

Tuesday, 18 July 2017

Meeting of the Council (revised agenda V2)

Dear Member

I am pleased to invite you to attend a meeting of Torbay Council which will be held in **Rosetor Room, Riviera International Conference Centre, Chestnut Avenue, Torquay, TQ2 5LZ** on **Thursday, 20 July 2017** commencing at **3.00 pm**

The items to be discussed at this meeting are attached.

Yours sincerely,

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

Steve Parrock
Chief Executive

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

A prosperous and healthy Torbay

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

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Meeting of the Council

Revised Agenda V2

1. **Opening of meeting**
2. **Apologies for absence**
3. **Minutes** (Pages 4 - 13)
To confirm as a correct record the minutes of the extraordinary meetings of the Council held on 13 and 22 June 2017.
4. **Declarations of interests**
 - (a) To receive declarations of non pecuniary interests in respect of items on this agenda
For reference: Having declared their non pecuniary interest members may remain in the meeting and speak and, vote on the matter in question. A completed disclosure of interests form should be returned to the Clerk before the conclusion of the meeting.
 - (b) To receive declarations of disclosable pecuniary interests in respect of items on this agenda
For reference: Where a Member has a disclosable pecuniary interest he/she must leave the meeting during consideration of the item. However, the Member may remain in the meeting to make representations, answer questions or give evidence if the public have a right to do so, but having done so the Member must then immediately leave the meeting, may not vote and must not improperly seek to influence the outcome of the matter. A completed disclosure of interests form should be returned to the Clerk before the conclusion of the meeting.

(**Please Note:** If Members and Officers wish to seek advice on any potential interests they may have, they should contact Governance Support or Legal Services prior to the meeting.)
5. **Communications**
To receive any communications or announcements from the Chairman, the Mayor, the Overview and Scrutiny Co-ordinator or the Chief Executive.
6. **Members' questions** (Pages 14 - 15)
To respond to the submitted questions asked under Standing Order A13.
7. **Adult Social Care - Local Account and Multi-Agency Safeguarding** (Pages 16 - 41)
To consider the submitted annual report on the above.

8. **Review of Torbay Council Investment Fund Strategy** (to follow)
To consider the recommendations of the Mayor on a review of the above Policy Framework document.
9. **Annual Strategic Agreement between Torbay Council, South Devon and Torbay Clinical Commissioning Group and Torbay and South Devon NHS Foundation Trust and Better Care Fund** (Pages 42 - 79)
To consider the submitted report on the above and any recommendations from the Overview and Scrutiny Board.

(Note this report contains an exempt appendix which has been circulated separately.)
10. **Transformation Project - Modernisation of the CCTV System** (Pages 80 - 89)
To consider the submitted report on the future of the Council's CCTV system and any recommendations from the Overview and Scrutiny Board.

(Note: this report contains an exempt appendix which has been circulated separately.)
11. **Adjournment**
To consider adjourning the meeting until 5.30 p.m. on 20 July 2017 for the remaining items on the agenda.
12. **Notice of motion**
To consider the attached motion, notice of which has been given in accordance with Standing Order A14 by the members indicated:
- (a) Vote of No Confidence in the Mayor (Pages 90 - 93)
13. **Torbay Airshow** (Pages 94 - 121)
To consider the submitted report and any recommendations from the Overview and Scrutiny Board on the future of the Torbay Airshow.
14. **Review of Electoral Arrangements - Submission by Torbay Council on Warding Patterns** (To Follow)
To consider the submitted report on a review of the Council's warding patterns.
15. **Children's Services Alternative Delivery Model** (To Follow)
To consider the submitted report on the above.
16. **Mayor's Response to Objection to the Transformation project - Generating income through Housing Policy Framework Document** (Pages 122 - 151)
To consider the record of decision setting out the Mayor's formal response to the Council's objections to the Housing Policy Framework Document.



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

13 June 2017

-: Present :-

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

Councillors Amil, Barnby, Darling (M), Darling (S), Ellery, Excell, Hill, Lewis (C), Morey, O'Dwyer, Parrott, Pentney, Robson, Sanders, Stockman, Stocks, Stubley, Sykes, Thomas (D), Thomas (J), Tolchard and Tyerman

27 Opening of meeting

The meeting was opened with a short period of reflection.

28 Apologies for absence

Apologies for absence were received from Councillors Bent, Bye, Carter, Haddock, King, Lewis (B), Manning, Mills and Stringer and Mayor Oliver.

29 Exclusion of the Press and Public

Prior to consideration of the item in Minute 30 the press and public were formally excluded from the meeting on the grounds that the item involved the likely disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972 (as amended).

30 Investment Committee Recommendation - Investment Opportunity

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

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

Chairwoman

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

22 June 2017

-: Present :-

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

The Mayor of Torbay (Mayor Oliver)

Councillors Amil, Barnby, Bye, Carter, Lewis (B), Darling (M), Darling (S), Ellery, Excell, Haddock, Hill, King, Lewis (C), Manning, Mills, Morey, Morris, O'Dwyer, Parrott, Robson, Sanders, Stocks, Stubley, Thomas (D), Thomas (J) and Tyerman

31 Opening of meeting

The meeting was opened with a prayer.

32 Apologies for absence

Apologies for absence were received from Councillors Bent, Kingscote, Pentney, Stockman, Stringer, Sykes, Tolchard and Winfield.

33 Minutes

The Minutes of the meeting the extraordinary meeting of the Council held on 6 April, the Special meeting of Council held on 9 May, the annual Council meeting held on 9 May and the adjourned annual Council meeting held on 10 May 2017 were confirmed as correct records and signed by the Chairwoman.

34 Declarations of interests

The following non-pecuniary interests were declared:

Councillor	Minute Number	Nature of interest
Bye	40	President of Paignton Pantomime Production

35 Communications

The Chairman advised that the Armed Forces Day Parade was taking place at 10.45 a.m. on Saturday 1 July starting behind the Vue Cinema on the Esplanade and processing along the seafront towards the Redcliffe Hotel.

The Mayor:

- (a) conveyed condolences on behalf of the Council and residents of Torbay to the friends and families of all those affected by the recent tragic events in Manchester and London; and
- (b) advised that a ceremony would be held on 19 July 2017 at 2.00 p.m. at the Cenotaph on Torquay seafront for HMS Torbay to return the Freedom of the Borough following the decommissioning of this Trafalgar-class nuclear submarine after 28 years of service.

36 Order of Business

In accordance with Standing Order A7.2 in relation to Council meetings, the order of business was varied to enable:

- (a) a Public Question Time session to be held after Item 5 (Communications) as the Chairwoman had used her discretion to allow a public question received after the agenda was published to be considered as it related to Item 8 on the agenda; and
- (b) Item 8 (Transformation Project – Future Direction of the Council's relationship with Torbay Leisure Centre) on the agenda to be considered before Item 6 (Harbour Light Building, Paignton Harbour).

37 Public Question Time

In accordance with Standing Order A24, the Council heard from Mr Robert Loxton who had submitted questions in relation to the future direction of the Council's relationship with Torbay Leisure Centre. Councillor Excell responded to the questions that had been put forward, plus a supplementary question asked by Mr Loxton.

38 Transformation Project - Future direction of the Council's relationship with Torbay Leisure Centre

The Council considered the submitted report on the outcome of discussions with the current operator Parkwood Leisure to secure the future sustainability of the Torbay Leisure Centre for the benefit of Torbay residents.

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

- (i) **that the Council enters into a new lease with Parkwood Leisure for the provision of the Torbay Leisure Centre and the Velopark until 2029;**
- (ii) **that from the point of transfer to the new arrangements to the end of the term, no management fee is payable by the Council;**

- (iii) that the new arrangements include the operation and management of the Velopark and the TUPE of existing Velopark staff;**
- (iv) that the Council provides a £1.7 Million loan to Parkwood Leisure through prudential borrowing for investment projects to improve the building, increase revenue generation, modernise and improve the facilities and improve customer satisfaction; and**
- (v) that the final terms of the lease and loan arrangements are delegated to the Assistant Director (Communities and Customer Services) in consultation with the Executive Lead for Community Services and the Section 151 Officer.**

39 Harbour Light Building, Paignton Harbour

Members considered the submitted report which set out the recommendation of the Harbour Committee for the Council to consider funding the redevelopment of the Harbour Light Restaurant in accordance with the Port Masterplan, subject to vacant possession, as set out in the business case in the submitted exempt report.

Councillor Bye proposed and Councillor Carter seconded the motion, which was agreed by the Council, as set out below:

- (i) that, the Executive Head of Business Services be asked to obtain vacant possession of the Harbour Light building at Paignton harbour;**
- (ii) that Council approve funding of up to £600,000 to redevelop the Harbour Light building and that a contribution of £100,000 should be made from the harbour reserve fund with the balance of the funding obtained through prudential borrowing; and**
- (iii) that, the Executive Head of Business Services, supported by the Torbay Development Agency, be asked to secure tenants for the redeveloped building, on favourable terms, which represent best value.**

40 Transformation Project - Future of Palace Avenue Theatre, Paignton

As part of the development of the 2017/18 budget the future of the Palace Theatre was considered. Due to the financial challenges which operating a small theatre presents a review was undertaken and it was determined that the Council should seek an external partner to operate the Theatre to secure its future as a community theatre. The submitted report set out the outcome of the tender process.

Mayor Oliver proposed and Councillor Mills seconded a motion as set out below:

That the Palace Theatre, Paignton be declared no longer sustainable for service delivery by the Council and on that basis the Assistant Director of

Corporate and Business Services be requested to dispose of the Council's Freehold interest in the property, in accordance with the Asset Management Strategy and that the Theatre remains open whilst a sale is achieved.

During the debate Councillor Lewis (C) proposed and Councillor Morey seconded a motion as set out below:

- (i) that the negotiations continue with the preferred bidder to effect the transfer of the Palace Theatre under a 10 year lease to a new Community Interest Company; and
- (ii) that the Assistant Director (Communities and Customer Services) be give delegated authority to conclude the negotiations with the preferred bidder in consultation with the Executive Lead for Tourism, Culture and Harbours.

A recorded vote was taken on the amendment. The voting was taken by roll call as follows: For: Councillors Amil, Barnby, Bye, Carter, Darling (M), Darling (S), Doggett, Ellery, Hill, Lewis (B), Lewis (C), Manning, Morey, Morris, O'Dwyer, Parrott, Robson, Sanders, Stocks, Stubley, Thomas (D), Thomas (J) and Tyerman (23); Against: Councillor Mills and Mayor Oliver (2); Abstain: Councillors Brooks, Excell, Haddock and King (4); Absent: Councillors Bent, Kingscote, Pentney, Stockman, Stringer, Sykes, Tolchard and Winfield (8). Therefore the amendment was declared carried.

The amended (substantive) motion was then considered by members.

A recorded vote was taken on the amended (substantive) motion. The voting was taken by roll call as follows: For: Councillors Amil, Barnby, Bye, Carter, Darling (M), Darling (S), Doggett, Ellery, Haddock, Hill, King, Lewis (B), Lewis (C), Manning, Morey, Morris, O'Dwyer, Parrott, Robson, Sanders, Stocks, Stubley, Thomas (D), Thomas (J) and Tyerman (25); Abstain: Councillors Brooks, Excell and Mills and Mayor Oliver (4); Absent: Councillors Bent, Kingscote, Pentney, Stockman, Stringer, Sykes, Tolchard and Winfield (8). The amended (substantive) motion was declared carried as follows:

- (i) that the negotiations continue with the preferred bidder to effect the transfer of the Palace Theatre under a 10 year lease to a new Community Interest Company; and**
- (ii) that the Assistant Director (Communities and Customer Services) be give delegated authority to conclude the negotiations with the preferred bidder in consultation with the Executive Lead for Tourism, Culture and Harbours.**

(Note: prior to consideration of this item Councillor Bye declared his non-pecuniary interest.)

41 Review of Investment Fund Strategy

This item was deferred.

42 Transformation Project - Housing Companies Policy Framework Document

The Council considered the submitted report which set out the Mayor's proposed Housing Company Policy Framework document. The report also included a proposed officer recommendation for a Policy Framework document.

Mayor Oliver proposed and Councillor Mills seconded a motion as set out below:

That the Housing Company Policy Framework document set out at Appendix 2 to the submitted report be approved.

During debate Councillor Thomas (D) proposed and Councillor Darling (S) seconded an objection to the motion as follows:

That Council objects to the Mayor's Policy Framework document as set out at Appendix 2 to the submitted report.

The Council objects on the basis that his proposals do not sufficiently, nor progressively, address the Council's challenges in respect of:

- (i) Increasing the number of affordable homes delivered;**
- (ii) Increasing standards in the private rented sector;**
- (iii) Providing greater flexibility when dealing with housing needs for local people;**
- (iv) Increasing the level of adapted accommodation to allow more people with care and support needs to live in specialist housing;**
- (v) Unlocking stalled sites in and around the town centre to assist with regeneration and increase footfall in the areas town centres; and**
- (vi) Assisting with regenerating areas of deprivation.**

The Council requests that the Mayor consider how the Policy Framework can be used more progressively to address these issues, including how the creation of a Housing Rental Company could be used to address the same.

In accordance with the Constitution at F4.9, the Council therefore requires the Mayor to consider this objection by 7 July 2017 and either:

- (a) submit a revision of the Housing Company Policy Framework Document with the reasons for any amendments to the Council for its consideration; or**

- (b) inform the Council of any disagreement that the Executive has with any of the Council's objections and the Executive's reasons for any such disagreement.**

The objection was put to the vote and declared carried. The Mayor will consider the objection and publish his response by 7 July 2017 for consideration at the Council meeting on 20 July 2017.

43 Constitution Amendments

Council considered the submitted report which set out proposed changes to the Council's Constitution in respect of the length of time of speeches and the Terms of Reference of the Development Management Committee.

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

- (i) that the Standing Orders – Council Meetings be amended as set out in paragraph 1.1 to the submitted report; and**
- (ii) that the Terms of Reference for the Development Management Committee be amended as set out in Appendix 1 of the submitted report, subject to Option 4 (i.e. deletion of paragraph 5) being implemented.**

(Note: Councillors Morris and Stubley left the meeting at this juncture.)

44 Corporate Plan Amendment - Vision/Place Narrative for Torbay Partners

The submitted report set out the work developed by a group of key partners in Torbay following the Local Government Association (LGA) Corporate Peer Review recommendations. The document had been considered by the Strategic Partnership Working Party and the Policy Development and Decision Group (Joint Operations Team) and the report set out the recommendations of the Mayor and the Working Party.

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

- (i) that the partners within the Strategic Partnership be thanked for their work in producing the document;**
- (ii) that subject to the title being changed to 'Your Future – Your Torbay' the Strategic Partnership's Vision for Torbay as set out at Appendix 1 be adopted as part of the Council's Policy Framework within the Corporate Plan; and**
- (iii) that the Introduction to the Council's Corporate Plan be amended to include the following additional paragraph:**

“Partners across Torbay have come together to develop ‘Your Future - Your Torbay’ which is a long term high level plan and vision with a compelling narrative articulating the ambitions for Torbay’s future. This Corporate Plan will provide the framework by which the Council delivers its elements of Your Future – Your Torbay.”

45 Composition and Constitution of Executive and Delegation of Executive Functions

The Council received and noted the submitted report in respect of changes made by the Deputy Mayor (on behalf of the Mayor) to his Executive.

46 Provisional Revenue Outturn 2016/2017 - Subject to External Audit

Members noted the submitted report in respect of the Revenue Outturn for 2016/2017.

47 Capital Investment Plan Outturn 2016/2017 - Subject to Audit

Members noted the submitted report in respect of the Capital Investment Plan Outturn for 2016/2017.

48 Treasury Management Outturn 2016/17

Members noted the submitted report in respect of the Treasury Management Outturn for 2016/2017.

49 Exclusion of the Press and Public

Prior to consideration of the item in Minute 50 the press and public were formally excluded from the meeting on the grounds that the item involved the likely disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972 (as amended.)

50 Regeneration Opportunity

The Council considered details of the proposal as set out in the submitted exempt report.

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

Chairwoman

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Questions Under Standing Order A13

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

<p>Question (1) by Councillor Darling (S) to the Executive Lead for Community Services (Councillor Excell)</p>	<p>In an article in the Herald Express on 28 June 2017 it was suggested that the “thin blue line stretched to breaking point” In light of pressures on the police what assurance can you offer me that Devon & Cornwall Police are actively recruiting posts in Torbay and not leaving positions vacant?</p>
<p>Question (2) by Councillor Darling (M) to the Executive Lead for Transport, Planning and Housing (Councillor King)</p>	<p>Many residents have lost confidence in our waste and recycling system. What definitive date can we expect a normal service to resume?</p>
<p>Question (3) by Councillor Stocks to the Executive Lead for Health and Wellbeing and Corporate Services (Councillor Mills)</p>	<p>Can you please advise me how Children’s Services outcomes have been built into the appraisals for all the senior management team across Torbay Council?</p>
<p>Question (4) by Councillor Doggett to the Executive Lead for Community Services (Councillor Excell)</p>	<p>I understand that drainage works are planned this summer on the sports pitches at Clennon Valley. When will these works commence?</p>

Second Round

<p>Question (5) by Councillor Darling (S) to the Executive Lead for Transport, Planning and Housing (Councillor King)</p>	<p>How helpful is it that when residents attempt to report anti-social behaviour by phone they are advised to report it on line by the phone system and are left no alternatives to this?</p>
<p>Question (6) by Councillor Darling (M) to the Executive Lead for Transport, Planning and Housing (Councillor King)</p>	<p>Over the last 12 months what charges have the Council raised against TOR2 for failing the waste and recycling contract? I would like these figures on a month by month basis.</p>

<p>Question (7) by Councillor Doggett to the Executive Lead for Community Services (Councillor Excell)</p>	<p>I understand that the TDA are arranging the relocation of slow worms from the Claylands development site. Can you advise where they are being relocated to and how is their long term wellbeing catered for?</p>
<p>Question (8) by Councillor Stocks to the Executive Lead for Adults and Children (Councillor Parrott)</p>	<p>Can you please advise me how you have celebrated success within the safeguarding team for children’s services by staff?</p>

Third Round

<p>Question (9) by Councillor Darling (S) to the Executive Lead for Transport, Planning and Housing (Councillor King)</p>	<p>I have been contacted by a resident who in his words says ‘that he feels like the local authority have him “under curfew” by the restrictions on the bus pass provided by Torbay Council’. Will the Council consider ending the 11pm cut off point for the use of a concessionary bus pass?</p>
<p>Question (10) by Councillor Darling (M) to the Executive Lead for Community Services (Councillor Excell)</p>	<p>Can you please share with me the management plan for Kings Drive Pond, Kings Drive, Torquay?</p>



Meeting: Council

Date: 20 July 2017

Wards Affected: All

Report Title: Adult Social Care – Local Account and Multi-Agency Safeguarding Report

Is the decision a key decision? No

When does the decision need to be implemented? Immediately

Executive Lead Contact Details: Councillor Parrott, Executive Lead for Children's and Adults Services, julien.parrott@torbay.gov.uk

Supporting Officer Contact Details: Caroline Taylor, Director of Adult Social Care, (01803) 208949, caroline.taylor@torbay.gov.uk

1. Proposal and Introduction

1.1 The Local Account for Adult Social Care sets out what we have achieved for local people in relation to adult social care and outlines our level of performance for last financial year and our commitment to future service delivery. The Government has asked that Local Accounts are put in place to offer councils the opportunity to share a common approach to the performance of adult social care. It also outlines the details of our multi agency approach to adult safeguarding. This reflects the view of government that adults safeguarding is on a statutory basis in the same manner that children's safeguarding is a statutory responsibility as outlined in the Care Act.

2. Reason for Proposal

2.1 To enable the Local Account to be published in accordance with Government requirements and for council to consider the adult safeguarding outcomes for the Bay.

3. Recommendation(s) / Proposed Decision

3.1 That the Local Account set out in Appendix 1 to the submitted report be approved and that the multi agency safeguarding annual report set out in Appendix 2 to the submitted report be approved.

Appendices

Appendix 1: Local Account

Appendix 2: Multi-agency Safeguarding Annual report

Background Documents

None

Adult Social Care Local Account 2016 - 2017

A local account of how adult social care services in Torbay have been delivered and performed throughout 2016-17, with forward intentions through to 2018-19



Version Control: v0.9



June 2017

bayandsouthdevon.nhs.uk

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1. Foreword by Councillor Julien Parrott, Executive Lead for Adults and Children, Torbay Council



The need to provide support, security, and safety for vulnerable adults across the Bay is something we can all readily understand. The fact that those needs are becoming ever more complex is also clearly understood. The need for the delivery of those services to be paid for by the community is something we can all buy into. The fact that Adult Social Care is still suffering from wide gaps in funding is something we find harder to understand.

This year has seen that underfunding grow particularly acute at a time when we are at the cross-roads in the delivery of integrated health and social care. The people of Torbay have understood this and are paying increased local taxes to show their commitment. But, there are signs that central government may have now got the message, with some four million pounds being found to help us this year.

Against the financial pressures that I identify above, I cannot fail to have been impressed by the commitment from all the care providers and professionals who have demonstrated their determination to see care delivered where and when our residents need it. Increasingly this means changing working practices to support people in their own homes. This is, I believe, resulting in resurgence in wider community well-being.

As home and community- based care develops further over the coming years, I believe that the pressures felt now will be seen to have been worth enduring. I commend this report and all the work of so many dedicated people that it represents.

Yours faithfully,

A handwritten signature in black ink, appearing to read 'Julien Parrott', written over a horizontal line.

Councillor Julien Parrott
Executive Lead for adults and children, Torbay Council

2. Foreword by Sir Richard Ibbotson and Mairead McAlinden, Chair and Chief Executive of Torbay and South Devon Foundation Trust



We have been providing integrated health and social care services as one organisation since October 2015. We strongly believed that, by joining health and care, we could work very differently and more cost-effectively to improve outcomes for local people. In the 18 months since then we have been delivering our vision of a community where people are able to live as well and as independently as possible, confident in managing their own health and wellbeing at home. When they do need support, we focus not just on what is the matter with them, but what matters to them, supporting them in their own homes and local communities wherever possible. If someone needs specialist care in hospital, we will do our utmost to keep their stay as short as possible and help them return to their normal activities.

Over the past year, we have invested in our community teams so we can now provide intensive support to people in their own homes 7 days a week. We have also worked with and alongside the voluntary sector to appoint new wellbeing co-ordinators, who help people tap into the resources of their own communities.

As a result of these additional community services, and improvements to the way we admit and discharge people from hospital, we have been able to reduce the number of hospital beds we need – both in community hospitals and at Torbay Hospital.

We know we have more to do and that we have to do it in an affordable way, always focusing on the needs of the community we serve and aiming to do the right thing for each individual in an increasingly challenging environment.

You can read in the pages of this report some of the stories of people who have used our services over the past year. They are evidence of the success of our new approach.

We are truly grateful for the passion and commitment of everyone involved in delivering care to some of the most vulnerable people who need our support. Some of these people are staff employed by councils, residential and care homes and the NHS. Others are volunteers, supporters, family members and other unpaid carers. You come together as a formidable team, and we could not succeed without you.

Thank you for your contribution to our achievements over the past year. We look forward to your continued support for social care in the coming year.



Sir Richard Ibbotson

Chair



Mairead McAlinden

Chief Executive

Our intentions for services in in Torbay in the Next Five Years



Social care supports people when they may be at their most vulnerable and at its best social care can transform lives. Torbay through integration with health and other services has a good history of supporting people in the community and facilitating individuals to achieve what is important to them.

At the time of writing this introduction, adult social care and its future is headline news as we approach the general election. It is nationally accepted that social care needs to be different as we rise to the challenge of living longer lives as elderly people, and as more people survive into older age with a variety of conditions and disabilities. Torbay will continue to contribute to that national debate and innovate locally to achieve the best outcomes we can from the resources we have. Across Devon we will work to commission care services at scale where that makes sense to do so, and deliver locally where that supports the best outcomes for communities.

In the next few years the direction of travel in Torbay is to continue to **support people at home** and rely less on bed based care. We will support individuals and their families to be **as independent as possible**. Some of the ways of doing that will be to increase the amount of **direct payments** and **personal budgets**, so people can choose personalised support to meet their needs. Part of those solutions will also have a wider range of **housing based support** in the Bay. We will continue to support a **range of information and advice** mechanisms so people can find an easy route to sourcing their support if they wish to.

Prevention is vital to ensuring people get help and support at the right time to avoid more significant interventions in their health and care. All of this is successful if Torbay has **resilient communities** and that individuals who are vulnerable have the opportunity for social connections. When people have had an acute episode and may need a hospital stay we will work with the NHS to ensure **short term care** is in place for a quick return to independence. We will work with our **mental health** provider and the voluntary sector to ensure more people are supported to be more independent in the community. For some people who are in placements outside of the Bay and Devon we will continue to safely support individuals to move back to their communities as part of the **Transforming Care Programme**. For individuals with a **learning disability** we continue the programme of work to maximise independence in housing, work, and social support. For those people with **autism** we will work with national programmes to close the gaps people with autism currently experience between health, social care, and the work and benefits systems.

Unpaid carers are key to supporting loved ones and we will work with services that support carers to ensure their caring role does not adversely impact on their own health and well-being.

We will look to **technical innovation** as well as sustaining a **workforce** for social care that feels valued and supported. Workforce sustainability is a national issue as effect to ensure social care is perceived as a valued career for new entrants.

Lastly, **quality and safeguarding** and our formal role in safeguarding vulnerable people will be an overriding focus over the next few years, so whatever setting people have they are their loved ones knows they are safe and well cared for.

A handwritten signature in black ink that reads "C. Taylor." The signature is written in a cursive style with a period at the end.

Caroline Taylor
Director of Adult Social Care Services
Torbay Council

3. Our performance in 2016-17

This section of the Local Account looks at how we have performed and delivered on our responsibilities for adult social care in 2016-17. The information presented here is intended to provide the reader with information about how our local services have performed against national and local performance targets set by the NHS and the Council. We have indicated how well the performance targets have been met by using the following system of red, amber, and green ratings.

Green	Exceeded, achieved or within 5% of the performance target
Amber	Narrowly missed performance target by between 5% and 10%
Red	Performance needs to improve, target missed by 10% or more

Torbay and South Devon NHS Foundation Trust (referred to here as ‘the Trust’ and previously as the ICO) and Torbay Council (referred to here as ‘the Council’) are aware from previous feedback that this information on its own is not always helpful to the reader in determining whether things have improved for themselves, their loved ones or the people they care for. So with this in mind, the commentary that follows also provides examples of how the work this year has made a difference to individuals or groups. These examples are based on real situations but to protect the privacy of the people we work with they are presented here as illustrations of the support which can be provided and drawn from more than one source rather than the specific circumstances of individual people or families.

The performance ratings and examples of the care provided are set out here under the four performance outcomes agreed between the Council and the Trust at the start of the year. These are:

- Outcome 1: Enhancing quality of life for people with care and support needs
- Outcome 2: Delaying and reducing the need for care and support
- Outcome 3: Ensuring people have a positive experience of care and support
- Outcome 4: Safeguarding people whose circumstances make them vulnerable and protecting them from avoidable harm

A description of what you might expect under these headings is also provided so that you can judge whether this is what you told us or experienced. The Trust and the Council are always striving to improve and develop services through lessons learnt and best practice and we have described how we plan to do that in the future. We have also included details of some things you might not be aware of which might help you or someone you know in the future.

As always there is the inevitable focus on the financial position and how we plan to allocate and spend the resources available to us. There will be a review of how we have used the resources available and how we have ensured best value for money at all times. We are also keen here to provide you with an open and transparent review of the risks both organisations are facing in the forthcoming year together with plans to mitigate these risks where possible.

Additionally, we have asked your local Healthwatch in Torbay and members of the Council's Overview and Scrutiny Committee to review the Local Account and ensure we have provided an open and transparent view of the services provided, in line with the views of members and constituents in Torbay. We have also asked our Experts through Experience panel to review the Local Account.

We do hope that you will find this Local Account useful and informative and would encourage you to contact us to provide feedback or to ask where you can find out further information which might be of use to you or a loved one.

Outcome 1: Enhancing the quality of life for people with care and support needs

What does this mean for the people of Torbay?

