



Friday, 28 June 2013

OVERVIEW AND SCRUTINY BOARD

A meeting of **Overview and Scrutiny Board** will be held on

Wednesday, 19 June 2013

commencing at **5.30 pm**

The meeting will be held in the Meadfoot Room, Town Hall, Castle Circus, Torquay, TQ1 3DR

Members of the Committee

Councillor Thomas (J) (Chairman)

Councillor Bent	Councillor Kingscote
Councillor Darling (Vice-Chair)	Councillor McPhail
Councillor Davies	Councillor Pentney
Councillor Hytche	Councillor Stockman

Co-opted Members of the Board

Penny Burnside, Diocese of Exeter

Working for a healthy, prosperous and happy Bay

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

Kate Spencer, Town Hall, Castle Circus, Torquay, TQ1 3DR
01803 207014

Email: scrutiny@torbay.gov.uk

OVERVIEW AND SCRUTINY BOARD AGENDA

1. **Election of the Chairman**
To elect a Chairman of the Overview and Scrutiny Board for the 2013/2014 Municipal Year.
2. **Apologies**
To receive apologies for absence, including notifications of any changes to the membership of the Committee.
3. **Appointment of Vice Chairman**
To consider appointing a Vice-chairman of the Overview and Scrutiny Board for the ensuing Municipal Year.
4. **Minutes** (Pages 1 - 3)
To confirm as a correct record the minutes of the meeting of the Board held on 30 April 2013.
5. **Declarations of Interest**
 - a) To receive declarations of non pecuniary interests in respect of items on this agenda

For reference: Having declared their non pecuniary interest members may remain in the meeting and speak and vote on the matter in question. A completed disclosure of interests form should be returned to the Clerk before the conclusion of the meeting.
 - b) To receive declarations of disclosable pecuniary interests in respect of items on this agenda

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

(**Please Note:** If Members and Officers wish to seek advice on any potential interests they may have, they should contact Governance Support or Legal Services prior to the meeting.)
6. **Urgent Items**
To consider any other items that the Chairman decides are urgent.
7. **Petition - Uncontrolled Pedestrian Crossing - Dartmouth Road/Fisher Street, Paignton** (Pages 4 - 24)
To consider an appeal against how the Council responded to the above petition.

- 8. South Devon Link Road - Use of Local Labour - Update** (Pages 25 - 26)
To consider the update report on the use of local labour in the construction of the South Devon Link Road.
- 9. Revenue Budget 2012/2013 - Outturn** (To Follow)
To consider the outturn position for the Council's Revenue Budget for 2013/2014 and make any recommendations to Council.
- 10. Capital Plan Budget - Outturn** (To Follow)
To consider the outturn position for the Council's Capital Plan Budget for 2013/2014 and make any recommendations to Council.
- 11. Review of Youth Unemployment** (Pages 27 - 49)
To consider the report of the Youth Unemployment Review Panel.
- 12. Appointment of Health Scrutiny Board** (Page 50)
To consider appointing a Health Scrutiny Board with the terms of reference attached.
- 13. Overview and Scrutiny Work Programme** (Pages 51 - 57)
To agree the Overview and Scrutiny Work Programme for 2013/2014.



Minutes of the Overview and Scrutiny Board

30 April 2013

-: Present :-

Councillor Thomas (J) (Chairman)

Councillors Addis, Bent, Darling (Vice-Chair), Davies, Hill, Kingscote,
Pentney and Stockman

(Also in attendance: The Mayor and Councillors Cowell, Excell and Parrott)

49. Apologies

It was reported that, in accordance with the wishes of the Conservative and Liberal Democrat Groups respectively, the membership of the Board had been amended to include Councillors Addis and Davies in place of Councillors Barnby and Pountney.

50. Minutes

The minutes of the meeting of the Board held on 13 March 2013 were confirmed as a correct record and signed by the Chairman.

51. Urgent Items

The Board considered the item in Minute 52 and not included on the agenda, the Chairman being of the opinion that it was urgent by reason of special circumstances i.e. the matter having arisen since the agenda was prepared and it was unreasonable to delay a decision until the next meeting.

52. Arrangements for Assessing Housing Benefit and Council Tax Benefit Claims

The Board heard a representation from a member of the public on the costs and impacts of re-assessing claims for Housing Benefit and Council Tax Benefit following periods of short-term employment (in particular in relation to claimants who took repeated temporary contracts). It was requested that the Board consider reviewing this issue as it was felt that it was particularly pertinent given the nature of the current employment market in Torbay.

Resolved: that the request be considered as part of the development of the Board's Work Programme for 2013/2014.

53. Torbay Economic Strategy

Tim Jones, the Chairman of the Heart of the South West Local Enterprise Partnership (LEP), attended the meeting and briefed the Board on the operation of the LEP, its relationship with Torbay and how it would be measuring its success.

Mr Jones gave details of the funding that was being made available to the LEP through the Single Local Growth Fund, the combination of EU structural funds into a single pot and the allocation of Devon as having “transition” status and the Plymouth City Deal.

As had previously been noted by the Board at earlier meetings, funds would be allocated to the LEP through a competitive bidding process. The Partnership would need to demonstrate the resilience of its plans and how it was collaborating with the local authorities, chambers of trade and other business bodies within its area. There was also a need to ensure that economic priorities across the area aligned coherently with the spatial plans.

Whilst the LEP would be seeking to raise the Gross Domestic Product of the whole of its area, it was acknowledged that EU Transition Funding would be directed to areas of “market failure”. However, how match funding for projects could be identified was an issue which different authorities were addressing in different ways.

The Mayor and the Chairman, Chief Executive and Director of Economic Strategy of Torbay Development Agency also attended the meeting to present the draft Economic Strategy for Torbay. The Strategy aimed to put in place the right landscape to grow businesses within Torbay which would drive productivity and increase skills. This, in turn, would help address issues around child poverty and deprivation; with those living in deprived areas having access to work (although not necessarily within Torbay).

Resolved: that, taking account of the findings of the Board at its meetings in September 2012 and March 2013, the views of the Board on the draft Economic Strategy are:

- (i) There is a continued need to move away from a low-wage economy within Torbay to a mid- to high-wage economy.
- (ii) There should be recognition that the South Devon Link Road will provide an opportunity for inward and outward migration and that everything possible should be done to ensure that skills can be maintained and enhanced within Torbay.
- (iii) The Strategy should include targets and milestones against which success can be measured.
- (iv) The Strategy needs clear prioritisation in order to show a clear focus on what the Council (through Torbay Development Agency) can achieve. This is especially important which the increased competition for funds.

- (v) The need that has previously been highlighted by the Overview and Scrutiny Board to develop and work with the voluntary and community sectors should be highlighted within the Strategy. The current work on this issue should have a clear linkage with the Economic Strategy. In particular, work to encourage social enterprise should be mainstreamed.
- (vi) The Council should work, through the Local Government Association, with similar coastal resort authorities to gain maximum advantage from capital funding to address broad structural issues.

54. Livermead Sea Wall

The Board considered a briefing note on the recent breach to the sea wall at Livermead. The note answered five specific questions which had been raised by the Vice-chairman of the Board and also set out a summary of the response to the incident.

In considering the report, the Board congratulated and thanked the team of officers who had dealt the collapse.

Resolved: that the Board carry out a review into the circumstances surrounding the collapse and the subsequent response as part of its Work Programme for 2013/2014 and that members of the Board identify the specific areas of questioning that they would wish to pursue.

55. Fixed Odds Betting Terminals

Councillor Parrott attended the meeting to raise a Councillor Call for Action on the proliferation of Fixed Odds Betting Machines in Torbay.

Resolved: that a briefing note be prepared to enable the Board to consider whether to carry out a review as part of its Work Programme for 2013/2014.

56. Overview and Scrutiny Annual Report 2012/13

Resolved: that, subject to the inclusion of an Introduction from the Chairman of the Board, the Overview and Scrutiny Annual Report be published and forwarded to the Council.

Chairman

Appeal against the Council's response to a petition

Uncontrolled pedestrian crossing, Dartmouth Road/Fisher Street, Paignton

Torbay Council's Petition Scheme sets out how the Council will respond to petitions it receives.

(A copy of the Petition Scheme is attached as Appendix 1.)

As part of the Scheme, if a petitioner does not feel that their petition has been dealt with properly, they have the right to appeal and request the Overview and Scrutiny Board to review the steps that the Council has taken in response to the petition.

A petition regarding the visibility at the uncontrolled pedestrian crossing at the junction of Dartmouth Road and Fisher Street in Paignton was considered by the Service Manager (Streetscene and Place) in May 2013.

A copy of petition and the associated decision is attached as Appendix 2.

The petitioner (Peter Carroll) has requested that the Overview and Scrutiny Board review this decision for the following reasons:

1. Although the bottom branches have now been removed there is still an obvious blind spot, when crossing via the designated crossing point, as my picture attached clearly shows.

I would like to express my concern regarding the safe crossing of the elderly and disabled, who cannot cross quickly. I feel this is not fully understood by the engineers who state they believe the crossing is now safe.

Maybe a meeting could be arranged in order for me to explain this more clearly on site?

2. Although a review will be made in a year's time, no mention is made regarding the undermining of the wall surrounding our scheme when the Wellingtonia grows fully. It surely would be better to remove the tree now to another place, more suitable.



A response to the appeal has been received from the Service Manager (Streetscene and Place) and is attached as Appendix 3.

In accordance with the Petition Scheme, the Overview and Scrutiny Board is asked to determine whether the Council has dealt with the petition adequately. If it feels that it has not, the Board could determine to:

- Instigate an investigation
- Make a recommendation to the Mayor; or
- Arrange for the request to be considered at a meeting of the Council (if the Board feels that the Council has seriously neglected its responsibility to listen to local people)

Appendix 3 - Petition Scheme

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1. Introduction

1.1 The Council welcomes petitions and recognises that petitions are one way in which people can let us know their concerns. There are several types of petitions (see 3.1 below) depending on the number of signatures and this scheme sets out how the Council will respond to petitions.

2. What can petitions cover?

2.1 You can submit a petition on the following issues:

- Issues which relate to the Council and/or the services it provides to local people
- Matters which affect local people or communities in Torbay more than the general public nationally
- Issues which relate to an improvement in the economic, social or environmental well-being of Torbay including issues to which any of the Council's partner authorities could contribute
- Issues which relate to services provided by partner authorities, including matters which are sub-regional and cross-authority

3. What are the different types of petitions?

3.1 There are three different types of petitions:

'Ordinary' petitions

Petitions containing at least 25 signatures. The petition organiser can present their petition to a meeting of the Council (i.e. a meeting to which the Mayor and all Councillors are invited) who will, without discussion, refer the petition to the relevant decision-maker OR the petition organiser (with two other people who signed the petition) can meet with the decision-maker direct to present their petition.

Petitions for Council debate

Petitions containing at least 1000 signatures will be debated (or discussed) at a meeting of the Council.

Petitions calling for Council employees to give evidence at an Overview and Scrutiny meeting

Petitions containing at least 1000 can call for a senior Council employee to give evidence at a public meeting of Overview and Scrutiny.

4. Who can submit a petition?

4.1 Anyone who lives, works or studies in Torbay, including under 18's, can sign or organise a petition.

What must a petition include?

5.1 Petitions **must** include all of the following:

- at least 25 signatures;
- a clear and concise statement covering the subject of the petition. It should state what action the petitioners wish the Council to take;
- the subject matter of the petition on each page;
- the name, address (or place of work or study if the person does not live in Torbay) and signature of any person supporting the petition; and
- contact details, including a phone number and address, for the petition organiser – this will be the person who we will contact to explain how we will respond to the petition.

5.2 The Council may also ask for such additional information as it may require to confirm that the petition complies with the requirements of this scheme.

5.3 The Director of Adult Services and Resources (in consultation with the Council's Monitoring Officer) may decline to accept any petition where in her opinion the petition does not include any of the above.

5.4 A template to help you organise a petition is provided at the end of this document.

6. Are there petitions which the Council will not accept?

6.1 The vast majority of petitions will be accepted provided they meet with the requirements of 5.1 above. However, there are certain circumstances when petitions will not be accepted by the Director of Adult Services and Resources (in consultation with the Council's Monitoring Officer), including:

- ✗ Petitions considered to be vexatious, abusive or otherwise inappropriate (e.g. for political campaigning). We will explain the reasons for this in our acknowledgement of receipt of the petition.
- ✗ Petitions which are identical or very similar to a petition that has already been presented to the Council in the past 12 months.
- ✗ The period immediately before an election or referendum we may need to deal with the petition differently – if this is the case we will explain the reasons and give the petition organiser revised timescales which will apply.
- ✗ Petitions which relate to planning or licensing application, is a statutory petition (e.g. requesting a referendum on whether the Council should continue to have an elected mayor), or a matter where there is already an existing right of appeal such as council tax banding and non-domestic rates. We will advise the petition organiser what will happen to petitions under this category.

✕ Petitions which relate to a subject where consultation by the Council is currently being undertaken or is due to be undertaken in the next six months. We will ensure the petition is included as part of the consultation and contact the petition organiser to give them details of the consultation.

✕ Where the identities of the signatories to the petition can not be verified.

7. How to submit a petition

7.1 Petitions can be sent to:

Governance Support
Torbay Council
Torquay Town Hall
Castle Circus
Torquay
TQ1 3DR

Alternatively, you can give your petition to your local councillor who will deliver it on your behalf.

7.2 Please indicate which type of petition you are submitting (see 3.1 above). If you would like your petition to be presented at a Council meeting, it must be delivered to Governance Support by 4.00 p.m. 10 clear working days before the meeting.

7.3 Arrangements for creating, signing and submitting petitions on-line will be available in the near future. The Council will only accept petitions submitted through its own website facility.

8. What will the Council do when it receives my petition?

8.1 All petitions sent or presented to the Council will receive an acknowledgement within 10 working days of receipt. The acknowledgement will be sent to the petition organiser and will explain what we plan to do with the petition and when you can expect to hear from us again. Details of your petition will be provided to the Mayor, the Chairman/woman of the Council, the group leaders and the Chief Operating Officer so they are informed of the details of the petition.

8.2 If we can do what your petition asks for, the acknowledgement may confirm that we have taken the action requested and the petition will be closed. If the petition has enough signatures to trigger a Council meeting debate, or a senior Council employee giving evidence, then the acknowledgement will confirm this and tell you when and where the meeting will take place. If the petition needs more investigation, we will tell you the steps we plan to take.

8.3 If you submit an 'ordinary' petition (see 3.1 above) the Governance Support Manager will contact the petition organiser and inform them which body/decision-maker will respond to the petition and invite them to choose whether they wish to make a presentation at a Council meeting or for the petition to be referred direct to the body/decision-maker concerned. However, if the subject of the petition is due to be considered by the decision-maker before the next meeting of the Council it will be referred to the decision-maker direct and you will not, therefore, have the opportunity to present your petition at a Council meeting. If you choose to submit your petition directly to the decision-maker you will be informed who makes the decision and who will be contacting you to make arrangements for

you to meet with the decision-maker.

8.4 To ensure that people know what we are doing in response to the petitions we receive, we will publish the details of petitions we receive on our website (except in cases where this would be inappropriate). Wherever possible we will also publish all correspondence relating to the petition on our website. The name and address of the petition organiser will be published on the Council's website unless the petition organiser expressly requires their contact details to be kept confidential.

9. How do I present my petition at a Council meeting?

9.1 If you wish for your petition to be presented to a meeting of the Council you have the option of speaking at that meeting. You can speak in support of your petition for up to five minutes. To register to speak you must inform the Governance Support Team (by telephone 01803 207087/207015 or e-mailing governance.support@torbay.gov.uk) by 4.00 p.m. the day before the Council meeting.

9.2 At the meeting the Chairman/woman will invite you to speak. When you make your speech you can only refer to matters relevant to the petition and must:

- (a) not use discriminatory or offensive language;
- (b) not make any party political statements;
- (c) not use personal abuse; and
- (d) treat others with courtesy and with respect.

If the Chairman/woman considers that you have broken any of these requirements have been breached he/she may take appropriate action (including preventing you from speaking further).

10. How will the Council respond to petitions?

10.1 Our response to a petition will depend on what a petition asks for and how many people have signed it, but may include one or more of the following:

- Taking the action requested in the petition.
- Considering the petition at a Council meeting (where the subject of the petition does not fall within the remit of an appropriate body or person).
- Holding an inquiry into the matter.
- Undertaking research into the matter.
- Holding a public meeting.
- Holding a consultation.
- Holding a meeting with the petitioners.
- Referring the petition for consideration by the Council's Overview and Scrutiny Board*.
- Calling a referendum.

