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Date: Monday, 24 February 2020

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Dear Member

COUNCIL - THURSDAY, 27 FEBRUARY 2020

I am now able to enclose, for consideration at the Thursday, 27 February 2020 meeting of the Council, the following reports that were unavailable when the agenda was printed.

Agenda No	Item	Page
3.	Minutes	(Pages 131 - 140)
7a.	Notice of motion - Torbay Coast and Countryside Trust – Please note that this item has been withdrawn	
8.	Council Tax 2020/2021	(Pages 141 - 146)
10.	One Torbay: Working for all Torbay - Community and Corporate Plan	(Pages 147 - 148)
11.	Housing Strategy	(Pages 149 - 150)
12.	Torre Abbey Restoration Project - Phase 3 National Heritage Lottery Fund Bid	(Pages 151 - 152)
13.	Torbay Council Annual Pay Policy Statement including Gender Pay Gap Report and Review of Pensions Discretions	(Pages 153 - 154)

Yours sincerely

June Gurry
Clerk



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

13 February 2020

-: Present :-

**The Worshipful The Mayor of Torbay (Councillor Douglas-Dunbar) (In the Chair)
Deputy Civic Mayor of Torbay (Councillor Manning)**

Councillors Amil, Barrand, Barnby, Brooks, Brown, Bye, Carter, Cowell, Mandy Darling, Steve Darling, Dart, Doggett, Dudley, Ellery, Foster, Hill, Howgate, Kavanagh, Kennedy, Law, Barbara Lewis, Chris Lewis, Long, Loxton, Mills, Morey, O'Dwyer, Stockman, Sykes, David Thomas, Jacqueline Thomas and John Thomas

110 Apologies for absence

Apologies for absence were received from Councillors Atiya-Alla and Pentney.

111 Declarations of interests

At the invitation of the Worshipful the Mayor of Torbay, the Monitoring Officer reminded Members of the dispensation granted in respect of Members' interests in relation to the setting of the budget and Council Tax and matters relating to Council controlled companies where Members were appointed as unpaid directors by the Council. It was noted that this meant Members were permitted to discuss and vote on the budget in respect of these matters without the need to declare an interest.

No interests were declared.

112 Revenue Budget 2020/2021

Further to the meeting of the Council held on 6 February 2020, Members considered the recommendations of the Cabinet in relation to the Revenue Budget 2020/21 as set out in the submitted report and supporting documents.

In accordance with legislation, the Worshipful the Mayor of Torbay advised that recorded votes would be taken on the motion and the objections.

Councillor Steve Darling proposed and Councillor Cowell seconded a motion as set out below:

- i) that the proposals identified for efficiencies, service change and income generation in 2020/21 be approved

<http://www.torbay.gov.uk/media/13791/cabinets-response-to-consultation.pdf>);

- ii) that the net revenue expenditure of £115.868m resulting in a Council Tax requirement of £72.328m for 2020/21 (a 3.99% increase in Council Tax, of which 2% is for Adult Social Care) be approved;
- iii) that the Dedicated Schools Grant be used in accordance with the Schools Financial Regulations and that the Chief Finance Officer be authorised to make amendments as required when the final figures are confirmed and this delegation is included in the next revision of the Council's constitution;
- iv) that the proposed Fees and Charges for 2020/21 be approved (<http://www.torbay.gov.uk/media/13797/fees-and-charges.pdf>);
- v) that, in accordance with the requirement of the Local Government Act 2003, the advice given by the Chief Finance Officer with respect to the robustness of the budget estimates and the adequacy of the Council's reserves (as set out in the report) be noted; and
- vi) that it be noted that the Brixham Town Council precept of £0.336m for 2020/21 will be included as part of the Torbay Council budget for Council Tax setting purposes.

The Worshipful the Mayor of Torbay advised that seven notice of motions to object to the Cabinet's revenue budget proposals had been received in accordance with Standing Order A13.4 and would be considered in the order that they were received.

Councillor Chris Lewis proposed and Councillor Sykes seconded an objection to the motion as follows:

that the Council formally objects to the Cabinet's revenue budget proposals on the basis the Cabinet's draft Community and Corporate Plan has a commitment to becoming the UK's premier tourist resort, whereas the budget proposals see a reduction in the amount of public toilet facilities at Preston Beach, Goodrington South and Corbyn Head. It is ridiculous and irresponsible to assume that a single cubicle at Goodrington South can cope with the amount of visitors to the beach that the whole block used to deal with. In addition Preston is expected to lose more than 20 toilet units and rely on a single block comprising 4 or 5 units. As such this proposal is considered to be contrary to the desire to become the UK's premier tourist resort, and consequently Council believe that the provision should be maintained at Preston and Goodrington South.