This is about individuals being able to live their lives to the full by maintaining their independence, not feeling isolated or lonely because they were able to receive the right level of high quality support, designed by them. It is also about carers being able to balance their role as a carer as well as maintaining their desired quality of life.

How have we performed?

Measure	2016/17 Outturn (provisional)	2016/17 Target	2015/16 Outturn	2015/16 Target	2015/16 England average	2015/16 Comparator group average
The proportion of clients informed about the cost of their care (self-directed support)	92.4%	90.0%	93.6%	no tgt	86.9%	96.0%
The proportion of clients who receive direct payments	24.9%	26.0%	26.7%	no tgt	26.3%	29.2%
Proportion of adults in contact with secondary mental health services in paid employment	3.3%	6.0%	3.1%	7.1%	6.7%	n/a
Proportion of adults with a learning disability who live in their own home or with their family	77.1%	75.0%	70.1%	70.0%	75.4%	76.4%
Proportion of adults in contact with secondary mental health services who live independently, with or without support	62.0%	68.0%	63.2%	77.0%	58.6%	n/a
Proportion of clients receiving an annual review	75.6%	76.0%	78.1%	76.0%	n/a	n/a
Proportion of clients receiving a care support plan	86.2%	90.0%	88.5%	90.0%	n/a	n/a
Proportion of assessments completed within 28 days of referral	71.2%	70.0%	68.9%	74.1%	n/a	n/a
Proportion of clients receiving their care within 28 days of assessment	92.5%	94.0%	95.2%	90.0%	n/a	n/a

We performed well in the majority of key areas for outcome 1, with the exception of adults with mental health needs who are in paid employment or who are living independently. This table indicates that for most people they are supported to live as independently as possible and with the right level of support.

One of the enablers for this outcome is the Direct Payment card which has been successfully implemented with currently 349 out of 396 Direct Payment recipients using the card in one form or another. This has given these clients further independence and choice in terms of paying service provider and has improved efficiency in the Trust's administration of direct payments and related overheads.

Performance for adults who require and are supported by mental health services is lower than we would like. In relation to being in paid employment, seasonal employment patterns within Torbay contributes to this. Increasing employment rates as well as increasing the numbers of people with mental health problems who are enabled to live independently is a key area of ongoing work for Torbay Council and Devon Partnership Trust who provide these services.

Case Study –

Health and Social Care working together to help patients leave hospital once they are medically fit

Mr L was admitted to Torbay Hospital following a fall at home having suffered a heart attack. He lives with his wife of over 50 years and they care for each other as his wife is in the early stages of dementia. Once on the ward, it was apparent that Mr and Mrs L had been struggling to cope without any outside support for some time. The ward alerted the Health and Social Care Complex discharge team that their help would be required to assist Mr L to return home safely and continue living independently with his wife.

The team, comprising nurses and social care colleagues, discussed who might be best placed to assist Mr and Mrs L in thinking about what was important to them in maintaining their life together. The nurse talked about equipment needed and arranged with the OT on the ward to deliver a commode, a mattress and cushion to protect Mr L's skin as he had a pressure sore and asked for a temporary contract with a local domiciliary care agency whilst Mr L recovered at home. The social care workers on the team liaised with the mental health services to discuss extra support for Mrs L at home to ensure she was safe whilst her husband was in hospital. They also arranged for her to engage in a local memory clinic and offered activities to keep her active. The teams Carer Support Worker talked to Mr L about his needs as a carer and offered a small, one-off personal budget to help him get a garden shed where he could have some time to himself from caring for his wife. Mr L was then referred to the GP Carer support worker for follow-up once back home.

As this was organised from the initial admission, as soon as Mr L was medically fit to leave hospital all arrangements were already in place to provide the reassurance to him and his wife that they could continue to manage well at home.

Outcome 2: Delaying and reducing the need for care and support

What does this mean for the people of Torbay?

This is about individuals having the best opportunity possible to manage their own health and care because they have the right support and information. Early diagnosis and intervention means that dependency on intensive services is reduced and when it is required it means that individuals are helped to recover in the right setting which isn't necessarily in a hospital environment.

How have we performed?

Measure	2016/17 Outturn (provisional)	2016/17 Target	2015/16 Outturn	2015/16 Target	2015/16 England average	2015/16 Comparator group average
Number of people living permanently in a care home as at 31 March	642	617	635	630	n/a	n/a

During 2015/16, the Trust led Care Model Strategy and the Council led Prevention Strategy have set the framework for developing a wider range of integrated proactive services providing more multi-disciplinary team working and more tailored personalised care closer to home (also known as the adult social care 'personalisation' agenda).

Enhanced Intermediate Care

During the last four years the number of individuals living permanently in a care home (at the end of the year) has reduced year on year and this trend continued into 2016/17. However placement numbers from July 2016 onwards increased, then reduced to the 2015/16 level with a small increase at the end of the 2016/17 year. Whilst this performance was less than we expected, with an ever growing elderly population this enables those who most need this type of specialist care to receive it, whilst helping others to stay as independent as possible in the comfort of their own home.

We benchmark well with other authorities in terms of our gross expenditure in this area and we know that we have a higher than average proportion of older people in our local population.

The development of enhanced Intermediate Care is one of the key deliverables within the new Care Model for the Integrated Care Organisation. GPs and Pharmacists are now part of the health and wellbeing teams delivering Intermediate care within Torquay Paignton and Brixham. Stronger links with the ambulance service and the acute hospital have also been developed, meaning that patients experience a more seamless service between settings.

The deeper integration of these services has helped ensure people have shorter stays in hospital. The average length of stay for people admitted to Torbay Hospital in an emergency is amongst the lowest in the country and the number of people experiencing a delay in their discharge is minimal. The implementation of a 'discharge to assess at home' pathway has further developed the ability of the organisation to care for people at home – 'the best bed is you own bed'.

Work is on-going to further link up the enhanced Intermediate Care services with the Rapid Response and Reablement services that the Trust also provides; alignment of services has already taken place with further integration of services being the next step.

Wellbeing Services in Partnership

In a financially stretched system, Torbay partners have successfully created funding to evaluate the impact of new and different proactive services .E.g. NHS England Vanguard bid £300k; the Health Foundation £75k, the £6m Ageing Well Project Lottery fund and the Great Place Scheme, of which a portion of £1.2m is allocated to arts, culture and wellbeing.

Within this account period we have worked with Torbay Community Development Trust; Torbay Age UK and Brixham Does Care voluntary sector partners and the newly established Torbay Culture Board to develop new ways to help people plan their own care needs, keep active, and consider alternatives to traditional and more expensive care. E.g. singing for people with respiratory problems.

Wellbeing Coordination, 'My Support Broker' brokerage service and the Arts and Culture for Wellbeing Programme are all in delivery with outcomes to reduce health and care activity and cost. Evidence suggests this reduction could be up to 20% if we target the right people into these pathways. The Trust, TCDT and Plymouth University SERIO have entered into a tri-partite Information Governance Agreement to enable quantifiable evaluations of the Torbay wellbeing co-ordination service to inform future commissioning and the Health Foundation has appointed evaluators for the Arts and Culture for Wellbeing Programme. The local account for 17/18 will evaluate these services.

Developing the Care Sector

Key aims are to develop an approach to early diagnosis of both health and social issues at the earliest point to promote independence and reduce the need for permanent care home placements. Also key is developing the availability of private sector home care providers who reflect the aims of the care model strategy in their approach and encourage people to connect with local community resources and develop their own support network. The aim is to reduce the pressure on services that bridge the gap when people are going through a change in their health and social care needs. Torbay Council are further developing and enhancing the local Provider forums which enable a rich dialog between the Council and independent providers to support market development in the context of the local needs assessment.

Case Study – Wellbeing Co-ordination

Jean is in her 80's and was referred to the Wellbeing Co-ordinator by her GP. She is confined to her flat and reported feeling extremely lonely and isolated. Jean is very personable and describes herself as a "people person". Jean has many interests including reading but her physical and sensory disabilities mean she is unable to take up any of these now. Jean misses simple things like being able to go outside and watch dogs run in the park and meeting with friends.

Our Wellbeing Co-ordinator referred Jean to the befriending team at CentrePeace. Jean now has a weekly visit from CentrePeace, has arranged for Jean to meet another lady whom she seems to have a lot in common in her local area. Jean is unsatisfied with her care providers and so The Wellbeing Co-ordinator has arranged for an enlarged copy of the Health Watch leaflet to explain her options.

Jean would like to move more and be outside and so the Co-ordinator has arranged for a Physiotherapy trainer to visit her to help her develop an approach to safely move from her chair to her wheelchair so she can be supported to go outside. The WBC is working with Jasmyn House so Jean can trial talking books.

Jean says she will be eternally grateful to her GP for making the referral to the Wellbeing Co-ordination and to have someone interested in her emotional health and life, not just her physical health. Jean has commented that visitors are her "window on the world" and "within a week, the wellbeing co-ordinator had called and for the first time in years, with the exception of my sons "I felt there was someone who really cared about me".

Her son told her this week "it feels like I've got my mum back".

Safe and Well

The Safe and Well Project is a new initiative that was developed in 2016 and is a service that supports people to access small pieces of equipment simply and easily themselves. The service is provided from Nottingham Rehab Supplies. (NRS)

NRS offer free advice from an Occupational therapist over the telephone or through a simple question and answer quiz online. They guide service users to local retailers to try before they buy or offer an ordering service from their own company. Local retailers and NRS shared a joint awareness session to promote the service as they work in collaboration to support the needs of our community.

The service is available to all adults in the community who are able to research and purchase small pieces of equipment to meet their needs as their physical health changes over time.

Case Study One– Safe and Well

March 6th 2017

Client calls into Torbay's single point of contact; Customer Service Centre and is put through to a Health and Social Care Coordinator. Client has moved into area leaving equipment behind in another County. She feels she would benefit from a perching stool in the kitchen to help her remain independent in food preparation. HSCC explains the new approach and agrees to send the service user a Safe and Well leaflet.

28th March 2017 Telephone call from the HSCC to the service user who reports that quote she has used the website to find a perching stool that she will purchase.

Case Study Two– Safe and Well

April 27th 2017

Service Users daughter calls to report that her Mum is struggling to get out of bed at night and waking her Dad to help her. A simple bed lever was discussed resulting in an email to the daughter given the details of where the appropriate equipment can be sourced.

Same Day: Email response from service user's daughter "Thank you for the information you sent me I will be picking up the bed rail today and will try and get the grabber. I will also look into a new chair. You have been very helpful, much appreciated".

Outcome 3: Ensuring people have a positive experience of care and support

What does this mean for the people of Torbay?

This is about individuals and carers being aware of the support that is available to them and when it is accessed, that it is sensitive to their needs and provides them with a positive experience.

How have we performed?

Measure	2016/17 Outturn (provisional)	2016/17 Target	2015/16 Outturn	2015/16 Target	2015/16 England average	2015/16 Comparator group average
Overall satisfaction of people who use services with their care and support - from annual user survey	68.4%	68.0%	67.9%	68.5%	64.40%	67.40%
The proportion of people who use services who find it easy to find information about services - from annual user survey	77.3%	81.3%	81.3%	77.3%	73.50%	76.10%
Carers receiving needs assessment, review, information, advice, etc.	38.3%	40.0%	43.3%	40.0%	n/a	n/a

The overall satisfaction survey is above target, last year, the England average and the comparator group. The proportion of people who use services who find it easy to find information is the other experience target with national comparators and has also exceeded the national and comparator group although it has fallen back from last year's achievement and our plan. The similar measure for carers concerning advice and information has also fallen back from last year. These areas will be considered in the Trusts Annual Strategic Agreement to ensure we have a focus on understanding what measure need to be put in place to support.

Case Study:

This is a couple in their 60s. The husband has Vascular Dementia and was in hospital with a hyperglycaemic attack. The wife, who works part-time, was saying that she could no longer manage him at home as it had got to crisis point. They had had domiciliary care before the admission but this was not working to their satisfaction as there were regular changes in staff or routine that made her husband's confusion worse. The Carer Support Worker completed a Carers Assessment and discovered that the wife felt it could work at home if she undertook the personal care, so long as she got a regular break to herself. The CSW arranged for the husband to have a package of care which included two days day care to give her a break. The husband had previous links with a charity that the CSW linked with to provide regular short stays in residential care and to take him to their regular events. As he knew the people, he was confident and calm to go with them. These arrangements enable the wife to continue having a life of her own, supporting a quicker discharge from hospital and preventing an admission to permanent residential care.

Case Study – Carer support

The pre-assessment Clinic identified that this man had a Carer, and that the situation was at crisis-point with potential family breakdown. They are a couple in their 30's with children, and the husband has multiple health conditions, is a wheelchair user awaiting a hip replacement, and living in accommodation which made his health condition worse. Many different departments of the hospital were working with him, but all in isolation of each other, and the family had no external support, despite the extensive needs, so were at extremely high levels of anxiety. The Carer Support Worker completed a Carers Assessment and called a Case Conference to bring together all the parties involved with the family. A joint home visit was undertaken with the Community Occupational Therapist, in order to support him at home, and a request for re-housing was made (and just been successful). The CSW has worked with the family to do contingency planning and the Community Matron is also now involved. The CSW has also involved CAB to help with financial advice and planning, and has set up a small enabling service half a day a week to give the Carer a break, but also helping the husband get out and about. This has been enough to keep the family together and prevented an admission to a residential home placement.

Outcome 4 – Safeguarding people whose circumstances make them vulnerable and protecting them from avoidable harm

What does this mean for the people of Torbay?

The Care Act 2014 put Safeguarding Adults into a statutory framework for the first time from April 2015. This placed a range of responsibilities and duties on the Local Authority which the Trust will deliver on behalf of the Council. This includes requirements in the following areas:

- Duty to carry out enquiries or cause others to do so
- Co-operation with key partner agencies
- Safeguarding Adults Boards
- Safeguarding Adult Reviews
- Information sharing
- Supervision and training for staff

Ultimate accountability sits with the Torbay Safeguarding Adults Board (SAB). This is a well-established group that provides a sound basis for delivering these legislative requirements. The Board has incorporated the requirements into its terms of reference and Business Plan for 2017/18, ensuring that all relevant operational and policy changes are in place for April implementation.

The term ‘**safeguarding**’ is used to mean both specialist services where harm or abuse has or is suspected to have occurred, and other activity designed to promote the wellbeing and safeguard the rights of adults.

In its broadest sense it is everybody’s business: the public, volunteers and professionals, working together to ensure everyone is treated with dignity and respect, enable people to have choice and control in their lives and provide compassion in care.

How do we ensure that adults experiencing, or at risk of abuse or neglect are protected?

The Trust’s work in this area primarily divides between the community operational teams who respond to safeguarding concerns, causing enquiries to be made by others such as Devon and Cornwall Police, maintaining strong local partnership arrangements, our Business Support and Quality team which works with care homes and domiciliary care providers to promote high quality care and proactive monitoring of quality standards and our Experts through Experience service which undertakes various activities to promote awareness and early interventions.

How have we performed?

Measure	2016/17 Outturn (provisional)	2016/17 Target	2015/16 Outturn	2015/16 Target	2015/16 England average	2015/16 Comparator group average
Proportion of repeat adult safeguarding referrals in last 12 months	7.0%	8.0%	4.9%	8.0%	n/a	n/a
Safeguarding Adults - % of high risk concerns where immediate action was taken to safeguard the individual	100.0%	100.0%	n/a	n/a	n/a	n/a

The Safeguarding Adult Team has undertaken an initial analysis of information pertaining to repeat referrals. This has provided a baseline understanding of information for more in depth review of whether any of these repeat referrals could have been avoided. For example, preventative measures in place to safeguard, safety advice, communication of care plan information. This analysis will be reported back to the Safeguarding Adult Board's September meeting.

The Safeguarding Adult Single Point of Contact Team undertakes an initial assessment of information to prioritise concerns appropriately. This provides assurance that concerns requiring immediate safeguarding responses have either already been or are acted upon. The data evidences that 100% of cases requiring immediate responses received so within the given (same day) timescale.

Case Study - Safeguarding

A community nurse visited a patient living in assisted living accommodation on an unrelated matter. In discussion the patient advised that he was awaiting a call back from his GP due to other health issues that were currently significantly impacting on his health and well-being. The discussion with the GP and Nurse identified that paid carers had not been administering critical medication over a period of time, impacting significantly on his physical and emotional well-being. The patient and family stated that they had reported their concerns to the care provider previously but the issues had not been resolved despite assurances. The patient also reported carers had been visibly stressed when visiting.

A safeguarding response was immediately put in place with the support of the GP, community nursing team, registered manager of the care provider, the patient and his family. A social worker was also allocated to coordinate the enquiry. The preferred outcomes for the patient were identified and focused on resolving the medication management concerns with the provider and ensuring that carers felt confident in their care delivery. An in depth enquiry was undertaken jointly between a community nurse lead and senior management of the care provider.

The safeguarding response was reviewed with all parties at a safeguarding meeting that took place at the patients preferred venue. The key issues and risks were captured in the meeting so everyone was clear. The meeting recorded the views of the patient and his family and ensured the patient's views were central to the meeting. This included information from the patient that he was satisfied with the response and actions taken by the care provider but also his views as to what had happened and concerns for the future.

A safeguarding protection plan was agreed which included an on-going monitoring plan to minimise any future risk. The patient recorded that their outcomes had been fully met and the response had been a positive one. All agreed at this point that the safeguarding enquiry could stop.

4. Financial position and use of resources

From the 1st October 2015 an Integrated Care Organisation was formed and within this organisation remit was to provide Adult Social Care (ASC) on behalf of the population of Torbay. From a financial perspective Torbay Councils role as a commissioning body is to provide a funding contribution to the overall running costs of the ICO. In 2016/17 this contribution was £41.7m which was £1.8m over the original budget (under the current risk share arrangement Torbay Council pick up 9% of any under or overspend within the ICO).

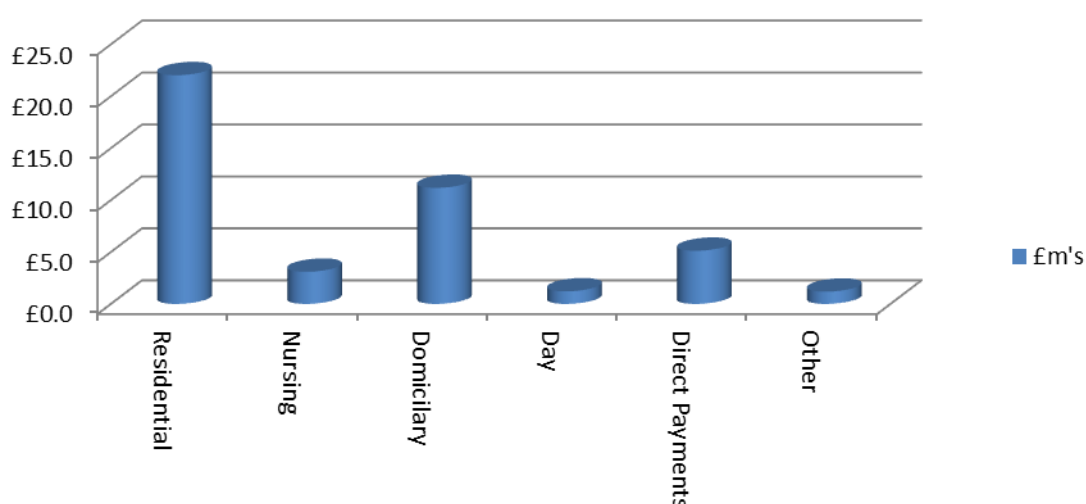
The ICO provides a diverse range of services and ASC is a part of this. There is care management and social care support across Torbay; it includes the cost of social workers, community care workers, occupational therapists, physiotherapists, finance and benefit assessors and support service staff.

The vast majority of the total net spend on adult social care services is the purchase of care (including residential, nursing, day and domiciliary) from independent providers. The majority of this spend is with providers within Torbay but some specialist residential care is provided out of area. At any point in time there is on average around 2,200 people receiving a core service.

The net spend figure in the independent sector was £33.2m in 2016-17. However this is the figure after the contributions made by people receiving services were taken into account.

Under national legislation people assessed as needing social care services which are provided or arranged by the Council also receive an individual financial assessment and this can result in a them being asked to contribute towards the cost of their care provision. The income collected from people in Torbay in 2016/17 was £10.5m. The total (gross) expenditure on services was therefore £43.7m. The allocation of this gross expenditure across different types of services is illustrated in the chart below.

Independent Sector Gross Expenditure Breakdown 2016-17 £m's



The age of the people receiving these ranged from 18 to over 100 years old and services were provided to clients with learning disabilities, mental health issues,

dementia, sensory and physical disabilities, vulnerable people, and the frail and elderly.

Financial outlook for 2017-18 and beyond

At a national level there are continuing financial pressures across both adult social care and health services. Torbay is not immune to this and like other local authorities Torbay Council has funding constraints which have led to budget reductions in recent years and further reductions will be required for the foreseeable future.

Torbay Council and South Devon and Torbay Clinical Commissioning Group acknowledge the tight financial constraints and jointly believe that Torbay and South Devon NHS Foundation Trust, is best placed to continue to deliver the best possible care and support within these constraints. The Trust will achieve this through managing resources across health and social care to deliver a more efficient and effective profile of expenditure.

This will be dependent on how the overall funding envelope for the Trust can be best utilised to maintain a financially stable and sustainable health & social care system for the long term to improve people's experiences of health and social care. This will be done in consultation with the Council and, where it is necessary to make changes to the way services are delivered, consultation will take place with the people and carers who use those services.

5. Looking after information

The Trust takes the responsibility of safeguarding the information we hold very seriously. All incidences of information or data being mismanaged are classified in terms of severity on a scale of 0-2 based upon the Health and Social Care Information Centre *“Checklist Guidance for Reporting, Managing and Investigating Information Governance and Cyber Security Serious Incidents Requiring Investigation.”*

Risks to information are managed and controlled by applying a robust assessment against the evidence collected as part of the national information governance toolkit return. During the period 1 April 2016 to 31 March 2017 the following breaches of confidentiality or data loss were recorded by the Trust which required further reporting to the Information Commissioner’s Office and other statutory bodies.

Date of Incident	Nature of Incident	Summary of Incident	Outcome and Recommendations
24-Nov-16	Unauthorised Access	An email with an attachment that included patient identifiable data was sent to an insecure email address by an approved contractor working on behalf of the Trust.	<p>The error was identified within 10 minutes of its occurrence and a full investigation was undertaken by the Head of Information Governance.</p> <p>An internal review was undertaken by the approved contractor with disciplinary actions being discussed.</p> <p>The supplier’s remote access has been reviewed in line with the information governance requirements specified within the contract. This stated that no patient identifiable information should leave the Trust.</p> <p>The Trust has reviewed its own internal processes and made changes.</p>

The conclusion of the Information Commissioner’s Office to its investigation of the above incidents was that there was no regulatory action required against the Trust as the incidents did not meet the criteria set out in the ICO’s Data Protection Regulatory Action Policy.

Any other incidents recorded during 2016/17 were assessed as being of low or little significant risk. The Trust declared level two compliance against the information governance toolkit requirements by 31 March 2017. A new action plan will be created to deliver improvements against the 2017/18 information governance toolkit and will be overseen by the Information Governance Steering Group which is chaired by the senior information risk owner.

6. Healthwatch Torbay response to the Adult Social Care Local Account 2016 - 17

Throughout 2016-17 Healthwatch Torbay (HWT) has continued to develop and grow in its own right and is now an independent organisation working to ensure that the people of Torbay are kept well informed about developments in health and social care, and have a voice in both the transformation and scrutiny of local health and care provision.

As a key partner in health and social care, HWT has continued to work with all stakeholders to ensure that the views of the people of Torbay are listened to and respected. There is a continuing need to drive up service user's experience and carers in all areas of our day to day business and service planning. Under the national 'Think Local Act Personal, Making it Real' programme, which sets out what local people and carers who use services expect to see and experience HWT strives to ensure local people are included as equal partners and have their say on the services which are important to them.

The new directions discussed in the Local Account, to rely less on bed-based care and to support people to become more independent at home, provides a vital opportunity for providers to work with HWT to ensure that service user's views continue to be an integral part of quality monitoring and the effectiveness of the New Model of Care.

During 2016/17 HWT, as an independent organisation, collected feedback from the community and produced a report to inform South Devon and Torbay Clinical Commissioning Group on the New Model of Care as part of their public consultation. The feedback gathered highlighted public concerns that changes may lead to a lack of town-based community beds for End of Life care, a half-way-bed from the acute hospital to home and respite care. There was also an assumption of a significant increase in the amount of travelling required by patients, family members, clinical and intermediate care teams. As the New Model of Care is implemented, HWT will continue to monitor whether these concerns are substantiated and continue to escalate any public concerns or complaints through the official process.

Another HWT report on the quality of the domiciliary care for vulnerable people at home highlighted a pattern of "deteriorating communication" regarding the organisation of home visits, with loss of control and support for service-users and family members. It also indicated a "growing breakdown" in the Carer service-user relationship, with staff also reporting "demoralisation through reduced job satisfaction" and "concerns for clients' safety."

We continue to work with the local authority on the development of improved standards for home care services and on monitoring the provision of services in residential and nursing care homes using our online Rate and Review service.

It is pleasing to see in the Local Account that the majority of clients received an assessment within 1-4 weeks, figures that reflect our own report into Social Care Assessments in December 2016. We would like to thank Torbay Council and Torbay and South Devon NHS Foundation Trust (TSDFT) for their support with this report and also their continued commitment to use the insight we provide to improve the service they deliver.

In conclusion, we are pleased to support the presentation of the Local Account and look forward to our continuing partnership work to champion the voice of local people in local decision making - making this process meaningful and bringing about positive changes.

Yours Sincerely,



Dr Kevin Dixon
Chair - Healthwatch Torbay





Key Achievements in 2016/17



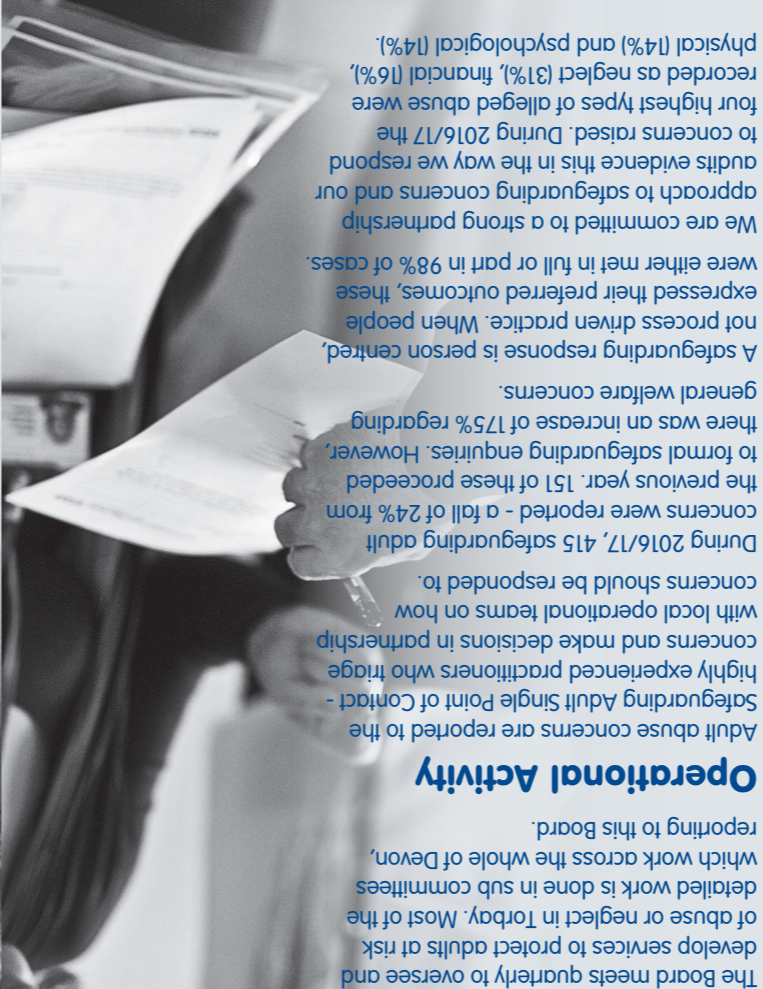
Safeguarding Adults has remained a priority for our partner organisations, with a commitment to improve services, despite organisational change and financial challenges. Given these pressures, we have streamlined our Board meetings and sub committees and built strong links with Devon Safeguarding Adult Board along with other statutory Boards in Torbay to reduce duplication wherever possible.