- Writing to the petition organiser setting out our views about the request in the petition.

*The Overview and Scrutiny Board includes the Councillors who are responsible for scrutinising the work of the Council – in other words, the Overview and Scrutiny Board has the power to hold the Council’s decision-makers to account.

In addition to these steps, the Council will consider all the specific actions it can potentially take on the issues highlighted in a petition. The table below gives some examples:

Petition subject	Appropriate steps
Alcohol related crime and disorder	<p>If your petition is about crime or disorder linked to alcohol consumption, the Council will, among other measures, consider the case for placing restrictions on public drinking in the area by establishing a designated public place order or, as a last resort, imposing an alcohol disorder zone. When an alcohol disorder zone is established the licensed premises in the area where alcohol related trouble is being caused are required to contribute to the costs of the extra policing in that area. The Council’s response to your petition will set out the steps we intend to take and the reasons for taking this approach.</p>
Anti-social behaviour (ASB)	<p>The Council plays a significant role in tackling anti-social behaviour as the elected representatives of your local area, social landlord and licensing authority. The Council, in conjunction with our partners in the local crime and disorder partnership have set out minimum service standards for responding to issues of anti-social behaviour, you can find more details on the Safer Communities website: http://www.safercommunitiestorbay.org.uk/index.htm</p> <p>When responding to petitions on ASB, we will consider, in consultation with our local partners, all the options available to us including the wide range of powers and mechanisms we have to intervene as part of our role as social landlord and licensing authority. For example, we will work with the neighbourhood policing team in the affected area to identify what action might be taken including what role CCTV might play, consider identifying a dedicated contact within the Council to liaise with the community and neighbourhood partners on issues of ASB in the area in question and, where appropriate, we will alert the crime and disorder reduction partnership and crime and the Overview and Scrutiny Board to the issues highlighted in the petition.</p>

<p>Under-performing schools</p>	<p>We will consider, in consultation with local partners, all the options available to us when working with schools to secure their improvement. For example, on our behalf, the school improvement partner will play a pivotal role, challenging and brokering support for poorly performing schools. Where a school is under performing we will consider whether it is appropriate in the circumstances to issue a warning notice outlining expectations and a timeframe for the school to improve it's performance standards. Other measures available to us, where schools fail to comply with a warning notice or are in an Ofsted category of notice to improve (requiring significant improvement) or special measures include; appointing additional governors, establishing an interim executive board, removal of the school's delegated budgets, requiring the school to enter into a formal contract or partnership or, only if the school is in special measures, closure.</p>
<p>Under-performing health service</p>	<p>We will work with local health partners to consider the matter raised in the petition including, where appropriate, exploring what role the Local Involvement Network (LINK) might have in reviewing and feeding back on the issue (the LINK is run by local individuals and community groups and is independently supported – their role is to find out what people want in terms of local health services, monitor those services and to use their powers to hold them to account). The Council's Health Scrutiny Board will also be alerted to the petition and where the matter is sufficiently or potentially serious, the issue will be referred to them to consider for review.</p>

10.2 If your petition is about something over which the Council has no direct control (for example the local railway or hospital) we will consider making representations on behalf of the community to the relevant body. The Council works with a large number of local partners and where possible will work with these partners to respond to your petition. If we are not able to do this for any reason (for example if what the petition calls for conflicts with Council policy), then we will set out the reasons for this to you. You can find more information on the services which the Council is responsible at www.torbay.gov.uk.

10.3 If your petition is about something that a different council is responsible for we will give consideration to what the best method is for responding to it. This might consist of simply forwarding the petition to the other council, but could involve other steps. In any event we will always notify you of the action we have taken.

11. Petitions for debate at a Council meeting

11.1 If a petition contains more than 1000 signatures it will be discussed by a meeting of the Council unless it is a petition asking for a senior Council employee to give evidence at a public meeting (see 12. below). The Council will endeavour to consider the petition at its next meeting, although on some occasions this may not be possible and consideration will then take place at the following meeting. The petition organiser will be given five minutes to

present the petition at the meeting (see 9. above) and the petition will then be discussed by the Mayor and councillors. The Council will decide how to respond to the petition at this meeting, it may decide to:

- take the action the petition requests
- not to take the action requested for reasons put forward in the debate
- make recommendations to the Mayor if the issue is one for him to make the decision
- commission further investigation into the matter, for example by a relevant committee.

The petition organiser will receive written confirmation of this decision and this will also be published on our website.

12. Petitions asking for officers to give evidence

- 12.1 If your petition contains 1000 signatures your petition may ask for a senior Council officer to give evidence at a public meeting about something for which the officer is responsible as part of their job. A list of the officers that can be called to give evidence is as follows:

Chief Operating Officer – Elizabeth Raikes
Director of Adult Services and Resources – Caroline Taylor
Director of Children’s Services– Richard Williams
Director of Place and Resources– Charles Uzzell

- 12.2 Your petition may ask the officer to explain progress on a particular issue or to explain the advice given to the Mayor and/or councillors to enable them to make a particular decision. The petition must relate to the officer’s job and cannot relate to their personal circumstances or character.
- 12.3 The evidence will be given at a public meeting of the Council’s Overview and Scrutiny Board and not at a meeting of the Council. The officer giving evidence at the meeting may be accompanied by another officer, technical expert or a representative from a partner agency. You will be given details of the meeting so that you can attend. These meetings are normally held in public, but the Board has the option to exclude the press and public from any part of the meeting that discusses confidential information. If the Board does exclude the press and public you will also have to leave the meeting. If it is likely that the press and public will be excluded from the whole or any part of the meeting you will be notified of this and given the reason(s) why when we give you the details of the meeting. You should be aware that the Overview and Scrutiny Board may decide that it would be more appropriate for another officer to give evidence instead of any officer named in the petition – for instance if the named officer has changed jobs. The Board may also decide to call the Mayor or relevant councillor to attend the meeting. Only the Board will ask questions at this meeting, but you will be able to suggest questions you would like them to ask to the Overview and Scrutiny Co-ordinator by contacting the Overview and Scrutiny Manager (by telephone 01803 207014 or e-mailing scrutiny@torbay.go.uk) by 4.00 p.m. three working days before the meeting.

13. E-petitions

- 13.1 The Council welcomes e-petitions which are created and submitted through its own website

on the following link: [ePetitions](#).

14. What can I do if I feel my petition has not been dealt with properly?

- 14.1 If you feel that we have not dealt with your petition properly, the petition organiser has the right to appeal and request the Council's Overview and Scrutiny Board to review the steps that the Council has taken in response to your petition. It is helpful to everyone, and can improve the prospects for a review if the petition organiser gives a short explanation of the reasons why they feel the Council's response is not considered to be adequate.
- 14.2 The Board will endeavour to consider your request at its next meeting, although on some occasions this may not be possible and consideration will take place at the following meeting. Should the Board determine we have not dealt with your petition adequately, it may use any of its powers to deal with the matter. These include:
- instigating an investigation
 - making recommendations to the Mayor
 - arrange for your request to be considered by a meeting of the Council if it considers the Council has seriously neglected its responsibility to listen to local people
- 14.3 Once the appeal has been considered the petition organiser will be informed of the results within five working days. The results of the review will also be published on our website.

15. What else can I do to have my say?

- 15.1 There are a number of other ways you have your say and get involved in local decisions, including:
- Attending meetings
 - Public question time
 - Speaking on planning or licensing applications
 - Overview and scrutiny
 - Community partnerships
 - Become a councillor
 - Take part in consultations

To find out more go to our website:

<http://www.torbay.gov.uk/index/yourcouncil/councillorsdecisions/haveyoursay.htm>

16. Special requirements

- 16.1 If you need any special help with accessing any Council buildings or if you have any special requirements please advise the Governance Support Team (either by telephone 01803 207087/207015 or emailing governance.support@torbay.gov.uk) before the meeting.

To ask for a copy of this guide in another format or language, or for more information on petitions or Council meetings, please contact:

Governance Support on (01803) 207087/207015

Email: governance.support@torbay.gov.uk

Subject of petition:	
Action required:	
Organiser/Main Contact for Petition	
Name:	Telephone number:
Address:	

Petition type: *please tick relevant box below*

Ordinary (contains 25 signatures or more)

please indicate where you wish to submit your petition:

Council or

Direct to Decision Maker

If you have chosen to submit your petition straight to Council would you like to speak at the Council meeting? *please tick box below*

Yes Name of speaker:

No

Petitions for Council debate (contains 1000 signatures or more)

please indicate if you would like to speak at the Council meeting

Yes Name of speaker:

No

Petitions calling an officer to give evidence (contains 1000 signatures of more)

Subject petition:	of	
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Name	Address or place of work or study if not a resident in Torbay	Signature

Please copy this page for further signatures

TORBAY COUNCIL – ENVIRONMENT SERVICES

DELEGATED DECISION – No. 3/2013

Petitions Relating to Streetscene

Decision

Petition requesting uncontrolled pedestrian crossing, adjacent Big Tree, Dartmouth Road, Paignton

That the bottom branches will be removed to improve visibility and the tree will be reviewed again in a year's time.

Reason for Decision

The petition and supporting information was referred to the Service Manager (Streetscene & Place) for decision, in consultation with the Executive Lead Member. The decision was made after consideration of the issues set out in the petitions.

Information

The species of the tree is a Wellingtonia which is a conifer of similar variety to a number of large conifers planted in the Goodrington area. The tree is planted on the grass verge of the highway at the junction of Dartmouth Road and Fisher Street. The tree does not prevent visibility of vehicles when crossing from the designated crossing points but does restrict visibility at the centre of the road. The highways Engineers do not believe it presents a significant risk to pedestrians.

The tree is, however, highly tolerant to pruning and over the next few years the branches can be raised to further improve visibility. The first stage of this pruning can be carried out now which will significantly improve visibility and the next stage carried out in year's time.

Alternative options considered at the time of the decision

- Proceed
- Not to proceed

ff suecherlon



Patrick Carney
Service Manager (Streetscene & Place)



In consultation with Councillor Ray Hill,
Executive Lead for Transport

Date: 8th May 2013

Rec'd 10.30am
20/03/13

Via Comino

Please reply to: John Clewer

Highways Management
Resident & Visitor Services
4th Floor Roebuck House
Abbey Road
Torquay, TQ2 5TF

Mr Peter Carroll

My ref: JCC/SH

Your ref:

peterDaphne61@aol.com

Telephone: 01803 207665

Fax: 01803 207670

E-mail: Highways@torbay.gov.uk

*34 RORTALEYN GARDENS
CLENNON ROSE
PAIGNTON TQ4 5HN.*

Website: www.torbay.gov.uk

Date: 19th March 2013

Dear Mr Carroll,

Uncontrolled Pedestrian Crossing – Dartmouth Road / Fisher Street, Paignton

I write to you with reference to our ongoing correspondence concerning the uncontrolled pedestrian crossing at the junction of Dartmouth Road / Fisher Street, Paignton.

Thank you sending in all of the signatures you have gathered and I can confirm that, due to the number collected, I have accepted them as a petition. I have therefore forwarded it to Democratic Services, who will be in touch with you in the near future, as to whether you wish to meet with the decision maker (Mr Patrick Carney – Service Manager, Street Scene and Place) or have it presented to full council. I hope this will allow you to present your concerns and get this matter brought to a satisfactory conclusion.

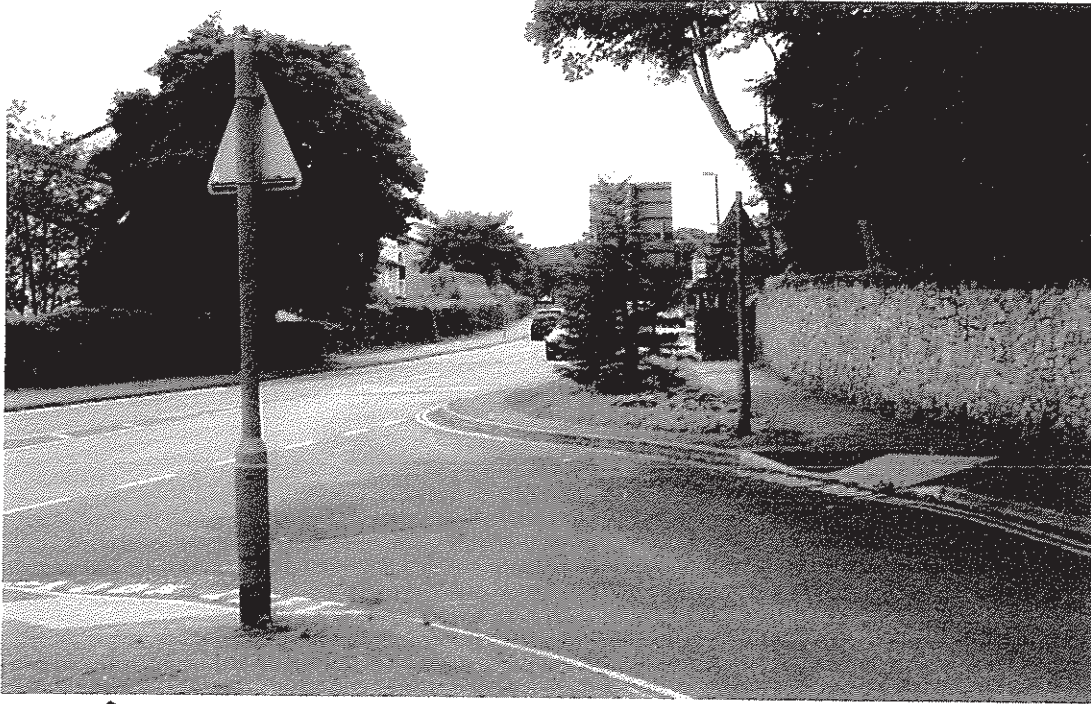
Thank you for continuing to take an interest in the road safety issues currently affecting your area. However, should you require any further information on the points discussed above, then please do not hesitate to contact me on 01803 207665.

Yours sincerely

John Clewer
Senior Engineer

Schools and services for children and young people • social care and housing • recycling, waste disposal and clean streets • community safety • roads and transportation • town planning • tourism, harbours and economic regeneration • consumer protection and licensing • leisure, museums, libraries and arts

If you require this in a different format or language, please contact me.



The Highways Department of Torbay council reckon the tree adjacent to our scheme on Dartmouth Road (Pictured) does not cause an obstacle to pedestrians crossing Fisher Street from the Big tree island.

But the problem is obvious and often it is impossible to see if traffic is indicating whether to turn left making it unsafe for those of us who have difficulty as it is crossing this dangerous junction.

The following list of those who disagree will be forwarded to the Council and your support would be welcome.

SIGNATURES:-

Peter Barrell
 Daphne Lamm
 BERNICE GREGORY
 V H O'Leary
 MA Booth
 J M Harvie
 Jane Smith

TONY DECKER. E/2
 D. FIRTH
 P. LAMB
 S. DAVIES
 K SH-~~PHAD~~
 VAL MARTIN
 D DUNN
 DENNIS WILKINSON
 R WICKHAM
 P GARDNER

~~John [unclear]~~ 31 [unclear]

I. Fox 68 CHASLAND RD PAIGINTON

M. Butler Flat 3 Townbank House Paiginton

A. [unclear] [unclear] [unclear]

R. Jones 13 Bowland Close Paiginton

A. M. [unclear] 31, Queen's Cres Brixham

[unclear] 10 3 3 D Y

J. ISAC

FIVE LANE RD MARLETON

[unclear] [unclear]

K. BAKER 3A PALACE PLACE PAIGINTON

Jenny Thbo Corner Place Paiginton

Geoff Ward 134 Reddenhill rd Bab

Geoff Butler 1 BERRY ROAD

H. E. May 8 WATERLEAT AVE

H. G. May 8

[unclear] [unclear] [unclear] [unclear]

~~103~~

to GEORGE RD

D. Sweigert

BRITAM

B. C. Sawyer

Brixham

A. Burns

324, TORQUAY ROAD

A. J. Dawkins

14. Hayes Court



Title: **PETITION REQUESTING REMOVAL OF TREE AT DARTMOUTH ROAD**

Wards Affected: **Roundham with Hyde**

To: **Overview & Scrutiny** On: **19th June 2013**

Contact Officer: **Patrick Carney**
Telephone: **207710**
E.mail: **patrick.carney@torbay.gov.uk**

1. Key points and Summary

- 1.1 This report outlines the process followed in the consideration of the petition submitted to Torbay Council requesting the removal of the tree at the junction of Fisher Street and Dartmouth Road. The outcome of the review was that the tree would remain but pruning would take place to improve visibility with further pruning taking place next year.

