7C0faca0294d4e42884f5208dc8ec78830%7C8da13783c68443fbb4b997f77fd5bfb%7C0%7C0%7C638542234862607103%7CUnknown%7CTWFpbGZsb3d8eyJWljoimC4wjAwMDAiLCJQIjoiV2luMzliLCJBTil6lk1haWwiLCJXVCI6Mn0%3D%7C0%7C%7C%7C&sdata=ku348LmqyoErqGZfp6zkP6YoQO912D3pwdzFunpU%2Fw%3D&reserved=0\). This year's theme, 'Different Together', called on more LGBTQ+ people from ethnically diverse backgrounds to consider adoption and fostering. Throughout the week, members of the LGBTQ+ community and people from global majority are sharing their stories and personal clip about their journeys to parenting and caring. \[Find out more on our website.\]\(#\)](https://www.devon.gov.uk/infocentre/record.aspx?recordid=67393370)

[https://eur02.safelinks.protection.outlook.com/?](https://eur02.safelinks.protection.outlook.com/?url=https%3A%2F%2Flnks.gd%2F%2FeyJhbGciOiJIUzI1NiJ9.eyJidWxsZXRpbI9saW5rX2lkIjoiMjAyNAzMDguOTE0OTMyMjEifQ.Mfm5GY17pcSu1VL-IYsk3r5jL9iC796yqhalNOqn3c%2Fs%2F172372590%2Fbr%2F238467393370-)

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[l&data=05%7C02%7CAmanda.White%40devon.gov.uk%7C0faca0294d4e42884f5208dc8ec78830%7C8da13783c68443fbb4b997f77fd5bfb%7C0%7C0%7C638542234862612558%7CUnknown%7CTWFpbGZsb3d8eyJWljoimC4wjAwMDAiLCJQIjoiV2luMzliLCJBTil6lk1haWwiLCJXVCI6Mn0%3D%7C0%7C%7C%7C&sdata=t3yFz1HNOqp5MwGaNv1zgAQdUYna1DPz0meaYqc5us%3D&reserved=0\).](https://www.devon.gov.uk/infocentre/record.aspx?recordid=67393370)

## Non-agency adoptions

Adopt South West processes enquiries regarding partner adoptions. Our process and practice in relation to partner adoption has been reviewed and revised this year, taking into account feedback from those who have used the service. This has included giving clearer information on our web page, as well as, clearer guidance following notice of intention to adopt of when we will start checks, references and any court report.

Workflow of partner adoptions has significantly increased in the last year.



Adoption orders granted for partner adoption assessments: 10 in 2022/23 and an increase to 28 in 2023/24

In 2022 to 2023, 10 Adoption Orders were granted for partner adoption assessments.

In 2023 to 2024, 28 Adoption Orders were granted for partner adoption assessments.

Currently we have an individual dedicated social worker for non-agency adoption work, with the support from the recruitment and assessment social workers where it is needed. There have been times where this has required careful management to ensure we balance this workflow with the priority of agency adoptions. Going forward and with the addition of Cornwall in our agency, we will be continually reviewing workflow and how we respond to this area in order to meet the core requirements of the work.

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# Adopt South West Adoption Panel Annual Report 1 April 2022 to 31 March 2023 executive summary

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[Adoption Chair Annual Report 2023 – 2024](https://devoncc.sharepoint.com/:b:/s/PublicDocs/ChildSocCare/EYxw11FUiyVKvLgrKQkBrdsB7553xyAbeb3tR2PGnAMqQ?e=iJw670&xsdata=MDV8MDJ8QW1hbmRhLldoaXRIQGRIldm9uLmdvdi51a3xmYmY0NmI4YTUwNTg0NTliNzZDA4ZGM5OWE1M2RjNHw4ZGExMzc4M2NiNjg0NDNmYml0Yjk5N2Y3N2ZkNWJmYnwwfDB8NjM4NTU0MgyMTc4MjE5Nzk0fFVua25vd258VfdGcGJHWNiM2Q4ZXIKV0lqb2lNQzR3TGpBd01EQWIMQ0pRSWpvaVYybHVNeKlpTENKQIRpSTZJazFoYVd3aUxDSlhWQ0k2TW4wPXwwfHx8&sdata=WUVXaVhRNEFP2JDdUFNTjHT0dOUzdVZFB4M0FsdWIGalJObkZxQkIJST0%3d)