- Progress has been made in Making Safeguarding Personal, giving service users a greater say in how they are safeguarded. This is a significant change in practice which has been matched by work behind the scenes to adapt information collection in order to report more accurately on our activity
- An innovative video has been developed to enable basic Safeguarding Adults training to be available to all, free of charge. We are very proud of the ability to distribute basic information about recognising abuse and the process to follow
- A Safeguarding Adult Review was completed and published, identifying a number of serious concerns where care fell far short of what should be expected. Great efforts have been made to understand how this happened and put steps in place to negate recurrence in the future

Whilst I am assured that everyone will do their best to maintain our high standards of Safeguarding Adults in the future, there is no doubt that the burden of doing this is falling on fewer people. The Board will be maintaining close scrutiny of our services to protect those who rely upon them to keep safe.

Julie Foster
Julie Foster, Chair, Torbay Safeguarding Adults Board

Torbay Safeguarding Adults Board



Operational Activity

The Board meets quarterly to oversee and develop services to protect adults at risk of abuse or neglect in Torbay. Most of the detailed work is done in sub committees which work across the whole of Devon, reporting to this Board.

Strategic Plan

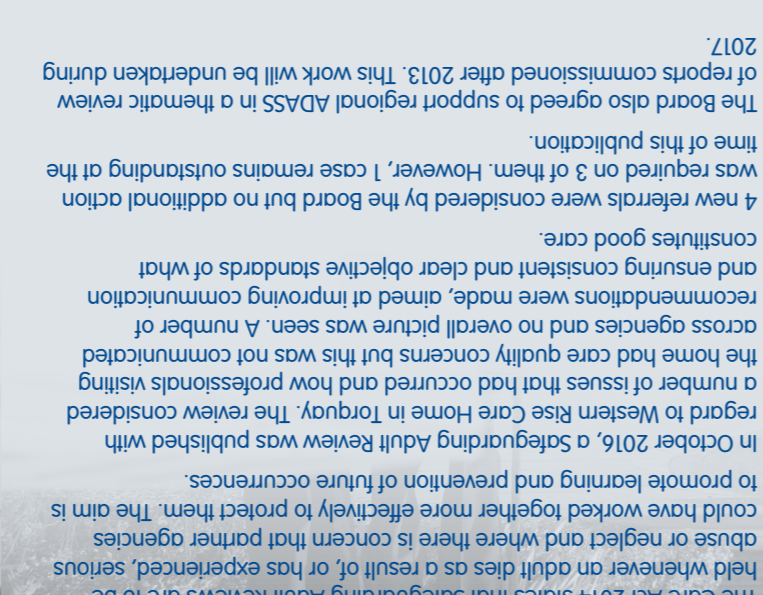
The Board decided to devote each of its quarterly meetings to a particular theme and priority area. A range of people are invited from local organisations to share their knowledge and expertise to identify issues and gaps in services or practice. These issues were turned into Action Plans which are monitored by the Board. These are the key themes identified in the Business Development Planning Day held at the end of each year for each of the following financial years:

2017/18	<ul style="list-style-type: none"> • Asset based interventions for safeguarding in the community • Mental health & vulnerability • Domestic violence & abuse • Best use of resources
2016/17	<ul style="list-style-type: none"> • Commissioning process & integrated care • Supporting staff across the partnership including the voluntary sector • Wider 'Think Family' including carers
2015/16	<ul style="list-style-type: none"> • Young people in transition • Keeping people safe in their own homes • Keeping vulnerable people safe • Raising awareness

Acronyms Glossary:

ADASS	- Association of Directors of Adult Social Services
MCA	- Mental Capacity Act
SAB	- Safeguarding Adult Board
TSAB	- Torbay Safeguarding Adult Board

Safeguarding Adult Review Group



Keeping Vulnerable People Safe

The multi-agency toolkit for assessing those adults at risk of self-neglect was completed in 2016/2017 and is now in use by practitioners to help them determine what level of support is required by those adults. A review of the TSAB structure highlighted some overlap with the SAB Executive Committee and it was agreed that Keeping Vulnerable Safe Subgroup was no longer required and that task and finish groups could be commissioned and monitored by TSAB as required.

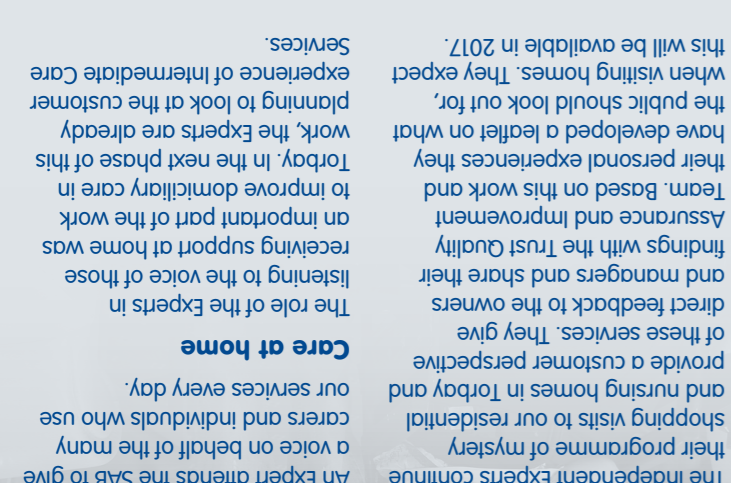
Joint Mental Capacity Act Sub Group

This group raised increased awareness of the Mental Capacity Act 2005 by:

- Developing bespoke films to support understanding of different aspects of MCA
- Holding a conference with Baroness Finlay (key speaker) alongside the Department of Health and the Care Quality Commission
- Sharing key MCA information within libraries, hospitals and GP practices using Social Media, including 'Face Book' and Tweets

Two new Joint Chairs were recently appointed and have started updating the 'Terms of Reference' and reviewing the 'Work Plan' to ensure it reflects legal framework, developing case law and national drivers. They will facilitate each partner organisation within the group to provide the required assurances to the Board.

Experts through Experience Sub-Group



The independent Experts continue their programme of mystery shopping visits to our residential carers and individuals who use our services every day.

Care at home

The role of the Experts in receiving support at home was an important part of the work Team. Based on this work and findings with the Trust Quality Assurance and Improvement Team. Based on this work and their personal experiences they have developed a leaflet on what the public should look out for, when visiting homes. They expect this will be available in 2017.

Joint Learning and Improvement Sub-Group

Following the peer review of the ADASS approved self-assessment returns, the Learning and Improvement Subgroup has refocused its work plan to cover 2017/18 and has identified four key areas to support the SABs in achieving their Business Plans. These relate to; self-assessment; development of multi-agency case audit; a review of the Training and Competency Frameworks used by partner agencies and subsequent Commissioning of Training based upon these nationally recognised competencies. However, it must be recognised that the current delay by NHS England of the publication of the Intercollegiate Safeguarding Adult Competency Framework, has impacted upon the ability of the Learning and Improvement Sub group to progress through some work streams as planned.



Devon & Cornwall Police
Building safer communities together

- Sexual Offences & Domestic Abuse Investigation Teams (SODAIT's) & improved coordination between investigators and safeguarding officers to provide better support to victims of domestic abuse & sexual violence
- Safeguarding and investigation for those victims experiencing modern day slavery, human trafficking and radicalisation
- Torbay Central safeguarding team enhances our partnership response to safeguard vulnerable people



DEVON & SOMERSET
FIRE & RESCUE SERVICE

- Provided additional resources to the processing of safeguarding and welfare concerns
- Identified appropriate multi-agency safeguarding training for staff including modern slavery, human trafficking and radicalisation
- Supported a multi-agency approach to tackling hoarding through the development of a partnership process



NHS
South Western Ambulance Service
NHS Foundation Trust

- Re-development of our annual Safeguarding training to enhance staff knowledge in making a referral
- Introduction of a Supervision Policy to include both clinical and safeguarding supervision
- Development of a frailty group within SWAST



PCC
Office of the Police and Crime Commissioner
Devon and Cornwall

- Increased focus on prevention and stopping people becoming victims of crime
- Continued prioritisation of the protection of people at risk of abuse or who are vulnerable
- Investment in strong wrap-around services for victims of crime, supporting victims and witnesses through the criminal justice process



South Devon and Torbay Clinical Commissioning Group

- The Primary Care Safeguarding Nurse role provides a clear work plan supporting the CCG and member GPs in meeting statutory duties. Resources include the development of a quarterly master class programme
- Funding from NHS England permitted the CCG to commission a training company to deliver safeguarding training, including the topic of neglect, to a large number of dental practice staff across Devon and Torbay
- The CCG works across both Devon and Torbay SABs at both strategic and operational levels, supporting an aligned approach towards healthcare partners

healthwatch

- The people's consumer champion of health and social care
- Encourage people to speak out and report issues and concerns
- Hold to account commissioners to investigate poor quality services
- Visit and engage with vulnerable community members

Care Homes

- Regular safeguarding training for all staff, to give better understanding and awareness
- Encourage everyone, staff, residents and families, to be more open and willing to discuss things calmly
- To be aware of and use the Single Point of Contact

National Probation Service



- To protect the public and support victims by working together with key partners and stakeholders to build safer communities
- To train relevant staff in how to work effectively with vulnerable adults
- To build National Probation Service engagement with the board and its sub groups



- Addressing street homelessness with communities in Torbay
- Improving support for vulnerable people with complex needs through multi-agency collaboration and funding arrangements
- Developing supported living arrangements for people with autism and complex needs currently placed outside Torbay
- Delivering additional units of extra care housing



Devon Partnership
NHS Trust

- Increased dedicated resources available to support individuals requiring Safeguarding
- Training strategy been developed /implemented along with a Safeguarding App which has been uploaded to all clinicians PCs
- Increased focus on Safeguarding was acknowledged in the last CQC inspection - rated as Good across the board





Meeting: Council

Date: 20 July 2017

Wards Affected: All

Report Title: Annual Strategic Agreement between Torbay Council, South Devon and Torbay Clinical Commissioning Group and Torbay and South Devon NHS Foundation Trust and Better Care Fund

Is the decision a key decision? Yes

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

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Supporting Officer Contact Details: Caroline Taylor, Director of Adult Services, 01803 208949, caroline.taylor@torbay.gov.uk

1. Proposal and Introduction

- 1.1 This is the Annual Strategic Agreement (ASA) which sets out the way in which Torbay Council and South Devon and Torbay Clinical Commissioning Group (the CCG) will commission services from Torbay and South Devon NHS Foundation Trust (the Trust). The ASA covers the financial year 2017-2018.
- 1.2 The report is updated from that presented to Council on 23 February 2017. It includes performance commitments and the approach to the (Improved) Better Care Fund in exempt Appendix 2.
- 1.3 A significant development is the notice of withdrawal from the Risk Share Agreement that was served in December 2016 by Torbay and South Devon NHS Foundation Trust.
- 1.4 The financial proposals relating to the Annual Strategic Agreement are included in exempt Appendix 2.
- 1.5 The Adult Services and Public Health Monitoring Working Party which was created at the Council meeting in February 2017 is meeting on a regular basis to add Member challenge into performance, expenditure and policy issues.

2. Reason for Proposal

- 2.1 The Annual Strategic Agreement sets out the strategic direction for services which is designed to maximise choice and independence for those requiring adult social care and support. It sets out the objectives which the Council and the CCG require the Trust to meet and forms the basis on which performance can be monitoring and managed.
- 2.2 The Monitoring Working Party that is now active ensures that there is an opportunity for members to gain an understanding of the issues around adult social care and public health, to review and discuss performance and financial monitoring data and to have oversight of the development of future Agreements given that the ICO has given notice to withdraw from the Risk Share Agreement.
- 2.3 Following the notice of withdrawal from the Risk Share Agreement which will come into effect on 1 January 2018, detailed negotiations have taken place. Consequently a revised risk share agreement is proposed. Details and proposals as to the financial position and the revised risk share in respect of the contract are submitted as exempt Appendix 2.
- 2.4 If the revised risk share agreement is not approved by the Torbay and South Devon NHS Foundation Trust and South Devon & Torbay Clinical Commissioning Group, then significant control mechanisms will be implemented to allow the Council to exercise control over the delivery of Adult Social Care. The control mechanisms are set out in exempt Appendix 2.

3. Recommendation(s) / Proposed Decision

- 3.1 That subject to all parties namely Torbay Council, Torbay and South Devon NHS Foundation Trust and South Devon & Torbay Clinical Commissioning Group agreeing the Risk Share Agreements as set out in Appendix 2 or in the alternative the control mechanisms as set out being implemented;
- 3.1.1 The Annual Strategic Agreement between Torbay Council, South Devon and Torbay Clinical Commissioning Group and Torbay and South Devon NHS Foundation Trust set out at Appendix 1 to the submitted report be approved, including the approach to funding the same as set out in Appendix 2.

]

4. Supporting Information

- 4.1 The Adult Services and Public Health Working Party have considered and are supportive of the Annual Strategic Agreement and the associated outline finances.

Appendices

Appendix 1: Annual Strategic Agreement

Appendix 2 Risk Share Agreement – options and financial proposals aligned to the Annual Strategic Agreement including Better Care Fund - Exempt



Annual Strategic Agreement

Between:

**Torbay Council and
Torbay and South Devon NHS Foundation
Trust**

For the delivery of:

Adult Social Care April 2017 to March 2019

Final subject to signature (V1.7)

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1 Introduction

The Annual Strategic Agreement (ASA) outlines service development areas within the budget envelope provided by Torbay Council and outlines elements of the work plan being undertaken by the Trust on behalf of the council, over the two years 2017/18 and 2018/19. Whilst this is under review with the serving of notice of the Risk Share Agreement by Torbay and South Devon NHS Foundation Trust, it remains the intended direction of travel for all parties.

It specifies roles and responsibilities, and areas of risk. It aligns with the Corporate Plan which sets our aims to support vulnerable adults. Risks remain in respect of the scale of savings required, the stability, and sufficiency of the independent sector market, the appetite, and acceptance for change in this model of care by the community, the continuing pressures of Deprivation of Liberty Safeguards as well as the impact of operational pressures in the Integrated Care Organisation (ICO).

1.1 Scope of the Agreement

The scope of this agreement is Adult Social Care (ASC) services provided for the population for which Torbay Council is accountable. This will normally mean people who are resident in Torbay but will also include people placed in accommodation in other areas of the country where national policy dictates that the Council remains the accountable authority.

In addition to the services described in this Agreement, the Trust provides other services, including those commissioned by South Devon and Torbay Clinical Commissioning Group (SDTCCG), NHS England specialist, dental, and screening teams.

Torbay Council also commissions additional services from the Trust including, the Drug and Alcohol Service and the Lifestyles, Health Visiting, and School Nursing service which are commissioned by the Council's Public Health team.

This agreement sits within the overall contractual agreement with the ICO between SDTCCG and Torbay Council. It is recognised that there should be a change in contractual arrangements with the Risk Share Agreement not being reinstated during the period of notice that an independent agreement between the Council and ICO may need to be created.

1.2 Status of the Agreement

The statutory duties and obligations in respect of the delivery of ASC such as meeting the needs of those clients meeting eligibility criteria and those within the Care Act within the scope of this agreement.

1.3 Summary of services to be provided

The services provided under this agreement will include:

- Provision of information and advice to people enquiring about ASC services;
- Assessment of need for social care services, including the provision of

- rehabilitation and reablement services, and an Emergency Duty Service;
- Commissioning and monitoring individual packages of care, including case management assessments under the Mental Capacity Act, Deprivation of Liberty safeguarding and engagement in Court proceedings;
- Monitoring of the quality, performance, and cost of services provided by Trust staff and other providers;
- Safeguarding the needs of adults and older people living in Torbay. This includes delivery of Torbay Council's operational safeguarding responsibilities, servicing the Torbay Adult Safeguarding Board, investigations of individual safeguarding concerns and whole homes investigations;
- Ensuring that services are provided in a cost effective way whilst still offering the choice to which people are entitled;
- Collection of income for chargeable services, including and assessment of an individuals' financial circumstances and ensuring that people are receiving any welfare benefits to which they are entitled;
- The collection, collation and submission of activity information and performance returns as required operationally, by the Council and to meet local, regional and national statistical returns;
- The collection, collation and submission of financial returns and budget reports as required operationally, by the Council and to meet local, regional and national statistical returns;
- Benchmarking Torbay Council's performance and cost against similar Local Authority areas, England and the South West;
- Input to JSNA and housing needs assessment as required to ensure strategic commissioning plans and market management is based on relevant, accurate, quality and timely data;
- Procurement and monitoring and management of the local market to ensure sustainable, good quality services;
- Delivery of agreed plans including Trust Wide Improvement Projects and those agreed through the BCF including the commitments to optimise the application of the Disabled Facilities Grant.

2 ASC Commissioning Priorities

The Council's Corporate Plan (2015-2019) includes the following commissioning priorities for 2017-2019. It is the Trust's responsibility to ensure these are underpinned by timely and accurate data collection and information provision including, finance and performance management information on independent and community voluntary sector contracts and Service Level Agreements held by the Trust:

2.1 New Model of Care

- Wellbeing Co-ordination in place, offering strengths based conversations and signposting to support people to maximize resilience and self-care
- introduction of a new model of support planning, using a partner to deliver person centered support plans developed with people by planners with lived experience
- Living Well@Home development programme being a market wide programme in support of the new model of care;
- Implementation of the NHS Standard contract for Care Homes and development of outcomes based contracting options;
- Accommodation-based, care and support strategy;
- Outcomes based specification for extra care housing and procurement of supported living, to maximize independence ;

- Development of a vibrant voluntary and community sector;
- Reducing demand through prevention and innovation
- New approaches to assessment and the introduction of Individual Service Funds in order to maximize choice and reduce costs in care packages

2.2 Autism

- Provide Autism awareness training for all staff that come into contact with people with autism;
- Provide specialist training for key staff;
- Undertake assessments under the Care Act for adults;
- Develop a clear pathway to diagnosis and assessment for adults with autism;
- Commission services based on adequate population data and needs assessment;
- Delivery of associated actions arising from the Autism Self-Assessment Framework 2016.

2.3 Learning Disabilities

- Focus on people living full and independent lives, where secure homes and fulfilling lives are a priority;
- Help people and let them know what options they have to help them achieve their goals;
- Improved accessibility to community services for those people who have a learning disability;
- Improve access to employment and housing;
- Development of Learning Disability Strategy and action plan;
- Development of Joint Learning Disability Strategy and action plan, following the ADASS Peer Review.

2.4 Mental Health

- Torbay Council to oversee the delivery of the improvement plan with DPT and input to mental health service redesign with DPT, Devon County Council and SDTCCG;
- Trust finance team support for improvement plan and development and implementation of cost improvement projects. Torbay Council Commissioners to agree improvement plan and development of cost improvement projects with DPT
- Support for integrated personal care planning and brokerage including implementing and embedding systems plans.
- Transfer of Approved Mental Health Practitioners to DPT.

2.5 Social Care Workforce

- Ensure sufficient professional leadership and support to changes to the workforce and implementation of new ways of working;
- Develop capacity within the workforce to deliver the services and provide contingency working and engagement in co-producing new approaches to care work e.g. Trusted Assessor models.

2.6 Enhanced working between the commissioning functions

- Developed working arrangements for clarity of roles and responsibilities with the growing independent and voluntary sector;
- Supporting engagement with independent and voluntary sector providers through the multi-provider forum and associated groups.

2.7 Housing and Care

- Implement the homelessness prevention plan;
- Re-commissioning of accommodation based and outreach support for single homeless and young peoples' homelessness support services and young parents service;
- Implement the Devon protocol to support joint action on improving health through housing;
- Accommodation-based care and support plan;
- Better use of equipment, home improvements, grants and technology including, disabled facilities grant in line with BCF planning;
- Homelessness strategy delivery including, prevention and early intervention and alternatives to temporary accommodation and improved hospital discharge.

2.8 Safeguarding Adults

The Trust will deliver operational safeguarding duty on behalf of Torbay to:

- Prevent abuse and neglect wherever possible, understand the causes of abuse and neglect, and learn from experience;
- Ensure all organizations embed learning from incidents and case reviews;
- Improve multi-agency practice and processes to improve individual safety planning as part of care and support plans and safeguard adults in a way that supports choice and control and improves their lives;
- Provide information and promote public awareness to enable people in the community to be informed so that they know when, and how, to report suspected abuse;
- Work with strategic commissioners and in partnerships with independent and community voluntary sector organizations to identify and address issues early preventing escalation through focused service improvement planning to reduce and streamline the number of current safeguarding processes.

2.9 Carers

The Trust will deliver operational duties to support carers on behalf of Torbay to:

- Support carers;
- Improve performance on numbers of carers assessment, which has dipped in 17/18;
- Address reduced performance in the Personal Social Services Survey of Adult Carers in England 2016-17;
- Redesign of carers services to ensure it is fully allied to the care model and address issues highlighted above.

3 Current Services

3.1 Activity Assumptions

On annual basis and linked to business planning, activity baseline figures are established. As per the table below there are circa 2,200 clients in receipt of a long term ASC package of care. This has been broken down across zone / teams and by value of the packages of care.

Table 1: Activity Assumptions

	Mental Health Under 65	Mental Health Over 65	Learning Disability	Adults & Older People		Total
				Torquay	Paignton & Brixham	
Type of Care and Support Plans						
Packages of Care Under £70 per week (at home)	31	14	13	148	125	331
Care Under between £70 & £606 per week (at home)	52	38	215	291	306	902
Care Under £606 per week (Residential based)	35	133	63	144	148	523
Care over £606 per week (at home & residential based)	7	7	136	28	26	204
Full Cost Care (Residential based)	-	28	1	28	38	95
Full Cost Care (at home)	-	9	-	46	59	114
Total	125	229	428	685	702	2,169

3.2 Projected activity

This is included as part of the Trust's overarching plans and assessment of the impact of their preventative and demand management measures which are presently being calculated. The Adult Social Care Programme Board (ASCPB) will consider the presentation from the Trust in this respect and will also be part of the target setting.

3.3 Activity Baselines and Planning Assumptions

At any one time the Trust will be supporting around 2,200 adults and older people with social needs through the provision of ASC Services and support funded through the ASC budgets delegated to the Trust under this Agreement

Delivery is monitored through local operational meetings, the Trust's Community Divisional Board and the ASCPB against financial run rates and performance targets.

The Trust will operate autonomously to take any management action is necessary to correct performance which can be taken within the parameters of this Agreement.

However, should exceptional circumstances arise, through excess demand or other external factors not taken into account when the budget allocations underpinning this agreement were made, the impact and any corrective actions will be discussed through the ASCPB with advice to the overarching agreements Contract Review Meeting as well as discussion and escalation as necessary to the Risk Share Oversight Group (RSOG).

The indicators are to be agreed in the light of the December 2016 out-turn figures and the associated funding. Performance indicators for the service will be those set nationally, under the ASC Outcomes Framework (ASCOF), or agreed locally. A description of the ASCOF indicators is set out in Appendix 1 and includes details of the performance and benchmarking information against each Key Performance Indicator.

3.4 Impact on quality, activity and cost including cost improvement

The levels of run rate are based upon demand and the legal duties within the Care Act with which the Trust have a legal duty to comply as part of their delegated responsibilities on behalf of the council. As a result and as can be seen from the above tables (though update awaited) there is little impact on the number of people the Trust will be expected to support, aside from the reductions in care home placements. Consequently although action is necessary to bring run rates back in line with delegated budgets it is expected that the majority of cost improvements will need to be found through one or both of the following ways of reducing the cost of each individual package of care:

- i. Tight adherence to national eligibility criteria and/or
- ii. Finding more innovative ways of meeting peoples' needs which deliver better solutions at lower cost.

To support this approach there have been additional quality assurance processes developed which will continue in 2017/18. The Social Care Quality Report is reviewed and monitored through the ASCPB as one example of the oversight and contract monitoring applied to these elements.

3.5 Adult Social Care Workforce

The provision of integrated health and social care services through local multidisciplinary teams has proved to be an effective model for delivery, able to respond to customer needs swiftly, facilitate rehabilitation, and avoid admissions to residential care and hospital where ever possible. However, the existing model relies on a level of staff resources which will not be sustainable in future given the additional demands. An alternative model is being designed which will have an impact on how staff are deployed.

The new care model will be built on a strengths based approach, aligning entirely to the model in use within the voluntary sector and Integrated Personal Commissioning. Adopting this approach across social care, health services, and the voluntary sector will bring a synergy of approach not previously seen. For social care this is building upon the previous 'Personalisation Strategy' which was been successful in delivering a change of philosophy from time based and care based provision to outcomes based commissioning.

A social care workforce strategy was published in September 2016, which made a series of key recommendations. The recommendations in this strategy focus on

strengthening recruitment, focusing on newly qualified workers, and using enhanced media/advertising.

The strategy also looked to strengthen the Social Work Workforce, by creating a Principal Social Worker and specialist clinical roles in order to align Torbay and South Devon to neighbouring authorities. In addition, specialist roles are recommended. These measures will equip the workforce for a more complex workload and offer a career pathway which is not based on management.

In addition, the strategy proposes to address the loss of experienced social workers to neighbouring authorities by introducing flexibility within Band 6 to match salaries offered in other peninsula authorities.

3.6 Safeguarding

The Trust will continue to deliver the delegated responsibilities of Torbay Council regarding Safeguarding Adults. The Care Act 2014 put Safeguarding Adults into a statutory framework for the first time from April 2015. This placed a range of responsibilities and duties on the Local Authority with which the Trust will need to comply. This includes requirements in the following areas:

- Duty to carry out enquiries;
- Co-operation with key partner agencies;
- Safeguarding Adults Boards;
- Safeguarding Adult Reviews;
- Information Sharing;
- Supervision and training for staff.

Accountability for this will sit with the Torbay Safeguarding Adults Board (TSAB). This is a well-established group that will provide a sound basis for delivering the new legislative requirements. The Board will incorporate the requirements into its Terms of Reference and Business Plan for 2017/18, ensuring that all relevant operational and policy changes are in place for April implementation.

Regular performance analysis from all partner agencies will be reported to the TSAB to give a clear picture of performance across the agencies. The Council will ensure high level representation on the Board by the Director of Adult Social Care Services and Executive Lead for Adult Social Care.

In order to maximise capacity Torbay SAB will work closely with the Devon SAB with an increased number of joint sub-committees and shared business support. In addition to this, to provide internal assurance that the Trust is fulfilling its Safeguarding Adult requirements, the Board will have a sub-committee which will oversee performance. This will have a particular focus on training and performance activity.

The Council has signed up to the national initiative of 'Making Safeguarding Personal'. This is an exciting initiative designed to measure Safeguarding Adult performance by outcomes for the individual, rather than the current reliance on quantitative measurement of timescales for strategy meetings and case conferences. This is now in place.

The Trust also has delegated responsibility as a provider of ASC services to ensure that it participate as a full partner in the TSAB and meet all regulatory requirements in safeguarding adults and children.

3.7 Delivery and Performance Management: Adult Social Care Services

The present arrangements for ASC delivery through an integrated health arrangement delivered by the ICO have been benchmarked against similar authorities in its family group¹. The results show, in a comparison with similar local authorities, Torbay spends around £281.27 per head of total population, compared to £275.73 per head across the family comparator group of most similar local authorities.²

This demonstrates a good use of money through this contract when considering that

Torbay performs very well in the following area:

Excellent
<ul style="list-style-type: none">• delayed discharges of care due to social care•

And well in these areas:

Good
<ul style="list-style-type: none">• Proportion of people who use services who have control over their daily life.• Overall satisfaction of people who use services with their care and support.• Information available to carers and service users

Opportunities for improvement are as follows
<ul style="list-style-type: none">• ability of people to pay for their care themselves either with a direct payment or individual service fund• proportion of people with a learning disability living in their own homes and in paid employment• The proportion of older people (aged 65 and over) who were still at home 91 days after discharge from hospital into reablement/rehabilitation services• Reducing the ASC unit cost so that performance improves in comparison to other CIPFA family group local authorities.•

Audit South West's January 2017 audit report looking at the Trust's care assessment process has confirmed that "the Trust's arrangements for the assessment of the care needs of referred individuals, and determination of eligibility to receive publicly funded care and support is in line with the Care Act 2014 and are appropriate. Staff are able to access a range of training and operational support mechanisms to help them discharge these key responsibilities."