In accordance with the Constitution at F2.9, the Council therefore requires the Cabinet to consider this objection by 20 February 2020 either:

- a) submit a revision of the estimates or amounts as amended by the Cabinet with the reasons for any amendments made to the estimates or amounts, to the Council for its consideration; or
- b) inform the Council of any disagreement that the Cabinet has with any of the Council's objections and the Cabinet's reasons for any such disagreement.

A recorded vote was taken on the objection. The voting was taken by roll call as follows: For: Councillors Barnby, Barrand, Brooks, Bye, Foster, Hill, Kavanagh, Kennedy, Barbara Lewis, Chris Lewis, Mills, O'Dwyer, Sykes, David Thomas, Jacqueline Thomas and John Thomas (16); Against: Councillors Amil, Brown, Carter, Cowell, Mandy Darling Steve Darling, Dart, Douglas-Dunbar, Doggett, Dudley, Ellery, Howgate, Law, Long, Loxton, Manning, Morey and Stockman (18) and Absent: Councillors Atiya-Alla and Pentney (2). Therefore, the objection was declared lost.

Councillor David Thomas proposed and Councillor Foster seconded an objection to the motion as follows:

that the Council formally objects to the Cabinet's revenue budget proposals on the basis of the Cabinet's proposals for the introduction of 3 weekly residual bin collections, pending a trial and roll out. There is no reference within the proposals as to how residents will be supported or educated in order to recycle more. The feedback from the Consultation stage shows residents are very unhappy with this proposal, if the Partnership are listening to the community they should find a solution that increases our recycling rate without moving to a three weekly bin collection.

In accordance with the Constitution at F2.9, the Council therefore requires the Cabinet to consider this objection by 20 February 2020 either:

- a) submit a revision of the estimates or amounts as amended by the Cabinet with the reasons for any amendments made to the estimates or amounts, to the Council for its consideration; or
- b) inform the Council of any disagreement that the Cabinet has with any of the Council's objections and the Cabinet's reasons for any such disagreement.

A recorded vote was taken on the objection. The voting was taken by roll call as follows: For: Councillors Barnby, Barrand, Brooks, Bye, Foster, Hill, Kavanagh, Kennedy, Barbara Lewis, Chris Lewis, Mills, O'Dwyer, Sykes, David Thomas, Jacqueline Thomas and John Thomas (16); Against: Councillors Amil, Brown, Carter, Cowell, Mandy Darling Steve Darling, Dart, Douglas-Dunbar, Doggett, Dudley, Ellery, Howgate, Law, Long, Loxton, Manning, Morey and Stockman (18) and Absent: Councillors Atiya-Alla and Pentney (2). Therefore, the objection was declared lost.

Councillor O'Dwyer proposed and Councillor John Thomas seconded an objection to the motion as follows:

that the Council formally objects to the Cabinet's revenue budget proposals on the basis of the Cabinet's proposals for significant savings following cessation of the Council's contract with Tor2, and the delivery of services through the Council's new wholly owned company, SWISCO. There is a lack of detail as to how the savings will be delivered and as such this proposal is considered unreliable and presents a risk for setting a balanced budget for 2020/21. Furthermore, there has been no engagement with the largest political party on the Council on this important and significant change to a major element of the Council's services. It must be remembered this Council has not run a waste service in-house for more than 10 years, whilst during that period new legislation and ideas have come forward.

In accordance with the Constitution at F2.9, the Council therefore requires the Cabinet to consider this objection by 20 February 2020 either:

- a) submit a revision of the estimates or amounts as amended by the Cabinet with the reasons for any amendments made to the estimates or amounts, to the Council for its consideration; or
- b) inform the Council of any disagreement that the Cabinet has with any of the Council's objections and the Cabinet's reasons for any such disagreement.

A recorded vote was taken on the objection. The voting was taken by roll call as follows: For: Councillors Barnby, Barrand, Brooks, Bye, Foster, Hill, Kavanagh, Kennedy, Barbara Lewis, Chris Lewis, Mills, O'Dwyer, Sykes, David Thomas, Jacqueline Thomas and John Thomas (16); Against: Councillors Amil, Brown, Carter, Cowell, Mandy Darling Steve Darling, Dart, Douglas-Dunbar, Doggett, Dudley, Ellery, Howgate, Law, Long, Loxton, Manning, Morey and Stockman (18) and Absent: Councillors Atiya-Alla and Pentney (2). Therefore, the objection was declared lost.