[\(https://devoncc.sharepoint.com/:b:/s/PublicDocs/ChildSocCare/EYxw11FUiyVKvLgrKQkBrdsB7553xyAbeb3tR2PGnAMqQ?e=iJw670&xsdata=MDV8MDJ8QW1hbmRhLldoaXRIQGRIldm9uLmdvdi51a3xmYmY0NmI4YTUwNTg0NTliNzZDA4ZGM5OWE1M2RjNHw4ZGExMzc4M2NiNjg0NDNmYml0Yjk5N2Y3N2ZkNWJmYnwwfDB8NjM4NTU0MgyMTc4MjE5Nzk0fFVua25vd258VfdGcGJHWNiM2Q4ZXIKV0lqb2lNQzR3TGpBd01EQWIMQ0pRSWpvaVYybHVNeKlpTENKQIRpSTZJazFoYVd3aUxDSlhWQ0k2TW4wPXwwfHx8&sdata=WUVXaVhRNEFP2JDdUFNTjHT0dOUzdVZFB4M0FsdWIGalJObkZxQkIJST0%3d\)](https://devoncc.sharepoint.com/:b:/s/PublicDocs/ChildSocCare/EYxw11FUiyVKvLgrKQkBrdsB7553xyAbeb3tR2PGnAMqQ?e=iJw670&xsdata=MDV8MDJ8QW1hbmRhLldoaXRIQGRIldm9uLmdvdi51a3xmYmY0NmI4YTUwNTg0NTliNzZDA4ZGM5OWE1M2RjNHw4ZGExMzc4M2NiNjg0NDNmYml0Yjk5N2Y3N2ZkNWJmYnwwfDB8NjM4NTU0MgyMTc4MjE5Nzk0fFVua25vd258VfdGcGJHWNiM2Q4ZXIKV0lqb2lNQzR3TGpBd01EQWIMQ0pRSWpvaVYybHVNeKlpTENKQIRpSTZJazFoYVd3aUxDSlhWQ0k2TW4wPXwwfHx8&sdata=WUVXaVhRNEFP2JDdUFNTjHT0dOUzdVZFB4M0FsdWIGalJObkZxQkIJST0%3d)

There has been no change to the model for holding panels virtually and it is now accepted practice amongst panel members and Adopt South West. Feedback from attendees is positive overall; further scrutiny of feedback is planned later in the year to influence a review of the panel process.

The Adopt South West central list continues to have a wide range of panel members with a wealth of experience and skills, new members joining bring with them a range of professional and personal experience of adoption. Some panel members from the Cornwall adoption service central list have transferred to Adopt South West. In preparing for the transition, Cornwall panel members had the opportunity to observe Adopt South West panels, and chairs and vice chairs from Adopt South West have observed Cornwall panels.

Panel advisors have been active in engaging with local authorities to promote social worker participation as the social work representative, successfully in recruiting 5 social workers; 2 from Somerset Council, 1 Devon County Council and 2 from Plymouth Council. A social worker from Torbay is currently being appointed and conversations with Cornwall council are on-going as part of the transition arrangements.

Recruitment to the central list continues to strive to promote a diverse mix of people.

Medical advisors have been present/available for all scheduled panels with Somerset NHS providing medical advisors from April 2023.

Medical advisors from Cornwall NHS will continue to provide the role with Adopt South West, ensuring all scheduled panels going forward will have access to a medical advisor.

Panel Focus for the year (2024/2025) will be upon:

Reducing the length and number of panel members identified strengths, potential vulnerabilities and recommendations ensuring all areas are covered and that they are evidence-based and that the questions asked provide gaps in information or to seek clarity.

Using identified themes from feedback and panel appraisals to inform future learning events.

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Scrutinising feedback from panel attendees to build good practice.

Chairs with panel advisors and Adopt South West agreeing the reporting data set for year ending 2025 by end of May 2024, which will be routinely reviewed throughout the year to include timeliness of prospective adopters application for approval and proposed placements for a child with prospective adopters.

## Adoption – family breakdown

We have had **five** post-order family breakdowns from 1 April 2023 to 31 March 2024 of children aged between 1 and 16 years, two less than last year.

Year	Devon	Plymouth	Somerset	Torbay
2020 to 2021	7	4	3	0
2021 to 2022	3	2	2	3
2022 to 2023	1	3	3	0
2023 to 2024	2	2	1	0

Year by year chart of adoption breakdowns per count 2020 to 2024

When adopted children do come into care, most adoptive families wish to continue to be significantly involved with their child, and this can be supported with therapeutic work accessed through Adopt South West.

## Adoption support

[Adoptive parents – support and advice for as long as needed. \(https://www.adoptsouthwest.org.uk/adoptive-parents/\)](https://www.adoptsouthwest.org.uk/adoptive-parents/)

Our services are structured and co-ordinated to meet different levels of need.

There is a wide range of universal services: we provide a monthly newsletter and activity events for children and families and an annual conference. There is also access to the Children and Trauma Community Hub (CATCH) website (formerly The Adopter Hub), hosted by Parents and Children Together (PACT), which offers an online community of support including live web chat, email communication, and an adopter forum. There is access to webinars and for example, e-learning on attachment and special materials to help an adopted child in school and to share with schools.



There is a range of support groups both face-to-face and virtual and an adopter-led Fetal Alcohol Spectrum Disorder (FASD) support group. A psychologist and an adoptive parent lead a monthly virtual support group. Adopters also facilitate 'stay and play' type groups. These groups are in different areas of the region.

After a brief assessment, adopters are able to attend various training such as therapeutic parenting, sensory regulation, Theraplay, mindfulness, and how to manage child-to-parent violence (eight-week course). For these groups, funding is drawn down for the Adoption Support Fund (ASF), although the 'graduate' group for those who have attended the therapeutic parenting course does not attract ASF funding. Some groups have remained virtual whilst others such as therapeutic parenting are face to face as well as some virtual.