Appendix 2 provides further detail in respect of the areas above – Summary of Adult Social Care Outcomes Framework for Torbay (Jan 2017)

¹ Torbay's family group of comparator authorities are groups of authorities that central government consider have similar patterns of deprivation and age profiles etc.

¹ N.B. It should be noted that the ASA applies to the delegation of authority and activity in respect of ASC and does not include Children's services. The ICO's use of funds to deliver these services should therefore focus on ASC when comparisons are made with other authorities.

[Torbay and South Devon NHS Foundation Trust Final Internal Audit Report: Care Assessment Process Report Reference: TSD08/17 January 2017

Source Page 34 CIPFA Local Authority budget comparator profile Torbay Comparator Report November 2016

Source ASCOF and Personal Social Services: Expenditure and Unit Costs, England - 2015-16: <http://www.content.digital.nhs.uk/catalogue/PUB22240>]

Unit cost improvement

The Trust will work with Torbay Council and SDTCCG to develop and implement a number of ASC cost improvement projects as part of wider system savings plans to:

- Ensure expenditure and performance controls are in place to manage the Council's expenditure on ASC and exposure to risk;
- Rationalise commissioning function and create cost effective commissioning support for Torbay Council and the ICO;
- Reshape the Market to increase quality and value for money incentivising independence and reducing reliance on residential and nursing care;
- Reduce ASC unit costs through better use of supported living as an alternative to residential care and increase use of direct payments and payments cards;
- Manage increasing demand pressures and reduce low level packages of care by ensuring conversations and criteria signpost new referrals to other offers of support before statutory services are considered and a review of low level packages of care;
- Reduction in cost of social work activity including, redesign of skill mix and workforce to implement care model, a new support planning process and protocol for self-funders.

Appendix 8 refers - Trust Wide Improvement and Savings Plans as they impact on Adult Social Care and Unit Cost Improvement

4 Service developments

Key developments in the way ASC services are provided, and any changes in what services will be provided, are outlined in the following paragraphs. Where appropriate the planning and implementation of these changes will involve internal and external consultation with key stakeholders as set out in the Decision Tracker which is managed by the Trust and taken through the ASCPB. Where appropriate the Decision Tracker will also clarify accountability for decision making in these developments.

The new care model will target resources to those in greatest need and provide a universal service to allow people to be as independent as possible and be connected with their local community. The new care model will require significant change and we will need to ensure that we support staff and managers through complex change.

To support the resilience and sustainability of services, we will work closely with the independent and voluntary sector in relation to co-production of solutions that provide solutions for 'what matters to me'.

The Ageing Well Programme, led by the Community Development Trust, and information and advice services are enablers to improve access to preventative services and providing alternatives to traditional social care commissioned services and promoting self-care with increased enablement, independence, and wellbeing.

4.1 Social Care Workforce Plan

Delivery of Care Act compliance is a key deliverable for our social care staff and in 2017/18 we will develop and implement a workforce plan for social care services which focuses on:

- Working in partnership with our community, addressing the issues faced by our most vulnerable members;
- Revisiting our approach to ensure we are inclusive with users, carers and community organisations – using strengths based approaches as our principal theoretical approach and operating model;
- Promoting the reputation of social work in Torbay through engagement with users and the co-design of our approach;
- Supporting staff to reach their potential using a capability framework; responding to the Social Work health check and by providing support to improve resilience;
- Delivering a high quality, safe and well respected service through use of quality, safety and governance processes.

In 2016/17 TSDFT undertook the Social Work Health Check. The health check indicated that there are arrangements in place for structures such as flexible working, staff welfare services and exit interviews. Despite increasing allocation lists, Social Workers did not report unmanageable caseloads or sickness due to stress. However, stress is a constant issue for Social Work. Although Social Workers do find time to attend training, and they find it useful, they feel it needs improvement in terms of specialist areas and opportunities for professional development.

These key areas were identified as performance and improvement priorities:

- Reducing the amount of process and computer inputting
- Improving training & CPD

- Clarifying arrangements for supervision
- Focusing on wellbeing and resilience
-

These areas will be addressed via an action plan in 2017/18.

4.2 Strengths Based Approach

The Care Act 2014 requires local authorities to consider the person's own strengths and capabilities, and what support might be available from their wider support network or within the community to help in considering what else other or alongside the provision of care and support might assist the person in meeting the outcomes they want to achieve. In practice, this means operationalising strengths based approaches into the care model.

A strengths based approach is being embedded and scaled up within the new Health and Wellbeing Teams. It will become the golden thread which runs through all our interactions with people, both in terms of how we approach care and support in our teams and how our teams in turn approach care and support with the people they serve. To support the deployment of a strengths based approach we have developed the following principles for the implementation:

- We will empower staff to use their skills and experience;
- We will let go of care management approaches;
- We will focus on community involvement;
- We will concentrate on the assets and strengths of the people who use our services, our staff and our partners.

4.3 New Approaches to Person Centred support Planning

During the course of 2017/18 the Trust will continue to explore new approaches to undertaking support planning. This will include furthering existing schemes for people with learning disabilities and undertaking wider proof of concept work in partnership with independent, voluntary and third sector organisations.

4.4 Wellbeing Coordinators

The Wellbeing Coordination service has been in place since July 2016 and is now well embedded as part of the Health and Wellbeing Teams across Torbay. The Trust is working with partners to look at the evaluation of this program in relation to outcomes which reduce reliance on statutory services. This is an evolving project which is being co-designed and developed between statutory and voluntary sector providers and is funded from the Aging Well Lottery Fund.

4.5 Standardisation of process

We will continue to build on the standardisation work that streamlines our systems and processes making sure the most appropriate staff focus on the right work. We will build on the strength of delivering standardisation across the Bay whilst keeping a local focus for Paignton and Brixham and Torquay. We will use benchmarking to consider further opportunities for standardisation and the delivery of productivity and cost improvement.

4.6 Self-directed support – including direct payments

Self-directed support using initiatives such as Individual Service Funds alongside Direct Payments will be encouraged. An infrastructure will be developed to support this, enabling people to identify their options, make informed decisions and have mechanisms that make the right thing to do the easy thing to do.

An example of this is the implementation of Direct Payment cards that took place in 2016/17.

Development of the personal assistant market will be a key delivery element in 2017/18

4.7 Care Model Implementation

Health and wellbeing teams referred to in the Operational Plan will be providing a range of functions details of which are below:

- Encourage self-care, healthy lifestyles and maintain independence
- Help to grow community assets/develop resilience;
- Assessment, support planning and professional social work support;
- Provide rehabilitation;
- Provide nursing care;
- Integrated medical management of people with complex co-morbidities;
- Reactive care coordination of people with deteriorating complex health issues and frail elderly;
- Continue to imbed and mainstream Learning Disabilities and working with the voluntary sector to support the delivery of this
- Proactive care co-ordination of people with complex needs and frail elderly;
- Proactive integrated long term conditions support;
- High quality discharge support from hospital to home, integrated planning and seamless handover of care;
- Provide falls prevention services;
- Provide palliative care as part of end of life care pathway.

In addition to it's organisationally based governance structures the impact of these changes on community based care is such that the schedule of development and roll-out will be provided to and monitored through the ASCPB in respect of the community activity

4.8 Services for people with learning disabilities including Autism

Following a public consultation 2015/16 where a decision was made by the Trust board to close Baytree House, all associated work outlined in the 2016/17 ASA has been achieved.

Work relating to people with learning disabilities and autism continues to progress. During 2017/18 work will continue to ensure people with a learning disability and or autism receive the right support, when they need it. To achieve this:

- A Learning Disability Strategy will be developed with clear action plan and accountability between partner organisations, led by Torbay Council Commissioners. This will be informed by the LD ADASS peer review.
- Development of a targeted action plan detailing improvements to be made

following the Autism Self-Assessment Framework 2016.

Key to successfully addressing the needs of people with learning disabilities will be:

- The development of data collection relating to learning disability and autism to aid understanding of demand and pressures within the health and social care system;
- A skilled and effective workforce trained with specialist skills in social care assessment and engagement with workforce development associated with Devon Transforming Care Programme;
- Supporting the people to remain independent for as long as possible through effective accommodation and accommodation based support. This will be achieved through the creation of a Supported Living service specification and framework for providers in Torbay and link to work undertaken by Devon County Council;
- Providing effective support to enable people with learning disabilities and / or autism to gain and sustain employment.

4.9 Residential and day Services for Older People

Market management strategy to support and shape the local market for ASC will be produced in the first quarter of 2017 led by council commissioners.

4.10 Reviews

Reviews will continue within locality and specialist services as part of business as usual. In addition to this there is a review team who concentrate on residential and nursing home reviews and reviews of independent living providers with support from Commissioners to consider the care and accommodation costs and driving best value.

4.11 Programme Management Office (PMO) arrangements to ensure delivery

This work will be coordinated through the PMO, and the governance arrangements that are in place within the organisation, with progress being reported through the ASCPB. The Trust Wide Improvement Programme is detailed in the main Operational Plan which is a separate document. A key programme of work impacting on ASC is the Placed People and Continuing Health Care work. This will be part of the development of the new model of care and a sustainable system which is detailed in the overarching Operational Plan and detailed Programmes/Projects.

4.12 Key Milestones

These are to be agreed in line with the performance indicators and Trust Wide Improvement initiatives in advance of the contract year.

5 Mental Health

The Council has statutory responsibilities for providing services to eligible people with poor mental health under the Mental Health Act 1983 and NHS and Community Act 1990, which are delegated to the Trust. These include:

- Approval and provision of 'sufficient' numbers of Approved Mental Health Practitioners (AMHP);
- guardianship under section 7;
- Financial and Budgetary responsibilities for the whole Mental Health budget, including activity below assigned to DPT.

Devon Partnership Trust will be commissioned by the Council to operationally deliver these under 65 social care mental health services in Torbay. This is in compliance with Torbay Council's statutory duties under the Care Act, Mental Health Act and other relevant legislation, including:

- Aftercare under section 117;
- Care management services, including operational brokerage of social care packages.

Strategic Commissioning Support for this arrangement will be provided by Torbay Council's Joint Commissioning Team including, co-location of the Trust mental health commissioner and day to day work allocation and support.

Professional Practice oversight of AMHP needs to be defined and agreed. This arrangement will be governed by this ASA and a contract between DPT and the Trust.

The priorities for the commissioned service in 2017 to 2018 are to be outlined in the Joint Improvement Plan (JIMP) between the Council, and DPT. Close working with other commissioners such as the CCG will see this developed and monitored through Social Care Programme Board Quarterly performance and finance reports will be submitted to the ASCPB. A governance structure is in place with the Council, the Trust and DPT. It is envisaged greater alignment of governance and strategic approach will be achieved with Devon County Council during 2017/18. It is expected that during 2017/18 employment of the Approved Mental Health Practitioners will transfer from the Council to DPT.

6 Quality Assurance

6.1 National: CQC (Care Quality Commission)

The Commission will make sure health and social care services provide people with safe, effective, and compassionate high-quality care and encourage care services to improve. They monitor, inspect, and regulate services to make sure they meet fundamental standards of quality and safety and publish what they find, including performance ratings to help people choose care

6.2 Local: Torbay and South Devon NHS FT

The Trust will provide quality assurance of both its own integrated business activity and the services it commissions on behalf of the community. A quality and safety report reports all social care quality, safety, and performance metrics quarterly. Interim

performance monitoring is via the ASCPB; which receives performance reports and updates on ad hoc issues.

A Quality Assurance Framework has been developed and is now in use with independent and voluntary sector providers to provide assurance in regard to the quality of care provided to people in their own homes and in care homes

6.3 Multi-agency Safeguarding Hub (MASH)

Since October 2015 the Single Point of Contact for safeguarding adults has been co-located with Torbay Council Children's Services.

There will be a continued focus on ensuring that all staff have the appropriate level of training for their role, as set out in the Torbay Safeguarding Adults Multi-Agency Training Policy.

7 Finance and Risks

The current RSA ends on the 31st December, unless agreement to a variation is agreed. Due to the delay in the additional government settlement with councils the 2017/18 funding settlement to the ICO is still being concluded through the Risk Share Oversight Group.

Notice was given by the ICO to the CCG and Council which terminates the RSA on the 31st December. Subject to securing the above financial agreement and confidence in delivery of the comprehensive savings plans this notice may be revoked and a variation to the RSA agreed.

All three partners are working on a revised RSA and although at the point of writing it is not concluded there is an ongoing work programme which will conclude in the next week or so.

The conclusion of this programme may have implications for the draft text in the remainder of section 7 below.

7.1 Budget allocations

The allocations to be included in the Risk Share Agreement (RSA) 2017/18 as per the agreed five year RSA September 2015 is £35.6m. The council positively adjusted this by £0.860m to accommodate the results of the care homes judicial review part one resulting in a figure of £36.460m. In addition the council will pass over the Independent Living Fund (ILF) grant in full.

The Council will honour its 9% share of any ICO deficit. This is full year so will be $\frac{3}{4}$ of those values if ASA/RSA is to end of December 2017 given the January 2017 serving of notice on the RSA by the ICO

7.2 Financial Risk Share

The Risk Share Agreement (RSA) developed as part of the transaction creating the ICO took effect from its inception on 1st October 2015. The share of financial risk going forward is a function of the wider performance of the Trust, rather than specifically in relation to ASC.

The financial baseline from the Council and the CCG commissioners funding the ICO will appear in as the RSA appendix to the Operational plan.

7.2.1 Notice served on Risk Share Agreement

- It is to be noted that the ICO have served notice on the RSA as of January 2017, the notice period being twelve (12) months.
- Whilst the intent is to be able to continue to work in partnership and renegotiate the RSA the current position is that this ASA is effective for nine months of the financial year to which it relates.
- If the current RSA finishes end of December 2017 in line with recent ICO notice of withdrawal, then the current BCF arrangements between the Council and South Devon and Torbay CCG in support of the RSA will also cease and will need to be revised in line with national BCF guidance.

7.2.2 Efficiency Risks

The commitment set out in the RSA includes an interim assessment of the increase in care home fees associated the judicial review established in 2015/16. The Council have agreed to fund this in addition to the original opening baseline, along with any additional settlement agreed or instructed in the final decision on the judicial review appeal.

- Delivery of the Trust wide Improvement Programme;
- Agency and temporary staffing costs;
- Increasing costs of medical technologies;
- Rate of expenditure in both ASC and Place People;
- Delayed delivery of financial benefits associated with the implementation of the revised care model

7.2.3 Risks pertinent to Adult Social Care expenditure include

- The scaled of savings required;
- The Judicial Review challenging Care Home Fee set by the Council;
- Insufficient capacity in the domiciliary care market;
- Sufficiency in the care home market;
- Community Support for Change;
- Impact of case law relating to the Deprivation of Liberty Safeguards;
- Pressures within the out of hours Emergency Duty Service;
- Impact of the Care Act;
- The increasing complexity of needs
- The risk within the Risk Share Agreement in respect of any cumulative overspend being shared between three organisations.

7.3 Revenue Budget 2017/18 and 2018/19

The budget allocated by the Council for ASC Service is set out in 7.1 above. The budget is predicated on the ICO achieving the commitments that it has made within the Trust Wide Improvement programmes. The Council will review the budget annually and in the light of the negotiations as to future Risk Share and pooled budget arrangements, whilst continuing to consider a multi-year agreement the appropriate direction of travel.

7.4 Care Home Fees Judicial Review Appeal

The Council have agreed to fund any additional settlement agreed or instructed in the final decision on the judicial review appeal. The appeal is now scheduled to be heard in June 2017 so this outstanding risk is carried forwards.

In 2017/18 the Council took the decision on fees having consulted with colleagues in Torbay and South Devon NHS Foundation Trust. This decision remains interim pending the outcome of the above judicial review.

7.5 Better Care Fund

The guidance and directions in terms of the BCF for 2017/18 are not available until post the general election June 2017. Once received the BCF commitments will form an addendum to the ASA.

8 Client Charges

8.1 Power to Charge

With the introduction of the Care Act, the Council now has a 'power to charge for services' whereas previously, there was a 'duty to charge' for long term residential/nursing care and a 'power to charge' for non-residential care.

The Council has made the decision to utilise the 'power to charge' for both residential and non-residential services. The Trust will discharge this power on behalf of the Council and in doing so will apply sections 14 and 17 of the Care Act and the Care and Support (charging and assessment of resources) regulations 2014.

8.2 Residential and Non Residential Charges

Charges for residential services will be amended each April as directed by the Department of Health new rates. In addition to this, charges can also be amended in light of increases to the cost of care.

Charges per unit of care for non-residential care services will be set through the Council's charging policy.

Client contributions are based on the level of care a person requires and an assessment of their financial circumstances, including capital and income. The Trust will ensure that individual financial assessments are updated at least annually (but more frequently where the financial circumstances of an individual service user are known to have changed during the course of the year).

Consequently the charges made to an individual may change in the course of a year if there are changes in their financial circumstance or the level of care they require. The Trust will ensure that all clients in receipt of a chargeable service receive a full welfare benefit check from the Finance and Benefits team and an individual financial assessment in person for new assessments where possible.

There is no charge for Intermediate Care or Continuing Health Care services.

8.3 Carers

Services provided specifically to carers will, in principle, not be subject to a charge but this will remain under review dependent upon resource allocation. These are services provided directly to the carer (rather than the person that they care for) which include open access services such as Carers Emergency Card and Carers Education Courses, and simple services provided as a result of an assessment including emotional support or one-off direct payments for a carer's break.

8.4 Universal Deferred Payments

The Care Act 2014 established a requirement for a universal deferred payments scheme which means that people should not be forced to sell their homes in their lifetime to pay for the cost of their care.

A deferred payment is, in effect, a loan against the value of the property which has to be repaid either from disposal of the property at some point in the future or from other sources. The scheme has now been running since April 2015 as all councils in

England are required to provide a deferred payment scheme for local residents who move to live in residential or nursing care, own a property and have other assets with a value below a pre-determined amount (currently £23,250). They must also have assessed care needs for residential or nursing care.

The Council's deferred payments policy is now fully implemented as part of the policy the Trust has the ability to recover any reasonable costs it may incur in setting up a Deferred Payment Arrangement in addition to the cost of any services provided. These management costs may be included in the deferred payment total or be paid as and when they are incurred.

The interest rate payable on deferred payments is advised by the Department of Health and changed every six months. Interest will be added to the balance outstanding on the deferred arrangement on a compound daily basis, in accordance with the regulations.

9 Governance

9.1 Adult Social Care Programme Board (ASCPB)

The ASCPB remains the contract management Board for this Agreement. The Board will drive ASC and improvement plans. Its Terms of Reference cover the following areas:

- To assist the development of the strategic direction of ASC services supporting the new context faced by the Council and Trust in terms of public sector reform, reducing public resources and potential devolution;
- To receive regular reports and review progress against transformation and cost improvement plans differentiating between those areas incorporated within the budget settlement and any cost pressures over and above this;
- To receive reports and review performance against indicators and outcomes included in the ASA providing and/or participating in regular benchmarking activities;
- To monitor action plans against any in-year areas of concern, raising awareness to a wider audience, as appropriate;
- To discuss and determine the impact of national directives translating requirements into commissioning decisions for further discussion and approval within the appropriate forums. This will include the initial list of service improvement areas planned for 2017-19 and onwards;
- To discuss and develop future ASAs; co-ordinate the production of the Local Account.
- To escalate issues of concern or delivery to the Contract Review meeting and the RSOG as appropriate
- To receive and review the progress of the Trust Wide Improvement Plans impacting on ASC

The ASCPB sits within the governance framework for the overall contract, which is set out in Appendix 3.

9.2 Consultation, engagement and involvement process

As the Accountable Authority the Council will lead consultation processes where the need for change is being driven by the needs and requirements of the Council beyond those of delegated activities to the Trust. The Trust is committed to supporting the consultation and engagement processes the Council undertakes in relation to service changes recognising the Council's statutory duty and good practice.

As a provider the Trust will engage all stakeholders in service redesign and quality assurance including, playing an active role with Torbay Council Health Overview and Scrutiny Committee. Additionally the Trust will be engaged with the CCG Locality Teams where the primary focus will be on consultation in regard to NHS services.

Where service changes will result in variation in the level or type of service received by individual service users, the Trust will comply with statutory guidance on the review/reassessment of care needs and ensure that those service users affected are given appropriate notice of any changes.

The Council, the Trust, and the CCG will continue to support the role of Healthwatch and the community voluntary sector in involving people who use services in key decisions as well as service improvement and design. The Council also expects the

Trust to engage actively with service users and the voluntary sector in Torbay in developing new service solutions. This will apply irrespective of whether the service changes are driven by the necessities of the current financial environment or the need to ensure the continual evolution and development of services.

9.3 Programme Management

Oversight of delivery and programme management for the programmes of work set out in this Agreement will be provided through the Trust's Programme Management Office. Delivery will be tracked by the Trust's Programme Management Office (PMO), monitored through standing internal meetings (such as the Community Divisional Board), and reported to the ASCPB.

9.4 Key Decisions

Whilst this agreement places accountabilities on the Trust for the delivery and development of ASC Services, the Trust may not act unilaterally to make or enact decisions if they meet the criteria of a 'key decision' as described in the standing orders of the Council or are included in a list of 'Reserved Items' shared between the parties as part of the agreement and which would be listed in an appendix.

This requirement reiterates section 22.3 of the Partnership Agreement under which services were originally transferred from the Council to Torbay Care Trust. Key decisions must be made by the Council in accordance with its constitution. In Schedule 8 of the Partnership Agreement a key decision is defined as a decision in relation to the exercise of council functions, which is likely to:

- Result in incurring additional expenditure or making of savings which are more than £250,000;
- Result in an existing service being reduced by more than 10% or may cease altogether;
- Affect a service which is currently provided in-house which may be outsourced or vice versa and other criteria stated within schedule 8 of the Partnership Agreement.

In addition when determining what constitutes a key decision consideration should be given to the possible level of public interest in the decision. The higher the level of interest the more appropriate it is that the decision should be considered to be a 'key decision'.

9.5 Governance of other decisions

Governance of other decisions will vary according to the scope and sensitivity of the decision being made. To ensure clarity about whether decisions are to be taken by the Trust, Council, or CCG and at what level the decision should be taken a 'Decision Tracker' has been developed.

The Decision Tracker will be reviewed, managed, and updated through the ASCPB throughout the year.

9.6 Governance of Placed People

With the negotiations that will take place during 2017/18 in respect of a revised relationship between the parties with notice having been served on the Risk Share

(expiring 31 December 2017), there is a need to increase the focus on those areas where direct social care impact can be or needs to be identified. This will support discussions and options. In respect of Placed People, ASC will be clearly identified and reported alongside health, Continuing Health Care, with clear allocation between the two as to clients, activity and spend. The pooled arrangements continue to report within the existing structure whilst oversight will be undertaken through Social Care Programme Board for information purposes with the papers that will be enhanced to reflect this delineation which are reported to the Joint Executive
This is displayed diagrammatically in Appendix 4

9.7 Risk Share Oversight Group

The Risk Share Agreement (RSA) describes the framework for the financial management of the multi-year investment by health and social care commissioners for the services provided by the Trust. The RSA sits alongside the NHS Standard Contract and this Agreement. Whilst does not override the quality or administrative elements it does supersede all financial components.

The implementation of the RSA will be monitored by the Risk-Share Oversight Group (RSOG), which includes senior officer representation from the Council and Directors from the Trust and CCG, to provide strategic oversight of the RSA.

A diagram of the governance structure is included Appendix 3

9.8 Individual Roles and Responsibilities

9.8.1 Torbay Council Executive Lead Adults and Children

The role of Executive Lead is held by an elected Member of Torbay Council, as part of their duties they will sit as the Council's representative on the Trust Board to provide oversight, challenge, and liaison.

9.8.2 Director of Adult Social Services

The role of Director of Adult Social Services (DASS) is a statutory function, and is fulfilled by a senior officer of the Council who is accountable for all seven responsibilities of the role set out in statutory guidance dated May 2006. However responsibility for Professional Practice and Safeguarding are delegated to the Deputy DASS employed within the professional practice directorate of the Trust.

9.8.3 Associate Director of Adult Social Services

The role will provide professional leadership for social care services and lead on workforce planning, implementing standards of care, safeguarding, and support the running of the ASCPB. The role also oversees the Deprivation of Liberty Safeguards and Guardianship arrangements in Torbay.

9.8.4 Organisational Roles and Responsibilities

The partnership working inherent within the Torbay model is supported by further clarification of the organizational roles pertaining to the local authority as the commissioning partner of the contract and the Trust as the providing partner including commissioning responsibilities within its delegated activities. A range of activities for reference is included in Appendix 5 – Strategic and Micro-commissioning functions.

9.9 Emergency cascade

Please see Appendix 6 for details of Torbay Council's Emergency Planning Roles in Council's Emergency cascade. The Trust will be expected, through best endeavours, to identify social care senior officers to be part of emergency cascade, to coordinate delivery of ASC in an emergency situation.

9.10 Annual Audit Programme

Audit South West (ASW) as the Internal Audit provider to Torbay and South Devon NHS Foundation Trust will undertake the following actions and requirements:-

- Consult with the Director of Adults Services (DAS) of Torbay council on proposed internal audit coverage;
- Provide to the DAS copies of assignment reports that relate to control arrangements for Adult Services;
- Provide an annual report to the DAS on the adequacy and effectiveness of the overall system of internal control for the Trust, and in particular, those areas directly affecting Adult Services.

Detail is included in Appendix 7

Appendix 1 - Performance Measures ASCOF / BCF / L.I.