Councillor Hill proposed and Councillor Kavanagh seconded an objection to the motion as follows:

that the Council formally objects to the Cabinet's revenue budget proposals on the basis of the Cabinet's proposals for changes to the car parking charges, in respect of the annual permit and increases in all other parking charges. This is against a background where there was a commitment to undertake a fundamental review of parking charges (which has not been undertaken) and where there was no consultation on proposed 3% increase on parking charges as part of this budget consultation. As such this Council believes that the proposals should not be implemented until the promised review of all parking charges is undertaken and further consultation undertaken, with a decision coming back to full Council.

In accordance with the Constitution at F2.9, the Council therefore requires the Cabinet to consider this objection by 20 February 2020 either:

- a) submit a revision of the estimates or amounts as amended by the Cabinet with the reasons for any amendments made to the estimates or amounts, to the Council for its consideration; or
- b) inform the Council of any disagreement that the Cabinet has with any of the Council's objections and the Cabinet's reasons for any such disagreement.

A recorded vote was taken on the objection. The voting was taken by roll call as follows: For: Councillors Barnby, Barrand, Brooks, Bye, Foster, Hill, Kavanagh, Kennedy, Barbara Lewis, Chris Lewis, Mills, O'Dwyer, Sykes, David Thomas, Jacqueline Thomas and John Thomas (16); Against: Councillors Amil, Brown, Carter, Cowell, Mandy Darling Steve Darling, Dart, Douglas-Dunbar, Doggett, Dudley, Ellery, Howgate, Law, Long, Loxton, Manning, Morey and Stockman (18) and Absent: Councillors Atiya-Alla and Pentney (2). Therefore, the objection was declared lost.

Councillor Barrand proposed and Councillor Mills seconded an objection to the motion as follows:

that the Council formally objects to the Cabinet's revenue budget proposals on the basis the Cabinet's draft Community and Corporate Plan has a commitment to becoming the UK's premier tourist resort, whereas the budget proposals see a reduction in the funding for sea front lighting. The Council believe that the funding for sea front lighting and illuminations should be retained and in the interim current lighting should be maintained to a high level whilst a fundamental review and solution is found which could include sponsorship from external sources or more sustainable lighting options are found, eg. Weymouth Seafront have sustainable long-lasting LED programmable lighting which incurred capital spend, but has very little ongoing revenue requirement.

In accordance with the Constitution at F2.9, the Council therefore requires the Cabinet to consider this objection by 20 February 2020 either:

- a) submit a revision of the estimates or amounts as amended by the Cabinet with the reasons for any amendments made to the estimates or amounts, to the Council for its consideration; or
- b) inform the Council of any disagreement that the Cabinet has with any of the Council's objections and the Cabinet's reasons for any such disagreement.

At this juncture, a procedural motion (in accordance with Standing Order A14.1(x)) to move to the vote was proposed by Councillor Law and seconded by Councillor Steve Darling and was declared carried. Accordingly, the objection was put to the vote. The voting was taken by roll call as follows: For: Councillors Barnby,

Barrand, Brooks, Bye, Foster, Hill, Kavanagh, Kennedy, Barbara Lewis, Chris Lewis, Mills, O'Dwyer, Sykes, David Thomas, Jacqueline Thomas and John Thomas (16); Against: Councillors Amil, Brown, Carter, Cowell, Mandy Darling Steve Darling, Dart, Douglas-Dunbar, Doggett, Dudley, Ellery, Howgate, Law, Long, Loxton, Manning, Morey and Stockman (18) and Absent: Councillors Atiya-Alla and Pentney (2). Therefore, the objection was declared lost.

Councillor Kennedy proposed and Councillor Bye seconded an objection to the motion as follows:

that the Council formally objects to the Cabinet's revenue budget proposals on the basis the Cabinet's draft Community and Corporate Plan has a commitment to becoming the UK's premier tourist resort, whereas the budget proposals see a reduction in the funding for beaches. The Council believe that the funding for beaches should be retained whilst a fundamental review is undertaken to ensure that there is a long term strategy for the future provision of beaches in Torbay. If the Partnership truly believe that Torbay should and could be the premier resort in the UK, then our beach services should be prioritised.