2. Introduction

- 2.1 A petition was submitted to Torbay Council on the 20 March 2013 which contained 39 signatures requesting the removal of a tree at the junction of Fisher Street and Dartmouth Road.
- 2.2 The petition was referred to the Group Service Manager (Streetscene and Place) as the decision maker in consultation with the Executive Lead for Transport. The petition was reported to the Full Council meeting on 15th May 2013 and the petition organiser was invited to present the petition to the Transport Working Party on 25th April 2013.
- 2.3 In considering the petition, the views of the Highways Road Safety Engineer were considered and advice sought from the Council's Arboriculturalist. The Council's Tree and Woodland Framework was also considered.
- 2.4 The species of the tree is a Wellingtonia which is a conifer of similar variety to a number of conifers planted in the Goodrington area. The tree is planted on the grass verge of the highway at the junction of Dartmouth Road and Fisher Street. The tree does not prevent visibility of vehicles when crossing from the designated crossing points but does restrict visibility at the centre of the road. The highways Engineers do not believe it presents a significant risk to pedestrians. The tree is, however, highly tolerant to pruning and over the next few years the branches can be raised to further improve visibility.
- 2.5 In considering all of the evidence, the final decision was made on 8th May 2013

as follows:-

- That the bottom branches will be removed to improve visibility and the tree will be reviewed again in a year's time.

The first stage of the pruning has been carried out which has improved visibility.

Patrick Carney
Group Service Manager (Streetscene & Place)

Appendices

None

Documents available in members' rooms

None

Background Papers:

The following documents/files were used to compile this report:

Tree and Woodland Framework for Torbay – April 2012

Agenda Item 8



Title: South Devon Link Road – Use of Local Labour - Update

Wards Affected: Shiphay & The Willows

To: Overview & Scrutiny Board **On:** 19th June 2013

Contact Officer: Patrick Carney

Telephone: 01803 207710

E.mail: Patrick.Carney@torbay.gov.uk

1. Key points and Summary

- 1.1 The Contract for the construction of the South Devon Link Road does not contain any legal clauses that require the use of local labour. However the two client partners, Torbay Council and Devon County Council are keen to encourage the use of local labour.
- 1.2 The contractor, Galliford Try, does have local links with the South Devon area through its development arm, Linden Homes. The key personnel and sub-contractors used on the contract are reported to the clients through the project team meetings. To date Galliford Try have been recruiting locally and are using the project to provide training and career opportunities, use of local labour is in excess of the 20% suggested as a target.

2. Introduction

- 2.1 The Deputy Chairman of the Overview and Scrutiny Board has requested a briefing note on how the contractor for the South Devon Link Road will be encouraged to use local labour. The contract for the construction of the South Devon Link was tendered in August 2009. The contract did not contain any specific clauses that required the contractor to use a set of percentage of local labour or sub contractors. The reason for this was partly due to the need to attract national companies to ensure competition in tendering and also at the time of writing the contract it had not been fully understood whether such clauses were legal in terms of European Law. An initial briefing was presented to the Overview and Scrutiny Board in September 2012 and this report provides an update on the use of local labour.

3. Background

- 3.1 The official commencement of the contract was in May 2012. The Contract is a design and construct project and so there is a significant lead in time between award and commencement of construction on site. The contractor's designers commenced work in May 2012 and works commenced on site in October 2012 with initial works being mainly towards the Northern end.

3.2 Galliford Try are an international company who deliver large scale construction projects, however, they have local connections with South Devon through their development arm, Linden Homes, and have offices in Newton Abbot. The Chief Executive was the founder of Midas Homes which was acquired by the Galliford Try Group. The tender quality submission did not contain any specific questions on the use of local labour, however, Galliford Try did state that they would be using a mixture of specialist contractors and local sub-contractors and suppliers where possible.

3.3 As stated Galliford Try have been encouraged to use local labour and supplies. The personnel used and key sub-contractors are reported to Council officers through the regular project meetings. Their key outcomes in the use of local labour are as follows:-

- Galliford Try have partnered with South Devon College who will provide support to the company and its supply chain in education and training.
- A number of adverts have been placed in the Herald Express for job opportunities on the project.
- Galliford Try have already appointed a local Graduate to commence his training on the project.
- The project is currently being run from Linden Homes offices in Newton Abbot and are moving to site offices in Kingskerswell shortly. A local site compound will be established in Edginswell.
- Two apprentices have been appointed to work on the project team.
- There are currently 37 full time staff on site with approximately 62% of those recruited locally. When the full team is in place it is envisaged that there will be approximately 45 full time staff on site with 65% locally recruited.
- To date 30 sub contractors have been used by the main contractor Galliford Try and to date, 53% are either based locally or have a local regional officer. It should be noted that many of the services provided by sub contractors are specialist and local contractors may not always be available.

3.4 Galliford Try will continue to offer works to local suppliers, however, this will be based on competitive tendering. To date the number of local suppliers used is in excess of the 20% target suggested.

Patrick Carney
Group Service Manager – Streetscene & Place

Appendices
None.

Documents available in members' rooms
None.

Background Papers:
Galliford Try Quality Submission
Galliford Try progress reports

Agenda Item 9



Meeting: Overview and Scrutiny Board **Date:** 19 June 2013

Wards Affected: All Wards

Report Title: Revenue Budget 2013/2014 – Provisional Outturn (Subject to audit)

Executive Lead Contact Details: Mayor Oliver
mayor@torbay.gov.uk
01803 207001

Supporting Officer Contact Details: Paul Looby, Executive Head – Finance
paul.looby@torbay.gov.uk
01803 207083

1. Purpose and Introduction

- 1.1. The revenue outturn report provides a summary of the Council's expenditure throughout the financial year 2012/13 and makes recommendations with respect to any uncommitted resources.
- 1.2 A separate report will be presented to Members of the final capital outturn position.

2. Proposed Decision

- 2.1 That the revenue outturn position for 2012/13 be noted.
- 2.2 That the Overview and Scrutiny Board be asked to report directly to Council on any recommendation it may have following its review of the outturn position.
- 2.3 That it be recommended to the Council that:
 - (i) £0.4m is earmarked to be transferred to the Council's General Fund Balance (paragraph 4.6);
 - (ii) £0.7m is transferred to the Growth Fund (paragraph 4.12) be approved;
 - (iii) £0.7m of capital resources earmarked to fund the Growth Fund is released and made available to support the existing capital plan (paragraph 4.12);

- (iv) £0.200m be transferred to support the Community Development Trust (paragraph 4.14);
- (v) £0.150m is approved as carry forwards into 2013/14 (paragraph A.23);
- (vi) It be noted that the transfers above in 2.3 (i) to (v) are subject to the final audit of the Council's accounts.

3. Reasons for the Decision

- 3.1 The Council has a statutory duty to close its annual accounts and part of this process requires a provisional outturn position is presented to Members. The accounts must be finalised and signed by the Chief Finance Officer before the end of June each year. The presentation of the financial outturn report concludes the regular reporting to Council on its revenue expenditure and makes recommendations to Members with respect to any uncommitted budgets that may be available at year end.
- 3.2. The recommendations within the report will ensure the Council maintains an adequate level for its General Fund Balance and the allocation of uncommitted budgets to support regeneration supports the Mayor's priority of supporting the economy within the Bay through regeneration.

4 Summary

- 4.1 As expected 2012/13 was another challenging year financially for the Council. As in previous year's there were significant budget pressures that the Council had to manage particularly within Children's Services as well as pressures within Adult Social Care, and across some income budgets e.g. car parking.
- 4.2 Due to these pressures that were identified within the year, the Council had to use reserves and uncommitted budgets to ensure a balanced budget could be declared at year end. After taking these transfers into account it has been possible to recommend a small contribution is made to the General Fund Reserve, funding is made available to support the Community Development Trust and funding provided to support the Growth Fund. A summary of the provisional outturn position is shown overleaf:

	Council Budget	Council Outturn	Over/(under) spend
	£'000	£'000	£'000
Council Expenditure	123,746	126,121	2,375
Use of Reserves (including Budget pressures Reserves)	0	(1,606)	(1,606)
Unallocated Grants		(2,061)	(2,061)
Uncommitted budgets at year end	123,746	122,454	(1,292)
Recommendation			
Allocated to:			
- General Fund Balance			392
- Community Development Trust			200
- Growth Fund			700
Balance			0

- 4.3 It is important to note that without the application of reserves, uncommitted budgets and approved management action of strict financial control throughout the year the council would have declared an overspend at year end. The action taken in year included a moratorium on non-essential expenditure, a vacancy freeze for all non-front line posts (using redeployment for vacancies in preference to redundancies where possible), and the non committal of un ring-fenced grants. These measures were supported by careful monitoring of budgets and performance by the Mayor, Executive Leads, Overview and Scrutiny Board and the Senior Leadership Team. A summary of the key variances within departments are outlined within this report.

Reserves

- 4.4 The Comprehensive Spending Review (CSR) reserve is the Council's uncommitted reserve which was set up to meet the financial challenges it faces over the next few years. These challenges include:
- any unforeseen events or pressures that emerge during the year;
 - invest to save initiatives where demonstrable savings can be delivered in future years;
 - making provision for any costs of restructuring Council services.

The Chief Finance Officer has advised Members that where possible reserves should only be used to support one off initiatives as it is not sustainable to use reserves to support ongoing commitments.

- 4.5 The Mayor agreed to release some monies from reserves during 2012/13 and these have been reported to Members as part of the regular budget monitoring reports. In addition the Council has released £1.6m to fund the costs arising from reorganisations and restructures which were required to deliver the approved savings for the 2013/14 budget. As a result of these movements the balance on the CSR as at 1 April 2013 is £3.1m. This will be required to fund the costs of future reorganisations and any pressures if they emerge during 2013/14.

General Fund Balance

- 4.6 The Council also holds a General Fund Balance. Despite the ongoing financial pressures faced by the council in 2012/13 there has not been a call on the general fund balances and no call upon this reserve since the Council became a unitary authority in 1998. With the recommendation to transfer £0.4m of the uncommitted budget to the general fund balance, the overall balance will increase to £4.4m.
- 4.7 This balance represents 3.5% of the council's net budget in 2013/14. In these challenging financial times there has been media attention as to the level of reserves held by Council's. It should be recognised that the general fund balance is uncommitted (unlike other earmarked reserves) and provides funds that would only be used for any unforeseen or unexpected expenditure that could not be managed within service budgets or earmarked reserves. With this in mind and in light of the difficult financial climate faced by the Council and reduction to the Council's net budget, I believe that a cash balance of £4.4m is a prudent and sustainable level to protect the Council from the increased risks it faces with respect to the ongoing grant reductions from Government and increased demand for some services. In addition the Council's external auditors will have a view as to the level of the Council's General Fund Balance.
- 4.8 The Council needs to consider the reserves position before the compilation of the statutory annual accounts and the audit of those accounts. As set out in the Accounts and Audit Regulations, the statutory accounts will be presented to Members of the Audit Committee for formal approval in September 2013. This allows Members to consider and approve the accounts after the statutory audit has been completed and reported to Members in September 2013. For Members information, the external audit of the accounts will commence on 1 July 2013 and is expected to take approximately 2 months.
- 4.9 As in previous years, there will be a review of all earmarked reserves. This will be undertaken as part of the budget preparation process and is reported to Members at least once a year usually in the autumn, as has been the practice in recent years.
- 4.10 Once this review has been completed, where applicable any surplus monies can be recycled as part of the budget setting process for the following year or support any other funding requirements. Members will be aware that these reserves are earmarked for specific purposes with the exception of the General Fund Reserve which remains the only fund the Council holds to meet emergency costs. With media attention focusing in the level of Council reserves it should be noted that any

release of monies from reserves should only be used for one off purposes and cannot be used to sustain ongoing expenditure. However, due to the expected challenges the Council will face with ongoing reductions to its grant, all earmarked reserves will continue to be closely scrutinised and considered as part of the Council's overall resources available to deliver services to local residents.

Growth Fund and Regeneration

- 4.11 Council approved the creation of a Growth Fund in 2012. The Growth Fund will be used to support businesses and employment creation within the Bay and supports the Mayor's number one priority of economic growth and regeneration within the Bay.
- 4.12 The original proposal was to use capital and revenue resources for the Growth Fund of which £0.7m were capital resources recommended to be funded from the New Growth Points grant. As there are uncommitted revenue budgets at year end it is recommended that the £0.7m capital resources are switched for revenue so the Fund is 100% funded from revenue. This will make the administration of the Growth Fund simpler and ensure successful applicants will have freedom to use the grant awarded for any type of expenditure and not be limited to capital expenditure.
- 4.13 In addition by switching this funding there is £0.7m available to support the existing capital plan which is under pressure due to the reduction in government funding and increasing demands.
- 4.14 After the transfer of resources to the General Fund Balance and Growth Fund are made there is still a balance of £0.200m. Members approved at Council on 15 May 2013 the creation of a Community Development Trust and financial support of up to £0.3m over three years. The 2013/14 resources have been funded from a carry forward (see paragraph A2.3) and it is recommended that years 2 and 3 are funded from the balance on uncommitted budgets.

Supporting information

A1. Introduction and history

- A1.1 The Council approved the 2012/13 budget on 8 February 2012. Financial monitoring reports have been prepared throughout the year and distributed to Members of the Overview and Scrutiny Board and presented to Council during 2012/13 which ensured there was effective public monitoring and scrutiny of the revenue budget throughout the financial year. These reports summarised and identified the issues faced by Business Units within the Council and where appropriate, the action officers took to ensure the Council spent within the agreed budget set for the year.
- A1.2 This report compares the revised budget position for 2012/13 to the revenue outturn position as at the end of the financial year and summaries the key variances.

A1.3 The outturn position indicated in this report is the final position subject to the Council's (new) external auditors – Grant Thornton - completing their annual audit of the accounts. As part of any audit review, there is the possibility that changes may be made to the overall outturn position for the Council. However, should any variations to the figures be necessary these are not expected to be materially significant.

A2. Carry Forwards

A2.1 The Council's Financial Regulations states that, subject to the approval of Council when considering the end of the financial year position, any overall net underspend within a directly controllable revenue budget may be carried forward into the following financial year.

A2.2 Under the terms of the Constitution, Directors and Executive Members discuss any proposed carry forwards and agreed those that should be recommended for approval.

A2.3 There are two carry forwards which require Council approval:

- £50,000 within Supporting People. Funding for one off projects for Mental Health Personalisation and Transition. This work was delayed in 2012/13 due to other priorities and will enable the reconfiguration of services by working with clients and providers to realise cost savings.
- £100,000 to support the Council's commitment to the creation of a Community Development Trust.

Both of these carry forward proposals have been included within the overall outturn figures.

Schools Service

A2.4 A balanced budget position has been declared for Schools Block Activities after making a contribution to reserves of £0.126m. This position will be reported to the Schools Forum.

A2.5 Schools will be carrying forward balances of £3.5m from 2012/13 to 2013/14 – these resources are earmarked for schools related expenditure. This is an increase against the previous year. It is important to note that although balances have increased in 2012/13 this is on a smaller base as schools that have converted to Academies over 2012/13 are no longer included in the figures (5 schools converted to Academies in 2012/13).

A3. Net Expenditure

A3.1 Before the application of reserves and uncommitted grants net expenditure for 2012/13 was £126.121m. After the application of £3.667m of reserves (including the Budget Pressures Reserve) and unallocated grants the council has uncommitted budgets of £1.292m. The main variations are summarised in the table below.

Net Revenue Expenditure 2012/13

Council Services	Revised Budget	Outturn	Net Over /(Under) spend
	£'000	£'000	£'000
Place and Resources			
Residents and Visitors	9,034	9,158	124
Waste and Cleaning	11,142	10,833	(309)
Spatial Planning	5,310	5,508	198
TDA - Clientside	2,639	2,597	(42)
TDA - TEDC	1,721	1,722	1
Torbay Harbour Authority	0	0	0
Business Services	1,986	1,706	(280)
Finance	10,290	9,108	(1,182)
Sub Total	42,122	40,632	(1,490)
Children, Schools & Families	20,456	22,922	2,466
Sub Total	20,456	22,922	2,466
Public Health			
Public Health	0	0	0
Community Safety	2,628	2,455	(173)
Sub Total	2,628	2,455	(173)
Adults and Resources			
Adult Social Care	42,905	43,324	419
Information Services	3,863	3,839	(24)
Commercial Services	3,798	3,708	(90)
Supporting People	5,913	5,574	(339)
Sub Total	56,479	56,445	(34)
Operational budget - Overspend	121,685	122,454	769
Unallocated Grants	2,061	0	(2,061)
Uncommitted Budgets	0	1,292	1,292
Approved Budget	123,746	123,746	0

A3.2 A brief summary of the main variances and the principal reasons for any underspends or overspends within each directorate are explained below

Place and Resources

A3.3 Overall underspend of £1.491m.