Therapeutic Parenting feedback:

**“It has particularly helped with dealing with tricky moments and understanding behaviours.”**

**“In a small way but it hasn't had the impact I had hoped it would have.”**

**“Overall a very positive experience and will be useful for us. Thank you so much.”**

— What adopters had to say

General feedback:

**“I’ve always had excellent communications with Adopt South West staff about many different matters. They have always listened and tried very hard to address my concerns or have provided excellent advice/guidance when needed.”**

**“Everyone I spoke to during the process was very kind and listened to our concerns. Our worker was very good and asked throughout what we thought and felt about things.”**

**“The family practitioner and team were helpful in sorting sessions and kept us updated with emails and everything.”**

**“Our social worker was excellent and made our whole family feel supported during a very difficult time.”**

— What adopters say

Devon families have access to consultation with an educational psychologist. All families across Adopt South West (ASW), can have a consultation with the psychologist who is funded by ASW on a part-time basis.

Adopt South West is working to provide a consistent support offer so that every adoptive family can receive the same level of services irrespective of where they live. Practice standards are in place for responding to requests for support and Adopt South West has put in place a range of training courses and support groups across the region. Adopters have asked for advice and support on Fetal Alcohol Spectrum Disorders (FASD) and Adopt South West has accessed therapeutic services across the region for this.

## Adoption support referrals

There is a continued increase in the need for adoption support across our region and this year we have again seen a higher number of referrals.



## Introduction of Triage team

The main significant development in adoption support this year has been the creation of a Triage team. This service was born out of a working group with the aims to:

reduce the time families wait for an assessment of need

reduce workers workflow and increase capacity

increase capacity for trained staff to do more direct work with families based on techniques such as Dyad Developmental Psychotherapy (DDP), Theraplay and lifestory work.

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The team has evolved during 2023/24 to a point where we now have a team of social workers and family practitioners with a designated manager. They are the first point of contact for people referring to us for support and the team manage the advice and support line and deal with emails into the support mailbox. Adopters can approach us at any time through the [referral form on our website](#). (<https://www.adoptsouthwest.org.uk/adoptive-parents/>). The team complete assessments of need of children/young people and families to facilitate and progress short term intervention based support and/or to recommend if further assessment is required.

Going forward in line with the [national agenda](https://adoptionengland.co.uk/sites/default/files/2024-04/Adoption%20England%20Strategy%202024.pdf) (<https://adoptionengland.co.uk/sites/default/files/2024-04/Adoption%20England%20Strategy%202024.pdf>) and our own strategic plan, we will continue to be working to reduce the time families have to wait for an assessment of need.

## Birth relative support

[Birth families and the adoption process](https://www.adoptsouthwest.org.uk/birth-families/) (<https://www.adoptsouthwest.org.uk/birth-families/>).

Support for our birth parents is important to us as we know how important it is to their adopted children. We run four birth parent support groups across the region and birth parents have been active in influencing the agendas for these groups and their format (virtual or face-to-face).

We are aware that at present these groups are only for mothers but there remains an aspiration to offer groups for birth fathers and increase the number of birth mothers attending these groups.

A birth parent who attends the support group in the South of the region is part of the National Adoption Reference Group. This group was set up to inform the National Adoption Recruitment Steering Group work and advise upon work around the recruitment and preparation of prospective adoptive parents.

# National Acknowledgement: Sharing experiences of being a birth parent

Recently, "Susan" a birth mother we support attended the 'Openness in Adoption – time to change the approach' conference in London.

Susan was supported by a Family Practitioner from Adopt South West to feed into the national picture of improving adopter preparation. She was able to share her experiences and give some insight into the adoption process, from meeting her birth children's adoptive parents, to making and managing arrangements for contact

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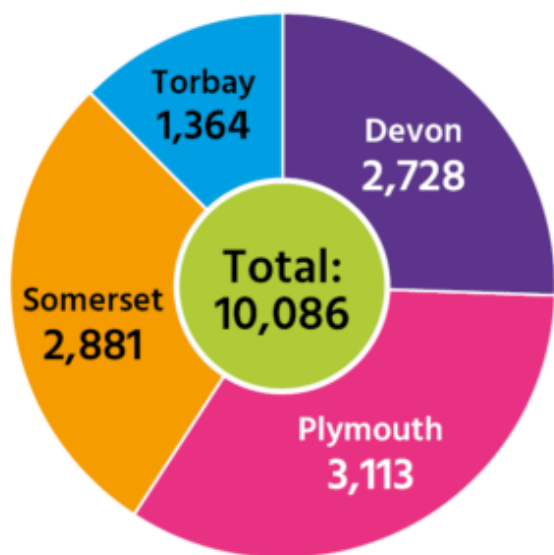
Susan attends our training events for prospective adopters and provides the attendees with a first-hand experience of meeting a birth parent and helping to dispel a lot of the myths about meeting birth parents, and future contact.

Adopt South West has been committed to engaging with birth relatives and gaining their feedback of the support that has been provided and how we can improve our service. Involving birth relatives in our training events has reduced the anxiety for many adopters about meeting birth parents and maintaining contact, which has in turn been of benefit to many adopted children.

## Maintaining relationships

A substantial amount of support is provided to adopters and adopted children/young people to keep in touch with their birth families through adult-to-adult exchanges mediated by Adopt South West. [Letterbox](https://www.adoptsouthwest.org.uk/birth-families/contact-with-a-birth-child/letterbox-service/) (<https://www.adoptsouthwest.org.uk/birth-families/contact-with-a-birth-child/letterbox-service/>) can make a significant difference for children and young people to understand their life story.

Adopt South West coordinated 3,113 exchanges between birth and adoptive families throughout the year. These contacts were for a total of 453 children, 338 adopters and 858 birth relatives.