2015-2016 ASC
Benchmarking v1_6.p


Appendix 2 - Summary of the Adult Social Care Outcomes Framework for Torbay (Jan '17)

SUMMARY OF THE ADULT SOCIAL CARE OUTCOMES FRAMEWORK FOR TORBAY (JAN '17)									
Indicator	Time period	Count	Torbay value	Comparison group average	England average	Unit of measure	Trend	Trend guide	
1A: Social care-related quality of life score	2015/16	359	19.7	19.3	19.1	%		Higher is better	
1B: The proportion of people who use services who have control over their daily life	2015/16	401	81.5	79.1	76.6	%		Higher is better	
1C(1): Proportion of people using social care who receive self-directed support	2013/14	3,155	62.8	57.2	61.9	%		Higher is better	
1C(2): Proportion of people using social care who receive direct payments	2013/14	790	15.7	15.1	19.1	%		Higher is better	
1C(1A): The proportion of people who use services who receive self-directed support	2015/16	1,294	93.8	96.0	86.6	%		Higher is better	
1C(1B): The proportion of carers who receive self-directed support	2015/16	306	83.4	79.3	77.7	%		Higher is better	
1C(2A): The proportion of people who use services who receive direct payments	2015/16	309	26.7	29.2	28.1	%		Higher is better	
1C(2B): The proportion of carers who receive direct payments	2015/16	306	83.4	67.9	67.4	%		Higher is better	
1D: Caree-reported quality of life	2014/15	345	8.3	8.0	7.9	%		Higher is better	
1E: The proportion of adults with a learning disability in paid employment	2015/16	15	3.9	5.7	5.8	%		Higher is better	
1F: The proportion of adults in contact with secondary mental health services in paid employment	2015/16	-	3.1	-	6.7	%		Higher is better	
1G: The proportion of adults with a learning disability who live in their own home or with their family	2015/16	253	70.1	76.4	75.4	%		Higher is better	
1H: The proportion of adults in contact with secondary mental health services living independently, with or without support	2015/16	-	63.2	-	59.6	%		Higher is better	
1H(1): The proportion of people who use services who reported that they had as much social contact as they would like	2015/16	395	49.4	47.0	45.4	%		Higher is better	
1H(2): The proportion of carers who reported that they had as much social contact as they would like	2014/15	370	41.5	38.9	38.5	%		Higher is better	
2A(1): Permanent admissions of younger adults (aged 18 to 64) to residential and nursing care homes, per 100,000 population	2013/14	25	39.4	16.3	14.4	Rate per 100,000		Lower is better	
2A(1): Long-term support needs of younger adults (aged 18-64) met by admission to residential and nursing care homes, per 100,000 population	2015/16	12	19.3	16.2	13.3	Rate per 100,000		Lower is better	
2A(2): Permanent admissions of older people (aged 65 and over) to residential and nursing care homes, per 100,000 population	2013/14	205	614.1	729.3	650.6	Rate per 100,000		Lower is better	
2A(2): Long-term support needs of older adults (aged 65 and over) met by admission to residential and nursing care homes, per 100,000 population	2015/16	176	513.0	707.5	628.2	Rate per 100,000		Lower is better	
2B(1): The proportion of older people (aged 65 and over) who were still at home 61 days after discharge from hospital into reablement/rehabilitation services	2015/16	173	75.9	84.5	82.7	%		Higher is better	
2B(2): The proportion of older people (aged 65 and over) who received reablement/rehabilitation services after discharge from hospital	2015/16	228	4.4	3.4	2.9	%		Higher is better	
2C(1): Delayed transfers of care from hospital, per 100,000	2015/16	6	5.9	12.4	12.1	Rate per 100,000		Lower is better	
2C(2): Delayed transfers of care from hospital that are attributable to adult social care, per 100,000 population	2015/16	3	2.3	5.3	4.7	Rate per 100,000		Lower is better	
2D: The outcome of short-term services: sequel to service	2015/16	781	81.8	81.7	75.8	%		Higher is better	
3A: Overall satisfaction of people who use services with their care and support	2015/16	389	67.9	66.2	64.4	%		Higher is better	
3B: Overall satisfaction of carers with social services	2014/15	290	46.4	43.8	41.2	%		Higher is better	
3C: The proportion of carers who report that they have been included or consulted in discussion about the person they care for	2014/15	265	75.7	73.1	72.3	%		Higher is better	
3D: Proportion of people who use services and carers who find it easy to find information about services	2012/13	-	75.2	-	74.5	%		Higher is better	
3D(1): Proportion of people who use services and carers who find it easy to find information about services	2015/16	273	81.3	76.4	73.5	%		Higher is better	
3D(2): The proportion of carers who find it easy to find information about support	2014/15	265	74.9	68.7	65.5	%		Higher is better	
4A: The proportion of people who use services who feel safe	2015/16	399	72.3	70.6	69.2	%		Higher is better	
4B: The proportion of people who use services who say that those services have made them feel safe and secure	2015/16	390	85.2	88.0	85.4	%		Higher is better	

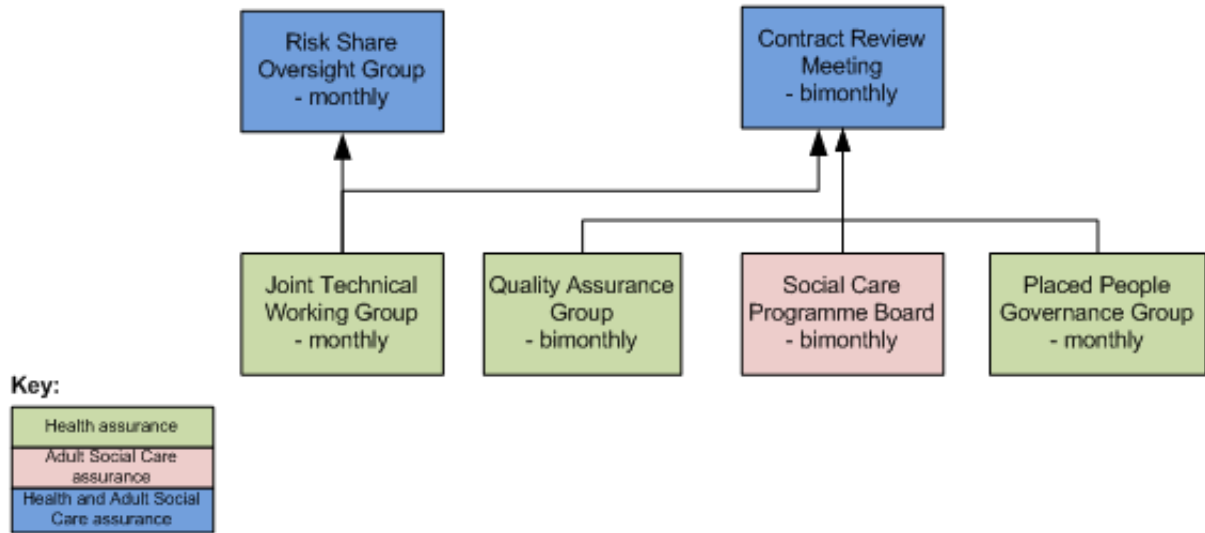
Notes:

- Torbay value is statistically significantly higher or better than the England average
- Torbay value is not statistically significantly different to the England average
- Torbay value is statistically lower or worse than the England average
- No statistical significance calculated

Source: NHS Digital, Measures from the Adult Social Care Outcomes Framework (ASCOF), England
<http://www.content.digital.nhs.uk/catalogue?PU621900>
 Comparator group based on CIPFA nearest neighbours



Appendix 3 – Governance Structures



Appendix 4 - Programmes of the Joint Executive and Placed People Governance



Programme Lead
Flowchart.docx

Appendix 5 – Strategic and Micro-commissioning functions

Function/role lead	Torbay Council Strategic Commissioning function	Torbay and South Devon Trust ASC function
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STRATEGIC COMMISSIONING FUNCTION		
Market shaping and developing new providers to fill gaps in provision and oversight of decommissioning plans	✓	
Market Position statement and Joint Strategic Needs Assessment	✓	
Market mapping	✓	
Gap analysis	✓	
Analysis of sufficiency of supply	✓	
Manage provider failures and market exits	✓	✓
Strategic Commissioning Strategy	✓	
Proactive strategy to develop the market as a whole	✓	
Market engagement with provider market as a whole	✓	
Run Multi Provider Forum for all providers with strategic themes	✓	
Joint commissioning arrangements with partner organisations and other areas	✓	
Lead on co-design of new service models with providers and stakeholders	✓	✓
Develop population outcome based commissioning approach for market	✓	
Develop and c-produce Payment by Results mechanisms that encourage sound outcomes	✓	
Co-ordinate user and carer engagement and consultation	✓	
Contract review and performance management of ASC	✓	
Review budget for ASC and sign-off cost improvement plans related to ASC	✓	

Function/role lead	Torbay Council Strategic Commissioning function	Torbay and South Devon Trust ASC function
MICRO COMMISSIONING OF PROVIDERS, PROCUREMENT AND BROKERAGE		
Develop and implement operational commissioning plans		✓
Overarching sub contracts between Trust and other ASC providers, e.g. Care homes, community care		✓
Prepare and agree individual service specifications		✓
Develop and monitor outcome based commissioning approach for each provider at service level	✓	✓
Develop personal outcome based commissioning for each service user		✓
Contract management & performance review of independent & voluntary sector including, grant funding		✓
Proactive quality assurance of individual providers including, develop/implement service improvement plans		✓
Achieving value for money from providers including, cost improvement planning		✓
Procurement of ASC providers		✓
Manage provider failures and market exits including, for service users and relatives/carers involved		✓
Individual contracts for care packages		✓
Brokerage/purchasing processes and brokerage of individual care packages		✓
Direct payments and personal budgets		✓
Lead and manage safeguarding processes including, Whole Provider/Provider of concern/quality concerns		✓
Resolution of Safeguarding incidents and implementation of lessons learned		✓
Run and co-ordinate forums for specific provider areas with operational focus e.g. forums for care homes		✓
Collection, collation and regular reporting of data on need, demand, supply, cost, workforce and performance (Trust and sub-contractors) with interpretation and presentation		✓
Benchmarking of cost/performance of services – own and sub-contracted		✓
Management of pooled budget to achieve value for money and cost improvement		✓

Appendix 6 – Emergency Cascade

Adult Services Primary Contacts		
Name/Title	Emergency Role	
Frances Mason, Head of Partnerships, People and Housing	Communication with contracted providers of Care and Support for vulnerable people. Availability and co-ordination of needs assessment. Safeguarding vulnerable adults and serious case review including authorisation of deprivation of liberty under Mental Capacity Act.	
Joanna Williams, Associate Director of Adult Social Services	The role will provide professional leadership for social care services and lead on workforce planning, implementing standards of care, safeguarding and support the running of the ASCPB. The role also oversees the Deprivation of Liberty Safeguards and Guardianship arrangements in Torbay.	
Adults Services Secondary Contacts		
Robin Willoughby, Lead AMHP	Assessment and placement, access to services, medication and packages of care and place of safety for older people with poor mental health	
Sharon O'Reilly, Manager Older Person Mental Health Team	Assessment and placement, access to services, medication and packages of care and place of safety for people under 65 with poor mental health.	

Appendix 7 – Annual Audit Programme

Background

For Torbay Council, Internal Audit is a statutory service in the context of The Accounts and Audit (England) Regulations 2015.

From April 2013, organisations in the UK public sector are required to adhere to the Public Sector Internal Audit Standards (the Standards). Internal Audit for Torbay & South Devon NHS Foundation Trust is delivered by Audit South West.

Internal Audit Plans

When preparing the internal audit plan for Torbay and South Devon NHS Foundation Trust it is expected that Audit South West will:

- Consider the risks identified in Torbay Council's strategic and operational risk registers that relate to Adult Services;
- Discuss and liaise with Directors and Senior Officers of Torbay Council regarding the risks which threaten the achievement of the Council's corporate or service objectives that relate to Adult Services, including changes and / or the introduction of new systems, operations, programs, and corporate initiatives;
- Take account of requirements to support a "collaborative audit" approach with the external auditors of Torbay Council;
- Consider counter-fraud arrangements and assist in the protection of public funds and accountability;
- Support national requirements, such as the National Fraud Initiative (NFI) which is run every two years.

Draft plans, showing proposed audits covering Adult Services should be shared and agreed with Torbay Council's Director of Adult Services (DAS). The DAS should also be made aware of planned audit reviews that will provide overall assurance that control mechanisms operated by the Trust, but that are key to the workings of Adult Services, are working effectively (e.g. audits of key financial systems (payroll, payments, income collection etc.), and corporate arrangements (e.g. procurement, information governance etc.)).

The Audit Plan will not be a "tablet of stone" and changes may be required or advised during the year.

Internal Audit work

Internal audit work should be completed in accordance with the PSIAS. Proposed briefs for work covering ASC should be shared with the DAS prior to fieldwork commencing.

Reporting – Assignments

The DAS will be provided of copies of all final reports that specifically relate to Adult Services. The DAS will also be provided with early sight of draft reports for which the audit opinion is "fundamental weaknesses" or similar. The Director of ASC will also be provided with copied of final audit reports for wider subject areas (e.g. payroll) where the audit opinion is "fundamental weaknesses" or similar.

Reporting – Annual Report

Audit South West will provide the Council with an annual assurance report on the adequacy and effectiveness of the overall system of internal control for the Trust, and in particular, those areas directly affecting Adult Services. It is noted that this assurance can never be absolute. The most that the internal audit service can do is to provide reasonable assurance, based on risk-based reviews and sample testing, that there are no major weaknesses in the system of control.

The report should provide:

- A comparison of internal audit activity during the year with that planned, placed in the context of Adult Services;
- A summary of significant fraud and irregularity investigations carried out during the year and anti-fraud arrangements; and
- A statement on the effectiveness of the system of internal control in meeting the Council's objectives.

Together with a summary of the performance indicators set for internal audit and performance against these targets.

Appendix 8 - Trust Wide Improvement and Savings Plans as they impact on Adult Social Care and Unit Cost Improvement

These will be provided as part of the Operational Plan when agreed by NHS England and available for publication



Meeting: Council

Date: 20 July 2017

Wards Affected: All

Report Title: Transformation Project - Modernisation of the CCTV System

Is the decision a key decision? Yes

When does the decision need to be implemented?

Executive Lead Contact Details: Councillor Excell, Executive Member for Community Safety, Robert.excell@torbay.gov.uk

Supporting Officer Contact Details: Steve Cox, Environmental Health Manager, 01803 208029, steve.cox@torbay.gov.uk

1. Proposal and Introduction

- 1.1 The Council, at its meeting in February 2016, agreed that prudential borrowing of £0.350 million should be used to upgrade and update the Council's CCTV equipment, with the cost of borrowing to be included in future year revenue budgets offset by any future external contributions and any resulting revenue savings.
- 1.2 Following that decision, an independent report was commissioned which recommends the replacement for the majority of the existing aging system which covers the control technology and a significant number of the 165 cameras in the town centres and car parks. The report details the costs associated with this first option at £580,000, though this has not been subject to a procurement exercise. This includes a new wireless infrastructure across Torbay, a new control system and a significant number of new cameras. It is anticipated this capital investment will save the Council £46,000 in their annual revenue budget, once the whole system has been implemented.
- 1.3 The alternative option would be to seek to reduce the capital expenditure from £580,000 to closer to £400,000. This can be achieved if none of the car parks are upgraded. They can continue to operate on localised DVRs systems and, though the cameras can still be viewed from the control room, they cannot be moved/operated as currently. The shortfall in funding between the £350,000 already allocated and the £400,000, would be met through an assumed contribution from the Office of the Police and Crime Commissioner of £30,000, £21,000 from allocated Section 106 money and from the initial revenue savings.
- 1.4 In the meantime, in February 2017, the Council approved the Capital Plan subject to the Mayor and Chief Executive reviewing the procurement process for the replacement of a Torbay-wide CCTV system and making recommendations to the Council. Council further requested that the Business Case for the capital

expenditure be re-presented to the Council for detailed consideration and determination.

- 1.5 This report sets out the information requested by Council and the recommendations of the Mayor and Chief Executive, which are in support of the capital investment.
- 1.6 The current CCTV system will fail if there is no investment as its existing infrastructure is already operating well beyond its anticipated life expectancy, with much of the system either unsupported by the manufacturers or now irreplaceable as spares have been exhausted.
- 1.7 The importance of the service to protect and reassure the residents, businesses and visitors cannot be overstated, and the risk to the reputation of Torbay and therefore the potential impact on its economy again should not be underestimated if the system closed. It could also undermine the public safety at events, such as the Air Show. No other area the size of Torbay has lost its CCTV system.
- 1.8 A modern system would enable greater protection due to the enhancements that a modern system will bring especially to the safeguarding role, as lost children/vulnerable adults could be found swiftly if they have been in a CCTV area.
- 1.9 The recommended option (as per 1.3 above/Option 4 within the attached Business Case) gives the Council its own Data Communication Network, a modern control system and many new cameras. This will release up to £46,000 revenue per year once implemented. A modern system will also allow new business to be sought, especially from other public sector bodies.
- 1.10 The current cost of providing the CCTV service is £229,700, with a current income and recharges of £27,900. Therefore the current revenue cost to Torbay Council is £201,800. Further to that there will be an additional £42,000 revenue repayment costs on the borrowed capital, but this is more than offset by at least £46,000 of revenue savings created by the capital investment. There are a number of other potential income streams which means that the current projected revenue cost for a new CCTV system is £197,500 but this will decrease. There are potential savings for other Council revenue budgets too, but these are still being investigated.

2. Reason for Proposal

- 2.1 The existing CCTV infrastructure is already operating well beyond its anticipated life expectancy. It needs to be replaced so Torbay is able to provide a modern CCTV, which can continue to support a service based economy through crime prevention and rapid crime detection and so therefore supporting residents, businesses and visitors alike. This helps in turn protect the reputation of Torbay as a great place to live, work and visit and provides reassurance to those visiting, working and living in Torbay.
- 2.2 CCTV is an extremely important contributor to delivering the corporate plan (notably safeguarding, crime prevention, crime detection, and business and visitor confidence so supporting the economic wellbeing of Torbay). It underpins the work of the Council, and supports many of its statutory functions. Without it many of these functions would increasingly be unable to deliver without additional other resources.

3. Recommendation(s) / Proposed Decision

- 3.1 That the decision of the Council in February 2016 that prudential borrowing of £0.350 million to upgrade and update the Council's CCTV equipment be approved, with the cost of borrowing to be included in future year revenue budgets offset by any future external contributions and any resulting revenue savings, be reconfirmed.
- 3.2 That the installation of a wireless-based CCTV system for Torbay, in one phase, along with a modern control system and replacement of the PTZ cameras (i.e. Option 4 set out in Appendix 1 to the submitted report) be approved.
- 3.3 That it be accepted that the ongoing revenue costs of providing the new CCTV system will be up to £200,000 per annum for ten years, though this figure is likely to decrease over time with further income being achieved.

Appendices

Appendix 1: Supporting Information

Appendix 2: Capital Expenditure Business Case (exempt)

Background Documents

None

Section 1: Background Information	
1.	<p>What is the proposal / issue?</p> <p>This report sets out the Business Case for replacing the Torbay-wide CCTV system.</p>
2.	<p>What is the current situation?</p> <p>The existing CCTV infrastructure is already operating well beyond its anticipated life expectancy, with much of the system either unsupported by the manufacturers or now irreplaceable as spares have been exhausted.</p> <p>A commissioned report recommends the replacement for the majority of the existing aging system which covers the control technology and a significant number of the 165 cameras in the town centres and car parks.</p> <p>Currently the Council has £350,000 allocated for Capital Investment to be funded by Prudential Borrowing – this was agreed by the Council at its meeting in February 2016.</p> <p>However, in February 2017, when the Council approved the Capital Plan it was subject to the Mayor and Chief Executive reviewing the procurement process for the replacement of a Torbay-wide CCTV system and making recommendations to the Council. Council further requested that the Business Case for the capital expenditure be re-presented to the Council for detailed consideration and determination.</p>
3.	<p>What options have been considered?</p> <p>Three main options have been considered:</p> <ul style="list-style-type: none"> • Install a wireless based CCTV system for Torbay in one phase, along with a modern control system and replace PTZ cameras (Option 2) • Install a wireless based CCTV system for Torbay in three phases, along with a modern control system and replace PTZ cameras (Option 3) • Install a wireless based CCTV system for Torbay in one phase, along with a modern control system and replace PTZ cameras (with the car parks being excluded) (Option 4) <p>Further options are included within the Business case to provide members with a full appraisal of the matters considered.</p> <p>Option 4 is the preferred option as this meets the current allocated funding.</p> <p>Option 2 would require further capital funds and Option 3 relies on revenue savings over a number of years to complete the modernisation.</p>

	The issues which have been considered during the Options Appraisal are detailed within the Business Case at Appendix 1 to this report.
4.	<p>How does this proposal support the ambitions, principles and delivery of the Corporate Plan 2015-19?</p> <p>The Business Case (Appendix 1) sets out how the proposal supports the targeted actions with the Council's Corporate Plan:</p> <ul style="list-style-type: none"> • Protecting all children and giving them the best start in life • Working towards a more prosperous Torbay • Ensuring Torbay remains an attractive and safe place to live and visit • Protecting and supporting vulnerable adults
5.	<p>Who will be affected by this proposal and who do you need to consult with?</p> <p>Consultation has taken place with the Community Safety Partnership, which includes our major partners including the Police. Discussions have been held with the Office of the Police and Crime Commissioner and senior Police Officers. Business community representatives have been met, both those representing the Tourism BID and representatives of the Chamber of Commerce. In addition presentations have been given with those involved in the night time economy, both traders and agencies.</p>
6.	<p>How will you propose to consult?</p> <p>Consultation has been undertaken already.</p>

Section 2: Implications and Impact Assessment

7. What are the financial and legal implications?

Financial Implications

Details of the financial implications are set out in the Business Case, but in summary it is proposed that the capital investment of £420,000 is made up of:

Prudential Borrowing	£350,000
Grant from the Office of the Police Commissioner	£30,000
Section 106	£21,000

The shortfall would be met from the revenue savings from implementing the new system in the first year, 2018-19.

The revenue costs in Year 1 would be approximately £244,000 (including the repayment of the Prudential Borrowing), but there will be savings on the data costs of around £46,000 per year, once the works have been completed, so by year two the net revenue costs will be £198,000.

Legal Implications

The council need to ensure that any CCTV provided complies with The Data Protection Act 1998 and related surveillance guidance. Therefore a full Data Protection Impact Assessment will be completed.

8. What are the risks?

The risks of both implementing and delivering the scheme are set out in the Business Case.

The wider implications of not replacing the CCTV system are also set out in the Business Case, but include the risks of increasing crime and disorder especially around the night time economy, reputational damage caused by this increase and the potential for economic damage caused by the loss of reputation.

There are also corporate risks in relation to our own statutory duties, notably the need to increase staffing to support front line staff, both within Council buildings and in the town centre areas, as well as a potential impact on the Council's ability to deliver major events such as the Air Show and other festivals.

9. Public Services Value (Social Value) Act 2012

If the expenditure is agreed then a procurement process would be instigated. This would need to consider the economic, social and environmental well-being of Torbay. The implementation itself would help meet the economic and social aspirations of the corporate plan, but the specification will be further targeted to maximise the benefits through the use of modern technology.

10. What evidence / data / research have you gathered in relation to this proposal?

The table below summarises the data for CCTV incidents in 2014. It shows that the vast majority of the incidents for Torbay occur in the Town Centres of Torquay and Paignton. There is no information as to whether the arrests led to a successful prosecution, however all Police contact is intelligence and it is this intelligence that leads to cases being prepared against individuals who are persistent offenders. This is particularly true of some of our street drinkers.

Type	Number of Cameras	Incidents Recorded	Arrests	Police Intervention	Police informed	Incidents per camera
Torquay Town Centre	16	1771	336	16	16	110.7
Paignton Town Centre	18	596	89	14	18	33.1
Total	96	2839	478	67	87	29.6
Torquay Council	8	126	14	6	7	15.8
Brixham Town Centre	4	57	10	3	3	14.3
Brixham Car Park	2	19	2	1	1	9.5
Torquay Car Park	20	172	19	14	20	8.6
St Marychurch	3	21	0	2	3	7.0
Paignton Harbour	3	17	1		2	5.7
Paignton Car Park	10	46	6	4	7	4.6
Oldway Mansion	1	4	0		1	4.0
Brixham Harbour	8	10	1	4	6	1.3
Paignton Council	3	0	0	3	3	0.0

The data for 2013 shows a similar pattern.

In addition to the figures above the Police visited our control room almost daily to view CCTV footage, which helps to demonstrate the importance of this service to detect and therefore prevent crime. It is difficult to estimate how many crimes and incidents are prevented as there is no current data to demonstrate that, but the rapid detection and identification of individuals will often prevent repeat crimes being committed. A report in 1998, that look at comparison data for reported crime before and after installation of the cameras in five Car Parks did show a significant 91% drop in reported crimes. Though it is unlikely that the change would be so dramatic, it shows that with out CCTV crime is very likely to rise.

There is a significant cost to Torbay for every crime. These costs include the Police investigation, the cost of the impact on assets the Council, private business or individual and the cost to the victim of the crime. The costs for certain crimes have been calculated and they give an illustration of the cost of a crime. To illustrate the costs, the crime data for 2013-14 within the Torre/Torquay Town Centre area has been used as this reflects a similar area to the current Torquay Town Centre cameras. In that 2013-14 there were 950 crimes of 'violence against

	<p>the person' of which roughly about 50% can be attributed to alcohol. Based upon the figures this is a cost to society/policing of about £13,000 per case. A total cost to Torbay of £12.35 million.</p> <p>In 2013-14 there were 32 cases of 'sexual offences' in the same area. Based upon the figures this cost to society/policing is about £35,000 per case. That equates to £1.12 million. Simply stopping three more offences more than meets the cost of providing the cameras. This is an area of crime that is currently increasing.</p> <p>In 2013-14 there were 279 cases of 'criminal damage' in the same area. Based upon the figures the cost to society/policing is more than £1,000 per case. That equates to £279,000. Again stopping those offences would indirectly save Torbay significant costs, but also prevent the cost to business premises and to Council property and possibly contribute to reducing overall insurance premiums.</p>
<p>11.</p>	<p>What are key findings from the consultation you have carried out?</p> <p>All those engaged support the need to replace the current aging system with a modern system. This brings with it greater opportunities to support residents, businesses and visitor, with a modern system capable of increasing crime detection and safeguarding those more vulnerable in our society.</p>
<p>12.</p>	<p>Amendments to Proposal / Mitigating Actions</p> <p>No significant changes have been made to the proposal, though through Option 4 (Appendix 1), a realistic balance between expenditure and protection of the Torbay population has been reached.</p> <p>The negative impact mitigations and options are covered in the supporting report (Appendix 1)</p>

Equality Impacts

13	Identify the potential positive and negative impacts on specific groups			
		Positive Impact	Negative Impact & Mitigating Actions	Neutral Impact
	Older or younger people	There is no differential impact as CCTV serves the whole community in helping to prevent and detect crime and disorder.		
	People with caring Responsibilities	There is no differential impact as CCTV serves the whole community in helping to prevent and detect crime and disorder.		
	People with a disability	There is no differential impact as CCTV serves the whole community in helping to prevent and detect crime and disorder.		
	Women or men	There is no differential impact as CCTV serves the whole community in helping to prevent and detect crime and disorder.		
	People who are black or from a minority ethnic background (BME) <i>(Please note Gypsies / Roma are within this community)</i>	There is no differential impact as CCTV serves the whole community in helping to prevent and detect crime and disorder.		
	Religion or belief (including lack of belief)	There is no differential impact as CCTV serves the whole community in helping to prevent and detect crime and disorder.		
	People who are lesbian, gay or bisexual	There is no differential impact as CCTV serves the whole community in helping to prevent and detect crime and disorder.		
	People who are transgendered	There is no differential impact as CCTV serves the whole community in helping to prevent and detect crime and disorder.		
	People who are in a marriage or civil partnership	There is no differential impact as CCTV serves the whole community in helping to prevent and detect crime and disorder.		
	Women who are pregnant / on maternity leave	There is no differential impact as CCTV serves the whole community in helping to prevent and detect crime and disorder.		

	Socio-economic impacts (Including impact on child poverty issues and deprivation)	CCTV coverage across Torbay will assist in preventing and detecting crime and will ensure there is coverage for public safety for the town centres generally, but also for major events which the Council provides and supports such as the Airshow.		
	Public Health impacts (How will your proposal impact on the general health of the population of Torbay)	There is no differential impact as CCTV serves the whole community in helping to prevent and detect crime and disorder.		
14	Cumulative Impacts – Council wide (proposed changes elsewhere which might worsen the impacts identified above)	None Identified		
15	Cumulative Impacts – Other public services (proposed changes elsewhere which might worsen the impacts identified above)	None Identified		

Agenda Item 12a

Conservative Group Motion

Council Meeting

20 July 2017

That this Council has no confidence in the elected Mayor, Gordon Oliver. Such lack of confidence has arisen for numerous reasons including inter alia;

1. The Local Government Association in their Corporate Peer Review advised of their governance concerns in respect of the following;
 - i. There are tensions at a senior level politically that has real implications for the leadership of the Council,
 - ii. There was a lack of a consistent political purpose,
 - iii. That unless concerns were addressed the Council would continue to be held back and have real implications.

It is the Council's view that the Mayor has failed to respond appropriately to the governance concerns as raised by the Local Government Association and consider this to be a dereliction of the Mayor's duties in serving the interests of the people of Torbay.

2. On 3 July 2017 the Monitoring Officer issued a Monitoring Officer Report pursuant to s.5 Local Government and Housing Act 1989. The report sets out that the Mayor has sought to make a decision that is unlawful, as it is ultra vires, despite clear advice in this respect having been provided to him. It is the Council's view that such behavior by the Mayor demonstrates a complete disregard as to the limitations placed upon him by Council, a belief that as Mayor that he can do as he wishes. As such this is considered to be a dereliction of the Mayor's duties in serving the interests of the people of Torbay.
3. The Local Government Association in their Corporate Peer Review advised of their concerns in respect of the Council's financial position as follows;
 - i. That more must be done in order to bring forward budget proposals and/or accelerate them and de-risk them to ensure delivery,
 - ii. That the predicted budget gap was highly concerning and that the efficiency plan and financial resilience of the Council needed to be urgently reviewed,
 - iii. That the financial demands were such that they advised that there should be a separate Executive Lead for Finance.

It is the Council's view that the Mayor has failed to respond appropriately to the financial concerns as raised by the Local Government Association

and consider this to be a dereliction of the Mayor's duties in serving the interests of the people of Torbay.