Residents and Visitor Services – overspend of £0.124m. This was primarily due to a shortfall in car parking income during the year which was offset by the implementation of a moratorium on all discretionary spending resulting in service reductions across this business unit.

Waste and Cleaning - underspend of £0.309m. This was due, in part, to the introduction of various waste reduction and diversions initiatives by TOR2 which has generated savings in landfill tax and transportation costs.

Spatial Planning - overspend of £0.198m after the application of £0.225m from the Budget Pressures Reserve. This overspend has arisen mainly due to increased costs for Concessionary Fares and a reduction in planning fee income and no charging for rubble at the civic amenity site.

Economic Development Company (Client side) - underspend of £0.041. This was primarily due to savings within the central repair and maintenance budget arising from the freeze of discretionary spending.

Finance - underspend of £1.183m primarily due to in year management and savings within treasury management due to higher than budgeted cash balances (linked to the profile of spend within the capital programme) combined with higher investment rates than budgeted leading to better investment returns, lower audit and inspection fees, additional housing benefit administration grant, higher benefit overpayment recovery, lower than budgeted discretionary pension costs and reduced staffing costs arising from vacancy management within the business unit.

Business Services - underspend of £0.280m due to savings within the recruitment budget due to the freeze on recruitment within most of the Council, receipt of additional income for services to schools and administrative and staffing savings within the business unit.

A3.4 **Communities and Local Democracy** Overall underspend of £0.173m.

Community Safety - underspend of £0.173m after the application of the proposed carry forward due additional contract income derived from the Cemeteries and Crematorium Service and vacancy management savings and a moratorium on spend within the Business Unit.

Children, Schools & Families

A3.5 Overall overspend of £2.466m after the application of £0.275m from the budget pressures reserve to fund the costs of the recruitment and retention initiative to reduce social care agency costs after a further £1.106m from the CSR reserve to fund the increased costs within Residential Care.

As reported during the year the overspend was within Safeguarding and Wellbeing due to the increased numbers and the costs for children in care and placements within the independent sector plus the continued use and costs associated with the appointment of agency social workers within the Children in Need service. The overspend within Safeguarding and Wellbeing was partly offset by savings across other services within the Business Unit.

A3.6 The number of looked after children at the end of March was 301, an increase of 92 since 31st March 2011 (252). The number of children on Child Protection Plans for the same period is 180 compared to 290 in March 2012.

Adults and Operations

A3.7 Overall underspend £0.034m. The variations are summarised below:

Adult Social Care – net overspend of £0.419m which includes the use of section 256 monies. As reported throughout the year the overspend was due to the number of ordinary residency cases within the Bay. This is a volatile area resulting in increased cost pressures for the Council. The full year effect of these additional costs has been recognised within the approved 2013/14 budget for Adult Social Care.

Commercial Services – underspend of £0.090 due to savings within the Governance budget, the Coroner’s budget and vacancy and administrative savings across the business unit.

Information Services – underspend of £0.024m due to administration, licences and salary savings across the Business Unit.

Supporting People - underspend of £0.339m after the application of the proposed carry forward due to contractual savings and effective commissioning due to contractual negotiations with service providers and in year service savings.

A4. Debtors Outturn

A4.1 The key issues with respect to debtors are:

Council Tax

A4.2 The 2012/13 targets for collection of Council Tax were:

- (i) collect 96.5% of the Council Tax due within the financial year; and
- (ii) collect 50% of the arrears brought forward from previous years.

At the end of the financial year the Council collected £58.3m which is 97.2% of the Council Tax due in 2012/13. This is in line with last year's performance.

A4.3 The collection of arrears proved difficult due to the weakness of the local economy. The arrears outstanding at the end of the financial year were £3.6m.

A4.4 With the introduction of the Local Council Tax Support Scheme from April 2013 and other changes in welfare benefit regulations, there will be an impact upon a number of residents' disposable income. This, combined with the challenges faced within the local economy, will place pressure on collection performance during the next 12 months. The position will continue to be monitored and reported to Members on a quarterly basis.

A4.5 There are no Council Tax write-offs over £5,000 to report to Members of the Overview and Scrutiny Board.

Non-Domestic Rates

A4.6 The targets for the collection of NNDR (business rates) were:

- (i) To collect 98.0% of the business rates due in the financial year; and
- (ii) To collect 50% of the arrears brought forward from previous years.

A4.7 At the end of the fourth quarter, the Council collected £36.1m which is 96.5% of the business rates due in the year 2012/13.

A4.8 Due to the economic conditions, businesses are facing difficult trading conditions which may impact upon collections rates in 2013/14.

A4.9 It should be noted that from April 2013 with the introduction of the NNDR retention scheme the Council is now liable for 49% of all income and costs associated with NNDR including any costs relating to pre April 2013 such as write offs and successful revaluation appeals.

A4.10 NNDR write- offs are set out at exempt Appendix 1.

A5. Financial Performance of External Companies

A5.1 For completeness a summary of the financial performance of the companies that Torbay Council has an interest in is included. Attached as Appendix 2 is a list of those companies which summarises their outturn position.

A6. Conclusion

A6.1 The quarterly monitoring reports presented to Members during the year identified the main budget pressures and action taken to address these pressures. During 2012/13 there were significant budget pressures within Safeguarding and Wellbeing within Children's and strict financial management and control, the use of reserves and uncommitted budgets ensured the Council declared a balanced position at year end. The outturn position allows for a contribution to be made to the general fund balance and to support regeneration across the Bay.

A6.2 The Council will be building upon the detailed service review of all activities undertaken last year and will be looking at options to address the ongoing pressures it faces including the Waste Agenda, increasing demands made upon Social Care for Adults and Children's as well as the volatility in income collection and continued likely reduction of government grant.

A6.3 A culture of strict financial management and control must continue across all services with Executive Lead Members and officers managing their budgets robustly in 2013/14 and making it a priority that all service expenditure is contained within the approved budget allocation.

A6.4 As in previous years, it is worth reminding Members and officers that any new proposals and service issues should not be considered or brought forward unless clear and achievable funding sources (or savings) are identified, and that these are priority projects for the Council are not driven simply because some external funding has become available.

A6.5 In addition as soon as there is evidence of a variance against the approved budget, officers must identify the anticipated size of the variance, the cause of the variance and the remedial action to bring the budget back into balance. This will be supported through the regular budget monitoring to Executive Lead Members, Overview and Scrutiny and the Senior Leadership Team.

A6.5 The Council continues to have some uncommitted reserves in 2013/14 to assist in addressing any unforeseen events and which will also assist the Council in managing a reduction in service provision over the next few years, however these are significantly lower than previous years.

A7 Possibilities and Options

A7.1 Members could consider alternative uses for the uncommitted budgets identified within this report.

A.8 Preferred Solution /Option

A8.1 As set out in the recommendations.

A.9 Risks

A9.1 There is a risk that the Council will have insufficient reserves to meet any unforeseen events. The maintenance of the general fund balances of £4.4m and the CSR of £3.1m will assist in ensuring the Council's reserves are sufficient to assist with its medium term financial planning and manage unforeseen events.

A10 Consultation

A10.1 Directors and Executive Heads and their Executive Leads have discussed and agreed the outturn position.

Agenda Item 10



Meeting: Overview & Scrutiny Board
Council

Date: 19th June 2013
18th July 2013

Wards Affected: All

Report Title: Capital Investment Plan Update - (Outturn 2012/13) – subject to audit

Executive Lead Contact Details: mayor@torbay.gov.uk

Supporting Officer Contact Details: martin.phillips@torbay.gov.uk

1 Purpose

- 1.1 The Council's capital investment plan with its investment in new and existing assets is a key part of delivering the Council's outcomes. This is the final Capital Monitoring report for 2012/13 under the Authority's agreed budget monitoring procedures. It provides high-level information on capital expenditure and income for the year (subject to Audit), compared with the latest budget position as at quarter three reported in February 2013.

2 Proposed Decision

Overview & Scrutiny Board

- 2.1 **That Members note the outturn position for the Council's Capital expenditure and income for 2012/13 and make any recommendations to Council.**

Council

- 2.2 **That Council note the outturn position for the Council's Capital expenditure and income for 2012/13.**

- 2.3 **That Council note the action taken by the Chief Finance Officer, under the Officer Scheme of Delegation, to carry forward the unspent budgets for expenditure or work in progress (together with their funding) from 2012/13 to 2013/14.**

- 2.4 **That Council approves the funding of the capital investment plan for 2012/13 as outlined in paragraph 7.1 is approved.**

3 Reasons for Decision

- 3.1 Quarterly reporting to both the Overview and Scrutiny Board and to Council is part of the Council's financial management process.

4 Summary

- 4.1 Members of the Overview and Scrutiny Board and Council have received regular budget monitoring reports on the Council's Capital Investment Plan throughout the year. The Council's four year Capital Investment Plan is updated each quarter through the year. This report is the monitoring report for the fourth quarter 2012/13 which is also the financial year end. Variations reported in this report are those arising in this quarter and any other changes reported will be reflected in the 2013/14 quarter one capital monitoring report to Council in July 2013.

- 4.2 Outturn expenditure for the year was £18.5 million compared with the budgeted spend as per the last monitoring position in February of £23.6 million. Reasons for this variation over a number of schemes are included in paragraph 6.2. In percentage terms, spend was 78% of the forecast in February. This compares with 89% for 2011/12.

5 **Supporting Information**

- 5.1 The original capital budget approved by Council in February 2012 was £20.2 million. That was subsequently revised during 2012/13 for re profiling of expenditure from 2011/12, new schemes and re profiling spend to future years. All changes with reasons have been included in previous monitoring reports. Actual spend during 2012/13 was £18.5m, which is detailed in appendix 1.
- 5.2 Capital budgets of £5.6m will be carried forward to 2013/14 to enable schemes not completed or progressed in 2012/13 to be continued in the current year along with the funding sources for the scheme.
- 5.3 The Council set its Prudential Indicators for 2012/13 and monitoring arrangements for “affordable borrowing” in February 2012. The detailed Outturn Indicators are presented as part of the Treasury Management Outturn Report to be presented to Council in July.
- 5.4 The expenditure predictions as at January 2013 were presented as part of the Capital Investment Plan Update to Council in February 2013. That Report noted anticipated expenditure of £23.6 million in 2012/13.
- 5.5 Appendix 1 provides a schedule of the outturn for spending and funding in 2012/13.

Column (1) shows the revised budget for the year (as at quarter three).
Column (2) shows the actual payments during the year.
Column (3) shows the variance between outturn and revised budget.
Column (4) shows the net budget to be carried forward to 2013/14.

- 5.6 In order to meet the timetable for the statutory closure of accounts it is inevitable that assumptions are made with regard to the final outturn figures which may be subject to challenge by Grant Thornton (the Council’s external auditors) when the audit of the Council’s accounts is undertaken. Any changes will be reported to a future meeting.

6 **Expenditure Outturn & Performance**

- 6.1 The actual service expenditure in 2012/13 was £18.5 million. The outturn for individual projects is provided in Appendix A. A summary at service level is in the table below –

Directorate	Revised Budget 2012/13 Quarter 3	Outturn for 2012/13	Outturn less Revised Budget	Percent outturn to budget
	£m	£m	£m	%
Place & Environment	12.6	9.8	(2.8)	77
Children, schools and families	7.9	6.0	(1.9)	76
Schools – Devolved Formula Capital	0.6	0.8	0.2	133
Other Services	2.5	1.9	(0.6)	76
Total	23.6	18.5	(5.1)	78

In overall terms there was net variation in the Plan spend of £5.1million, which is 22% of the revised budget which, although disappointing, there are reasons for variances on a number of schemes. This compares with less than 10% re profiling in 2011/12. A summary of the significant re profiling and reasons is included below.

- 6.2 The re profiling of budget within the £5.6m of variations identified to be carried forward to 2013/14 is summarised by scheme (in excess of £0.3m) in the table below:

Scheme	Re Profiling £m	Reason
Barton Primary School	(0.352)	Delays arising from the need for the contractors to work around the existing school operation.
Torquay Community College	(0.376)	Some IT works still outstanding and a underpend (i.e. saving) on project now expected
Haldon Pier	(0.659)	Further under water site investigation required to establish most effective method of repair
Land Acquisition – Housing	(0.566)	Scheme at Grange Road, Paignton now being re assessed
Mayfield School	(0.414)	Change in some of the contractual arrangements
Livermead Sea Wall	(0.318)	Impact of adverse weather and tidal conditions
Green Deal	(0.351)	Grant announced in early 2013, and expenditure not fully incurred by end of March
Princess Promenade (Western Section)	(0.576)	Expenditure profile concentrated towards end of the project leading to payments expected in quarter one of 2013/14

These eight schemes are 70% of the variance in the last quarter.

- 6.3 The Capital Investment Plan spans 4 financial years and includes development projects where spending is expected to run for a number of years. It is normal that annual budgets need to be re-phased between years as schemes develop through feasibility, design and construction stages in order to ensure continuity. On occasion consultation with end-users, affordability of design and negotiation with external funders can significantly delay anticipated start dates.
- 6.4 During the year, budgets were regularly re-scheduled between the four years of the plan and the reasons were reported to Council.
- 6.5 On a number of schemes, even though works had not been undertaken by the year end a number of contractual commitments have been entered into, to progress the scheme.
- 6.6 Where project costs have exceeded budget, and funds could not be brought forward from future year's budgets, services were asked to identify additional sources of funding. No scheme has been carried forward to 2013/14 which will be a call on (new) funding allocated in the 2013/14 Capital Investment Plan for future years.
- 6.7 The Chief Finance Officer is authorised under the Officer Scheme of Delegation to approve re-phasing of expenditure between years provided the impact does not exceed the overall level of the approved programme and the available funding resources. Under this delegation, net budget provision of £5.6 million has been carried forward into 2013/14 to fund commitments on works in progress and to enable approved schemes to be completed. Conversely service budgets for 2013/14 have been reduced on those projects which have spent in advance (within the overall capital budget for the project). A revised Capital Investment Plan, incorporating the budgets carried forward and any schemes that are now significantly changed will be presented with the first capital monitoring report for 2013/14.
- 6.8 In addition to the re profiling of expenditure to future years the corresponding budgets for the funding of these schemes are also carried forward. Where funding has been received but not applied, this funding is reflected on the Council's balance sheet as usable reserves.

Individual Project Monitoring - Main Variations & Management Action

- 6.9 Appendix 1 shows the expenditure in 2012/13 on each individual project. A number of projects have been completed during the year and are now delivering improved services to users.
- 6.10 **"New Funding Regime"**

- 6.11 As part of the approval of the Capital Investment Plan by Council – February 8th 2012 the following was approved
- 6.12 *“That the approval of specific capital schemes in the Capital Investment Plan 2012/13 to 2015/16 be delegated to the Chief Executive in consultation with the Mayor, Executive Lead for Finance and Chief Finance Officer”*
- 6.13 An estimate of funds was identified in the Capital Investment Plan (February 2012) for the four years of the Plan, which was provisionally allocated to a number of “priority” areas. In a number of services, requests have now been submitted for funding which has been approved by the Chief Executive and, since September 2012, the Chief Operating Officer in line with the Council delegated approval. Subsequent to the initial approval funding and expenditure adjustments have been made to the four year estimate of funding.
- 6.14 A summary of allocations to date over the four years of the Plan from this estimate of funds over four years is shown in the table below:

Scheme	Allocation Council Feb 2012 £m	Allocated to Q3 2012/13 £m	Allocated In Q4 2012/13 £m	Total Un allocated £m
	(Revised)			
Employment Schemes – such as Riviera Centre investment	2.0	0.1	0.9	1.0
Torre Abbey – Council maximum funding pending English Heritage Grant and other income.	2.0	2.0	0	0
Princess Pier Structural Repairs – Council match funding to a bid for to the Environment Agency	1.4	1.4	0	0
Grants for both Disabled Facilities and Childrens Adaptations	3.2	0.8	0	2.4
Provision for Infrastructure Works	2.0	1.4	0.3	0.3
Improving Leisure Facilities	1.7	0.9	0	0.8
Schools – Basic Need (including school places) and capital repairs	9.6	9.4	0	0.2
Transport – Structural Repairs and Integrated Transport	6.2	6.1	0	0.1
Adult Social Care	1.0	0.1	0	0.9
Affordable Housing	0.1	0.1	0	0
Total Schemes	29.2	22.3	1.2	5.7

- 6.15 The Capital Investment Plan shows the approved schemes to the extent that funding has been received or confirmed. Where the value of the approved schemes exceeds the known funding, temporary prudential borrowing has been used pending the future receipt of funds, at which point the funding will be swapped. However if funding is not realised then the Capital Investment Plan will have to be reduced accordingly or alternative sources of funding allocated such as prudential borrowing.
- 6.16 Details of schemes approved by the Chief Operating Officer from the four year capital allocation in quarter four which will be reflected in the 2013/14 Quarter one capital investment plan update report are as follows:

Scheme	Budget Approved	Details
--------	-----------------	---------

	£m	
Riviera Centre	0.862	Extensive repair to the building including works to boilers and the roof
Parking Bays	0.028	Introduction of parking bays in Mincent Hill
Fairy Cove	0.034	Works to support rock face
Goodrington Cliff	0.231	Works to support rock face
Total Quarter Four	1.155	

6.17 Riviera Centre

A further £862,000 has been allocated to support the Riviera Centre's programme of essential repairs for the centre to continue operating. These include works to the boiler system and the roof. It is expected the bulk of this work will be completed in 2013/14. The Chief Operating Officer in consultation with the Mayor and Chief Finance Officer has approved this expenditure using the provision for employment schemes.