# Seven years later we got a letter

A local adoptive parent has shared their experience when they received their first letter from the birth father, who they have been writing to for seven years. The birth father stated he loved reading the letters but had not known what to write until now. [Read their story on our website. \(https://www.adoptsouthwest.org.uk/birth-families/contact-with-a-birth-child/letterbox-service/seven-years-later-we-got-a-letter/\)](https://www.adoptsouthwest.org.uk/birth-families/contact-with-a-birth-child/letterbox-service/seven-years-later-we-got-a-letter/)

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We know from research that direct contact for adopted children and young people with their birth families supports understanding of their own identity, often providing reassurance to the child and birth relatives. Direct contact can help a child with issues of identity and loss and can support them to manage their feelings around dual connection to the birth and adoptive family.

We have supported direct contacts for over **35** children across the region these are with members of the birth family (including siblings).

In addition to those we continue to support, we are aware that positive relationships have been established between some adopters and birth family members and meeting up has become part of their usual family life events.

In 2024-2025 we have a plan to review direct and indirect contact service to continue the theme of promoting direct contact between adopted children and their families.

## Newsletters

Every month we send an informative detailed newsletter to over a thousand (1,109) adoptive families. Content is provided through a newsletter steering group with adoptive parents from the Co-Production Group and members of the team. It details news, events, post-adoption support workshops and training. [A version of the March 2024 newsletter can be found here.](#)

[\(http://a%20version%20of%20the%20march%202023%20newsletter%20can%20be%20found%20here/\)](http://a%20version%20of%20the%20march%202023%20newsletter%20can%20be%20found%20here/)

Panel Matters newsletter is sent to the independent adoption panel members, four times a year.

Adoption [information and event alerts \(https://www.adoptsouthwest.org.uk/events/\)](https://www.adoptsouthwest.org.uk/events/), are sent regularly to over 3,000 potential adopters and members of the public. [Sign up to receive our Adopt South West emails alerts. \(https://public.govdelivery.com/accounts/UKDEVONCC/subscriber/topics?qsp=UKDEVONCC\\_DevonAdoption\)](https://public.govdelivery.com/accounts/UKDEVONCC/subscriber/topics?qsp=UKDEVONCC_DevonAdoption)

## September 2023 – Adopt South West Conference

We marked our annual celebration of adoption a little earlier in the year, in **September 2023**, with a conference **Communication Around Adoption – Learning from the experiences of adoptive families**, with guest speaker [Julie Young \(https://eur02.safelinks.protection.outlook.com/?url=https%3A%2F%2Finks.gd%2F%2FeyJhbGciOiJIUzI1NiJ9IjEwMjE0dWxsZXRpbI9saW5rX2IkljoxMDIsInVyaSI6ImJwIjpbGljayIsInVybCI6Imh0dHBzOi8vZXVyMDIuc2FmZWxpbmtzLnByb3RlY3Rpb24ub3V0bG9vay5jb20vP3VyYbD1od](https://eur02.safelinks.protection.outlook.com/?url=https%3A%2F%2Finks.gd%2F%2FeyJhbGciOiJIUzI1NiJ9IjEwMjE0dWxsZXRpbI9saW5rX2IkljoxMDIsInVyaSI6ImJwIjpbGljayIsInVybCI6Imh0dHBzOi8vZXVyMDIuc2FmZWxpbmtzLnByb3RlY3Rpb24ub3V0bG9vay5jb20vP3VyYbD1od)





**66** “I think the conference really had an impact on many adopters. -“As part of my role, I check letters that come from adopters and birth families. After hearing the stories of the guest birth parents, some adoptive parents have looked at their own letterbox agreements ([— Karen, Family Practitioner, Adopt South West](https://eur02.safelinks.protection.outlook.com/?url=https%3A%2F%2Flnks.gd%2F%2FeyJhbGciOiJIUzI1NiJ9.eyJidWxsZXRpbm9saW5rX2lkjoxMDQsInVyaSI6ImJwMjpbGjIjYsInVybCI6Imh0dHBzOi8vd3d3LmFkb3B0c291dGh3ZXN0Lm9yZy51ay9iaXJ0aC1mYW1pbGllcy9jb250YWN0LXdpdGgtYS1iaXJ0aC1jaGlsZC9sZXR0ZXJib3gtc2VydmljZS8iLCJidWxsZXRpbl9pZCI6ImJwMjMxMTIxLjg1OTU1NDExIn0.d6LswFAzfGTDzmNVdQbuYtdHE-c5heYVOgYbhmTKY-g%2Fs%2F172372590%2Fbr%2F231292164813-l&data=05%7C02%7CAmanda.White%40devon.gov.uk%7C0faca0294d4e42884f5208dc8ec78830%7C8da13783cb68443fbb4b997f77fd5bfb%7C0%7C0%7C638542234862579452%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzliLCJBTil6Ik1haWwiLCJXVCI6Mn0%3D%7C0%7C%7C%7C&sdata=178RcZ5uhj8CGjG1iqOxjbErODA9eNrehnToUwoRUjs%3D&reserved=0), and felt more empathy for birth parents. As a result, many adopters have reviewed their agreement and have now agreed for birth families to keep their photos rather than viewing only.”</p></div><div data-bbox=)

Feedback from the conference included;

**66** “I had no idea about different types of contact or that we had any influence over it. I assumed what was stated by court was what we had to do until they were teenagers/adults. I knew we could stop if it was in child’s best interests but didn’t know we could increase.”