4. Over the last two years the Mayor has consistently failed to obtain the support of Council for a large number of Policy Framework proposals, which have in most instances been substantially altered by Council resolution. His most recent revenue and capital budgets have been significantly amended by Council, and he has failed to receive support from Council for numerous proposals brought by him and his Executive. This demonstrates that the Mayor has lost touch with the will of Council, and is therefore considered a dereliction of the Mayor's duties in serving the interests of the people of Torbay.
5. That at the closure of the meeting of the Policy Development and Decision Group (Joint Operation Team) on the 18th May 2017 the Mayor, together with other members of the Executive, left the room prior to the commencement of the Policy Development and Decision Group (Joint Commissioning Team) scheduled to commence at the rising of the previous meeting. As a consequence the meeting was not quorate resulting in the deferment of agenda items, which included important issues related to children with learning difficulties (Autism Framework) and access for children with disabilities (Accessibility Strategy), which are clearly important for the residents of Torbay. This is considered a dereliction of the Mayor's duties in serving the interest of the people of Torbay, and the failure to cancel the meetings in the knowledge that he would not be attending demonstrates a lack of common courtesy to members and officers of the Council and the residents of Torbay.
6. That the Mayor did not attend the Policy Development and Decision Group (Joint Operations Team) or the Policy Development and Decision Group (Joint Commissioning Team) scheduled for 19 June 2017. These meetings were due to consider matters important to the residents of Torbay, including the previous items held over from the May meeting where no decisions had been taken in respect of the Joint Commissioning Team meeting. Again the meetings were not quorate and items on the agenda were not able to be considered. Apologies had been received from the Mayor who was attending a civic occasion at which the Council could have been adequately represented by the Chairman. For the Mayor to prioritise such a civic occasion above decision making is considered to be a further dereliction of the Mayor's duties in serving the interest of the people of Torbay, and the failure to cancel the meetings in the knowledge that he would not be attending demonstrates a lack of common courtesy to members and officers of the Council and the residents of Torbay.
7. That at the council Meeting held on 22 June 2017 the Mayor tabled, only minutes before the meeting started, an Executive motion to the effect that the Council declare that the Palace Theatre in Paignton be declared surplus to requirements and should be sold. It is noted that as part of the 2017/18 budget approval process of the Palace Theatre was considered and subsequently determined that the Council would seek an

external partner to secure its future as a community theatre. The tender process produced one compliant bid and the officer recommendation which was supported by the Executive Lead for Tourism, Culture and Harbours was that negotiations continue with the preferred bidder to effect the transfer of the Palace Theatre under a ten year lease to a new Community Interest Company. It is noted that no consultation had taken place with the community on the Mayor's proposal, which would be a matter of significant public interest and that no notice had been given to the public that such an idea was being contemplated. It is believed that during the course of debate it was apparent that the Mayor had limited understanding of the officer and Executive Lead's recommended proposal. It is considered that the Mayor's motion was ill conceived and lacking an understanding of the views of members as evidenced by only the Mayor and Deputy Mayor supporting his proposal. As such this is considered a further dereliction of the Mayor's duties in that the Mayor showed a total disregard for officers, members and the residents of Torbay in both the content and manner of introduction of his proposals and failed to act in a manner consistent with serving the best interests of the residents of Torbay.

8. That at the Council meeting held on 2 February 2017 the Mayor, having declared an interest and absented himself from one agenda item, did not return to the meeting when it considered subsequent agenda items. Further that the Mayor has only attended one of the last three Council meetings, failing to attend on 10th May 2017 and 13th June 2017. It is further noted that the Mayor has only attended two of the last five scheduled monthly Meetings of the Mayor and Group Leaders, and has failed to engage in all but one of the recently re-established Strategic Partnership meetings. All of these are considered a pattern of dereliction of the Mayor's duties in serving the interests of the people of Torbay.

The Council has no confidence in the Mayor and the level of commitment shown by him in carrying out the duties required of him as elected Mayor of Torbay. The Council calls on the Mayor to resign as elected Mayor of Torbay by 10am on Monday 24 July 2017.

That if the Mayor does tender his resignation, the Chief Executive be instructed to seek permission from DCLG to introduce with immediate effect the leader and cabinet governance model chosen by the population of Torbay in a referendum held on 5 May 2016.

That if the Mayor does not tender his resignation, the Chief Executive be instructed to make representations to DCLG and the LGA requesting that they explore;

1. how the Mayoral term can be reduced in order to move at the earliest opportunity to the leader and cabinet governance model chosen by the population of Torbay in the referendum held on 5 May 2016, and/or
2. how the Mayoral influence/decision making can be minimised during the remainder of his period in office.

Proposer Councillor David Thomas
Secunder Councillor Alan Tyerman



Meeting: Council

Date: 20 July 2017

Wards Affected: All Wards

Report Title: Torbay Airshow

Is the decision a key decision? Yes

When does the decision need to be implemented? July 2017

Executive Lead Contact Details: Councillor Nicole Amil, Executive Lead Culture and Tourism, nicole.amil@torbay.gov.uk

Supporting Officer Contact Details: Fran Hughes, Assistant Director (Communities and Customer Services), frances.hughes@torbay.gov.uk, (01803) 208002

1. Proposal and Introduction

- 1.1 This report gives a summary of the outcomes of the second Torbay Airshow which took place on 3 and 4 June 2017 and provides a revised financial proposal to support the Air Show in future years for the benefit of Torbay's economy.

2. Reason for Proposal

- 2.1 The second Torbay Airshow, like the first, was a huge success in terms of the public response and audience involvement. The two day event was viewed by an estimated 150,000 spectators across Torbay including those fortunate enough to have sight-lines of the Bay from their houses and gardens, along with significant numbers who arrived into the Bay by car and train. This was a 50% increase on the previous year with an equally significant benefit to the local economy of approximately £7million.

The event comprised the best possible flying participation by military and civilian display pilots, including the first two displays of the season by the Red Arrows, as well as the Typhoon Eurofighter, The Battle of Britain Memorial Flight, the Catalina and a number of other incredible aerobatic displays.

The event was supported again, to a small degree, by external grant funding from the Coastal Communities Fund, with the majority of the funding for the event coming from an agreed amount committed by the Council, balanced by income from trade-stands and sponsorship. This year, the Council worked with Event Management Organisers Richmond Event Management (REM) who significantly reduced the overall cost of the event by using their existing infrastructure resource and expertise in sourcing sponsorship and trader support to bring the event to fruition within budget. REM also brought their partnership support organisation in

areas such as Communications and Marketing, achieving far increased media coverage and Event Safety which reduced costs and in the current climate was a necessity.

If the Council wishes to repeat the event in future then a decision needs to be taken at this meeting about committing funding to support the event for the next five years. This level and length of support will allow the event to develop significantly in scale, stature and profile, by enabling an event partner (to be secured through a tender process) and the Council to grow the event and be able to develop long-term relationships with sponsors and the media, not only achieving national prominence but also to achieve significant cost savings through income generation.

In the last two years the process of seeking an annual commitment by the Council to support the event and put it into practice has been challenging and meant that the event's full potential has not yet been realised. The available time to achieve the relevant permissions, tender the event support and income generation contract, obtaining sponsorship as well as other procurement such as booking of aircraft has been difficult. By agreeing to support the event for a five year period, and underwriting it at a level of up to £100,000 for year 1 and year 2, reducing to £90,000 in year 3, £85,000 in year 4 and £80,000 in year 5, officers and partner organisations will have significantly more time to grow the event and focus on additional income generation.

REM supported the Council in reducing costs for the event by £260,000 from the 2016 event to the 2017 event. Although the event is growing and any future partner organisation will support the Council in reducing costs and increasing income for the 2018 event and beyond, the Coastal Community fund will not be available in future years. The proposed annual commitment will ensure that the event does not remain static but will be able to continue to develop into a nationally recognised show over the next five years.

In the UK Air Shows are the second most popular outdoor event after football, and nearly 1 in 10 Britons will go to see an air show each year. There are over 700 air shows each year globally with each show attracting anywhere between 10,000 and half a million spectators each day. Continuing to make the Torbay Airshow an annual event generates the potential for a substantial boost to Torbay's economy by attracting new and repeat visitors and inward investment. This year it is estimated at £7million and will grow over the next few years.

Agreement at this point in time will allow the events team to set the date and will enable traders and accommodation providers to promote the event and develop their own business ideas to capitalise on the event.

3. Recommendation(s) / Proposed Decision

- 3.1 That the Council amends its existing commitment and makes a new five year funding commitment to develop the Torbay Airshow with a commitment of up to £100,000 for year 1(2018) and year 2 reducing to £90,000 in year 3, £85,000 in year 4 and £80,000 in year 5.

Appendices

Appendix 1: Supporting Information and Impact Assessment

Appendix 2: Air Show Budget – 2017 Actual and Proposal for future years funding

Appendix 3: Communications evaluation report

Background Documents

None

Appendix 1

Section 1: Background Information	
1.	<p>What is the proposal / issue?</p> <p>The Council made a decision in 2017 and agreed the following:</p> <p>“that the Council makes a three year funding commitment to develop the Torbay Air Show in accordance with the proposal in Appendix 3 of the submitted report to be funded as part of the 2017/18 budget development with future years built into the Medium Term Resources Plan; “</p> <p>However, based on the first years experiences it is not possible to continue to run the AirShow with this level of tapered funding. The proposal is therefore to agree that Torbay Airshow will be supported by the Council for the next five years and a commitment of up to £100,000 for year 1 (2018) and year 2, reducing to £90,000 in year 3, £85,000 in year 4 and £80,000 in year 5.</p>
2.	<p>What is the current situation?</p> <p>A funding approach was agreed by Full Council in July 2016, however, it is clear that the event is not sustainable on this basis.</p> <p>There is a need to change this to encourage long-term growth of the event as a tourism and marketing opportunity.</p> <p>The benefit to the local economy approximately £7million per annum.</p>
3.	<p>What options have been considered?</p> <p>We cannot run the Air Show with the original financial proposal despite substantial cost savings made this year. Also, the uncertainty around the future of the show incurs additional costs in the preparation in terms of additional procurements etc.</p> <p>Make a commitment to the Air Show but with an annual review of funding. This will restrict growth and economies of scale as well as long-term buy-in from investors and sponsors. It also costs the council in terms of annual procurement processes and reduces the time available to develop the event.</p> <p>Not to continue staging the airshow. This is not considered an option given the current and future benefits to the local economy from a minimal investment.</p> <p>There are some potential options to considering generating income from external sources in future years such as crowdfunding etc. However, these would need to be explored further, and built into future years.</p>

<p>4.</p>	<p>How does this proposal support the ambitions, principles and delivery of the Corporate Plan 2015-19?</p> <p>Ambitions: Prosperous and Healthy Torbay</p> <p>Principles: Use reducing resources to best effect Reduce demand through prevention and innovation Integrated and joined up approach</p> <p>Targeted actions: Working towards a more prosperous Torbay Ensuring Torbay remains an attractive and safe place to live and visit</p>
<p>5.</p>	<p>Who will be affected by this proposal and who do you need to consult with?</p> <p>This is a financial commitment for five years by the Council. The impact of the decision will affect the whole of Torbay.</p> <p>Feedback has already been received from businesses, traders and partners as part of the 2017 event and is overwhelmingly positive to continue with the event.</p>
<p>6.</p>	<p>How will you propose to consult?</p> <p>Not applicable</p>

Section 2: Implications and Impact Assessment

7.	<p>What are the financial and legal implications?</p> <p>A financial commitment of up to £100,000 for year 1 and year 2, reducing to £90,000 in year 3, £85,000 in year 4 and £80,000 in year 5.</p> <p>As part of future delivery the target for income from sponsorship and hospitality will increase from £25,000 in 2017 to £50,000 in 2020. This includes provision to draw in income from local businesses and residents.</p> <p>Any contract with a commercial partner to stage the airshow will include annual reviews and break clauses which will offer a level of protection to the authority. This means that a five year contract can be terminated should members decide at a later date not to stage the airshow.</p>
8.	<p>What are the risks?</p> <ol style="list-style-type: none"> 1. Risk of not funding the airshow. We can lose the potential to build a significant long-term, signature event for Torbay and the significant associated benefits to the local economy of circa £7million per annum. 2. Risk of funding the airshow. The original proposals for the airshow assumed a tapering of funding for future years. Whilst there have been significant cost savings made in 2017 of £260,000, tapering cannot be guaranteed as previously anticipated. However the Council will need to consider its future commitment against other competing priorities.
9.	<p>Public Services Value (Social Value) Act 2012</p> <p>Not applicable to this decision.</p>
10.	<p>What evidence / data / research have you gathered in relation to this proposal?</p> <p>The 2017 budget outturn was a loss of £6,878 which was largely due to one-off costs of £7,000. Revised projections for the next 5 years are attached as appendix 2.</p>
11.	<p>What are key findings from the consultation you have carried out?</p> <p>As previously outlined above, a number of businesses, traders and partners have overwhelmingly expressed a desire to continue with the event.</p>
12.	<p>Amendments to Proposal / Mitigating Actions</p> <p>None</p>

Equality Impacts

13	Identify the potential positive and negative impacts on specific groups			
		Positive Impact	Negative Impact & Mitigating Actions	Neutral Impact
	Older or younger people	The event is a family event with opportunities for families and intergenerational activity across the Bay		
	People with caring Responsibilities	The event is a family event with opportunities for families and intergenerational activity across the Bay. There were facilities available for disabled visitors and their carers.		
	People with a disability	The event is a family event with opportunities for families and intergenerational activity across the Bay. There were facilities available for disabled visitors and their carers.		
	Women or men	The event is a family event with opportunities for families and intergenerational activity across the Bay		
	People who are black or from a minority ethnic background (BME) <i>(Please note Gypsies / Roma are within this community)</i>			No discernible impact
	Religion or belief (including lack of belief)			No discernible impact
	People who are lesbian, gay or bisexual			No discernible impact

	People who are transgendered			No discernible impact
	People who are in a marriage or civil partnership			No discernible impact
	Women who are pregnant / on maternity leave			No discernible impact
	Socio-economic impacts (Including impact on child poverty issues and deprivation)	The event is focused at attracting new visitors to Torbay and to have a positive impact on businesses and therefore increase the level of investment in the area. There is the potential for at least £7million of Economic benefit to be generated each year over the next 5 years		
	Public Health impacts (How will your proposal impact on the general health of the population of Torbay)	This is an outdoor event supported by sustainable travel options.		
14	Cumulative Impacts – Council wide (proposed changes elsewhere which might worsen the impacts identified above)	N/A		
15	Cumulative Impacts – Other public services (proposed changes elsewhere which might worsen the impacts identified above)	For this to be a sustainable event then it relies on the support of departments from across the Council and partners to ensure its success.		

TORBAY AIRSHOW BUDGET

2017 - ACTUAL		DRAFT BUDGET FOR:		2018	2019	2020	2021	2022
<u>Income</u>		<u>Income</u>						
Council Investment	£100,000	Council Investment	£100,000	£100,000	£100,000	£90,000	£85,000	£80,000
Site Income	£92,346	Site Income	£100,000	£110,000	£115,000	£115,000	£120,000	£125,000
Sponsorship and Hospitality	£25,625	Sponsorship and Hospitality	£35,000	£45,000	£50,000	£50,000	£50,000	£50,000
Car Parking	£13,424	Car Parking	£20,000	£20,000	£20,000	£20,000	£20,000	£20,000
Programme	£4,517	Programme	£7,500	£10,000	£10,000	£10,000	£10,000	£10,000
Voluntary Donations	£5,208	Voluntary Donations	£7,000	£7,000	£9,000	£9,000	£9,000	£11,000
Mayors Event Budget	£15,000	Mayors Event Budget	£10,000	£0	£0	£0	£0	£0
Coastal Communities	£20,000							
Total	£276,120	Total	£279,500	£292,000	£294,000	£294,000	£294,000	£296,000
<u>Costs</u>		<u>Costs</u>						
Air Display	£100,000	Air Display	£100,000	£102,000	£103,000	£104,000	£104,000	£105,000
Marketing/Sales	£29,456	Marketing/Sales	£30,000	£30,000	£30,000	£30,000	£30,000	£30,000
Traffic and Parking	£16,155	Traffic and Parking	£16,000	£16,000	£16,000	£16,000	£16,000	£16,000
Security, First Aid and Safety	£42,787	Security, First Aid and Safety	£35,000	£36,500	£38,000	£39,500	£39,500	£41,000
Event and Site Costs	£59,600	Event and Site Costs	£60,000	£61,000	£62,000	£63,000	£63,000	£64,000
Management Fee	£35,000	Management Fee	£35,000	£36,000	£37,000	£38,000	£38,000	£39,000
Total	£282,998	Total	£276,000	£281,500	£286,000	£290,500	£295,000	£295,000
Income	£276,120	Income	£279,500	£292,000	£294,000	£294,000	£294,000	£296,000
Expenditure	£282,998	Expenditure	£276,000	£281,500	£286,000	£290,500	£295,000	£295,000
Loss	-£6,878	Surplus	£3,500	£10,500	£8,000	£3,500	£1,000	£1,000



TORBAY AIRSHOW
MEDIA EVALUATION

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“For Two Days only, in case you hadn’t noticed, Paignton was the centre of the universe and it was rather great. From a spectator’s point of view the 2017 Torbay Airshow was a huge success. The crowds that thronged the beach the Green will tell you that.”

Guy Henderson, Herald Express

**PRINT &
ONLINE REACH:
OVER 10
MILLION**

**BROADCAST
REACH:
OVER
15 MILLION**

**TOTAL
REACH:
25.9 MILLION**

Page 105





ITV REPORT 2 June 2017 at 6:36pm

Red Arrows set for stunning Torbay Airshow display



The Red Arrows will be a highlight of the Torbay Airshow. Photo: Red Arrows

Around a hundred thousand people are expected to visit Torbay this weekend to watch the Bay's Airshow.

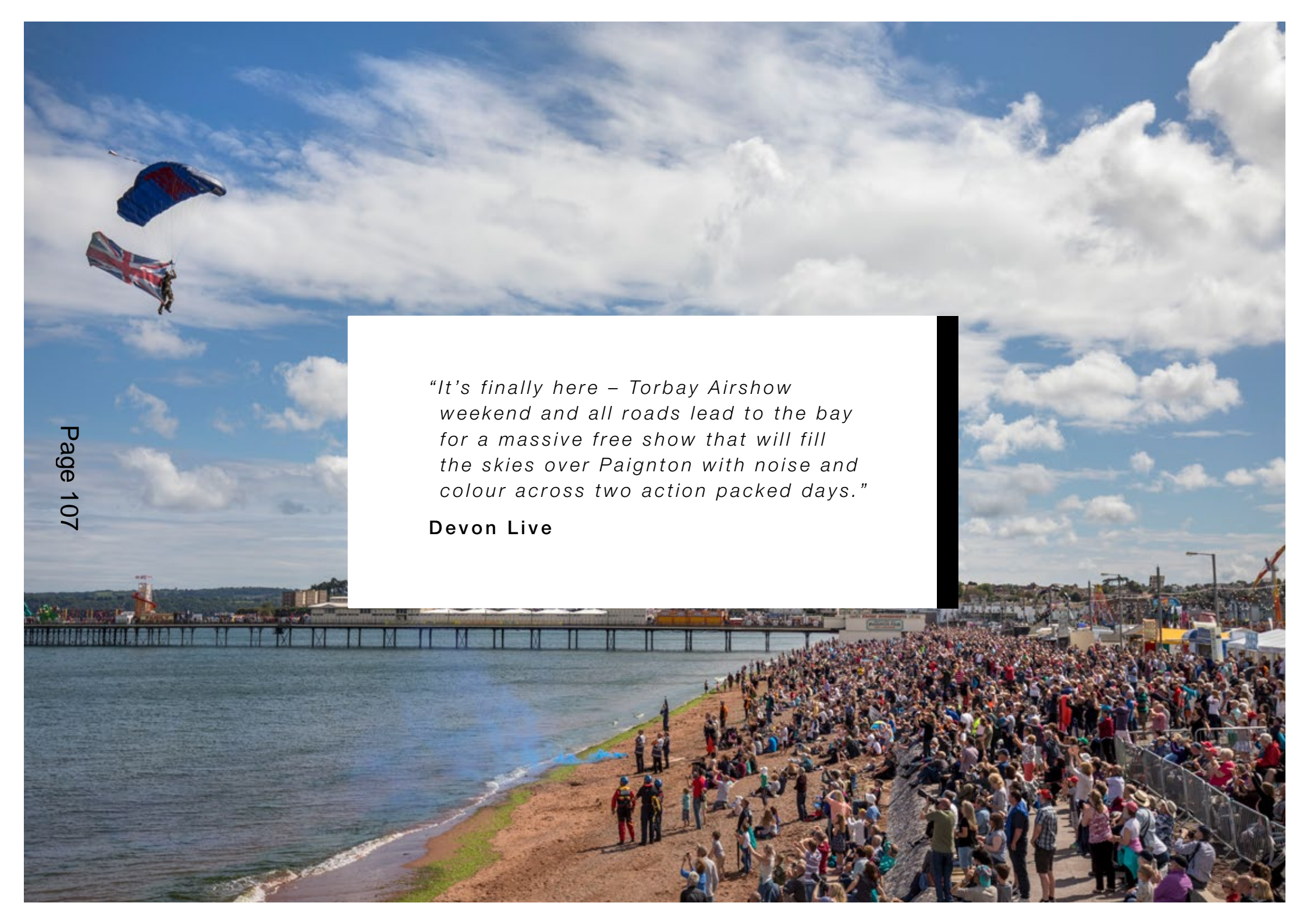
The organisers are hoping it will become an annual event after the success of last year's inaugural show. A number of roads around the centre of Paignton will be no-parking zones and some close to the seafront will be closed altogether.

Among those taking part this year are the Red Arrows. The team sent this footage of their last session before this weekend's display.



Last updated Fri 2 Jun 2017

RED ARROWS • TORBAY



"It's finally here – Torbay Airshow weekend and all roads lead to the bay for a massive free show that will fill the skies over Paignton with noise and colour across two action packed days."

Devon Live

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News: First air display line-up announced for Torbay Airshow 2017

Published 15 March 2017, 15:41



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Road restrictions for air show

Wednesday 15 May 2017 by [Ella Dunlop](#) in [Environment](#)

ORGANISERS of the Torbay Air Show have released details of road restrictions during the event and alternative ways to get to the event.

Numerous roads in Paignton will be closed to all apart from residents and businesses for the two day show on Saturday, June 3 and Sunday, June 4 between 11am and 7pm.

There will also be a number of on-street parking suspensions in force for the Torbay Council-run show which will feature the first display of the season for the aerobatic team the Red Arrows.

Also appearing will be the Typhoon Jet, Battle of Britain Memorial Flight, the Tigers freefall parachute display team, world aerobatic competitor Genaid Cooper in his Extreme XA41, the Gyro Display, Raven Aerobatic team, Strikemaster, Piston Provost and the former British Female Aerobatic champion Lauren Richardson in the Pitts Special.

Anyone planning to attend the event is encouraged to make travel arrangements in advance.

Entry is free but car parking can be pre-booked online before the event at www.torbayairshow.com and the park and ride service at Broadlands will be available throughout the weekend.

Services will be available on buses in and out of Paignton which is also accessible by train with Cross Country Rail providing services in and out of Paignton station.



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The Torbay Air Show 2017



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Check out the photos from the 2017 Torbay Air Show!

The 2017 Torbay Airshow has been hailed a huge success after receiving a record-breaking turnout for an action packed two-day programme of events which took place on Saturday 3 and Sunday 4 June.

devonlive.com

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Why are half the Red Arrows called Gypos?

Neil Shaw | Posted: June 04, 2017

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Spectacular aerial displays

Turkey Airshow is back for another year, providing a rare opportunity to see stunning, back-to-back aerial displays from a wide range of iconic and historic aircraft, as well as the chance to chat to the pilots, writes Dave McDermott

ON JULY 2016, across the world, more than 400 aircraft took to the skies in an extraordinary display of aerial acrobatics. The Turkish Airshow, which ran from the 1st to the 5th of July, was one of the largest and most impressive aviation events ever held in Turkey. It was a celebration of the country's rich aviation heritage, and a chance for the world to see some of the most advanced and iconic aircraft in the world.

THE TURKISH AIRSHOW is one of the largest and most impressive aviation events ever held in Turkey. It was a celebration of the country's rich aviation heritage, and a chance for the world to see some of the most advanced and iconic aircraft in the world. The show featured a wide range of aircraft, from the oldest and most historic to the newest and most advanced. It was a truly spectacular event, and one that is sure to be remembered for years to come.



the range of aircraft on display from vintage biplanes to modern jets. The show was a true celebration of aviation, and a chance for the world to see some of the most advanced and iconic aircraft in the world. It was a truly spectacular event, and one that is sure to be remembered for years to come.



The Battle of Britain Memorial Flight, Lancaster, Spitfire and Spitfire

Things to do this May half-term - the best events and activities for kids including the bank holiday weekend

From fun-filled days out at the farm to action-packed festivals and scenic railway tours, there's plenty to keep the kids occupied this half-term...

BY FLE DELAHAYE
11.12.2017 11:21 AM GMT+0

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Free Things To Do With The Kids In London And The UK This June

Family fun this June - all for free.

By **Kathy Kelly**, Commercial Freelance Writer @ The Huffington Post UK

Going out with the kids doesn't have to cost a fortune. Here's a selection of some free family days out taking place across the UK this month.

Free Things To Do With The Kids In London And The UK This June

In local parks, year-round, including mountain boarding, laser circuits and horse riding.

Hoop is an excellent free app to help parents discover local things to do with kids. Created by a group of dads and aimed at parents with children aged under 11, it's available on iPhone and Android and lists over 20,000 family friendly events and activities each month throughout the UK.

Name Generator
Rosalinda
Variant of Rosalind
Compound of 'Thorne' and

YAHOO!

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50 amazing free things to do in Britain this May half term

By **Telegraph Travel**, The Telegraph 28 July 2017, 11:31

Children playing in Scotland? Need to find the May 1 pub - Great Arm and Stone Sea (Alamy Stock Photo)

The summer half-term is upon us and while for older children that means an intensive burst of last-gasp revision, for younger children and their parents it means Things To Do.

That also means Money To Spend, and the most popular attractions and theme parks have especially breathtaking term prices (Legoland: £30; Chessington: £29.99; Harry Potter Studio Tour - sold out...) and that's before you've started on snacks and souvenirs.