6.18 Parking Bays

£28,000 has been allocated to implement parking bays in the Mincent Hill, Torquay area in order to reduce obstruction and improve the local environment. The Chief Operating Officer in consultation with the Mayor and Chief Finance Officer has approved this expenditure using the provision for transport works.

6.19 Support to Coastal Areas and Inland Cliffs.

£34,000 has been allocated to Fairy Cove next to Paignton Harbour and £231,000 to Goodrington Cliff to strengthen the rock faces in the two areas. These schemes are in addition to the £20,000 stabilisation works following a rock fall at Meadfoot Sea Road approved in Quarter 3 2012/13. The Chief Operating Officer in consultation with the Mayor and Chief Finance Officer has approved this expenditure using the provision for infrastructure works.

The Council is anticipating additional expenditure related to the storm damage at Livermead in March. Discussions are being held with the Environment Agency over potential grant support for these repairs. If unsuccessful the Council will have to bear any additional costs for repair from within the remaining unallocated capital resources as set out in the table at paragraph 6.14.

6.20 Nursery Places for Two Year Olds.

The Council has received an un ring fenced grant of £0.253m for the provision of places for two year olds under the Government's new initiative. As there is a statutory duty for the Council to provide places this grant has been allocated to Childrens Services in line with the purpose of the grant.

6.21 During 2012/13 a total of £6.7m of resources allocated under the 'New Funding regime' was spent including £0.9m at Mayfield School, £3.0m on Torre Abbey, £1.3m on transport and £0.5m on disabled facilities grants.

6.22 **"Old Funding Regime"**

Relates to the schemes in the Capital Investment Plan that were allocated to services from capital funding that originated in 2011/12 and earlier financial years.

6.23 St Margeret Clitherow School

£0.2m of funding within the balance of prior year funding allocations to Childrens will be spent on the provision of 10 additional places in Brixham at St Margaret Clitherow Primary school.

6.24 New Growth Points

The Council has a £0.4m budget in 2013/14 from the New Growth Points Grant to support development of land. The plans for the expenditure on these scheme is now, on balance, more revenue than capital so it is proposed to "swop" revenue and capital funding between this scheme and the South Devon Link Road. There is no impact on the total funding for either scheme.

6.25 Within 2012/13 a total of £5.9m was spent from the 'Old funding regime' allocations including £1.7m

at Barton School, £0.8m at Curledge Street School, £0.9m at Preston Primary, £0.4m on Westlands 14-19 project, £0.4m on Brixham Regeneration and £0.8m on transport schemes.

6.26 **“New” Ring fenced funding**

6.27 **Riviera Renaissance**

The Council is acting as “accountable body” for the successful bid made by a number of partners (including Brixham YES, TCCT, EDC and South Devon College) to the Coastal Communities Fund to enable projects known as the Riviera Renaissance scheme. The DCLG has awarded £1.3m for a number of projects including a cycle path and workhubs, of which £0.636m is for capital expenditure. Although the grant has been awarded to the Council and will form part of its financial management, the EDC (on behalf of the Council) will be distributing the grant based on claims from the partners for work done.

6.28 **TEDC**

The Torbay Economic Development Company has requested that some of the funds paid by the Council is converted to a capital grant. This change has been reflected in both the Council’s and TEDC’s accounts.

6.29 **Westlands School**

Linked to the PFI contract, the school has requested and funded a number of variations which are capital expenditure and have now been classified appropriately.

6.30 **Public Toilets**

£0.1m has been agreed for the installation of water efficiency measures in Council’s toilets. As an ‘invest to save’ scheme this will be funded from the comprehensive spending review reserve as this will lead to revenue savings in future years.

6.31 Within 2012/13 a total of £2.6m was spent from ‘Ring fenced’ funding including £0.6m on the Ferry scheme and £0.4m on repairs to Clennon Valley leisure centre.

6.32 **Schemes funded from Prudential Borrowing**

6.33 Council In February 2013 approved £0.8m of prudential borrowing for the construction of additional pontoons at Brixham Inner Harbour, the borrowing to be funded from additional income from moorings.

6.34 Council in May 2013 approved £0.8m of prudential borrowing for match funding with British Cycling for an outdoor velodrome and cycle track at Clennon Valley, the borrowing to be funded from the anticipated surplus on the operation of the facility.

6.35 Council has previously approved “in principle” £2m of prudential borrowing to support a £5m innovation centre at White Rock. The external grant that not yet been confirmed so has not yet been included in the capital investment plan.

6.36 Within 2012/13 a total of £3.3m was spent, funded from Prudential Borrowing, including £1.8m on the Office Rationalisation project and £1.4m on Princess Promenade.

6.37 **Other Services**

The Council approved a capital contingency of £1.1 million. This contingency is still in place to provide for unforeseen emergencies or shortfall in projected income over the 4-year Plan period and represents approximately 1% of the total Capital Investment Plan.

7. **Receipts & Funding**

7.1 Resources used in the year to fund the actual spending, compared to the anticipated use of resources, are as follows –

	Revised Budget	Outturn	Variation
--	----------------	---------	-----------

	£m	£m	£m
Borrowing – of which	6.5	3.6	(2.9)
Supported: (by Government funding)	1.1	0.5	(0.6)
Unsupported: (under Prudential Code)	5.4	3.1	(2.3)
Grants	15.0	12.7	(2.3)
Other Contributions	0.2	0.5	0.3
Revenue & Reserves	0.5	1.0	0.5
Capital Receipts	1.4	0.7	(0.7)
Total Funding	23.6	18.5	(5.1)

Grants

- 7.2 Capital Grants continue to be the major funding stream (69% in 12/13) for the Council to progress its investment plans. An element of these grants result from “bids” to other public sector bodies. With potential significant reductions on public sector expenditure expected, this funding stream could be significantly reduced for future capital projects. The Council used £12.7 million of grants in 2012/13. As at 31 March 2013 the value of grants received but not yet applied was £11.7 million. This sum is reflected in the Council’s balance sheet.
- 7.3 Since the last Capital update to Council in February 2013 the Council has been notified of a number of grants for 2013/14 that it was expecting. These are as follows:

Disabled Facility Grants	£0.782m
Schools Basic Need	£2.021m (two year total 13/14 & 14/15)
School Maintenance	£0.680m
School Devolved Formula Capital	£0.122m

The School Basic Need allocation of just £1m per annum is below the figures originally estimated within the Capital Investment Plan in 2012 . Subject to the results of additional funding bids submitted by Childrens Services this will result in a funding shortfall on the Capital investment plan.

Borrowing

- 7.4 Borrowing was kept within Affordable Borrowing limits and the effect on the Revenue Accounts was within Budget (see Prudential Indicators in Treasury Management Outturn 2012/13 Report).
- 7.5 In addition to the £0.5 million of borrowing “supported” by central government, i.e. costs of borrowing funded in future year revenue grants, unsupported (Prudential) borrowing of £3.1 million was utilised to fund (or part fund) expenditure on the following major projects:

- Princess Promenade
- Office Rationalisation Project

Temporary borrowing, pending expected capital funding, was used for

- Some Schools schemes
- Torbay Leisure Centre

- 7.6 Repayment of the prudential borrowing by services varies between projects and reflects the anticipated use of the asset or a suitably shorter period over which the service feels is appropriate, however prudential borrowing is never taken over a period which is greater than the anticipated life of the asset.
- 7.7 The Council sets aside an amount in its revenue budget (known as minimum revenue provision) for the repayment of the borrowing on its maturity including a provision for the value of the debt inherited from Devon County Council in 1998. In 2012/13 it set aside £4.6m in respect of capital expenditure by the Council, along with £0.4m in relation to the PFI scheme for Westlands and Homelands Schools (funded by the PFI Grant). This ensures that in the long term all borrowing and long term liabilities will be repaid.
- 7.8 Borrowing is related to the funding of fixed assets. The costs of these assets tend to be spread over the long term which is line with the long term use of these assets. The value of Council long

term assets as at 31/3/13 was approx. £300 million. It should be noted that as schools convert to Academy status the value of the asset is removed from the Council's balance sheet however the Council remains liable for any borrowing or long term liabilities in relation to these schools up to the date of transfer. In 2012/13 the value of schools that converted to Academy status removed from the Council's balance sheet was over £56 million.

Capital Receipts –

7.9 Capital receipts in the year were £1.4 million. Receipts included the following:

- £0.1m Right to Buy Housing "clawback"
- £0.1m Sales of assets and repayment of grants
- £1.2m Land sales including Broadhaven, Cemetery Lodge and a long lease for the Boathouse in Paignton

In year £0.7m of these receipts were applied in 2012/13 to fund capital expenditure, therefore the Capital Receipts reserve had a balance of £0.7m at year end.

7.10 The target for securing capital receipts from asset sales to fund the 4-year Capital Investment Plan after 2012/13 was £6.2 million (required by March 2016).

7.11 This means that the approved Plan as at 1 April 2013 relies upon the generation of a total of £4.9 million capital receipts from asset sales by the end of 2015/16. These targets are expected to be achieved provided that -

- approved disposals currently "in the pipeline" are completed
- the Council continues with its disposal policy for surplus and underused assets and,
- no new (or amended) schemes are brought forward that rely on the use of capital receipts for funding.

7.12 Of the receipts expected £0.8 million is in relation to the Tesco development at Brixham, £1m from the Oldway Development and a significant sum is expected for the disposal of the old Paignton Library site. All capital receipts up to the target of £6.2m are required to fund previously approved capital schemes.

7.13 There is an ongoing risk over the value of receipts. However the current approved plan has taken a prudent approach to the value of potential receipts and number of assets to be disposed.

Capital Contributions – S106 & Community Infrastructure Levy

7.14 The general target for securing capital contributions to fund the 4-year Capital Investment Plan, following review of the Budget in February 2013 was £2.5 million (required by March 2016).

7.15 The intention is that capital contributions are applied to support the schemes already approved as part of Capital Investment Plan and not allocated to new schemes unless the agreement with the developer is specific to a particular scheme outside the Capital Investment Plan.

7.16 Income from s106's capital contributions during 2012/13 were under £0.2 million, although the Council did receive a further £0.2m of contributions from other bodies, mostly to support specific schemes.

7.17 The Council is expected to agree a charging schedule for its Community Infrastructure Levy to be applicable from April 2014 which will, in part, replace S106 contributions from developers. The later than anticipated start of the Levy, combined with a lack of development within the area linked to economic conditions has resulted in a high risk that the targeted level of income will not be achieved by March 2016. The Council will need to keep this issue under review and will have to make future adjustments to the capital plan if required.

Appendix One

Capital Investment Plan 12/13 Update - Outturn		Total 2012/13 Revised £000	Total 2012/13 Outturn £'000	Total 2012/13 Variance £'000	Total Reprofile to 2013/14 £'000
		Col 1	col 2	col 3	col 4
Old Funding Regime (pre 12/13)					
Adults & Resources					
	Mental Health Care Initiatives	22	0	-22	22
	Various ICT Improvements	53	30	-23	23
		75	30	-45	45
Childrens, Schools & Families					
	Asbestos Removal	14	5	-9	9
	Barton Primary Cap Project	2,007	1,655	-352	352
	Capital Repairs & Maintenance 2011/12	299	97	-202	202
	Childrens Centres	58	27	-31	31
	Combe Pafford Construction Workshop	10	10	0	0
	Curledge St - Remodelling	785	820	35	-35
	Education Review Projects	20	0	-20	20
	EOTAS Halswell House	2	0	-2	2
	Foxhole Community Multi Use Games Area	31	32	1	-1
	Foxhole Schools - Amalgamation	43	7	-36	36
	Minor Adaptations Childcare	95	90	-5	5
	My Place Parkfield	56	-42	-98	98
	Oldway Primary Disabled Changing Rooms & Hall	45	50	5	-5
	Paignton Community Sports College - Astroturf pitch	1	33	32	-32
	Paignton Community Sports College Mobile Replce 14-19 Project	232	136	-96	96
	Preston Primary - ASD Unit	863	856	-7	7
	Primary Places 2011/12	61	0	-61	61
	Roselands - Remodelling	19	19	0	0
	School Security	14	7	-7	7
	Short Breaks for Disabled Children	39	22	-17	17
	Special Education Needs - reactive works	32	8	-24	24
	Torquay Community College Re-build (Building Schools for the Future)	256	-120	-376	376
	Westlands 14-19 Project	461	402	-59	59
	Youth Modular Projects	51	0	-51	51
		5,494	4,114	-1,380	1,380
Place & Resources					
	Barton Playing Fields	11	12	1	-1
	Enhancement of Development sites	10	6	-4	4
	Haldon Pier - Structural repair Phase I/2	815	156	-659	659
	Harbour Bxm Development Phase 1&2 (Quay & Buildings)	266	401	135	0
	Integrated Transport programme	545	545	0	0
	Housing - Advances Budget to be allocated	27	0	-27	27
	NGP - Great Parks Access	46	51	5	-5
	NGP - HCA Match Land Acquisitions	591	25	-566	566
	NGP - Strategic Cycleway	187	183	-4	4
	NGP - Windy Corner Junction	1	0	-1	1
	Paignton Geoplay Park	131	170	39	0
	Sanctuary HA - Raleigh Ave (4 units)	16	16	0	0
	Sea Change - Cockington Court	77	52	-25	25
	Sovereign HA - Beechfield (102 units)	0	4	4	0
		2,723	1,621	-1,102	1,280
Public Health					
	Insulation Scheme	10	13	3	-3
	Private Sector Renewal	142	103	-39	39
		152	116	-36	36
	Sub Total	8,444	5,881	-2,563	2,741
New Funding Regime (12/13 onwards)					
		Total 2012/13 Revised £000	Total 2012/13 Outturn £'000	Total 2012/13 Variance £'000	Total Reprofile to 2013/14 £'000
Childrens, Schools & Families					
	Capital Repairs & Maintenance 2012/13	240	88	-152	152
	Cockington Primary expansion	215	128	-87	87
	Mayfield expansion	1,309	895	-414	414
	Roselands Primary expansion	69	38	-31	31