“If deemed safe by ASW may consider proactively investigating direct <sup>^</sup>[Top](#) contact with birth family as our daughter grows up (earlier than I thought, it may be likely to naturally occur requested by daughter).”

“I came away with a lot to think about in how often we bring up the conversation around birth family, we will be reviewing what we do.”

“I will revisit my child’s life journey book .”

“I really like the birth mother’s description of what she really liked as content in the letters, and I will make changes based on this.”

“I found the birth Mum talks really helpful – that was so brave of them. I was never planning to stop writing our annual contact letters, despite never getting a response; but it was interesting to hear that that could possibly change at some point – that we might get an answer one day.”

— What adopters told us

**“Greater awareness of the importance of contact for the emotional stability of adopted young people. Julie Young’s evidence was very convincing – my feeling is that if ASW doesn’t take action to put her suggestions into place, then we are letting down our adopted young people.”**

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**“I will feel more confident about discussing contact with adoptive families.”**

**“It really was so helpful to hear about the lived experience of adopters and birth families. Reminds me of the importance of challenging contact plans.”**

— What Adopt South West professionals said

## **Social events during 2023 to 2024**

We rely on feedback from our children/young people and families about our organised events. These are some views shared this year, we will be developing our events this year with the feedback in mind.

Photo collage from the scrap store and play activities

### **April 2023 Teen outdoor events in Somerset**

An outdoor activity centre offering a variety of activities for all ages.

Photo collage from the outdoor woodland events for teens

What did families most enjoy?

**“Fire and cooking.”**

**“He liked making pizzas and building a fire.”**

**“Easter Egg Hunt, making pizzas.”**

**Although she was a bit apprehensive my daughter really enjoyed the activities.”**

**It was a shame there weren't many other kids there – and the weather was cold!”**

**“More kids! The weather!”**

Walk and talk events for families take place across our region

### **May 2023 Family walks**

Families most enjoyed:

#### **“Decorating the rocks”**

**“They found it tricky due to small number of people on the walk – it was quite intense.”**

– What adoptive families told us

### **Summer holidays 2023**



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Adoptive families enjoying summer activities on a local farm

Over the Summer our activities included Equine Family Fun Days, Longrun Meadow walk, Haldon Forest walk and picnic and a Dawlish beach walk:

**“It was good, a little awkward to begin with, but good to get to know some other adopters.”**

**“It was a pleasant walk with nice people.”**

Children young people said they most enjoyed:

**“It was good, a little awkward to begin with but good to get to know some other adopters.”**

**“It was a pleasant walk with nice people.”**

**“Children young people said they most enjoyed:**

**“Making some new friends.”**

**“Exploring the woods.”**

**“The walk through the forest picking up sticks!”**

# Peer Mentoring Scheme

Adopt South West are progressing with support for adopters through Peer Mentoring.

Every adoptive parent has exceptional experience which enables them to offer support and encouragement to adopters as they move through the adoption journey. And we know there's nothing quite like talking to another adopter whose lived experience means that they 'get it'. This is not a substitute for the professional advice that new parents will receive; it's about being a supportive and reassuring mentor, providing new perspectives and approaches, and signposting services and resources.

Our focus will begin with mentors for adopters at the early stage of a child moving into their family.

We are at the stage of interviews for peer mentors and we are very excited about moving into next year with progress. Mentors will undertake online learning and attend online workshops. Mentors will receive regular supervision and support as required. This is a volunteer role, but appropriate expenses for travel will be reimbursed. Checks and references will be undertaken, including DBS checks and applicants will be expected to attend an informal interview.

Positive feedback from people who have previously worked as peer mentors includes:

**“It's a good way to support others.”**

**“Building relationships and sharing experiences.”**

**“Allowed me to reflect on my journey.”**

**“I have been able to develop my skills which has helped me to get back into work.”**

— Peer mentors

The development of a Peer Mentor group will support our work going forward.

## Finance

In 2023/24, Adopt South West received funding from the four councils it provided adoption services for. The funding formula was based on historic spend on adoption services, plus adjustments for additional responsibilities. The existing funding formula has been in use since the creation of Adopt South West, and during 2023/24 was revised to refresh the data and to include Cornwall Council who joined the partnership from 1 April 2024.



Partner	% Proportion	Contribution
Devon County Council	37.04%	£2,011,331
Plymouth City Council	22.46%	£1,219,614
Somerset County Council	23.55%	£1,278,803
Torbay County	16.95%	£921,412 <sup>^</sup>
<b>Total</b>	<b>100.00%</b>	<b>£5,430,160</b> <a href="#">Top</a>