In accordance with the Constitution at F2.9, the Council therefore requires the Cabinet to consider this objection by 20 February 2020 either:

- a) submit a revision of the estimates or amounts as amended by the Cabinet with the reasons for any amendments made to the estimates or amounts, to the Council for its consideration; or
- b) inform the Council of any disagreement that the Cabinet has with any of the Council's objections and the Cabinet's reasons for any such disagreement.

At this juncture, a procedural motion (in accordance with Standing Order A14.1(x)) to move to the vote was proposed by Councillor Cowell and seconded by Councillor Long and was declared carried. Accordingly, the objection was put to the vote. The voting was taken by roll call as follows: For: Councillors Barnby, Barrand, Brooks, Bye, Foster, Hill, Kavanagh, Kennedy, Barbara Lewis, Chris Lewis, Mills, O'Dwyer, Sykes, David Thomas, Jacqueline Thomas and John Thomas (16); Against: Councillors Amil, Brown, Carter, Cowell, Mandy Darling Steve Darling, Dart, Douglas-Dunbar, Doggett, Dudley, Ellery, Howgate, Law, Long, Loxton, Manning, Morey and Stockman (18) and Absent: Councillors Atiya-Alla and Pentney (2). Therefore, the objection was declared lost.

Councillor Barbara Lewis proposed and Councillor Jacqueline Thomas seconded an objection to the motion as follows:

that the Council formally objects to the Cabinet's revenue budget proposals on the basis the Cabinet's draft Community and Corporate Plan has a commitment to becoming the UK's premier tourist resort, whereas the budget proposals see a reduction in the funding for parks, gardens and flower beds. The Council believe that the funding for parks, gardens and flower

beds should be retained whilst a fundamental review is undertaken to ensure that there is a long term strategy for their future provision in Torbay. This to include the communities desire to assist which has not been actioned by the Cabinet. Communities are keen to engage, but have not been allowed to be involved with the progression of this idea.

In accordance with the Constitution at F2.9, the Council therefore requires the Cabinet to consider this objection by 20 February 2020 either:

- a) submit a revision of the estimates or amounts as amended by the Cabinet with the reasons for any amendments made to the estimates or amounts, to the Council for its consideration; or
- b) inform the Council of any disagreement that the Cabinet has with any of the Council's objections and the Cabinet's reasons for any such disagreement.

At this juncture, a procedural motion (in accordance with Standing Order A14.1(x)) to move to the vote was proposed by Councillor Stockman and seconded by Councillor Cowell and was declared carried. Accordingly, the objection was put to the vote. The voting was taken by roll call as follows: For: Councillors Barnby, Barrand, Brooks, Bye, Foster, Hill, Kavanagh, Kennedy, Barbara Lewis, Chris Lewis, Mills, O'Dwyer, Sykes, David Thomas, Jacqueline Thomas and John Thomas (16); Against: Councillors Amil, Brown, Carter, Cowell, Mandy Darling Steve Darling, Dart, Douglas-Dunbar, Doggett, Dudley, Ellery, Howgate, Law, Long, Loxton, Manning, Morey and Stockman (18) and Absent: Councillors Atiya-Alla and Pentney (2). Therefore, the objection was declared lost.

Councillor Steve Darling's and Councillor Cowell's original motion was then considered and agreed by the Council (by recorded vote) as set out below:

- i) **that the proposals identified for efficiencies, service change and income generation in 2020/21 be approved**
<http://www.torbay.gov.uk/media/13791/cabinets-response-to-consultation.pdf>);
- ii) **that the net revenue expenditure of £115.868m resulting in a Council Tax requirement of £72.328m for 2020/21 (a 3.99% increase in Council Tax, of which 2% is for Adult Social Care) be approved;**
- iii) **that the Dedicated Schools Grant be used in accordance with the Schools Financial Regulations and that the Chief Finance Officer be authorised to make amendments as required when the final figures are confirmed and this delegation is included in the next revision of the Council's constitution;**
- iv) **that the proposed Fees and Charges for 2020/21 be approved**
<http://www.torbay.gov.uk/media/13797/fees-and-charges.pdf>);

- v) **that, in accordance with the requirement of the Local Government Act 2003, the advice given by the Chief Finance Officer with respect to the robustness of the budget estimates and the adequacy of the Council's reserves (as set out in the report) be noted; and**
- vi) **that it be noted that the Brixham Town Council precept of £0.336m for 2020/21 will be included as part of the Torbay Council budget for Council Tax setting purposes.**