Schools Access	98	56	-42	42
Torre CoE Primary expansion	85	95	10	-10
Warberry CoE Primary expansion	389	233	-156	156
	2,405	1,533	-872	872
Place & Resources				
Livermead Sea Wall structural repair	352	34	-318	318
Manscombe Quarry Cliff stabilisation	38	6	-32	32
Meadfoot Sea Road Cliff stabilisation	20	29	9	-9
Paignton Community Library	0	15	15	0
Princess Promenade Phase 3	100	111	11	-11
Riviera Centre renewal	138	109	-29	29
Social Care - Hollacombe CRC	60	0	-60	60
SWIM Torquay - improve facilities	20	13	-7	7
Torre Abbey Renovation - Phase 2	2,969	3,030	61	-86
Transport Gateway Enhancement	100	55	-45	45
Transport Integrated Transport Schemes	333	518	185	0
Transport Structural Maintenance	940	743	-197	0
Transport Western Corridor	100	5	-95	0
	5,170	4,668	-502	385
Public Health				
Disabled Facilities Grants	631	459	-172	172
	631	459	-172	172
Sub Total	8,206	6,660	-1,546	1,429
New Ring Fenced or Specific Funding (12/13)	Total	Total	Total	Total
	2012/13	2012/13	2012/13	Reprofile to
	Revised	Outturn	Variance	2013/14
	£000	£'000	£'000	£'000
Adults & Resources				
DWP Grant Repayment re Waddington Road	0	-312	-312	0
Capital Expenditure Funded from Revenue	0	185	185	0
Enhancement Prior to Sale	0	2	2	0
Corporate Telephony System	205	37	-168	168
	205	-88	-293	168
Childrens, Schools & Families				
Westlands School	0	380	380	0
Devolved Formula Capital	576	771	195	-195
	576	1,151	575	-195
Place & Resources				
DfT Better Bus Areas	65	45	-20	20
DfT Local Sustainable Transport Fund (Ferry/Cycle)	600	608	8	-8
Torbay Leisure Centre - structural repairs	544	433	-111	111
Env Agency - Colin Road Culvert Replacement	74	70	-4	4
TCCT - release of land at Ocombe Cross	65	65	0	0
TEDC Capital Grant	0	160	160	0
Public Health				
Green Deal Fuel Poverty Fund	524	167	-357	357
	1,872	1,548	-324	484
Sub Total	2,653	2,611	-42	457
Prudential Borrowing Schemes	Total	Total	Total	Total
	2012/13	2012/13	2012/13	Reprofile to
	Revised	Outturn	Variance	2013/14
	£000	£'000	£'000	£'000
Place & Resources				
Beach Huts Acquisitions (Broadsands)	100	14	-86	86
Council Fleet Vehicles	91	91	0	0
Office Rationalisation Project Ph 2 - Project Remainder	2,046	1,753	-293	293
On Street Parking meters	59	34	-25	25
Princess Promenade (Western Section) Repairs	1,966	1,390	-576	576
South Devon Link Rd - Council contribution	0	16	16	-16
Torre Abbey Pathway	50	25	-25	25
	4,312	3,323	-989	989
Sub Total	4,312	3,323	-989	989
Contingency				

	General Capital Contingency	0	0	0	0
		0	0	0	0
	Total	23,615	18,475	-5,140	5,616
	CAPITAL INVESTMENT PLAN - QUARTER 4 2012/13 - FUNDING				
	Supported Borrowing	1,048	473		
	Unsupported Borrowing	5,392	3,074		
	Grants	15,010	12,664		
	Contributions	219	589		
	Reserves	403	658		
	Revenue	140	367		
	Capital Receipts	1,403	650		
	Total	23,615	18,475		

Overview
& Scrutiny
Confidence in your Council

Youth Unemployment in Torbay

FINAL DRAFT REPORT TO THE MAYOR
JUNE 2013



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Youth Unemployment in Torbay

1. Introduction

- 1.1 The Labour Market Statistics¹, published by the Office for National Statistics in April 2012, showed that 8.2% of 16-24 year olds in Torbay were claiming Job Seekers Allowance. This was an increase of 0.2% since March 2011 and equated to 1110 young people. The same statistics showed that 2.4% of this age group had been claiming for over six months.
- 1.2 It was with these figures in mind that the Overview and Scrutiny Board established a review panel to consider the factors which influence youth unemployment in Torbay and to facilitate partnership working across the public, private and third sectors to address the issue.
- 1.3 The scope of the review was:
 - To understand the issues facing young people looking for work and the providers, services and initiatives available to them.
 - To consider the views of employers on their needs and how young people are equipped with the skills that are demanded.
 - To ensure that Council policies support youth employment.
- 1.4 For the purposes of this review, the panel considered the situation for young people leaving full-time education until the age of 25.
- 1.5 The review panel was chaired by Councillor Pentney and also comprised Councillors Addis, Kingscote, James and Hill.
- 1.6 The panel sought the views of a range of young people through face-to-face discussions, questionnaires, feedback posters and social media as well as the views of local employers. The panel also met with a wide range of agencies and providers working to address youth unemployment in Torbay.

¹ <http://www.ons.gov.uk/ons/rel/subnational-labour/regional-labour-market-statistics/april-2012/index.html>

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2. Findings

Background

2.1 Between January and March 2012, 5.1% of 16-18 year olds who lived in Torbay were Not in Education, Employment or Training (NEET). Young people are more likely to be NEET at 17 and even more so at 18:

NEET at 16 = 3.0%

NEET at 17 = 4.6%

NEET at 18 = 5.9%

2.2 At any one time, this means that around 200-220 16-18 year olds are NEET however this figure is not static as young people, for example, start courses and then drop out and re-start courses. Up to 900 young people may be NEET for at least one month in any year.

2.3 Torbay Council (via Careers South West) tracks young people after the age of 16 in order that various teams within Children's Services can undertake early intervention work to prevent 16-18 year olds from becoming NEET and to support young people who are NEET to move into education, employment and training.

2.4 Through effective partnership working, the percentage of 16-18 year olds who are NEET has remained low with Torbay being one of the best performing areas in the country. However, this does not appear to translate into good employment prospects for 18-24 year olds. In March 2012, 1125 18-24 year olds in Torbay were in receipt of Job Seekers Allowance which equates to 10.6%. This compares with 6.2% for the South West and 8.3% nationally. Of those 1125, 225 (2.4%) had been claiming for between 6 and 12 months and 85 (0.8%) for over 12 months.

The Council's Role

2.5 Torbay Council has a number of roles and responsibilities in relation to youth unemployment.

2.6 Through **Children's Services**, Torbay Council has a range of duties in relation to young people:

- Supporting 16-19 year-olds who are not in education, employment or training
- Tracking the educational progress of young people between the ages of 16 and 19
- Providing education up to the current statutory school leaving age (including where pupils/students have been excluded from mainstream provision)

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- Providing suitable education for young people with a statement of special educational need up to the age of 25 where educational progress can be shown
 - Providing impartial Information, Advice and Guidance and support to vulnerable young people who require greater levels of support to progress in post-16 employment, education or training than the National Careers Service can offer
- 2.7 In supporting NEETs, the Council works with all providers within the travel to learn area² to ensure that sufficient, high quality and relevant learning provision is available to meet learner needs. It also works to ensure that the September Guarantee (whereby every young person aged 16 or 17 is offered a place in learning each September) is met and is promoting and facilitating the Raising of the Participation Age (RPA). In fulfilling these roles, the Council works with schools with sixth forms, South Devon College, providers of apprenticeship training and delivery partners of specific NEET projects.
- 2.8 The Council is currently involved in locally led pilots: Phase 4, developing approaches to increasing participation and preparing for the introduction of RPA (see **below**). These will run from April 2012-March 2013. This will focus on improving post-16 transition support, employer engagement and communications.
- 2.9 In November 2012 the Council organised a large event at the Riviera International Centre to publicise RPA and the opportunities available with employers, schools, training organisations and support services exhibiting. Over 600 young people and parents/carers attended. There were over 50 exhibitors which included schools and colleges offering advice on post-16 course, local employers (such as the Met Office, South West Water and Centrax) and the National Apprenticeship Service.
- 2.10 Overall, the feedback about the event was good with the “range of exhibitors” and “range of information offered” rated highly. Parents commented that it was useful for them and their children to have more choices and information, and exhibitors stated that they found it useful to have a combined event to reach a wider audience. Currently there is no funding available to hold this type of event on a regular basis.
- 2.11 As more schools become academies, and thus offer their own guidance and support, links are being lost between the Council and schools and schools are pulling back from funding education partnership work for 14-19 year olds.
- 2.12 **Parkfield Youth Hub** is the centre of Torbay’s Youth Offer, and a key element of the Offer is in supporting young people into suitable education, employment and training. Initiatives run from Parkfield include the contracting of the café to Eat That Frog, who run this as a training kitchen

² DEFINE TRAVEL TO LEARN AREA

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where young people can begin to learn both cookery skills, customer skills and money handling skills. A recent joint initiative with Eat That Frog is the grounds maintenance project for Parkfield. Again, this provides the environment for young people to learn under supervision and practice basic level horticulture and grounds maintenance while delivering a much needed service for the site.

- 2.13 There has also been an agreement to provide work experience within Parkfield which needs to be formalised so that it is a more constant arrangement with an understood resource commitment. A recent request from PLUSS to provide work experience has been taken up, and Parkfield will seek to establish ongoing experience for young people with disabilities.
- 2.14 Two apprentice posts have been set up and one is currently being advertised on the National Apprenticeship website. One post is a Business Support apprentice and the other is a Youth Inclusion apprentice who will work on the participation agenda enabling young people from hard to reach groups to shape their own services and to be more involved in running their communities. The training element of this post has held up a start date, but this should be on track now for June 2013.
- 2.15 Parkfield is also a base for Ngage, Flex and Pulse, and houses the educational provision for school phobics, all projects working to maintain educational and training engagement with our most vulnerable, hard to reach young people. A jobs club is run from there on a weekly basis and there are plans for careers advice and guidance sessions to be set up within the youth clubs, where around 150 young people attend for each session.
- 2.16 Next step plans are to establish some youth enterprise units and training at the centre.
- 2.17 **Torbay Development Agency (TDA)** is the Council-owned company responsible for delivering the Council's economic regeneration objectives. It aims to bring about the regeneration of Torbay and deliver economic benefits to the whole community by promoting Torbay as a business location, attracting inwards investment and providing support for existing businesses to develop and grow.
- 2.18 The Torbay and South Devon Employment and Skills Board was initiated by the TDA in 2009 to bring together representatives of key organisations who fund or deliver programmes of support to improve skill levels and the employability of residents within the Torbay and South Devon area. The Board has been designed to be employer-led and employer-focused in order to raise the skills, aspirations and productivity of the Torbay and South Devon workforce and to support the growth of a vibrant and successful local economy.
- 2.19 TDA have commissioned some entrepreneurship education support for several secondary schools who are working with organisations such as Young

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Enterprise, Outset Torbay, Real Ideas. This ranges from activities that benefit small selected groups within a school or may be offered to whole year groups in a school.

Schools and Other Learning Providers

- 2.20 **Schools** (including local authority maintained schools, academies and free schools) provide learning up to the statutory school leaving age. This is currently the end of the academic year in which a young person becomes 16. Maintained schools must deliver the National Curriculum whilst academies and free schools do not have to.
- 2.21 Section 29 of the Education Act 2011 placed schools under a duty to secure access to independent careers guidance for their pupils in school years 9 to 11 from September 2012. Schools can commission independent careers guidance from providers engaged in delivering the National Careers Service or other providers as they see fit.
- 2.22 Schools can retain its own careers advisor but, to meet the statutory duty, must devise a careers education programme supplemented with external sources of careers guidance. This could include an external careers provider, engagement with local employers, mentoring or website and telephone helpline. Taken together, the external sources must provide impartial information on the full range of post-16 options and access to face-to-face support where needed.
- 2.23 The duty to provide work related learning at Key Stage 4 in schools has been removed and the dedicated funding stopped. However, most schools in Torbay still enable pupils to carry out work experience to a greater or lesser extent. Support is provided by Devon Education Business Partnership who also run the STEM contract, to inspire opportunities in Science, Technology, Engineering and Maths.
- 2.24 There has been an active Careers Education, Information, Advice and Guidance group in Torbay for many years which comprises schools careers co-ordinators and Careers South West Personal Advisors. Whilst the group used to meet termly to share good practice and to collaborate, it has met less frequently over the last year. There is a desire for the network to continue as a mutual support for staff who can feel isolated in a school where they are the only specialist.
- 2.25 Members of the Panel visited **Paignton Community and Sports Academy** and **Combe Pafford Business and Enterprise School** and received a representation from **Churston Ferrers Grammar School**.
- 2.26 At Paignton Community and Sports Academy members of the Panel met with the Careers Co-ordinator and discussed the work being undertaken by the College and the relationships that were developing between the Academy and other organisations in Torbay.

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- 2.27 Combe Pafford Business and Enterprise School is special school which caters for boys and girls who have moderate learning difficulties, physical difficulties or autism.
- 2.28 In September 2007 Combe Pafford was designated as one of the few special schools in the UK with Business and Enterprise as a specialism. The new status was the result of a deliberate strategy to capitalise on the school's work over a long period of time with Key Stage 4 pupils in the sphere of work-related learning, particularly business links, enterprise activities and work experience.
- 2.29 The overarching aim of the school is to maximise the academic, personal and social potential of all its pupils, irrespective of disability, through the medium of Business and Enterprise, driven by the lead subjects of Maths, ICT and Business and Enterprise. The curriculum is designed around three elements: Academic; Personal and Social Development; and Vocational and Work Related (which includes work experience arranged in local businesses).
- 2.30 Most pupils at the school are now able to choose two vocational options from the seven on offer: hairdressing, hospitality and catering, motor vehicle, construction, animal care, horticulture and health and social care. The facilities at the school include a hairdressing salon, motor vehicle garage and construction hall. There is a horticulture base at Brunel Manor and the Foyer Café at Torre has been leased from Devon and Cornwall Housing Association.
- 2.31 From September 2013, the school will be opening a Sixth Form with 12 places per year over three years. The five-day-a-week course on offer will focus on employment rather than qualifications with:
- Two days per week in a work experience placement
 - Two days per week in school working on English, maths, work skills and money management etc
 - One day per week taking a vocational qualification at a post-16 training provider
- 2.32 The Panel heard details of the work being undertaken at Churston Ferrers Grammar School in response to the requirement to provide Independent Careers Advice and Guidance. The Deputy Head of the Sixth Form is the member of staff responsible for Careers Advice and Guidance and has worked during the current academic year to ensure that:
- All Sixth Form students have received a one-to-one careers interview
 - All Sixth Form students have participated in a programme of careers-related learning during discreet timetabled lessons
 - All students have a clear understanding of all the options available to them at the end of Key Stage 4 and Key Stage 5
 - The school is working with local businesses, Further Education and Higher Education institutions, the National Apprenticeship Service,

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parents and other stakeholders to facilitate work experience, provision of current LMI to students and appropriate guidance.

- 2.33 The Headteacher has also set up a working party to review and evaluate careers learning in the school which has resulted in a whole school audit and the production of a new Careers Policy for the school which embraces all key stages.
- 2.34 In addition to the Deputy Head of the Sixth Form, the school also has a designated Careers Co-ordinator and a Head of Careers. This ensures that, throughout the school year, there has been a continued programme of careers learning for all students which includes things such as:
- A two-day employability event at the end of the summer term for all Year 12 students involving local employers, the National Apprenticeship Service, and Further Education and Higher Education institutions
 - Liaison with external professions to provide careers interviews
 - Taster Days – whereby professionals from various careers areas come into the school for a half or full day
- 2.35 The Panel heard that it is the school's aim to work with other secondary schools, sixth forms and other interested groups to ensure that the careers education, information, advice and guidance it provides to its students enable them to make informed choices about their future.
- 2.36 **Post-16 learning** is offered by schools with sixth forms, Further Education Colleges (in the case of Torbay, this is South Devon College and Bridgwater College in partnership with Paignton Zoo) and training providers offering 16-18 and 19+ apprenticeships or other work based learning
- 2.37 **Higher Education establishments** offer a range of generally post-18 courses. They are independent of direct government control for their educational offer. Torbay has no higher education facilities.
- 2.38 With the Raising of the Participation Age (RPA), from Summer 2013 young people in year 11 will stay in education or training until the end of the academic year they become 17 and in year 10 and below until their 18th birthday. The mandatory school leaving age remains the same.
- 2.39 Young people have four options:
- stay in education at their current or transfer to a new school
 - go to a further education college
 - take up an apprenticeship, or
 - take up part-time employment or volunteering for 20 hours a week plus attend some part time learning.

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- 2.40 Therefore it is increasingly important for young people to receive impartial advice which may conflict, at times, when provisions are in direct competition.

Careers South West and the National Careers Service

- 2.41 Careers South West (CSW) aims to help people engage in learning and work through providing careers information, advice and guidance. The organisation has a number of contracts – the main two being a contract with Torbay Council and the prime contractor for the National Careers Service which works primarily with people aged 19 and over to provide careers advice and information. The Torbay Council contract focuses on vulnerable groups so in several schools there will be a dedicated CSW Personal Advisor which focuses on helping young people who are vulnerable to make a successful transition to learning and work.
- 2.42 The organisation works directly with employers through the Devon Education Business Partnership Contract to offer support to schools and colleges in finding work experience placements for pupils and other curriculum support. Careers South West also works directly with employers in finding candidates for vacancies, including apprenticeships.
- 2.43 Advisors have an in-depth knowledge of the learning provision and other options that are available to young people in Torbay. Careers South West also contributes to the Safeguarding Children's Board, the Teenage Pregnancy Partnership Board and a range of other community forums. The organisation is a members of the Torbay and South Devon Employment and Skills Board which feeds into the Local Economic Partnership.
- 2.44 The **National Careers Service** was launched in April 2012. Within Torbay, the Service is delivered via Careers South West. The information and advice service will be available to everyone (13+) online, with a face to face service available for 19+ (18+ if on Jobseekers Allowance). It is designed to help people make informed decisions about careers, skills and learning.