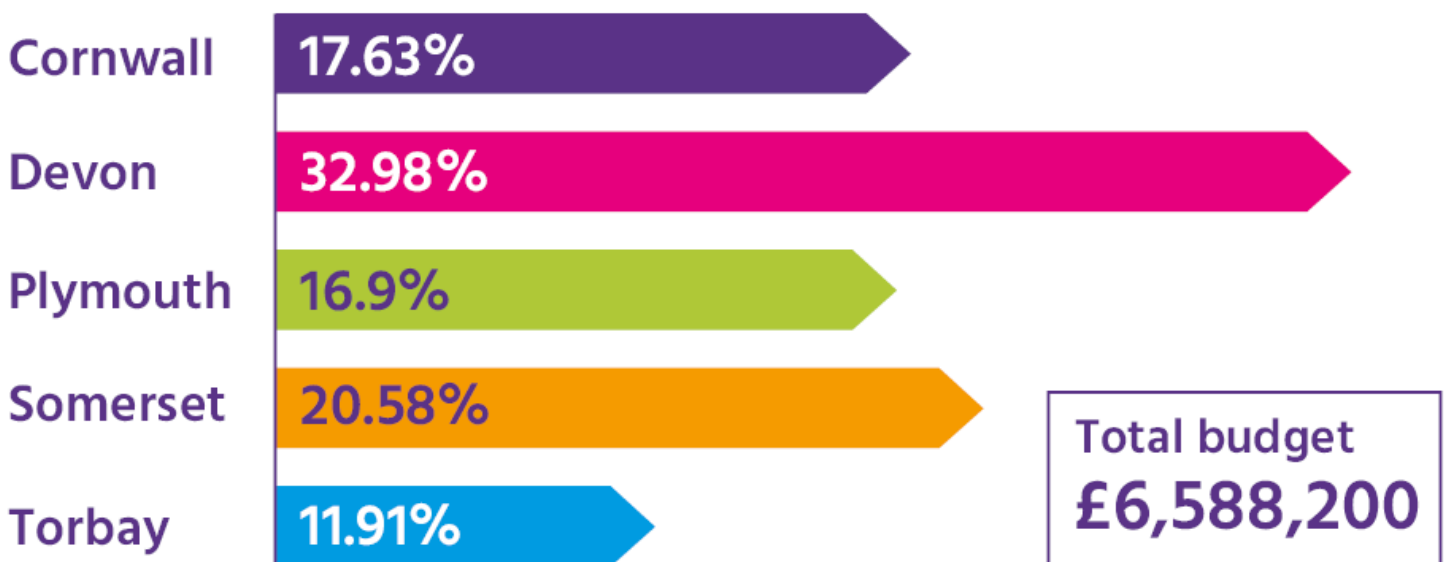
Total annual budget and the budget framework percentages agreed for 2023/24

Adopt South West held no reserves at the beginning of the year. In 2023/24, the out-turn position for the ASW Operational budget was an underspend of £45,629. This underspend mainly arose due to staff vacancies during the year, partially offset by increased recharges from Devon County Council reflecting additional ICT and Insurance charges. However, the most significant underspend was within the inter-agency fees budget which was £506,175 under budget.

The net underspend of £551,804 was returned to the four local councils according to the percentages shown in the table above.

Looking forward to 2024/25, the budget for Adopt South West is £6,588,200 and includes the cost of the functions that Adopt South West has taken over from Cornwall Council. For this year the costs will be charged partners in the following proportions:

### Local Authority



Local Authority budget split: 17.63% Cornwall, 32.98% Devon, 16.9% Plymouth, 20.58% Somerset, 11.91% Torbay. Total budget for Adopt South West is £6,588,200

# The Adoption and Special Guardianship Support Fund (ASGSF)

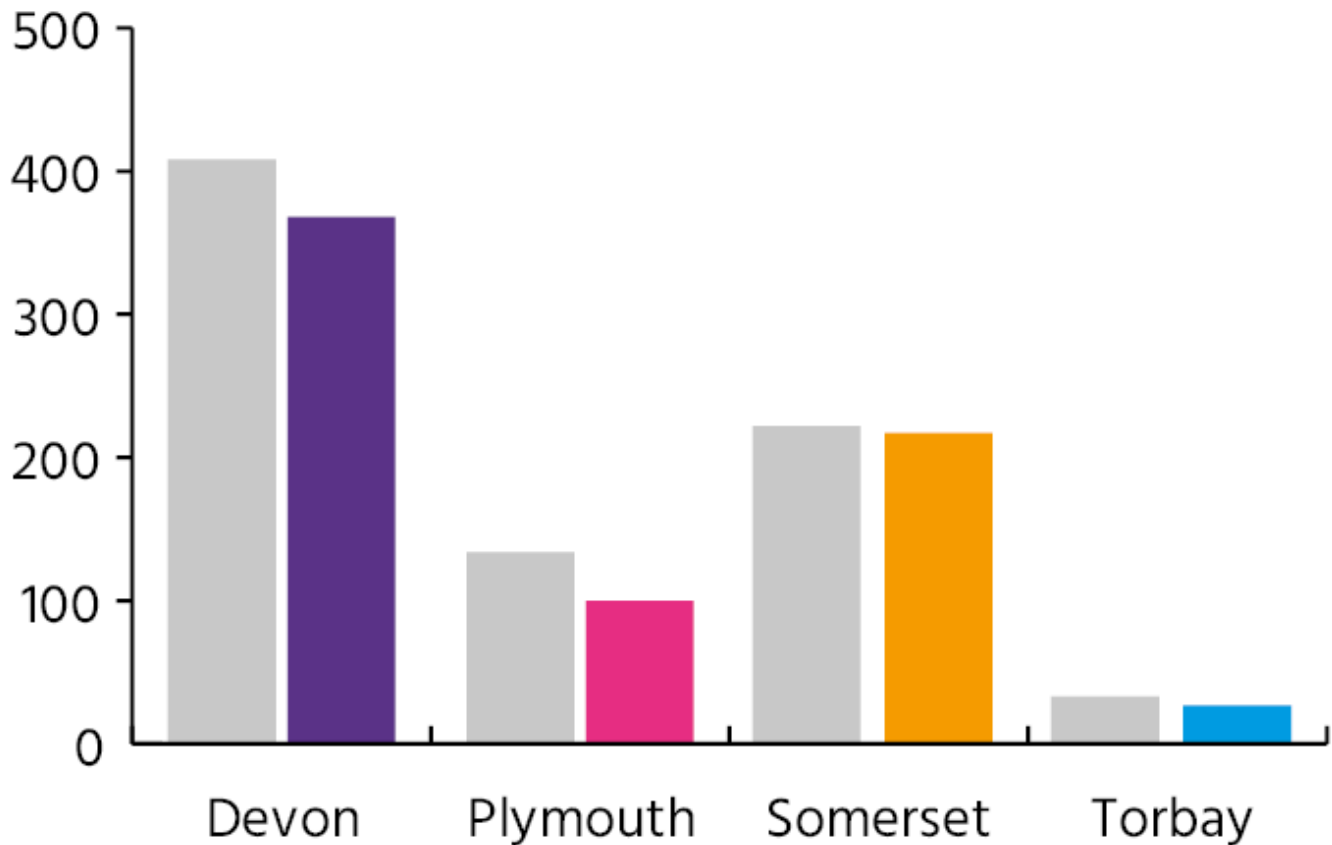
Adopt South West supports applications being made to the ASGSF fund to pay for essential therapeutic services for eligible adoptive families.