The voting was taken by roll call as follows: For: Councillors Amil, Brown, Carter, Cowell, Mandy Darling, Steve Darling, Dart, Douglas-Dunbar, Doggett, Dudley, Ellery, Howgate, Law, Long, Loxton, Manning, Morey and Stockman (18); Against: Councillors Barnby, Barrand, Brooks, Bye, Foster, Hill, Kavanagh, Kennedy, Barbara Lewis, Chris Lewis, Mills, O'Dwyer, Sykes, David Thomas, Jacqueline Thomas and John Thomas (16); and Absent: Councillors Atiya-Alla and Pentney (2).

113 Capital Plan Budget 2020/2021

Further to the meeting of the Council held on 6 February 2020, Members considered the recommendations of the Cabinet in relation to the Capital Plan 2020/2021 and Capital Strategy 2020/21 as set out in the submitted report.

In accordance with legislation, the Worshipful the Mayor of Torbay advised that recorded votes would be taken on the motion and the objection(s).

Councillor Steve Darling proposed and Councillor Cowell seconded a motion, which was agreed by the Council (by recorded vote) as set out below:

- i) **that the Capital Plan for 2020/21 as set out in Appendix 1 to the submitted report be approved; and**
- ii) **that the Capital Strategy 2020/21 be approved (<http://www.torbay.gov.uk/media/13798/capital-strategy.pdf>).**

The voting was taken by roll call as follows: For: Councillors Amil, Brown, Carter, Cowell, Mandy Darling, Steve Darling, Dart, Douglas-Dunbar, Doggett, Dudley, Ellery, Howgate, Law, Long, Loxton, Manning, Morey and Stockman (18); Abstain: Councillors Barnby, Barrand, Brooks, Bye, Foster, Hill, Kavanagh, Kennedy, Barbara Lewis, Chris Lewis, Mills, O'Dwyer, Sykes, David Thomas, Jacqueline Thomas and John Thomas (16); and Absent: Councillors Atiya-Alla and Pentney (2).

114 Treasury Management Strategy 2020/2021 (incorporating the Annual Investment Strategy 2020/2021 and the Minimum Revenue Provision Policy 2020/2021

At this juncture, the Monitoring Officer advised that the meeting had exceeded four hours in duration and in accordance with Standing Order A11.2, the Chief Finance Officer had indicated that item 5 (Treasury Management Strategy 2020/2021

(incorporating the Annual Investment Strategy 2020/2021 and Minimum Revenue Provision Policy 2020/2021)) must be transacted at the meeting. Therefore, the meeting continued.

The Council received the Treasury Management Strategy for 2020/21 as set out in the submitted report. Members noted the strategy aimed to support the provision of all Council services through the management of the Council's cash flow, debt and investment operations.

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

that Council approve:

- **the Treasury Management Strategy for 2020/21 (incorporating the Annual Investment Strategy 2020/21);**
- **the Prudential Indicators 2020/21; and**
- **the Annual Minimum Revenue Provision Policy Statement for 2020/21**

as set out in the Appendix to the submitted report.

The Worshipful The Mayor of Torbay

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Meeting: Council

Date: 27 February 2020

Wards Affected: All Wards in Torbay

Report Title: Council Tax 2020/21

Is the decision a key decision? Yes

When does the decision need to be implemented? The Council has a statutory obligation to set a Council Tax Requirement and a Council Tax for the Torbay area, including the demands of the precepting bodies, for 2020/21 before 11th March in the preceding financial year.

Executive Lead Contact Details: Councillor Darren Cowell, Cabinet Member for Finance, Darren.Cowell@torbay.gov.uk

Supporting Officer Contact Details: Martin Phillips, Chief Financial Officer, 01803 207285, Martin.phillips@torbay.gov.uk

1. Purpose and Introduction

1.1 The purpose of this technical report is to enable the Council to calculate and set the Council Tax for 2020/21.

2. Proposed Decision

2.1 That the Council is recommended to note:

2.2 On the 9th January 2020 Council approved the following Council Tax Bases for 2020/21:-

a) For the whole Council area as 46,274.88, [Item T in the formula in Section 31B of the Local Government Finance Act 1992, as amended (the "Act")]; and

b) For dwellings in the Brixham Town Council area as 6,261.12 to which a Parish precept relates.