Department of Work and Pensions/Jobcentre Plus

- 2.45 The Department of Work and Pensions (DWP) (through **Jobcentre Plus**) is responsible for supporting young people aged 18-24 who are claiming a working age benefit. This support includes job search advice and agreeing an action plan towards employment. Jobcentre Plus also engages with employers to source work experience and employment opportunities.
- 2.46 DWP also supports 16/17 year old customers who are estranged from their families. They offer an advisory service and support for customers to make hardship claims for both Job Seekers Allowance and Income Support. In relation to these customers, Jobcentre Plus work extremely closely with Careers South West.

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- 2.47 Within 24 hours of a customer making a claim to benefit, a full diagnostic interview is arranged with a specialist 18-24 advisor. At this interview, background information is collected and an action plan agreed with the young person. The majority of young people are referred to the National Careers Service for a Skills Conditionality interview to gain an independent assessment of their skills and to identify any areas that need to be addressed (for example, numeracy, literacy or work related skills).
- 2.48 All 18 year old customers are also required to attend Careers South West so that they have additional support to return to work or training.
- 2.49 After the initial diagnostic interview, the customer will then be seen (usually weekly) by their named advisor and their assistant advisor when the action plan is reviewed and updated and customers are signposted to the most appropriate provision to support them to overcome their barriers to return to employment.
- 2.50 The targets of Jobcentre Plus are predominantly based on the percentage of customers returning to work after 13, 26, 39 and 52 weeks of claiming Job Seekers Allowance. Within Torbay, Jobcentre Plus are currently (as of DATE) exceeding their targets at 13, 26 and 52 weeks but are below target at 39 weeks.
- 2.51 DWP are active in building working relationships with employers. At a national level, a team works with national employers (such as Argos and B&Q) to gain agreements for work experience placements (of up to eight weeks) which cover their branches across the Country. Locally, Employer Engagement Managers have teams that are responsible for building working relationships with local employers. For example, in Torbay, Sandwell Community Caring Trust are working with Jobcentre Plus to provide pre-employment training for care workers and then guaranteeing interviews for vacant posts.
- 2.52 Jobcentre Plus have regular meetings with the National Apprenticeship Service and their advisors actively promote apprenticeships alongside work experience when talking to employers as well as job seekers.
- 2.53 Torquay Jobcentre Plus have recently recruited three apprentices into its office.
- 2.54 Jobcentre Plus works with, and refers customers to, a range of agencies who provide support in the Torbay area. The majority of these initiatives and programmes are publicly funded as a result of Government policy and they are therefore deemed to be sustainable.
- 2.55 The **DWP Work Programme** provides tailored support to customers who need more help to undertake active and effective jobseeking. Participants receive support to overcome barriers that prevent them from finding and staying in work. Within Torbay, Working Links and Prospects Employment

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and Training are the prime providers. They are responsible for supporting young people aged 18-24 from when they have reached 39 weeks on Job Seekers Allowance on their journey into work. In addition, some people (for example, those leaving prison) are eligible for early entry onto the Work Programme.

- 2.56 Working Links work with people from the age of 18 to help them find work. Their work involves an induction session and a diagnostic tour (which determines what support an individual needs followed by a referral to a specialist consultant who can provide the support needed. This support can take the form of help with a CV or identifying the appropriate training courses. Team building sessions at Grenville House in Brixham are also provided.
- 2.57 In delivering the Work Programme, Prospects provide support and resources for customers in dealing with issues such as literacy and numeracy, housing, dependency and debt. Prospects' ethos is "to create a service which helps to build customers' confidence and self-esteem, enabling them to get and sustain a job".
- 2.58 Prospects use the Ascent model which concentrates on challenging and changing ingrained behaviours in a systematic way through a combination of appropriate interventions, on-going assessment, one-to-one support and, where required, specialist assistance. It is built around an individual's need with all customers having an Ascent Advisor who will work with them to provide them with skills, experience and attributes to find a job which suits their needs and provides long term employment.
- 2.59 Providers are paid primarily for sustained job outcomes. A job outcome payment can be claimed after a participant has been in a job for 3 or 6 months with subsequent payments every 4 weeks up to a year, 18 months or 2 years.
- 2.60 Government figures published in November 2012³ saw at least 56% of the schemes earliest participants have come off benefits, with 19% spending at least 6 consecutive months of benefits. By the end of July 2012, 31,000 people had remained in a job for between 3-6 months. In Torbay the Work Programme has resulted in 40 job outcome payments from approximately 2000 attachments (2%) against 2.9% in the South West and 3.7% nationally.

Third Sector

- 2.61 The Voluntary Sector in Torbay provides some direct support to young people and their families including access to information and advice, including work

³ <http://www.dwp.gov.uk/newsroom/press-releases/2012/nov-2012/dwp128-12.shtml>

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clubs and training. Some of the services within Torbay are detailed in the following paragraphs.

- 2.62 Brixham Youth Enquiry Service (YES) is a local charity which supports young people in the community. It has a team of experienced staff, counsellors and volunteers and provides a drop in services for 11-25 year old young people and their families to access information, advice and support.
- 2.63 In February 2012 YES awarded a small Neighbourhood Challenge grant to aid Brixham Young People's Training and Employment Service (BYTES) which provides a weekly training and employment support drop in session for young unemployed and under skilled people ages 16-24. They have linked with Job Centre Plus for referrals, Princes Trust and older skilled craftsmen to provide training in practical skills e.g. woodwork, basic engineering.
- 2.64 YES has also sought to develop links with Jobcentre Plus (JCP), Careers South West and South Devon College and have had upwards of 30+ clients referred to them by JCP.
- 2.65 Hele's Angels is a neighbourhood management scheme covering Hele and Lower Barton. Part of its focus is to improve the job prospects of local people and it provides a weekly work club for 18-24 year olds as well as training, advice and guidance, access to computers and help with CV's. They have approximately 12-20 clients and have contacts with Careers SW and take referrals from Jobcentre Plus
- 2.66 Eat that Frog is an 'Active Living' centre for all ages providing an extensive training programme and support service as well as a work club.

Apprenticeships

- 2.67 Apprenticeship programmes are funded by the Government via the Skills Funding Agency through a fairly prescriptive model. Apprentices are paid employees whose training must be completed as part of their working week. Apprenticeships are designed by the Sector Skills Councils with business representatives from the relevant industry sector working with the Council to develop the course content which is set out in documents known as Frameworks. The duration of the apprenticeship varies by trade but they are usually between one and four years in length. Apprenticeships are standard across the Country.
- 2.68 The majority of training takes place "on the job" with the rest being undertaken at a local college or a specialist training organisation. Because of the prescriptive nature of apprenticeships they can be very inflexible for small businesses. This is an issue within Torbay where the economy is predominantly made up of small and medium size enterprises.

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- 2.69 Apprentices must be paid a wage with the National Minimum Wage for apprentices being £2.65 per hour⁴ although employers are free to pay above this rate. According to the National Apprenticeship Service, research has found that apprentices earn an average of £170 net pay per week.
- 2.70 The Government funds all of the training of apprentices who are 18 and under whilst those who are aged 19 - 24 have to pay 50% of the training costs.
- 2.71 There are currently 40,000 Apprenticeship Grants for Employers of 16-24 years olds (AGE 16-24) of £1500 available to employers with less than 1000 employees who take on an apprentice (and haven't had an apprentice in the last 12 months)⁵. This grant is subject to the employer committing to support the apprentice to the end of their programme and is paid in a lump sum after employing an apprentice for three months. Up to ten grants can be made to any one employer.
- 2.72 Data from the National Apprenticeship Service (NAS) indicates that, for the first time in several years, the last quarter showed more employer vacancies than young people (16-18) applying for an Apprenticeship. This may suggest that young people may be choosing full time study instead. There is an increase in over 18s taking up apprenticeships in Torbay.
- 2.73 Some apprenticeships attract UCAS points (qualifying points used for entry to higher education) meaning that once an apprenticeship is completed there is an opportunity to go on to higher education in a college or university. However, whilst those who already have a degree can do an apprenticeship they would not be eligible for funding and would need to pay the full training costs.
- 2.74 Locally there are approximately 60 vacancies within a 10 mile radius of Torbay currently posted on the National Apprenticeship Service website. NAS have introduced 8 apprentices into Southern Devon NHS & is working with TDA, SDC and the High Tech Manufacturer Employers Forum to introduce an Electronic Engineering Apprenticeship framework for 10-12 young people.
- 2.75 Members of the Panel met with representatives from **South Devon College**.
- 2.76 South Devon College is a large Further Education college which provides a range of vocational, educational and recreational courses to many levels of attainment. The College is a training provider for over 30 different types of apprenticeships. It works with over 400 businesses and over 650 apprentices.
- 2.77 Young people apply to become apprentices through the College. The College provide assistance to help find employers for those young people who are

⁴ As at 1 October 2012

⁵ The AGE 16-24 is available from 1 February 2012 until March 2013

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unemployed and also provide assistance to help people find jobs for themselves.

- 2.78 The College reported that, each year, they have a large number of people who want to become apprentices but who cannot find vacancies. It was reported that they can have between 200 and 300 such cases each year with these young people then tending to take up full-time education instead. As the Government funding for apprenticeships follows the young person, the College would have the capacity to train these apprentices if they were to find employment.
- 2.79 South Devon College holds regular sector focus groups which enables local businesses to engage with the College to discuss employers' needs and requirements within that particular sector. These groups provide the opportunity for professional discussions to ensure that the College can meet the needs of the employer through each apprenticeship Framework. Once a year, the College holds an event when all employers are invited to attend to share their experiences.
- 2.80 In terms of securing permanent, full-time work, South Devon College encourage their students to gain skills and experience in a range of ways. It was reported that work experience is crucial to this both from the students' point of view and in changing the perceptions of employers about young people. Full-time students are used as ambassadors for the College, apprenticeships and young people in general. Many students also work part-time and students need to identify the skills they have gained in these jobs when applying for full-time permanent work.
- 2.81 It was reported to the panel that there is a great desire to work among the College's students and over 90% have work experience of some kind. Finding placements for work experience continues, however, to be a challenge. The College have found that the employers who provide apprenticeships are also those who provide work experience placements. The College feel that there is a very strong core of employers locally who have made a commitment to help young people find the skills and experience they need to move onto permanent employment and careers. Further influence needs to be brought to the vast majority of employers however do not provide these types of opportunities.
- 2.82 South Devon College are involved in other initiatives to help young unemployed people in Torbay including the Flex Programme and running Work Clubs and Sector Based Work Academies for Job Centre Plus.
- 2.83 In terms of the Sector Based Work Academies, the College can provide training in a range of industries with a very short lead time. For example, when the Premier Inn at Brixham Road, Paignton was recruiting for staff for its opening, South Devon College provided a two week training programme which covered food hygiene, health and safety, presentation skills and

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interview techniques. Job Centre Plus identified clients to attend the course after which Premier Inn guaranteed an interview.

- 2.84 In October 2011, Torbay Council re-introduced an Employing Apprentices Policy and an Apprentice Grade and Training Job Description. As at May 2013, there are eight apprentices (who have been recruited through an application and interview process) across Torbay Council. This represents 0.6% of core-Council staff. These include posts in Youth Support, Business Support and Engineering. There are also 11 apprentices employed in primary and secondary schools within Torbay.
- 2.85 The Council is also looking to introduce 2-8 week work experience trials across all service areas. One placement is already in place.

Views from Young People

- 2.86 To consult with young people, questionnaires were made available online and distributed directly. A total of 74 surveys were completed, 62% from young people aged 16-18 (25% under 16, 12% 19-24).
- 2.87 When asked about their career ambitions for the next 5-10 years, 90.5% of respondents wanted to be in employment with 11% mentioning Further Education. Half stated that further education and qualifications would help them to achieve their career ambitions. Work experience and training were also popular responses.
- 2.88 43.1% felt that there was something stopping them from achieving their career ambitions, a lack of jobs and a lack of experience being the most frequent reasons given. A few mentioned age as an inhibiting factor, not getting the same opportunities as older people and being 'labelled'.
- 2.89 Just over half (54.4%) of young people felt positive about their career opportunities. 36.7% were negative about their future prospects.
- 2.90 The Careers Office at school or college was the most frequently mentioned place young people go for advice about getting a job (23) This was followed by the internet (19), Family (16), Careers South West (11) and the Job Centre (11). 44.7% of respondents agreed that the advice that they receive is good or very good only 9% thought the advice was poor or very poor.
- 2.91 When asked how careers advice could be improved 27.3% felt that more specific information could be given, 21.8% stated it could be more focussed to jobs.
- 2.92 Nearly all (95.9%) of respondents were aware of apprenticeships and most of the respondents (75.4%) had a positive opinion of apprenticeships. However, 31.3% of respondents stated a lack of experience was an issue when trying to gain employment. Other themes mentioned were to improve the help and

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advice given to young people and a need for more vacancies suitable for young people.

Views from Employers

- 2.93 A questionnaire was created for employers which asked for their views on employing young people and the skills needed and on offer. Despite a low return rate (22) the results showed some common themes.
- 2.94 The most popular skills and attributes sought by employers when employing young people were enthusiasm (54.5%), communication skills (50%) and a willingness to learn (45.5%). The majority of respondents (63.6%) said they could not find these skills and attributes easily within the younger generation in Torbay.
- 2.95 40.9% of employers look for specific qualifications when employing young people but 62.5% of these employers answered that they could not easily find young people with these qualifications in Torbay.
- 2.96 In considering what schools and colleges could do to help young people in the job market, suggestions included help with interview techniques, educating about the expectations of local employers, developing reading and writing skills, employability skills, developing life skills such as time keeping, attendance, positive attitude and assisting to gain work experience.
- 2.97 Just under half of the employers (47.6%) offer Jobcentre Plus work experience placements and 87.5% of these employers have had a positive experience of them. The most common reason for not offering Jobcentre Plus work experience placements was that organisations were already providing alternative forms of work experience. 71.4% of respondents offer other kinds of work experience, with most of these being arranged with schools and colleges.
- 2.98 71.4% of the employers offered apprenticeships and the majority of these had a positive experience of them saying they were a good way of introducing new employees to an organisation and beneficial for existing staff in developing coaching and mentoring skills.
- 2.99 A variety of suggestions were put forward by the employers including the need to encourage more vocational routes, preparing young people for employment and for more partnership working across the local authority, voluntary organisations, employers.
- 2.100 The results of the Panel's survey are confirmed by recent findings⁶ from the Federation of Small Businesses which show that eight out of ten businesses don't believe that school leavers are ready for work and that more should be

⁶ The Federation of Small Businesses surveyed members of the 'Voice of Small Business' Survey Panel from 12-26 June 2012 and received 2,774 responses. The study was undertaken by Research by Design on behalf of the FSB. For results go to www.fsb.org.uk/fsb-survey-panel

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done to help prepare them for employment. Of the 2,774 survey respondents that employ 16 to 17-year-olds, 59 per cent of survey respondents reported that their young employees had poor literacy skills with numeracy judged to be poor by 55 per cent. 56 per cent said communication skills fell short and 77 per cent also found that school leavers' general business awareness was poor.

- 2.101 The Federation went on to say that early careers guidance was key and equipping young people with skills such as CV writing, time-keeping, problem solving and team working would not only help employers, but would give young people a better understanding of potential jobs and career paths. Whilst schools continue to be judged against GCSE and A Level results, employability skills will continue to be a "nice to do" rather than being seen as essential.