We are continually reviewing our Adopt South West processes to respond to changes centrally to the ASGSF so that we can access adoption support funding more efficiently and more promptly.



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712 applications were approved by the Adoption Support Fund from April 2023 until the end of March 2024. This compares to 797 in the previous year and 713 successful applications in the 2021/22 year.



Number of applications 2023/24



Number of applications 2022/23



712 applications were approved by the Adoption Support Fund from April 2023 until the end of March 2024. This compares to 797 in the previous year and 713 successful applications in the 2021/22 year.

This demonstrates staff's commitment to complete assessments of need and applications to the Adoption Support Fund in order to ensure that families receive the therapeutic support they need.

The average spend for the applications is £2,336.84.

In the full year, we were able to access £293,740.80 to provide therapeutic support for families in the ASW region.

## Commissioning and procurement

The 12-month period from March 2023 to March 2024 has been a period of two halves for the commissioning of adoption support services. We started the year building on the improvements that had been embedded during the previous period and ended the period with a brand new refreshed Flexible Purchasing System and the integration of Cornwall into Adopt South West.

As mentioned in the previous period's report the original purchasing system for adoption support expired in 2023, this was replaced with a revised and updated version which went live on the 1st December 2023. The transition was a sensitive period as the original structure had taken many years to embed and develop to a successful state. There was a risk that providers having to reapply to the new structure may prompt a loss of providers. Great effort was put into allowing an expedited process that would incur the least disruption possible. This has proved to be very successful as most providers transferred and there were a number of brand new providers added to the purchasing system as well.

The other significant development during this period was the preparation for Cornwall joining Adopt South West. A significant amount of work was carried out including various events to welcome Cornwall's providers onto the new purchase system. This has also proved to be successful with many new providers from Cornwall joining as well as some existing providers expanding into Cornwall.

The processes under the purchasing arrangement for expressions of interest and referrals is continuously developed as well meaning that the whole service continues to improve and become even more successful. With the ongoing success of the Purchasing System this has allowed focus to be moved to embedding the new outcomes regime, improving financial arrangements and shortening the period before families receive support.

All of the above is helping Adopt South West to continuously develop and improve the support we are able to provide to our adoptive families.

## National work

RAA leaders are working collaboratively on developing and improving practice and delivering improved outcomes for children and families as part of the government's national adoption strategy. The work programme has been agreed by RAA leaders nationally and is supported by the Department for Education.

**Recruitment and Adopter Journey:** Adopters from diverse communities feel welcomed to adoption. They are helped to build their skills and strengths enabling them to support their children. Adopt South West has contributed to the work undertaken in development of national practice standards for the Adopter's Journey (<https://adoptionengland.co.uk/leaderships-and-management-ep/national-practice-standards-early-permanence>).

, launched in June 2024. Adopter preparation is a focus of this work with Adopt South West practitioners engaging in sharing and reviewing adopter training packages.

**Journey of a Child:** A strong Regional Adoption Agency/Local Authority partnership improve matching practices and children move to live with the families without unnecessary delay, many through Early Permanence placements.

**Operations and Team Managers** have been part of focus groups to develop the national practice standards for matching. The National Practice Standards launched May 2024:

[National Practice Standards for Matching | Adoption England](https://adoptionengland.co.uk/matching/national-practice-standards-matching)

(<https://adoptionengland.co.uk/matching/national-practice-standards-matching>).

Work is continuing with representatives of all sectors of the **care planning** system to improve consistency and quality of permanency planning for children where there is a likely plan for adoption. An area focus which Adopt South West Quality Assurance managers are engaged within is the quality of Child Permanence Reports and training for practitioners.