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Here is our compilation of active, creative and creative events - all being hosted for nothing - across the UK

By **Barber, Andrew Baker and Anna Tyack**

Broadcast Coverage

PUBLICATION	HEADLINE
BBC Radio Devon	Tim Manns
BBC Radio Devon	The Sunday Request Show
ITV 1 West	Catchphrase
BBC 1 South West	Question Time Leaders Special
BBC 1 South West	Election Questions
BBC Radio Devon	Summer Saturdays
BBC 1 South West	Spotlight; Weather
BBC 1 South West	BBC News at One; Weather
BBC 1 South West	Spotlight; Weather
ITV 1 West	ITV News West Country
Heart North Devon	Jack Miles
BBC 1 South West	BBC News at Six; Weather
Heart North Devon	Jack Miles
BBC 1 South West	Spotlight; Weather
BBC 1 South West	The One Show
BBC 1 South West	The Graham Norton Show
ITV 1 West	ITV News West Country
BBC Radio Devon	Tim Manns
Heart North Devon	JK and Lucy
BBC Radio Devon	Tim Manns
BBC Radio Devon	Tim Manns
BBC Radio Devon	Tim Manns
BBC Radio Devon	Tim Manns

PUBLICATION	HEADLINE
The Breeze	Promo Trailer
The Breeze	Promo Trailer
The Breeze	Torbay Airshow 2017 Line up Announced
The Breeze	Red Arrows Chose Devon
The Breeze	New displays added to Torbay line-up
The Breeze	Torbay Airshow Overview
The Breeze	Airshow's full line up revealed
The Breeze	Live @ The Airshow
The Breeze	Red Arrows Interview
The Breeze	Battle of Britain interview
The Breeze	Gerald Cooper Interview
The Breeze	Peter Davis Interview
The Breeze	Typhoon Pilot interview
Riviera FM	Cllr Rober Excell
Radio EXE	The Tigers Interview

Print & Online Coverage

PUBLICATION	HEADLINE
FlyPast	UK airshows
DevonLive.com (Web)	Torbay Airshow 2017 line-up revealed - Red Arrows are coming back!
North Devon Journal (Web)	Torbay Airshow 2017 line-up revealed - Red Arrows are coming...
Herald Express (Torquay)	THEY'RE BACK - NOT ONCE BUT TWICE!
Torbay Times	Torbay Air show 2017 line-up announced.
Flyer Air Portal (Web)	Torbay Airshow 2017
DevonLive.com (Web)	It's take off for Torbay Airshow 2017
DevonLive.com (Web)	It's take off for Torbay Airshow 2017
DevonLive.com (Web)	Torbay Airshow announces more high flying displays
The Breeze (Web)	Red Arrows chose Devon for first 2017 show
DevonLive.com (Web)	Torbay Airshow 2017 goes Virtual Reality with a day of no planes...
Western Morning News (Devon)	Red Arrows display team get ready to headline Torbay Airshow
Air Mail	Airshow Events Calendar 2017*
DevonLive.com (Web)	Fears that Red Arrows may never do a full display over Dartmouth...
Pilot	Calendar
Torbay Times	Latest air displays announced for Torbay airshow 2017
Primary Times	Fayres and Festivals
Primary Times	Listings
DevonLive.com (Web)	Changes to road rules across Paignton for this year's Torbay Air...
Huffington Post UK (Blog)	Free Things To Do With The Kids In London And The UK This June
Devon Life	The diary
Brixham News (Web)	Torbay Airshow on the Saturday 3rd & Sunday 4th June 2017
By the Dart	What's On

PUBLICATION	HEADLINE
DevonLive.com (Web)	All you need to know about how to get to Torbay Airshow next month
Herald Express (Torquay)	Parking restrictions for airshow
Herald Express (Torquay)	Bubbly on ice at parking charges
Newton Today (Web)	Road restrictions for air show
Dawlish Post (Web)	Road restrictions for air show
The Breeze (Web)	Airshow's line up finally revealed
DevonLive.com (Web)	What you need to know about who's flying high at Torbay Airshow
Pilot	Calendar
DevonLive.com (Web)	How to get your #45 family and #750 VIP tickets for...
Herald Express (Torquay)	WHO'S FLYING HIGH AT TORBAY AIRSHOW?
Herald Express (Torquay)	Torbay Airshow's full air display programme unveiled
Herald Express (Torquay)	WHO'S FLYING HIGH AT TORBAY AIRSHOW?
Western Morning News (Devon)	Red Arrows and war planes for air show
Aviation News	AVIATION EVENTS CALENDAR
RadioUser Magazine	airshows
The Breeze (Web)	Win #10,000 at the Torbay Air Show
DevonLive.com (Web)	Whole village of fun and food lined up for Torbay Airshow
Herald Express (Torquay)	But we don't have airfield
Brixham News	How much will airshow cost us?
Pilot Web (Web)	Pilot summer calendar 2017
Brixham News (South Devon)	How much will airshow cost us?
DevonLive.com (Web)	Historic Lancaster bomber will not fly at Torbay Airshow
Brixham News (Totnes)	How much will airshow cost us?
Torbay Times	The full air display programme
Telegraph (Web)	50 amazing free things to do in Britain this May half term
Yahoo! Style UK (Web)	50 amazing free things to do in Britain this May half term

PUBLICATION	HEADLINE
Yahoo! Sports UK and Ireland (Web)	50 amazing free things to do in Britain this May half term
The Sunday Telegraph	Britain for free: 50 family days out
Telegraph (Web)	50 brilliant free family days out
Mirror.co.uk (Web)	Things to do this May half-term - the best events and activities for kids including the bank holiday Monday
Mirror.co.uk (Web)	Things to do this May half-term - the best events and activities for kids during the holidays
DevonLive.com (Web)	Torbay Airshow to bring #7.3m windfall for bay businesses, experts say
Herald Express (Torquay)	Top 5 things not to be missed
Herald Express (Torquay)	Huge £7m boost of airshow on target
Herald Express (Torquay)	Legendary Red Arrows will be highlight of Torbay Airshow 2017
Herald Express (Torquay)	inside today
Herald Express (Torquay)	Seven things to do this week...
Herald Express (Torquay)	Listings
Herald Express (Torquay)	Torbay airshow £7m cash boost
Herald Express (Torquay)	Paignton Green[...]
Herald Express (Torquay)	Travel advice
Herald Express (Torquay)	Activities for all the family at the Event Village
DevonLive.com (Web)	Red Arrows get the go-ahead to fly at the Torbay Airshow
DevonLive.com (Web)	Torbay Airshow 2017: What's the weather going to be like for the big show?
Brixham News (Web)	Marina Events 2017 ? Torbay Airshow Saturday 3rd & Sunday 4th June
DevonLive.com (Web)	Torbay Airshow 2017: Absolutely everything you need to get the...
BBC (Web)	Red Arrows: A view from the cockpit
DevonLive.com (Web)	Torbay Airshow bans swimming, kite-flying, balloons and drones
DevonLive.com (Web)	Watch as the Red Arrows unveil new display ahead of Torbay Airshow 2017
Silver Travel Advisor (Web)	Torbay Air Show
DevonLive.com (Web)	RAF Typhoon jet buzzes Paignton in Torbay Airshow curtain-raiser
Brixham News (Web)	HMS Somerset visiting during Torbay Airshow

PUBLICATION	HEADLINE
ITV.com (Web)	Red Arrows set for stunning Torbay Airshow display
Western Morning News (Devon)	Fresher air set to sweep across region as hopes of June heatwave are dashed
DevonLive.com (Web)	Torbay Airshow 2017: live updates, pictures and videos
DevonLive.com (Web)	Sunny breaks and scattered showers for Devon this weekend
DevonLive.com (Web)	Sunny breaks and scattered showers for Devon this weekend
DevonLive.com (Web)	The Red Arrows touch down in Exeter ahead of Torbay Airshow performance
DevonLive.com (Web)	Torbay Airshow day two: live updates, pictures and videos
DevonLive.com (Web)	Devon will see rain this morning but sunny spells later on
DevonLive.com (Web)	Why are half the Red Arrows called Gypo?
Sunday Independent (Devon)	AIR COMES THE SUMMER
The Breeze (Web)	The Torbay Air Show 2017
DevonLive.com (Web)	June 4 - A day to celebrate all that is great about Devon
Western Morning News (Devon)	Red Arrows' display thrills airshow crowd
Metro (South West)	TORBAY AIRSHOW
DevonLive.com (Web)	Torbay Airshow: Mayor Gordon Oliver says 'Let's do it again!'
Herald Express (Torquay)	Solving the riddle of Safety and fun
Herald Express (Torquay)	FLYING HIGH AND HITTING RIGHT NOTES
Herald Express (Torquay)	Airshow success set to take off?
Herald Express (Torquay)	Air Show takes off to be hailed resounding success
Herald Express (Torquay)	I took that picture
DevonLive.com (Web)	When packed and picnicking Paignton was the centre of the...
Exeter Express & Echo	There's plenty to celebrate in Devon
DevonLive.com (Web)	VIPs on private jets make Exeter Airport super busy
The Lady	THE LADY BRIEFING
Newsflare (Web)	Amazing aerial acrobatics on display at UK airshow
MSN UK (Web)	Amazing aerial acrobatics on display at UK airshow
Herald Express (Torquay)	I took that picture
Herald Express (Torquay)	I took that picture

FACEBOOK

2,132 Likes (Feb-Jun) 21% Increase

118,400 Event Page Reach (May 16-Jun 16)

903,843 Post Reach

Page 119

Torbay Airshow added 5 new photos.
Published by Dan Andrew (M) · 13 May · 0

We are delighted to announce the full air display programme for the 2017 Torbay Airshow on Saturday 3 June and Sunday 4 June. This year's programme will include the first display of the season from the world's premier acrobatic team, RAF Red Arrows, the Eurofighter Typhoon, the RAF Chinook Display Team, the Battle of Britain Memorial Flight (Official), The Tigers Freefall Parachute Display Team, world aerobatic champion Gerald Cooper in his Extreme X441, Gyro Air Displays, Team Ravens, the Strikermaster, the Pterica Inhot Provost, former British female aerobatic champion Lauren Richardson Airshows in her Pitts Special and the historic PBY5A Catalina.

Full details can be found on the website - www.torbayairshow.com Images by Paul Johnston and Graham Taylor

95,698 People Reached
2,017 Reactions, comments & shares

1,377	379	988
Like	On post	On Shares
64	23	41
Love	On post	On Shares
1	0	1
Grateful	On post	On Shares
19	8	11
Wow	On post	On Shares
228	149	79
Comments	On Post	On Shares
228	200	8
Shares	On Post	On Shares

6,397 Post Clicks
1,848 Photo views
610 Link clicks
3,929 Other Clicks @

NEGATIVE FEEDBACK
43 Hide Post
0 Report as Spam
11 Hide All Posts
1 Unlike Page

15,038 people reached

111 Comments 320 Shares

Torbay Airshow added 4 new photos.
Published by Dan Andrew (M) · 20 May at 09:30 · 0

In just two weeks we'll be getting ready to open the 2017 Torbay Airshow and welcome the incredible display teams! We can't wait to see RAF Red Arrows, the Eurofighter Typhoon, the RAF Chinook Display Team, the Battle of Britain Memorial Flight (Official), The Tigers Freefall Parachute Display Team, Gerald Cooper, Gyro Air Displays, Team Raven, the Strikermaster, Piston Provost, Lauren Richardson Airshows & the PBY5A Catalina

66,558 People Reached
946 Reactions, comments & shares

710	309	401
Like	On post	On Shares
26	16	10
Love	On post	On Shares
1	0	1
Wow	On post	On Shares
61	60	21
Comments	On Post	On Shares
128	126	2
Shares	On Post	On Shares

2,302 Post Clicks
631 Photo views
34 Link clicks
1,637 Other Clicks @

NEGATIVE FEEDBACK
27 Hide Post
0 Report as Spam
11 Hide All Posts
0 Unlike Page

66,558 people reached

44 Comments 126 Shares

Torbay Airshow added 4 new photos.
Published by Elio Klaut (M) · 4 June at 11:57 · 0

We have another afternoon of incredible air displays planned and the weather looks set to brighten up this afternoon. So keep your eyes to the skies.

Battle of Britain Memorial Flight (Official), Team Raven, The Tigers Freefall Parachute Display Team, RAF Red Arrows, Percival Provost, Strikermaster Display UK, PBY5A Catalina, Gyro Air Displays, Lauren Richardson Airshows, The Blades Aerobatic Team, Gerald Cooper, RAF Chinook Display Team, RAF Typhoon Display Team. Thanks to Ultimate Shot for their images.

33,529 People Reached
725 Reactions, comments & shares

470	308	164
Like	On post	On Shares
28	23	5
Love	On post	On Shares
1	0	1
Wow	On post	On Shares
9	5	4
Wow	On post	On Shares
46	53	13
Comments	On Post	On Shares
182	136	17
Shares	On Post	On Shares

4,033 Post Clicks
1,991 Photo views
15 Link clicks
2,027 Other Clicks @

NEGATIVE FEEDBACK
13 Hide Post
0 Report as Spam
4 Hide All Posts
0 Unlike Page

33,529 people reached

35 Comments 136 Shares

Torbay Airshow added 13 new photos.
Published by Simon Bobby (M) · 3 June at 19:43 · 0

What a day, what a show. It's do it all at our again tomorrow. Thanks to all who came & thanks to Ultimate Shot for their images.

The Breize Devon Torbay Council The English Riviera The Herald Boost Torbay Innotate Torbay Torbay Family Information Service Visit Devon RAF Typhoon Display Team SAC Strikermaster The Blades Aerobatic Team Red Arrows The Tigers Freefall Parachute Display Team Gyro Air Displays Battle of Britain Memorial Flight (Official) Team Raven

24,363 People Reached
774 Reactions, comments & shares

567	412	165
Like	On post	On Shares
39	31	8
Love	On post	On Shares
15	12	3
Wow	On post	On Shares
55	38	17
Comments	On Post	On Shares
98	94	4
Shares	On Post	On Shares

6,362 Post Clicks
4,230 Photo views
1 Link clicks
2,066 Other Clicks @

NEGATIVE FEEDBACK
20 Hide Post
0 Report as Spam
11 Hide All Posts
0 Unlike Page

24,363 people reached

29 Comments 94 Shares

TWITTER

737,560

Impressions

29,772

Profile Visits

1,700

Retweets

3,800

Likes

53,342

Mentions

Page 120

Top mention earned 2,948 engagements



Martyn Foss

@Martynfoss · Jun 4

Favourite photo from the weekend
[@torbayairshow](#). The all new
[@rafredarrows](#) Tornado.
pic.twitter.com/pzvD8Piahq



↩ 10 ↻ 146 ❤ 573

Top mention earned 415 engagements



Claire Hartley

@CHartleyPhotos · May 22

Less than 2 weeks until I get a fix of Red jets
at [@torbayairshow](#) ...It's been a long few
weeks without [@rafredarrows](#) !
pic.twitter.com/Ck4IP5RjgG



↩ 1 ↻ 20 ❤ 99

Top Tweet earned 41.1K impressions

Huge round of applause for the
[@rafredarrows](#) Best of luck for the rest of
the season! It's been an honour to host your
first 2017 display
pic.twitter.com/MM6UBlgt3



↩ 5 ↻ 61 ❤ 325

Top Tweet earned 17.7K impressions

We are delighted to announce the full air
display line-up for this year! Check it out
here: torbayairshow.com/air-displays/
pic.twitter.com/pvnnnVdIAf



↩ 6 ↻ 62 ❤ 122


INSTAGRAM

44
Posts

1675
Likes

Page 121



 torbayairshow


torbayairshow Soon to be one very wet Tiger!
@tigers_parachute_team
#torbayairshow #torbay #tigers #parachute
#display #britain #unionflag #unionjack
#airshow #aviation #aeroplane



56 likes

JUNE 4



 torbayairshow

torbayairshow What a weekend. It's been amazing to see so many people fill the Bay to enjoy the incredible displays. The event wouldn't be possible without your support and we would like to say a big thank you to all of our partners, suppliers and most of all the stars of the show, our displays teams.
#TorbayAirshow #paignton #torbay #aircraft #aviationphotography #airdisplays
atlubamiteva This was my first air show ever and I had such a great time - it was so awesome. Thank you. @torhavairshow!



50 likes

JUNE 4

Add a comment

Record of Decision

Mayor's Response to the Council's Objection to the Transformation Project - Housing Companies Policy Framework Document

Decision Taker

Mayor on 29 June 2017

Decision

The Mayor disagrees with the Council's objection and confirms his original recommendation to Council as set out below:

That the Housing Company Policy Framework document set out at Appendix 2 to the submitted report be approved.

Reason for the Decision

To respond to the Council's objections to the Housing Companies Policy Framework document. The Mayor wishes to only utilise the funds available as a result of contributions for affordable housing to deliver the following elements of the Council's Housing Strategy, either undertaken by the Council or commissioned by the Council:

- (i) Increasing the number of affordable homes delivered;
- (ii) Increasing standards in the private rented sector;
- (iii) Provide greater flexibility when dealing with housing needs for local people;
- (iv) Increase the level of adapted accommodation to allow more people with care and support needs to live in specialist housing;
- (v) Unlock stalled sites in and around the town centre to assist with regeneration and increase footfall in the areas town centres; and
- (vi) Assist with regenerating areas of deprivation.

The Mayor does not wish to undertake this work through the housing companies established by the Council in February 2017 due to the inherent level of risk and volatility in the housing market and the consequent risk that this may place on the Council's financial position.

Implementation

The Mayor's response to the Council's objection will be considered at the Council meeting on 20 July 2017.

Information

At the meeting of Council held on 22 June 2017, the Council formally objected to the Mayor's Policy Framework document as set out at Appendix 2 to the submitted report.

The Council objected on the basis that his proposals do not sufficiently, nor

progressively, address the Council's challenges in respect of:

- (i) Increasing the number of affordable homes delivered;
- (ii) Increasing standards in the private rented sector;
- (iii) Providing greater flexibility when dealing with housing needs for local people;
- (iv) Increasing the level of adapted accommodation to allow more people with care and support needs to live in specialist housing;
- (v) Unlocking stalled sites in and around the town centre to assist with regeneration and increase footfall in the areas town centres; and
- (vi) Assisting with regenerating areas of deprivation.

The Council requests that the Mayor consider how the Policy Framework can be used more progressively to address these issues, including how the creation of a Housing Rental Company could be used to address the same.

In accordance with the Constitution at F4.9, the Council therefore requires the Mayor to consider this objection by 7 July 2017 and either:

- (a) submit a revision of the Housing Company Policy Framework Document with the reasons for any amendments to the Council for its consideration; or
- (b) inform the Council of any disagreement that the Executive has with any of the Council's objections and the Executive's reasons for any such disagreement.

The Mayor considered the recommendation of the Council and his proposed response is set out above.

Alternative Options considered and rejected at the time of the decision

None

Is this a Key Decision?

Yes – Reference Number: I025402

Does the call-in procedure apply?

No

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

None

Published

29 June 2017

Signed: _____
Mayor of Torbay

Date: 29 June 2017



Meeting: Council

Date: 22 June 2017

Wards Affected: All Wards

Report Title: Transformation Project – Housing Companies Policy Framework Document

Is the decision a key decision? Yes

When does the decision need to be implemented? Immediately

Supporting Officer Contact Details: Caroline Taylor, Director of Adults and Transformation (Housing-client side), 01803 208949, caroline.taylor@torbay.gov.uk

1. Introduction

- 1.1 On 22 September 2016, Council agreed the principle of setting up a new wholly owned company to develop and own homes, with the overarching aim of maximising income back to the Council, as well as supporting the objectives of the Council's Housing Strategy. Council approved the use of funding to undertake necessary further due diligence in order to progress the proposal.
- 1.2 Subsequently on 24 February 2017, Council agreed to the establishment of three new companies limited by shares: (i) a Holding Company (HoldCo), (ii) a Housing Development Company and (DevCo) (iii) a Housing Rental Company (RentCo), which is currently in progress.
- 1.3 The Holding Company will be wholly owned by the Council and, as the name suggests, act as a holding company for the Council's interest in the Housing Development Company, and Housing Rental Company as well as any other companies that the Council decided in the future to include within the Holding Company group.
- 1.4 This report comes to Council for approval of the Policy Framework document for DevCo and RentCo.
- 1.5 Officers in conjunction with the 'Housing Group' have developed an officer proposed Policy Framework document for DevCo and RentCo, this version has been subject to early input from Overview and Scrutiny via a 'Task and Finish Group'.
- 1.6 The Mayor has had the opportunity to consider the officer proposed Policy Framework document and is subsequently presenting a Mayoral Proposal (Appendix 2).

2. Reason for Proposal

2.1 To progress the Housing Company and Development Company proposals.

3. Mayoral Recommendation (s) / Proposed Decision

3.1. That the Housing Company Policy Framework document set out at Appendix 2 to the submitted report be approved.

4. Officer Recommendation(s) / Proposed Decision

4.1 That the Housing Company Policy Framework document set out at Appendix 3 to the submitted report be approved.

4.2. That a Housing Company Committee be created, with the Terms of Reference as set out in Appendix 4. The Committee to comprise of seven Members and that the Special Responsibility Allowance (SRA) for the Chairman of the Committee be £3,405 subject to consultation with the Independent Remuneration Panel.

4.3. That Council grant to HoldCo working capital of £500,000 in the form of a loan - the terms of which to be agreed by Assistant Director of Corporate and Business Services and the Head of Finance.

4.4 The Council Asset Management Plan be amended so as to include the following;

Where the Council proposes to dispose of land to HoldCo, RentCo or DevCo these shall be decisions for Full Council to take as part of the approval of each Business Case.

4.5 Council to approve £50m of Prudential Borrowing to facilitate the work of RentCo and DevCo with the developments/phases being approved by the Housing Company Committee to draw down against this amount.

4.6 That the HoldCo Board shall be comprised of the following Directors, namely;

- i) Three Council Members, one from each of the Political grouping, i.e. Conservative, Liberal Democrats and Independents, to be appointed by Group Leaders,
- ii) Three Non-Executive Directors,
- iii) The Executive Directors of the subsidiary companies.

Appendices

Appendix 1 - Supporting Information and Impact Assessment

Appendix 2 – Housing Companies Policy Framework – Mayoral Proposal

Appendix 3 – Housing Companies Policy Framework – Officer Proposal

Appendix 4 – Housing Company Committee Terms of Reference

Appendix 5 – Mayoral Record of Decision

Background Documents

Report to Council – Transformation Project – Generating Income through Housing dated 22 September 2016

Report to Council – Transformation Project – Generating Income through Housing dated 23 February 2017

Supporting Information and Impact Assessment

Service / Policy:	Transformation
Director / Assistant Director:	Caroline Taylor

Version:	1.0	Date:	June 2017	Author:	Caroline Taylor
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Section 1: Background Information

1.

On 22 September 2016, Council agreed the principle of setting up a new wholly owned company to develop and own homes, with the overarching aim of maximising income back to the Council, as well as supporting the objectives of the Council’s Housing Strategy. Council approved the use of funding to undertake necessary further due diligence in order to progress the proposal.

Subsequently on 24 February 2017, Council agreed to the establishment of three new companies limited by shares: (i) a Holding Company (HoldCo), (ii) a Housing Development Company (DevCo) and. (iii) a Housing Rental Company (RentCo), which is currently in progress.

The Holding Company will be wholly owned by the Council and, as the name suggests, act as a holding company for the Council’s interest in the Housing Development Company, and Housing Rental Company as well as any other companies that the Council decided in the future to include within the Holding Company group.

The decision taken at Council on the 24 February set out that that a Housing Company Policy Framework document would be presented to Council for consideration in April 2017.

This report comes to Council for approval of a Policy Framework document.

There are two versions of the Policy Framework document appended to this report:

1. A Mayoral proposal - this Policy Framework sets out to only deliver elements of the Council’s Housing Strategy through funds available to the Council for affordable housing. This Policy Framework is clear that the Council will not use the companies (outlined above) to deliver this work – the work will be undertaken, or commissioned by the Council. This Policy Framework document also sets out that the Council will utilise funds available as a result of contributions for affordable housing and will not undertake prudential borrowing.
2. An officer proposal – This Policy Framework document sets out the strategy for the management of RentCo and DevCo including purchases/investments and forms the initial Business Plan of all of the companies (HoldCo, DevCo, RentCo). It is proposed that Council

	<p>approves £50m of Prudential Borrowing to facilitate the work of RentCo and DevCo with the developments/phases being approved by the Housing Company Committee to draw down against this amount.</p> <p>Officers in conjunction with the 'Housing Group' have developed the officer proposal, this version has been subject to early input from Overview and Scrutiny via a 'Task and Finish Group'.</p> <p>The Mayor has had the opportunity to consider the officer proposal and is presenting a Mayoral Proposal.</p>
	<p>What is the current situation?</p> <p>This is a new proposal for the Council.</p>
3.	<p>What options have been considered</p> <p>Please see section one as above – two options are being proposed:</p> <ol style="list-style-type: none"> 1. Proposal Policy Framework One – Mayoral Proposal. 2. Proposal Policy Framework Two – Officer Proposal.
4.	<p>How does this proposal support the ambitions and principles of the Corporate Plan 2015-19?</p> <p>Ambitions: Prosperous and Healthy Torbay</p> <p>Principles:</p> <ul style="list-style-type: none"> • Use reducing resources to best effect
5.	<p>Who will be affected by this proposal and who do you need to consult with?</p> <p>Officers, in conjunction with the 'Housing Group' have developed the Officer Proposal – this document has been subject to early input from Overview and Scrutiny via a 'task and finish' group.</p>
6.	<p>How will you propose to consult?</p> <p>No further consultation is required at this stage.</p>

Section 2: Implications and Impact Assessment

7.	<p>What are the financial and legal implications?</p> <p>Detailed legal, tax and financial advice has been previously received and this was outlined in Appendix 2 to the report considered at Council on 24 February 2017.</p> <p>Proposal Policy Framework One – Mayoral Proposal:</p> <p>The Council will utilise funds available as a result of contributions for affordable housing and will not undertake this work through the housing companies.</p> <p>Proposal Policy Framework Two – Officer Proposal:</p> <p>DevCo:</p> <p>The maximum level of investment for DevCo will be up to £25m at any one time – this will be provided by the Council via a loan facility</p> <p>RentCo:</p> <p>The maximum level of investment for RentCo will be up to £25m at any one time – this will be provided by the Council via a loan facility</p> <p>Working Capital:</p> <p>Working capital/set up funding to cover costs will also need to be provided to HoldCo in the form of a loan from the Council – the terms of which will be specified by the Head of Finance – this will then be distributed to DevCo and RentCo (estimated 50/50 split) - it is proposed that this is £500,000. It should be noted that if schemes are not progressed this would be an abortive cost to the Council.</p> <p>Prudential borrowing drawdowns:</p> <p>DevCo and RentCo will be financed by the Council using prudential borrowing.</p> <p>The Prudential Borrowing will need to be in line with the Councils Treasury Management Strategy and Minimum Revenue Provision (MRP) Policy. The Council and the companies (DevCo & RentCo) will work together to ensure there is appropriate levels of cash flow.</p>
8.	<p>What are the risks?</p> <p>Proposal Policy Framework One – Mayoral Proposal:</p>

	<p>This proposal would limit the work of the Council to only deliver elements of the Council’s Housing Strategy through funds available to the Council for affordable housing – therefore Torbay would be the only location for the delivery of this strategy, and only assets that directly support delivery of the Housing Strategy will be acquired.</p> <p>Proposal Policy Framework Two – Officer Proposal:</p> <p>The officer proposal seeks to reflect a suitable balance between the risks inherent in the types of properties to be acquired / developed and the financial rewards obtainable whilst limiting risks appropriately. In addition, it is proposed that the portfolio of properties being acquired / developed should be diversified in order to spread risks, such diversification principally being across the use and type of properties held.</p> <p>A rigorous assessment of all risks would be required for each business case put forwards by DevCo and for each phase put forward by RentCo.</p> <p>The risks will be measured and an assessment made of the likely future performance of the investment carried out based on the ranges of likely future rental growth and voids of the property and also the projected disposal price or capital value at the end of the period over which the cash flow analysis is being measured.</p> <p>To mitigate against some of the risks outlined above it is proposed that the Head of Finance can refer any proposed investment decision (irrespective of value) to Full Council for consideration where they deem this is in the best interest of the Council.</p>
9.	<p>Public Services Value (Social Value) Act 2012</p> <p>N/A – the Council will not be procuring services at this time.</p>
10.	<p>What evidence / data / research have you gathered in relation to this proposal?</p> <p>Please see Appendix 2 and Appendix 3 – both Policy Framework Documents outline the relevant evidence/data/research gathered to support the proposals outlined.</p>
11.	<p>What are key findings from the consultation you have carried out?</p> <p>N/A</p>
12.	<p>Amendments to Proposal / Mitigating Actions</p> <p>N/A</p>

Equality Impacts

13	Identify the potential positive and negative impacts on specific groups			
		Positive Impact	Negative Impact & Mitigating Actions	Neutral Impact
	Older or younger people	No differential impact		
	People with caring Responsibilities	No differential impact		
	People with a disability	No differential impact		
	Women or men	No differential impact		
	People who are black or from a minority ethnic background (BME) <i>(Please note Gypsies / Roma are within this community)</i>	No differential impact		
	Religion or belief (including lack of belief)	No differential impact		
	People who are lesbian, gay or bisexual	No differential impact		
	People who are transgendered	No differential impact		
	People who are in a marriage or civil partnership	No differential impact		
	Women who are pregnant / on maternity leave	No differential impact		

	Socio-economic impacts (Including impact on child poverty issues and deprivation)	No differential impact
	Public Health impacts (How will your proposal impact on the general health of the population of Torbay)	No differential impact
14	Cumulative Impacts – Council wide (proposed changes elsewhere which might worsen the impacts identified above)	No differential impact
15	Cumulative Impacts – Other public services (proposed changes elsewhere which might worsen the impacts identified above)	No differential impact



Fit
for
the
future

creating a prosperous and healthy Torbay

June 2017

Housing Companies – Policy Framework
Document

Mayoral Proposal

Housing Companies – Policy Framework Document

1. Objective

Whilst Full Council have previously made the decision to establish new companies, Rent Co and Dev Co to directly deliver development and rental properties, the inherent level of risk and volatility in the housing market and the consequent risk that this may place on the Council's financial position means that this Policy Framework sets out to limit activity to only deliver elements of the Council's Housing Strategy through funds available to the Council for affordable housing.