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3. Issues

- 3.1 With the range of options open to them as a result of the Raising of the Participation Age, young people more than ever need access to impartial information, advice and guidance to help them choose the right pathway.
- 3.2 The Panel heard from young people themselves that they do not always get the information they need at the appropriate time.
- 3.3 There is a tension for schools in that they want to expand their sixth form provision and offer new facilities and courses but are also in increasing competition with other providers (such as neighbouring schools and colleges). This produces a conflict of interest over the ability to offer truly impartial information, advice and guidance.
- 3.4 The Panel have heard from a number of sources that the message around RPA is that it means young people need to stay on at school.
- 3.5 The Panel also heard that it appears that the Department for Education's view is that parents will be one of the biggest influences on how the careers education programme and access to impartial information, advice and guidance is delivered in local schools. Within the most deprived areas of Torbay (where third generation unemployment is not uncommon) this parental influence may not be what it should.
- 3.6 National surveys are beginning to show concerns that school teaching staff do not always feel qualified or experienced enough to give universal careers advice and, with limited access to external staff, young people may be losing out.
- 3.7 It appears that the changes in the statutory duty around careers advice may have led to a less cohesive framework for careers guidance. Schools and providers are providing a range of careers-focussed activity but this is happening individually and the former collaborative approach has diminished.
- 3.8 As more of Torbay's schools become academies there is less requirements on them to share their developments with the Council and therefore, measuring the success of the provision of careers advice within schools will be difficult. Ultimately Ofsted will report on the quality of the provision although with all our schools rated Good or Outstanding these reports are not due in the near future.
- 3.9 The Panel also heard from a number of sources that the advice received in schools about apprenticeships/self employment/entrepreneurship was not as good as it could be. It has been suggested to the Panel (again from a number of sources) that this could be because many school teachers feel ill equipped to inform or advise about (or even advocate) these options as a valid career option due to their lack of experience of vocational sectors due to their personal academic career routes.

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- 3.10 Equally there needs to be wider promotion of apprenticeship schemes in order to encourage more employers within both the private and public sector to take on apprentices. The Council has a role to play both in employing and promoting apprentices and encouraging its partners and contractors to employ apprentices.
- 3.11 There is a need to ensure that young people are fully aware of the range of successful sectors within Torbay. These include nationally recognised training schemes within the retail and hospitality sector offered by national and multi-national companies operating in Torbay and the hi-tech manufacturing, fisheries and healthcare sectors.
- 3.12 Whilst all schools claim to have excellent employer links, employers are still saying (both locally and nationally) that young people are leaving school without employability skills and an understanding of the world of work. There still appears to be a predominant view amongst schools that a strong set of academic qualifications is the best way into employment. This is to be expected when schools continue to be judged on their pupils' achievements in exams and when little, if any, funding is available to support employment skills development.
- 3.13 Employers need to continue to be encouraged to engage with schools whilst schools need to keep in mind that employers look for tenacity, enthusiasm and passion, good English and maths skills and teamwork when looking to employ someone.
- 3.14 The views gathered by the Panel from organisations within the Third Sector highlighted that there was a feeling that whole system did not join up adequately. Some organisations expressed difficulties in establishing links with South Devon College whilst others believed that there was not enough focus on providing training and support to those aged 19-24
- 3.15 It was felt that there was a need for a holistic approach to build young people's confidence, motivation and direction.
- 3.16 The Panel have heard through its meetings with and visits to a number and variety of organisations in Torbay that there is a lot of good work going on in Torbay to improve levels of youth employment. Similarly reports have been presented the Overview and Scrutiny Board about the Mayor's economic regeneration ambitions and the work of the Torbay Development Agency to increase the number of jobs available in the area. Young people are continuing to leave Torbay's schools with better and better examination results.
- 3.17 However, there appears, to the Panel, to be a lack of clarity about the routes that young people can take on journey to employment. Organisations are working in partnership with one another but there appear to be many partnerships rather than a single partnership. The competition between different organisations (which in many ways has been imposed (either

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intentionally or not) by Government) does not ultimately help young people receive the right advice that need to ensure that take the approach that suits them.

4. Conclusions

- 4.1 The academic achievements of Torbay's schools are high. However, from the information it has gathered during the course of the review, the Panel feel that schools are not preparing their students well enough for the world of work. There does not appear to be enough emphasis placed on employability skills such as communication, time-keeping and attendance. Equally students need to have the skills to prepare CVs and to be successful at interview.
- 4.2 Further, the achievements of young people who live in Torbay can be masked by the numbers of students who attend Torbay schools but live outside of Torbay. Schools need to be challenging young people's expectations for their future. The negative and/or inaccurate views of the employment opportunities available in Torbay also need to be challenged.
- 4.3 Further work needs to be undertaken to identify the training that is needed to fill the skills gap within Torbay. There is some concern that training opportunities are made available to ensure that young people are not classed as NEET rather than training being focused to maximise the young person's employment opportunities.
- 4.4 In terms of the options available to young people once they leave school, there is a multitude of agencies and organisations available to provide advice. However, there appears to be lack of understanding (and, in some cases, knowledge) of what each organisation provides. This means that young people find it hard to navigate through the system to their best advantage.
- 4.5 The Panel does not believe that Torbay Council has a strategic approach to employing apprentices or providing work experience placements. It believes that the Council should be "leading by example" and helping to encourage other public sector bodies to work to reduce youth unemployment in Torbay. Consideration should also be given to how the Council's contracts and procurement procedures can encourage the use of apprentices.

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5. Recommendations

- 5.1 Torbay Council must lead by example to ensure that young people in Torbay have access to the:
- Right careers education, information, advice and guidance
 - Right skills
 - Right employment opportunities
- 5.2 The Council should strengthen and streamline the partnership arrangements it has with Jobcentre Plus, schools and colleges, the community and voluntary sector and local employers to model a new approach that provides a multi agency hub (or hubs) with a focus on creating opportunities for young people to reach their full potential and access employment based on the current work being undertaken at Parkfield, Brixham Youth Enquiry Service and Combe Pafford Business and Enterprise School
- 5.3 By ensuring the Employment and Skills Board has a focus on reducing youth unemployment in Torbay, the Council can help to ensure that every young person reaches their full potential.
- 5.4 The Employment and Skills Board should bring together employers and schools and colleges to collaborate in the further development of careers education programmes which include the skills necessary for employment and an awareness of the opportunities available in Torbay.
- 5.5 In bringing together the various agencies and organisations which support young people to gain employment, the Council should apply any learning from other authorities, for example the 'Cornwall Works' programme.
- 5.6 The Council should also review its recruitment, contracts and procurement policies to ensure that they promote the employment of young people, apprenticeships and work experience opportunities and that this should also be promoted with other public sector bodies.

Agenda Item 12

Health Scrutiny Board

Terms of Reference	Membership	Members
<p>To consider all matters and issues arising from the Council's power of scrutinising local health services in accordance with the Health and Social Care Act 2001, the National Health Service Act 2006 and Health and Social Care Act 2012.</p>	<p>8 members of the Council (politically balanced)</p> <p>Conservative (5)</p> <p>Liberal Democrat (2)</p> <p>Non-coalition group (1)</p>	<p>Councillors Hernandez, Hytche, Bent, McPhail and Thomas (J)</p> <p>Councillors Davies and Doggett</p> <p>Councillor Ellery</p>



Meeting: Overview and Scrutiny Board **Date:** 19 June 2013

Wards Affected: All wards

Report Title: Overview and Scrutiny Board Work Programme

Supporting Officer Contact Details: Kate Spencer, Overview and Scrutiny Lead
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1. Purpose and Introduction

- 1.1 Each year, the Overview and Scrutiny Committee is required to agree a Work Programme. The Programme needs to be robust and realistic but also flexible enough to enable emerging issues of concern to be addressed. This will help to ensure that overview and scrutiny is driving service improvement and playing a key role in the policy development process. A successful scrutiny function would have a positive impact on our customers as the community would be involved in the work being undertaken and the outcomes of that work would be focused on the community's needs.

2. Proposed Decision

- 2.1 That the Work Programme for the Overview and Scrutiny Board be constructed around issues of major community interest with a view to preparing "packages of evidence" which can be used to inform the budget setting process.
- 2.2 That the Priorities and Resources Review Panel be appointed (comprising the members of the Overview and Scrutiny Board) and meet throughout the year to (a) review and monitor the revenue and capital budgets for the current year; and (b) to review and challenge the emerging proposals for delivering the Council's priorities for the 2013/2014 financial year.
- 2.3 That, in relation to the collapse of the sea wall at Livermead, a "call for evidence" be issued in accordance with the scope of the review at Appendix 1.
- 2.4 That the Board determine whether to undertake a review of Fixed Odds Betting Terminals following the preparation of a briefing note for all members of the Board.
- 2.5 That, taking account of the briefing note at Appendix 2, the Board determine whether or not to undertake a review of the process for assessing claims for Housing Benefit.

2.2 Reason for Decision

To ensure that the Overview and Scrutiny Board sets a robust Work Programme for the coming year.

Supporting Information

4. Position

- 4.1 The Constitution requires that, early in the Municipal Year, the Overview and Scrutiny Board will co-ordinate the production of a Work Programme for the function as a whole.
- 4.2 As the Board is aware, the major challenge facing Torbay Council in the coming year is identifying the savings required to meet the continuing reducing amount of public sector finance. As part of the processes around fair decision making, robust proposals must be developed which include appropriate consultation and assessment of the impacts.
- 4.3 Last year, the Overview and Scrutiny Board focussed on the budget proposals which had a major community impact. It is proposed that this approach is taken again this year, but that the Board undertake work as policies and proposals are being developed. This would supplement the work already being carried out across the Council rather than being a parallel or duplicate stream of work.
- 4.4 The work would include:
- Review of existing policies
 - Challenge of needs assessments and impact assessments
 - Consultation and engagement with service users and the general public
- 4.5 Each review would result in a package of evidence which would be used by the Mayor in determining his budget proposals in November 2013.
- 4.6 Possible areas of review that have previously been identified by members of the Board include:
- Home to School Transport (statutory element)
 - Youth Service/Parkfield
 - Riviera International Conference Centre
- 4.7 Other elements of the Work Programme would include budget monitoring (at specially convened meetings programmed at the end of each quarter) and a review of the Council's forward financial plan.
- 4.8 At its last meeting, the Board agreed that it would ask for further information about the collapse of the sea wall at Livermead in April 2013 and whether lessons could be learnt. The draft scope for that review is attached as Appendix 1.

4.9 At that meeting, the Board also agreed that it would consider adding the following two items when agreeing its Work Programme:

- Fixed Odds Betting Terminals
- Arrangements for Assessing Housing Benefit and Council Tax Benefit Claims

A briefing note is currently being drafted in relation to Fixed Odds Betting Terminals and will be circulated shortly. A note on the arrangements for assessing Housing Benefit claims is attached at Appendix 2.

4.10 The Board is scheduled to meet in the week prior to each meeting of the Council which will enable it to review any issues due to be considered by Council if members so wish.

4.11 The Work Programme for the Health Scrutiny Board will be agreed at the first meeting of the Health Scrutiny Board to be held on 26 June 2013.

5. Possibilities and Options

5.1 The Overview and Scrutiny Board are free to determine its own Work Programme. However, regard should be given to the resources available within service departments of the Council to provide information to the Board which is not in line with broad themes work already being undertaken.

6. Fair Decision Making

6.1 The proposals in this report do not have a major community impact. However, if the proposals are accepted the reviews of the Overview and Scrutiny Board would form part of the fair decision process for the emerging proposals.

7. Public Services (Social Value) Act 2012

7.1 The proposals in this report not require any procurement and so the Public Services (Social Value) Act 2012 does not need to be applied.

8. Consultation

8.1 No public consultation has been carried out in formulating this report.

9. Risks

9.1 The exact nature and timing of the reviews identified will need to be agreed by members through the scoping process. In order to deliver successful reviews, members will need to ensure that they are clear about what they wish to review (and

indeed what they will be excluding from the review). The timings of each review will also be critical to ensure that as little ‘bunching’ as possible occurs. The timeline for each individual review should be adhered to – this will help ensure that all the reviews can be delivered within the resources available.

- 9.2 A critical success factor will be members’ commitment to these reviews –members need to be sure that these issues are matters which can make a difference to the community of Torbay and that they are willing to commit time and energy into identifying consultees and key questions, meeting and discussing issues with other members, officers and consultees, reading and challenging the information presented to them and, finally, drawing conclusions, considering options appraisals and risk assessments, and formulating evidence based recommendations.
- 9.3 Members also need to receive support from officers within service departments and within relevant partners. Whilst the Scrutiny Support Team can provide day-to- day support (including research, consultation and analysis), detailed information will need to be provided through Executive Heads especially at the scoping, options appraisal, and risk assessment stages.
- 9.4 If members are not committed to the topics within the proposed Work Programme and to making overview and scrutiny a worthwhile mechanism to improve the lives of the community of Torbay (and if they do not receive adequate support from service departments), then there is a risk that no or few positive outcomes can be shown to have been achieved by Overview and Scrutiny.
- 9.5 Co-ordination with the various work programmes of the Council’s Policy Development Groups is necessary to ensure there is not duplication of Overview and Scrutiny’s role and workstreams and vice versa.

Appendices

Appendix 1 Proposed Scope for Livermead Sea Wall Review

Appendix 2 Briefing Note on Assessment of Housing Benefits Claims

Additional Information

None

Livermead Sea Wall Collapse – Lessons Learnt

Background

A briefing report on the breach to the sea wall at Livermead was considered at the meeting of the Overview and Scrutiny Board in April 2013. The report answered five specific questions which had been raised by the Vice-chairman of the Board and gave a summary of the response to the incident. At that meeting, the Board agreed that it would carry out a review into the circumstances surrounding the collapse and the subsequent response to determine if lessons could be learnt.

Scope of the review

In terms of the collapse at Livermead in April 2013:

- To understand the decision making process up to the start of the contract to carry out works to the sea defences at Livermead.
- To review how the public were kept informed during the period of the collapse and subsequent discharge of sewage from Hope's Nose.

In relation to the sea defences generally:

- To consider the prioritisation of future works to Torbay's sea defences and the associated the budget position.

Areas of questioning

A. Decision making process

1. When was the previous inspection of the sea wall at Livermead? How does the inspection report from May 2012 compare with the previous report?
2. Funding for the works was agreed in July 2012 but with an instruction to apply for match funding. Why was remedial work was not carried out at that stage? Did the delay, caused by applying for match funding, mean further damage was caused to the wall contributing to its collapse?
3. How did South West Water engage with contractors and at what stage? Could this have been carried out earlier (i.e. before the contract was awarded)?
4. The Board received the summary of the incident response at its meeting in April 2013. Was this in accordance with the Council's emergency procedures? Have those procedures been reviewed to take account of any lessons learnt?

5. How much has the emergency works cost compared to the costs anticipated for the managed works? How will these additional costs be met?

B. Communication

6. Do you believe the community could have been better advised about the spill? Why was there no general release of information as to whether swimming was safe?
7. Who took responsibility for informing the public about the sewage in the water? Where both South West Water and the Council clear about those responsibilities?
8. Why did the Council not inform the public of the consequences of the decision to turn off the sewage pumps in the press release issued on the Tuesday following the collapse (2 April 2013)?

C. Future works

9. Whose responsibility is it to maintain the sea defences in Torbay?
10. What is the current condition of the sea defences in Torbay? How are these monitored?
11. What impact will the (apparently) changing weather patterns have on the condition of the sea defences?
12. Will the monitoring arrangements change as a result of the collapse at Livermead and/or the changing weather patterns?
13. What arrangements are in place for the repair and maintenance of the sea defences?
14. How are repairs and maintenance to the sea defences funded? What is the current budget provision set aside for this issue?
15. How are repairs and maintenance to the sea defences prioritised alongside other demands?
16. What external funding opportunities are being pursued? What discussions are taking place with other authorities and central government about this issue?

Sources of Information

Torbay Council – Residents and Visitor Services/Communications/Finance
Environment Agency
South West Water
The Met Office

Arrangements for Assessing Housing Benefit and Council Tax Benefit Claims

At its meeting in April 2013, the Board heard a representation from a member of the public on the costs and impacts of re-assessing claims for Housing Benefit and Council Tax Benefit following periods of short-term employment (in particular in relation to claimants who took repeated temporary contracts). It was requested that the Board consider reviewing this issue as it was felt that it was particularly pertinent given the nature of the current employment market in Torbay.

The Board agreed that the request be considered as part of the development of the Board's Work Programme for 2013/2014.

The Revenue and Benefits Group Manager has confirmed that:

- Torbay Council administers claims for Housing Benefit on behalf of the Department of Work and Pensions in accordance with the Department's guidance and regulations.
- The Council is under an obligation to deal with all claims fairly and does so in order of receipt. Therefore separating out claims from those undertaking periods of short-term employment would raise issues of equality.
- Further, logistically it would be extremely difficult to separate out claims from those undertaking periods of short-term employment.
- In order to minimise the impact of changes in circumstances, the Council endeavours to process claims received as quickly and as accurately as possible. However, as the resources available to the Council continue to shrink and the numbers of claims increase due to the current economic climate, claims are taking longer to process than in previous year.

Taking account of the above, the Board are asked to consider whether it wishes to review this matter further.