High quality **adoption support** is available to all families. The support meets the needs of the children and families and is offered whenever it is required. During this year consultation regarding an adoption support plan has taken place, with CoramBAAF progressing a pilot of the revised document and guidance in 2024. The desired outcome will be to have an adoption support plan which is recognised and understood by adopters and used consistently across the country. In addition, a model for early placement adoption support is being developed, the pilot progressing in 2024 to 2025. Inclusive to the model is a workbook which is intended to support adopters in their reflection, learning and understand of their child.

In addition Adopt South West are part of one of the Adoption Support projects which is focusing on the development of **adoption support data sets**. System development is being progress with the plan for a phased implementation.

**Maintaining Relationships:** Evidence based practices that enable children to understand their life history and stay in touch with the important people in their lives are being developed and piloted. This includes digital platforms for letter swaps (Letterbox).

As part of the National Adoption Commissioning Programme, Adopt South West is working pan regionally with Adoption West and Aspire exploring the potential of **pan-regional commissioning arrangements for adoption support**: [National England website \(https://adoptionengland.co.uk/\)](https://adoptionengland.co.uk/).

# Focus for 2024 to 2025

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“ Embedding our cultural identity as the Regional Adoption Agency for our five Local Authorities

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We move into 2024-25 with our Regional Adoption Agency’s expansion in undertaking the adoption functions on behalf of the local council for Cornwall and the Isles of Scilly, alongside our existing local councils of Devon, Plymouth, Somerset and Torbay.

There has been an extensive plan in place which included practice and process alignment between Cornwall and Adopt South West, however this first year will be a year of reflection, reviewing, redefining and embedding change.

In this first year there will need to be a focus on revisiting our identity, values and vision with Cornwall having joined our agency.

## **Voice and influence**

We will be looking at improving ways in which children and young people, adopters, birth families and adopted adults are able to share their views and feedback with us to inform what we do and how we do it.

## **Maintaining significant relationships**

We will be working together with our regional partner agencies to make sure that all children and young people are supported to stay in touch with the people that are important to them.

## **Timely adoption support**

Our Triage team will further embed to provide timely adoption support for families.

**Contributors:**

Mark Berry – Operations Manager

Lucy Hextall – Operations Manager

Helen Atkinson – Family Finding Team Manager

Vanessa Dove – Adoption Support Team Manager

Matthew Woolley – Adoption Support Team Manager

Mairi Hamilton – Marketing and Communications

Andrew Simkin – Procurement

Paul Carter – Finance

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**Meeting:** Cabinet

**Date:** 18 February 2025

**Wards affected:** All

**Report Title:** Review of the Membership of Community Infrastructure Levy (CiL) Spend Panel

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

**Cabinet Member Contact Details:** Cllr Chris Lewis – Cabinet Member for Pride in Place and Parking

**Director Contact Details:** David Edmondson – Divisional Director Planning, Housing and Climate Emergency

## 1. Purpose of Report

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- 1.1. Following the establishment of the CiL Spend Panel on 13 December 2022, the Panel has reviewed its membership and recommends the Cabinet expand the membership of the CiL Spend Panel to include Councillors from other political groups.

## 2. Reason for Proposal and its benefits

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- 2.1. To expand the CiL Spend Panel will ensure cross party consideration of how the CiL monies will be spent for the benefit of our local communities.

## 3. Recommendation(s) / Proposed Decision

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- 3.1 That the membership of the Community Infrastructure Levy (Neighbourhood Proportion) Spend Panel (CiL) be expanded to include one representative from the Liberal Democrat Group and one representative from the Independent Group.

## 4. Appendices

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None.

## 5. Background Documents

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- Community Infrastructure Levy Funds – Administration and Governance of Neighbourhood Proportion - Record of Decision 16 December 2022.
- CiL Spend Panel Terms of Reference

## Supporting Information

### 6. Introduction

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- 6.1 The CiL Panel first met on 11 October 2023 and have been meeting bi-monthly as required to approve applications submitted for Community Infrastructure Levy funding from the Neighbourhood proportion of the CiL money collected.
- 6.2 The CiL Panel has approved 13 applications since the Panel was established. From the Paignton allocation, there has been 5 applications approved totalling £110,570.74 and from the Torquay allocation, there has been 10 applications approved totalling £130,135.40
- 6.3 At the meeting of the CiL Spend Panel on 3 December 2024, a discussion was held on the need to widen the membership of the CiL Panel to include cross party representation, and it is recommended to include one member from the Liberal Democrat Group and one member from the Independent Group on the CiL Panel.

### 7. Options under consideration

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- 7.1. To not review the CiL Spend Panel membership, this is not recommended as it would preclude cross party involvement in the allocation of CiL monies.

### 8. Financial Opportunities and Implications

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- 8.1. Not applicable.

### 9. Legal Implications

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- 9.1. None.

### 10. Engagement and Consultation

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- 10.1. The two external members of the Panel were supportive of the widening of the membership.

### 11. Procurement Implications

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- 11.1. Not applicable.

### 12. Protecting our naturally inspiring Bay and tackling Climate Change

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- 12.1. Not applicable.

### 13. Associated Risks

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- 13.1 Not applicable.



## 14. Cumulative Council Impact

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14.1 None.

## 15. Cumulative Community Impacts

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15.1. None.

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