This Policy Framework is also clear that the Council will not use the companies to deliver this work – the work outlined in this document will be undertaken by the Council, or commissioned by the Council.

The elements of the Housing Strategy which will aim to be met through the work of the Council will include:

- (i) Increasing the number of affordable homes delivered;
- (ii) Increasing standards in the private rented sector;
- (iii) Provide greater flexibility when dealing with housing needs for local people;
- (iv) Increase the level of adapted accommodation to allow more people with care and support needs to live in specialist housing;
- (v) Unlock stalled sites in and around the town centre to assist with regeneration and increase footfall in the areas town centres; and
- (vi) Assist with regenerating areas of deprivation.

3. Scope

The Council will utilise funds available as a result of contributions for affordable housing and will not undertake prudential borrowing. The Council will undertake the work directly, or commission the same – it will not utilise the housing companies.

4. Location

Torbay will be the only location for the delivery of this strategy.

5. Target Assets

Only assets that directly support delivery of the Housing Strategy will be acquired.



Fit
for
the
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creating a prosperous and healthy Torbay

June 2017

Housing Companies – Policy Framework
Document

Officer Proposal

Housing Companies – Policy Framework Document

1.1 Background

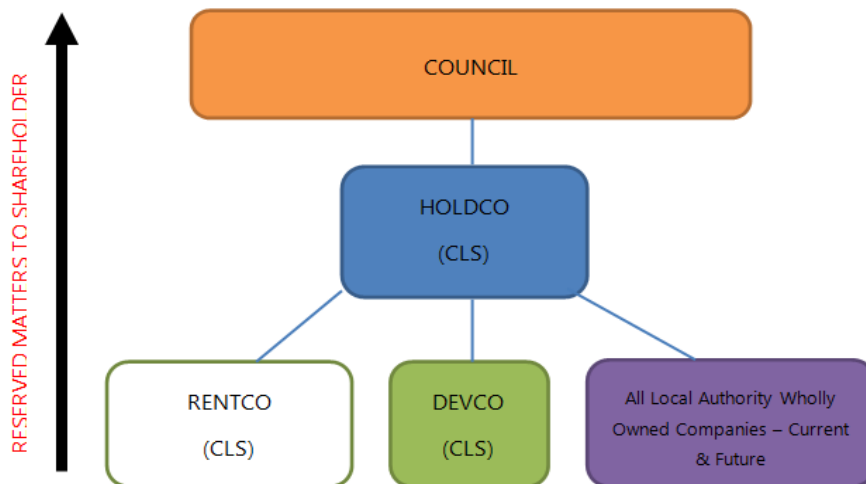
Torbay Council's Efficiency Plan which covers up to the end of 2019/20 sets out that there is an estimated funding gap of £21.5m over the plan period. In order to address the financial challenges over the next few years Torbay Council needs to think of new ways of working.

As part of the Council's Efficiency Plan and Transformation Programme it has been established that the Council will 'deliver projects which will maximise income from investments and services', as a result the Council has adopted a strategic objective of generating additional income sources to replace the resource being lost through the reduction of central government revenue support grant by 2020.

On 22 September 2016, Council agreed the principle of setting up a new wholly owned housing company to develop and own homes with the overarching aim of maximising income back to the Council as well as supporting objectives set out in the Council's Housing Strategy.

Subsequently on 24 February 2017, Council agreed to the establishment of three new companies limited by shares: (i) a Holding Company (**HoldCo**), (ii) a Housing Development Company and (**DevCo**) (iii) a Housing Rental Company (**RentCo**).

The Holding Company will be wholly owned by the Council and, as the name suggests, act as a holding company for the Council's interest in the Housing Development Company, and Housing Rental Company as well as any other companies that the Council decided in the future to include within the Holding Company group. The Council has a number of wholly owned companies, and it is proposed that the Council should organise all of its wholly owned companies under the Holding Company.



This Policy Framework document sets out the strategy for the management of RentCo and DevCo including purchases/investments and forms the initial Business Plan of all of the companies (HoldCo, DevCo, RentCo).

This strategy reflects a suitable balance between the risks inherent in the types of properties to be acquired / developed and the financial rewards obtainable whilst limiting risks appropriately. In addition, the portfolio of properties being acquired / developed should be diversified in order to spread risks, such diversification principally being across the use and type of properties held.

The Current Housing Position

Torbay covers an area of 62.9 square kilometers and has approximately 59,000 households with 50% in Torquay, 37% Paignton and 13% Brixham. The Council does not currently retain any social housing stock.

Detailed statistical information concerning Torbay's housing needs is set out in a November 2015 report produced by the Council entitled 'Torbay Housing and Health Needs Assessment'.

Some of the salient points from that report are:

- There is a higher percentage of home ownership in Paignton and Brixham than the situation in England as a whole¹;
- There is a lower percentage of social rented housing than England as a whole in the 3 towns² (Torquay, Paignton and Brixham);
- There is a significantly higher percentage of private rented accommodation in Torbay than England³;
- The average (median) sale price in Torbay in 2014 was £169,250 (2009 £155,000) ⁴;
- The average (median) sale price in Torbay in 2014 per property type was as follows - Detached £246,000, Semi-detached £179,084, Terraced £150,500, Flats/Maisonettes £112,000 (overall average in 2014: £169,250) ⁵;
- In 2015 the average (median) earnings of Torbay residents who are full time workers were around £5,450 p.a. less than England as a whole at £22,380⁶.
- In 2014, 7.7 times the average (median) annual salary is needed to buy the average priced house in Torbay, higher than the equivalent across England⁷, meaning housing is less affordable in Torbay compared with England ⁷;
- Because of the lower average earnings an increasing number of Torbay residents are living in private rented accommodation;

¹ Census 2011, www.nomisweb.co.uk

² Census 2011, www.nomisweb.co.uk

³ Census 2011, www.nomisweb.co.uk

⁴ Land Registry, House price statistics for small areas, www.ons.gov.uk

⁵ Land Registry, House price statistics for small areas, www.ons.gov.uk

⁶ Annual survey of hours and earnings, www.nomisweb.co.uk, Figures are gross annual pay

⁷ Ratio of median house price to lower quartile earnings, Land Registry and the Annual Survey of Hours and Earnings, Table 577, earnings relate to the respondents place of work rather than place of residence.

⁸ Torbay Council

- In 2015/16, there were 410 net housing completions (additional housing units provided). In the 6 years to 2015/16 there was an average of 360 net housing completions a year in Torbay. (*N.B. These figures are rounded to the nearest 10*)⁸.
- Between 2010/11 and 2015/16 505 affordable homes were delivered in Torbay; and
- The social housing register shows that a rising trend of applicant households – 1,690 in January 2013 rising to 2,266 by March 2017. The greatest need is for 1 bedroom dwellings 56%, 2 bedroom dwellings 26%, 3 bedroom dwellings 12% and 4 bedrooms or more - 6%.

1.2 Objective

2.1 The objectives of the new companies are to:

1. Maximise the return from Council assets and in particular the land that the Council holds;
2. Provide a revenue income to the Council to support other Council services;
3. Enable the delivery of elements of the Council's Housing Strategy which may include:
 - (i) Increase the number of affordable homes delivered;
 - (ii) Increase standards in the private rented sector;
 - (iii) Provide greater flexibility when dealing with housing needs for local people;
 - (iv) Increase the level of adapted accommodation to allow more people with care and support needs to live in specialist housing;
 - (v) Unlock stalled sites in and around the town centre to assist with regeneration and increase footfall in the areas town centres; and
 - (vi) Assist with regenerating areas of deprivation

DevCo:

The objective of the Housing Development Company would be to focus on development of land – initially it is proposed that this would be land acquired from the Council.

The Housing Development Company would not itself have the resources to develop the sites and therefore based on a consideration of the particular site, the Housing Development Company would have to enter into an arrangement with a developer to build the homes and infrastructure required. The land acquired from the Council would be in exchange for a loan note in the amount of its market value with interest charged on the loan note at market rates. The loan note would be repaid on onward sale of the developed land. The loan will come from the Council's approved prudential borrowing.

RentCo:

The Housing Rental Company supports objectives of the medium to long term needs of the Council in that it enables the delivery of elements of the Council's housing strategy and has the ability to produce income back to the council, albeit over a longer period. Other key objectives of the Housing Rental Company would be to increase standards in the private rented sector, and to increase the level of adapted accommodation to allow more people with care and support needs to live in specialist housing.

This Company would purchase properties from the Housing Development Company and third parties for rental.

To ensure the most optimal VAT treatment any rental activities should be kept separate from the development activities in the Housing Development Company. The Housing Rental Company would still be able to sit under the Holding Company structure as described above.

1.3 Scope

DevCo:

The maximum level of investment for DevCo will be up to £25m at any one time – this will be provided by the Council via a loan facility.

RentCo:

The maximum level of investment for RentCo will be up to £25m at any one time – this will be provided by the Council via a loan facility.

Working Capital:

Working capital/set up funding to cover costs will also need to be provided to HoldCo in the form of a loan from the Council – the terms of which will be specified by the Head of Finance – this will then be distributed to DevCo and RentCo (estimated 50/50 split).

Any of the companies is free to try and source alternative funding. However, the decision to issue share capital and/or to take out loans would be a matter reserved to the Council as shareholder.

Additionally, each business case for DevCo, and phase for RentCo will need to demonstrate that:

- any financial reliance on the Council will not damage the Council's service delivery;
- The business case/phase demonstrates long term viability;
- The housing / development provided is sustainable and of acceptable standard for its intended use;
- Any business partners used to deliver to be financially sound, committed to housing standards acceptable to the Council and have good governance arrangements in place.

Prudential borrowing drawdowns

DevCo and RentCo will be financed by the Council using prudential loans.

The Prudential Borrowing will need to be in line with the Councils Treasury Management Strategy and Minimum Revenue Provision (MRP) Policy. The Council and the companies (DevCo & RentCo) will work together to ensure there is appropriate levels of cash flow.

It is assumed that:

- 1) The type of the dwellings that are built by DevCo for sale will be those that generate the optimum profit. It is assumed that these will be largely 2/3/4 bedroom houses.
- 2) The type of dwellings for market rent and those for sub-market rents to be determined by on a site by site basis and based on any analysis of housing need expressed in the business plans for DevCo and RentCo.
- 3) DevCo will provide properties to RentCo at a discounted rate.

1.4 Strategy

DevCo:

Council will be asked to approve the prudential borrowing for DevCo. Drawdowns against this borrowing will be approved by Council on a case by case basis, through consideration the business case for each scheme – this document sets out to determine criteria against which business cases should be evaluated.

RentCo:

Council will be asked to approve the prudential borrowing for RentCo. Drawdowns against this borrowing will be approved by Council for each phase undertaken. RentCo will be expected to provide a business case for each phase, which, inter alia will outline performance targets for the phase. It is envisaged that a phase will be a substantial proposal, for example a plan of purchases over a two year period and/or a minimum of 100 homes.

1.5 Yields and decision parameters

DevCo:

DevCo will be expected to generate a minimum return on costs (including overheads and cost of borrowing but before tax). Return on cost is defined by the RICS as “The profit of the scheme expressed as a percentage of (total) costs.” This return varies from scheme to scheme and reflects the level of risk involved. The percentage is commensurate with the level of risk. The RICS states that the level of profit will vary from scheme to scheme, given different risk profiles as well as the stage in the economic cycle. For example, a small scheme constructed over a shorter timeframe may be considered relatively less risky and therefore attract lower profit margin, given the exit position is more certain than a large redevelopment spanning a number of years, where the outcome is considerably more uncertain.

- Greenfield sites: **10%**
- Brownfield sites: **5%**

RentCo:

Rent Co will be expected to act within the decision parameters listed below:

Private Rented Housing:

- Individual houses or clusters to be paid for within the expected life time of the building. Required to make a positive revenue contribution by year 5

Affordable Housing:

- Individual houses or clusters to be paid for within the expected life time of the building unless there are other clearly identifiable benefits i.e. meeting the needs of the Councils housing strategy

1.6 Locations

Torbay would be the preferred location for acquisitions of both rental and development properties so that reinvestment is directly retained within the local economy, and so that any additional capital expenditure is made in the local area. However, there is a finite and limited supply of land and property within the local area, and of that supply only a small proportion may be available for purchase at any time.

The wider South West Local Enterprise Partnership area should also be considered for new acquisitions as there is an evidence base that demonstrates that investment in this area has a positive impact on Torbay's economy. However opportunities in any geographic location will be considered. We will consider opportunities for co investment with partner organisations of good financial and reputational standing.

1.7 Target Assets

RentCo

The following tenures and house types will be sought:

- Private rent (LHA levels and above)
- Affordable Rent
- Social Rent
- Homebuy (Shared Ownership)
- Houses in multiple accommodation
- Temporary accommodation
- Adapted accommodation
- Extra Care accommodation
- Supported housing
- Stock transfer
- Rent to Homebuy
- Keyworker accommodation

DevCo

Development opportunities will be sought where a return on cost exceeds 10% for Greenfield sites and 5% for Brownfield Sites.

The following development opportunities will be targeted:

- Sites that have no abnormal restrictions (unless already owned by the Council) i.e. contaminated land,
- Brownfield sites delivering under 35 units,
- Greenfield sites delivering 5 or more units,
- Land purchases must be conditional on obtaining a suitable planning permission,
- Options or conditional contracts on land opportunities.

1.8 Assessment of risks

A rigorous assessment of all risks is required for each business case put forward by DevCo and for each phase for RentCo as each will require new investment.

The risks will be measured and an assessment made of the likely future performance of the investment carried out based on the ranges of likely future rental growth and voids of the property together with the projected disposal price or capital value at the end of the period, over which the cash flow analysis is being measured.

The Head of Finance can refer any proposed investment decision (irrespective of value) to Full Council for consideration where they deem this is in the best interest of the Council.

1.9 Decision Making

This Policy Framework stipulates that the following decisions, which in part, comprise of Reserved Matters of the companies, are to be made by Council not the Executive;

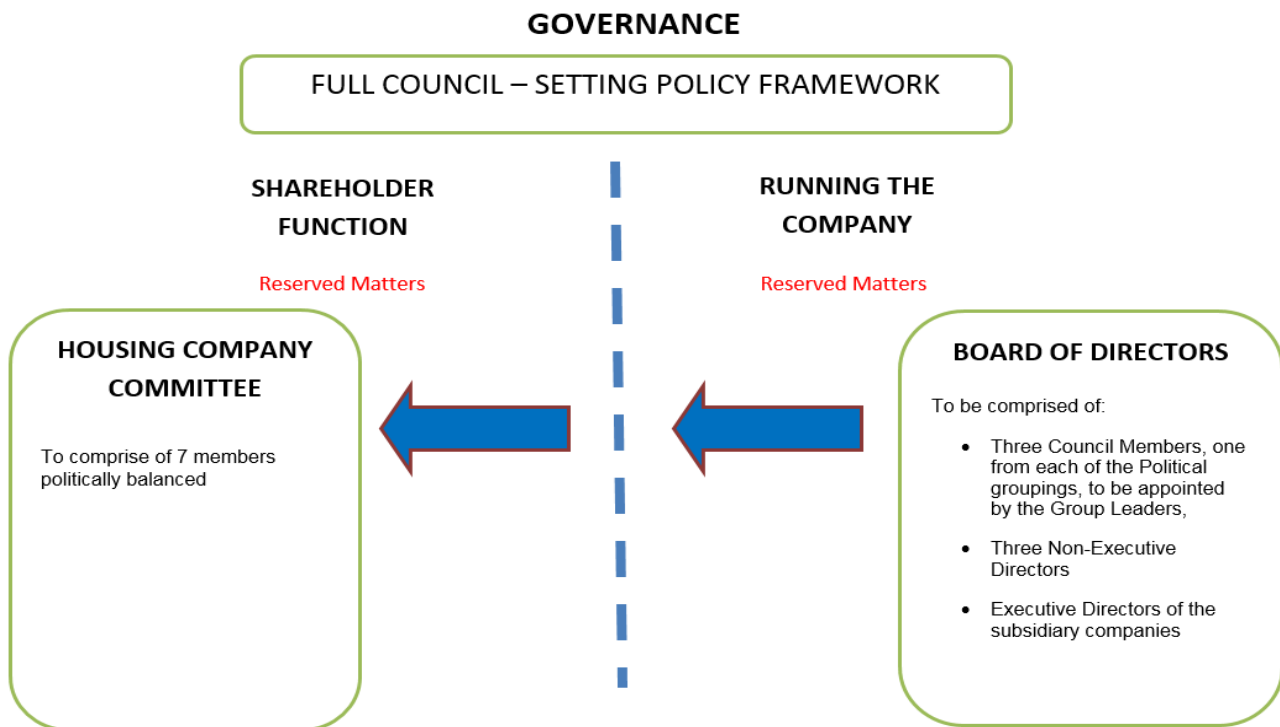
- 1.9.1 Varying in any respect the Articles or the rights attaching to any of the Shares in the Company.
- 1.9.2 Varying the quorum provisions for Director or Shareholder meetings.
- 1.9.3 Permitting the registration (upon subscription or transfer) of any person as a member of the Company other than the Council.
- 1.9.4 The creation, allotment or issue of any shares or the variation of any rights attaching to any Share
- 1.9.5 Granting any option or other interest (in the form of convertible securities or in any other form) over or in its Shares capital, redeeming or purchasing any of its own Shares or effecting any other reorganisation of its Shares capital.
- 1.9.6 Issuing any loan capital in the Company or entering into any commitment with any person with respect to the issue of any loan capital.
- 1.9.7 Making any borrowing arrangement, other than from the Council.
- 1.9.8 Passing any resolution for its winding up or presenting any petition for its administration (unless it has become insolvent).
- 1.9.9 Changing the nature/scope of the Company's Business or commencing any new business by the Company which is not ancillary or incidental to the Business.
- 1.9.10 Approving any Business Plan prepared by the Board.
- 1.9.11 Taking any action or decision which would not be consistent with any adopted Business Plan and/or any approved Business Case.
- 1.9.12 Forming any subsidiary or acquiring shares in any other company or participating in any partnership or joint venture (incorporated or not).
- 1.9.13 Selling any part of the Business unless authorised through any adopted Business Plan.
- 1.9.14 Amalgamating or merging with any other company or business undertaking.
- 1.9.15 Creating or granting any Encumbrance over the whole or any part of the Business, undertaking or assets of the Company or over any Shares in the Company or agreeing to do so other than liens arising in the ordinary course of business or any charge arising by the operation or purported operation of title retention clauses and in the ordinary course of business.
- 1.9.16 Making any loan (otherwise than by way of deposit with a bank or other institution the normal business of which includes the acceptance of deposits or in the ordinary course of business) or granting any credit (other than in the normal course of trading) or giving any guarantee (other than in the normal course of trading) or indemnity (other than in the normal course of trading).

- 1.9.17 Altering any mandate given to the Company's bankers relating to any matter concerning the operation of the Company's bank accounts other than by the substitution of any person nominated as a signatory by the party entitled to make such nomination.
- 1.9.18 Entering into any arrangement, contract or transaction (including the appointment of any agent or intermediary to conduct any of the Company's Business) outside the normal course of its business.
- 1.9.19 Granting any rights (by licence or otherwise) in or over any branding and logos owned or used by the Company.
- 1.9.20 Making or permitting to be made any change in the accounting policies and principles adopted by the Company in the preparation of its audited and management accounts where such change would have an impact on the EBITDA.
- 1.9.21 Declaring or paying any dividend or making any other distribution (by way of capitalisation, repayment or in any other manner) out of the Company's distributable profits or any of its reserves other than an interim dividend in accordance with the Articles.
- 1.9.22 (a) Making the initial decision for the Company to have its own employees
(b) Granting any pension rights (Local Government Pension Scheme) to any director, officer, employee, former director, former officer or former employee, or any member of any such person's family.
- 1.9.23 Dismissing any officer or employee in circumstances in which the Company incurs or agrees to bear redundancy or other costs in excess of £50,000 in total and dismissing any Director.
- 1.9.24 Instituting, settling or compromising any material legal proceedings (other than debt recovery proceedings in the ordinary course of business) instituted or threatened against the Company or submitting to arbitration or alternative dispute resolution any dispute involving the Company.
- 1.9.25 Factoring or assigning any of the book debts of the Company.
- 1.9.26 Establishing or amending any profit-sharing, Shares option or other incentive scheme (other than bonus schemes) of any nature for directors or employees of the Company.
- 1.9.27 Agreeing to remunerate (by payment of fees, the provision of benefits-in-kind or otherwise) any officer of the Company at a rate in excess of £50,000 per annum or increasing the remuneration of any such person to a rate in excess of £50,000 per annum or otherwise in accordance with any adopted Business Plan or Business Case.
- 1.9.28 Entering into or varying any contract of employment providing for the payment of remuneration (including pension and other benefits) in excess of a rate of £50,000 per annum or increasing the remuneration of any staff (including pension and other benefits) to a rate in excess £50,000 per annum.
- 1.9.29 Making any agreement with any revenue or tax authorities or making any claim, disclaimer, election or consent exceeding £100,000 for tax purposes in relation to the Company or its Business.
- 1.9.30 The acquisition or disposal of any land, buildings and/or other assets where such acquisition or disposal is not within the approved Business Plan of the Company or any approved business case.
- 1.9.31 To receive and approve Business Cases for developments/phases and therefore approve drawdowns of loans in accordance with the Prudential Borrowing limit set by Full Council.

These decisions comprise of the totality of Shareholder decisions, and therefore the Policy Framework does not envisage any Shareholder decisions being taken by the Executive.

To ensure that Shareholder decisions can be made quickly and effectively it is proposed that Council create a Housing Company Committee, comprising of 7 members.

All appointments to the companies would be undertaken through the Council's Employment Committee.



The companies are separate legal entities and so have to be treated as distinct from the Council in that any land sold to a company must be sold for best consideration under s123 of the Local Government Act 1972;

Any funding to the companies must be provided on market terms – this could be through equity investments (i.e. for shares) or more likely repayable loans at market rates – to avoid any suggestion of giving State Aid to the companies;

Any support that the Council provides to the companies (e.g. back office services) must be provided on at least a full cost recovery basis.

Governance Arrangements:

HoldCo will be the shareholder for DevCo and RentCo for which directors will also be required. Non-Executive directors can be paid an honorarium.

HoldCo and RentCo will require a small number of posts, potentially secondees from the Council, or other Council companies performing work on its behalf, or may appoint a third party to undertake work in its behalf.

Terms of Reference Housing Company Committee

Terms of Reference	
	In respect of HoldCo, DevCo, RentCo to make the following decisions;
1	Varying in any respect the Articles or the rights attaching to any of the Shares in the Company.
2	Varying the quorum provisions for Director or Shareholder meetings.
3	Permitting the registration (upon subscription or transfer) of any person as a member of the Company other than the Council.
4	The creation, allotment or issue of any shares or the variation of any rights attaching to any Share
5	Granting any option or other interest (in the form of convertible securities or in any other form) over or in its Shares capital, redeeming or purchasing any of its own Shares or effecting any other reorganisation of its Shares capital.
6	Issuing any loan capital in the Company or entering into any commitment with any person with respect to the issue of any loan capital.
7	Making any borrowing arrangement other than from the Council
8	Passing any resolution for its winding up or presenting any petition for its administration (unless it has become insolvent).
9	Changing the nature/scope of the Company's Business or commencing any new business by the Company which is not ancillary or incidental to the Business.
10	Approving any Business Plan prepared by the Board
11	Taking any action or decision which would not be consistent with any adopted Business Plan and/or any approved Business Case.
12	Forming any subsidiary or acquiring shares in any other company or participating in any partnership or joint venture (incorporated or not).
13	Selling any part of the Business unless authorised through any adopted Business Plan.
14	Amalgamating or merging with any other company or business undertaking.

	<p>Terms of Reference</p> <p>In respect of HoldCo, DevCo, RentCo to make the following decisions;</p>
15	Creating or granting any Encumbrance over the whole or any part of the Business, undertaking or assets of the Company or over any Shares in the Company or agreeing to do so other than liens arising in the ordinary course of business or any charge arising by the operation or purported operation of title retention clauses and in the ordinary course of business.
16	Making any loan (otherwise than by way of deposit with a bank or other institution the normal business of which includes the acceptance of deposits or in the ordinary course of business) or granting any credit (other than in the normal course of trading) or giving any guarantee (other than in the normal course of trading) or indemnity (other than in the normal course of trading).
17	Altering any mandate given to the Company's bankers relating to any matter concerning the operation of the Company's bank accounts other than by the substitution of any person nominated as a signatory by the party entitled to make such nomination.
18	Entering into any arrangement, contract or transaction (including the appointment of any agent or intermediary to conduct any of the Company's Business) outside the normal course of its business.
19	Granting any rights (by licence or otherwise) in or over any branding and logos owned or used by the Company.
20	Making or permitting to be made any change in the accounting policies and principles adopted by the Company in the preparation of its audited and management accounts where such change would have an impact on the EBITDA.
21	Declaring or paying any dividend or making any other distribution (by way of capitalisation, repayment or in any other manner) out of the Company's distributable profits or any of its reserves other than an interim dividend in accordance with the Articles.
22	<p>(a) Making the initial decision for the company to have its own employees</p> <p>(b) Granting any pension rights to any director, officer, employee, former director, former officer or former employee, or any member of any such person's family.</p>
23	Dismissing any officer or employee in circumstances in which the Company incurs or agrees to bear redundancy or other costs in excess of £50,000 in total and dismissing any Director.

	<p>Terms of Reference</p> <p>In respect of HoldCo, DevCo, RentCo to make the following decisions;</p>
24	Instituting, settling or compromising any material legal proceedings (other than debt recovery proceedings in the ordinary course of business) instituted or threatened against the Company or submitting to arbitration or alternative dispute resolution any dispute involving the Company.
25	Factoring or assigning any of the book debts of the Company.
26	Establishing or amending any profit-sharing, Shares option or other incentive scheme (other than bonus schemes) of any nature for directors or employees of the Company.
27	Agreeing to remunerate (by payment of fees, the provision of benefits-in-kind or otherwise) any officer of the Company at a rate in excess of £50,000 per annum or increasing the remuneration of any such person to a rate in excess of £50,000 per annum.
28	Entering into or varying any contract of employment providing for the payment of remuneration (including pension and other benefits) in excess of a rate of £50,000 per annum or increasing the remuneration of any staff (including pension and other benefits) to a rate in excess £50,000 per annum.
29	Making any agreement with any revenue or tax authorities or making any claim, disclaimer, election or consent exceeding £100,000 for tax purposes in relation to the Company or its Business.
30	The acquisition or disposal of any land, buildings and/or other assets where such acquisition or disposal is not within the approved Business Plan of the Company or any approved business case.
31	To receive and approve Business Cases for developments/phases and therefore approve loan drawdowns in accordance with the Prudential Borrowing limit set by Council.
32	To approve the disposal of any land to the Companies associated with any Business Cases/Phases considered.

Transformation Project - Housing Companies Policy Framework**Decision Taker**

Mayor on 13 June 2017

Decision

That the Council be recommended to approve the Housing Companies - Policy Framework Document set out at Appendix 2 to the submitted report (and attached to this record of decision).

Reason for the Decision

To put forward the Mayor's proposed Housing Companies - Policy Framework Document.

Implementation

The recommendation of the Mayor will be considered at the Council meeting on 22 June 2017.

Information

The draft Housing Companies - Policy Framework Document considered at the meeting of the Policy Development and Decision Group (Joint Operations Team) on 18 May 2017 and was subsequently published for consultation on 25 May 2017.

The attached Policy Framework document sets out to deliver elements of the Council's Housing Strategy through funds available to the Council for affordable housing.

Alternative Options considered and rejected at the time of the decision

None

Is this a Key Decision?

Yes – Reference Number: I025402

Does the call-in procedure apply?

No

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

None

Published

13 June 2017

Signed: _____
Mayor of Torbay

Date: 13 June 2017