2.3 That the Police and Crime Commissioner for Devon and Cornwall, and the Devon and Somerset Fire and Rescue Authority have issued precepts to the Council in accordance with Section 40 of the Local Government Finance Act 1992 for each category of dwellings in the Council's area as indicated in the table in paragraph 2.6 below.

That the Council is recommended to approve:

- 2.4 The Council Tax requirement for the Council's own purposes for 2020/21 (excluding Brixham Town Council) of £72,328,000.
- 2.5 That the following amounts be calculated for the year 2020/21 in accordance with Chapter Three of the Act:
- a) £317,420,006 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(2) of the Act taking into account the precept issued to it by Brixham Town Council.
- b) (£244,737,000) being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(3) of the Act.
- c) £72,683,006 being the amount by which the aggregate at 2.5(a) above exceeds the aggregate at 2.5(b) above, calculated by the Council in accordance with Section 31A(4) of the Act as its Council Tax Requirement for the year (item R in the formula in Section 31B of the Act).
- d) £1,570.68 being the amount at 2.5(c) above (Item R), all divided by Item T (2.2(a) above), calculated by the Council, in accordance with Section 31B of the Act, as the basic amount of its Council Tax for the year (including Parish precepts).
- e) £355,006 being the aggregate amount of all special items (Brixham Town Council) referred to in Section 34(1) of the Act
- f) £1,563.01 being the amount at 2.5(d) above less the result given by dividing the amount at 2.5(e) above by Item T (2.2(a) above), calculated by the Council, in accordance with Section 34(2) of the Act, as the basic amount of its Council Tax for the year for dwellings in those parts of its area to which no Parish precept relates.
- 2.6 That the Council, in accordance with Chapter Three of the Local Government Finance Act 1992, hereby sets the aggregate amounts shown in the tables below as the amounts of Council Tax for 2020/21 for each part of its area and for each of the categories of dwellings.

	Valuation Band							
	A	B	C	D	E	F	G	H
Ratio of each band to Band D	6/9	7/9	8/9	9/9	11/9	13/9	15/9	18/9
	£	£	£	£	£	£	£	£
Torbay Council	1,042.00	1,215.67	1,389.34	1,563.01	1,910.35	2,257.68	2,605.01	3,126.02
Police and Crime Commissioner	147.76	172.39	197.01	221.64	270.89	320.15	369.40	443.28
Devon and Somerset Fire and Rescue Authority	58.83	68.63	78.44	88.24	107.85	127.46	147.07	176.48

Aggregate of Council Tax Requirements ex. Town Council	1,248.59	1,456.69	1,664.79	1,872.89	2,289.09	2,705.29	3,121.48	3,745.78
Brixham Town Council	37.80	44.10	50.40	56.70	69.30	81.90	94.50	113.40
Aggregate of Council Tax Requirements including Brixham Town Council	1,286.39	1,500.79	1,715.19	1,929.59	2,358.39	2,787.19	3,215.98	3,859.18

Note: Torbay Council's precept includes the Adult Social Care "precept" set in 2016/17 to 2018/19 and 2020/21.

2.7 That the Council's basic amount of Council Tax for 2020/21 is not excessive in accordance with principles approved under Section 52ZB Local Government Finance Act 1992. (see paragraph 5.9)

3. Reason for Decision

3.1 The Council has a statutory obligation to set a Council Tax Requirement and a Council Tax for the Torbay area, including the demands of the precepting bodies, for 2020/21 before 11th March in the preceding financial year. By approving proposed decisions the Council will meet that requirement.

4 Summary

4.1 Members should note that due to the complexity of setting the council tax level in accordance with statute it is not possible to simplify this report.

4.2 The Council is required, in accordance with the Local Government Finance Act 1992, as amended by the Localism Act 2011, to set an amount of Council Tax for each of the eight Valuation Bands for the coming financial year before 11th March. This is a matter of calculation only but in accordance with Section 67 of the Act has to be set by the Council.

4.3 The Council approved the statutory Tax Base for Torbay at its meeting on the 9th January 2020 as 46,274.88 for the year 2020/21, and approved the 2020/21 Tax Base for Brixham Town Council as 6,261.12. When the "Council Tax Requirements" of the Police and Crime Commissioner for Devon and Cornwall, the Devon and Somerset Fire and Rescue Authority and Torbay Council (including Brixham Town Council) are determined, it remains only to make the statutory "basic tax" calculations in accordance with the Local Government Finance Act 1992, as amended by the Localism Act 2011, and "set" the tax for the eight Valuation Bands A to H ranging from 6/9ths to 18/9ths of the basic amount – "Band D".

4.4 The precept levels of other precepting bodies have been received. These are detailed below:

4.5 Brixham Town Council

Brixham Town Council met on 16th January 2020 and set a precept of £355,006. This results in a Band D Council Tax for 2020/21 of £56.70, (£51.29 2019/20), which is an increase of 10.55%.

4.6 Police and Crime Commissioner (PCC) for Devon & Cornwall

The Police and Crime Commissioner for Devon and Cornwall met on 7th February 2020 and set a precept (for Torbay) of £10,256,364.40. This results in a Band D Council Tax for 2020/21 of £221.64, (£212.28 2019/20), an increase of 4.41%.

4.7 Devon and Somerset Fire and Rescue Authority

Devon and Somerset Fire and Rescue Authority met on 18th February 2020 and set a precept of £4,083,295. This results in a Band D Council Tax for 2020/21 of £88.24, (£86.52 2019/20), an increase of 1.99%.

4.8 If the formal Council Tax Resolutions within 2.6 above are approved, the total basic amount “Band D” of Council Tax will be as follows:

	2019/20	2020/21	2020/21
	£	£	% Change
Torbay Council	1,503.04	1,563.01	3.99%
Police and Crime Commissioner	212.28	221.64	4.41%
Devon and Somerset Fire and Rescue Authority	86.52	88.24	1.99%
Sub-Total	1,801.84	1,872.89	3.94%
Brixham Town Council (only payable by Brixham residents)	51.29	56.70	10.55%
Total	1,853.13	1,929.59	4.13%

5 Supporting Information

- 5.1 The Partnership presented the 2020/21 revenue budget proposal to Council on 6th February 2020 which was adjourned to the 13th February 2020. Objections to the Partnership’s Revenue Budget were made at the meeting on the 13th February 2020. The 2020/21 revenue budget was set by Council on the 13th February 2020. The approved 2020/21 net revenue budget was £115.868m.
- 5.2 This is net expenditure before the Council’s general income and funding, NNDR Income, NNDR top up grant, other general grants and any collection fund surplus.
- 5.3 This results in a Council Tax requirement for the Torbay Council element of £72.328m Including the Brixham Town Council precept the Council Tax requirement is £72.683006m.

- 5.4 Expenditure at that level (as para 5.3) for Torbay Council will result in a Band D Council Tax for 2020/21 of £1,563.01, a 3.99% increase in the Torbay Council element of the Council tax.
- 5.5 Under section 52ZB(1) of the Local Government Finance Act 1992 (“the 1992 Act”) as inserted by Schedule 5 to the Localism Act 2011, each billing authority and precepting authority must determine whether its relevant basic amount of council tax for a financial year (“the year under consideration”) is excessive. If an authority’s relevant basic amount of council tax is excessive a referendum must be held in relation to that amount.
- 5.6 The question whether an authority’s relevant basic amount of council tax for a financial year (“the year under consideration”) is excessive must be decided in accordance with a set of principles determined by the Secretary of State for the year
- 5.8 The ‘Referendums Relating to Council Tax Increases (Principles) Report 2020/21’ states:-
- 5.9 *For 2020-21, the relevant basic amount of council tax of an authority which belongs to the category mentioned in paragraph 2(a) is excessive if the authority’s relevant basic amount of council tax for 2020-21 is 4% (comprising 2% for expenditure on adult social care, and 2% for other expenditure), or more than 4%, greater than its relevant basic amount of council tax for 2019-20.*
- 5.10 The Referendum Principles for 2020/21 allows local authorities (with adult social care responsibilities) to raise the council tax precept by a further 2%, this precept is to be spent on Adult Social Care. Torbay Council has included this amount in the 3.99% Council Tax increase for 2020/21.
- 5.11 For Torbay Council if the formal Council Tax Resolutions within 2.5 above are approved the change in the “relevant basic amount” (i.e. the Band D Council tax) is 3.99%, which is not excessive.
- 5.12 The gross expenditure and income figures included at 2.5 (a) and 2.5 (b) are linked to the budget digest information presented to Council in January, which are prior to any adjustments to comply with CIPFA and central government reporting requirements

6. Possibilities and Options

- 6.1 Statutory requirement, there are no alternative options.

7. Fair Decision Making

- 7.1 Statutory requirement, there are no alternative options.

8. Consultation

- 8.1 There has been extensive consultation on the budget proposals with all Members and through the Overview and Scrutiny Board meetings held in 2019/20 and consultation with stakeholders and residents through a series of Community Partnership meetings and Council staff.

9. Risks

- 9.1 The Council must set the Council Tax before 11th March each year. The Collection of Council Tax income is essential to ensure the services provided by the Council and the other precepting bodies are adequately funded.
- 9.2 If the Council fails to set a Council Tax before 11th March, it will be in breach of its statutory obligation and subject to legal challenge.

Additional Information

Council Tax referendum principles

Council Tax base 2020/21 - Report to Council 9th January 2020

<https://www.torbay.gov.uk/DemocraticServices/documents/g10319/Printed%20minutes%20Thursday%2009-Jan-2020%2017.30%20Council.pdf?T=1>

2020/21 Revenue Budget Proposals

Record of Decisions

Corporate Plan

Decision Taker

Cabinet on 20 February 2020

Decision

That the Cabinet recommend to Council:

- (i) that “One Torbay: Working for all Torbay” be approved as a Policy Framework document of the Council; and
- (ii) that the list of Policy Framework documents in the Constitution be updated to change the name to ‘Community and Corporate Plan.’

Reason for the Decision

The Community and Corporate Plan is the overarching document within the Council’s Policy Framework setting out the Council’s ambitions for the next four years.

Implementation

The recommendations of the Cabinet will be considered at the Council meeting on 27 February 2020.

Information

Following the local elections in May 2019, a Community and Corporate Plan had been prepared by the Cabinet which set out the ambitions and visions of the Council over the remainder of the four year term of office and the principles within which the Council will operate. The Plan has been subject to extensive consultation and engagement with partners and the community as part of the Partnership’s commitment to change the way the Council engages with its residents, communities and partners and amendments had been made to the document as a result.

Councillor Steve Darling proposed and Councillor Cowell seconded a motion which was agreed unanimously by the Cabinet as set out above.

Alternative Options considered and rejected at the time of the decision

None

Is this a Key Decision?

Yes

Does the call-in procedure apply?

No

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

None

Published

24 February 2020

Signed: _____ Date: _____
Leader of Torbay Council on behalf of the Cabinet

Record of Decisions

Housing Strategy

Decision Taker

Cabinet on 20 February 2020

Decision

- (i) that, the Cabinet approve the Housing Strategy 2020 ~ 2025, attached as Appendix 1 to the submitted report, and recommend the Housing Strategy to Council for approval as part of the Council's Policy Framework; and
- (ii) that the Director of Place be instructed to work with housing partners to develop a Housing Strategy Delivery Plan for approval by Cabinet no later than 30th April 2020.

Reason for the Decision

To recommend the Council to approve the Housing Strategy which forms part of the Council's Policy Framework.

Implementation

The recommendations of the Cabinet will be considered at the Council meeting on 27 February 2020.

Information

As part of the work of developing the Community and Corporate Plan, a new Housing Strategy for Torbay had been developed which set out the Cabinet's plans towards meeting its priority of improving the delivery, affordability and quality of housing in Torbay.

Consultation on the Housing Strategy took place between 17 December 2019 and 31 January 2020 together with the following documents relating to housing:

- Homelessness and Rough Sleeping Strategy;
- Housing Standards Enforcement Policy; and
- Houses in Multiple Occupation Standards.

The Housing Strategy is a Policy Framework document and requires formal approval from the Council before it can be adopted.

Councillor Long proposed and Councillor Cowell seconded a motion which was agreed unanimously by the Cabinet as set out above.

Alternative Options considered and rejected at the time of the decision

None

Is this a Key Decision?

Yes

Does the call-in procedure apply?

No

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

None

Published

24 February 2020

Signed: _____ Date: _____
Leader of Torbay Council on behalf of the Cabinet

Record of Decisions

Torre Abbey Restoration Project - Phase 3 National Heritage Lottery Fund Bid

Decision Taker

Cabinet on 20 February 2020

Decision

The Cabinet recommends to Council:

- (i) that the Director of Place be authorised to submit a National Heritage Lottery Fund (Round 1) application for £4.875m for Phase 3 of the Torre Abbey Restoration Programme as described in the submitted report; and
- (ii) that Council agrees to borrow up to £1.7m to provide the financial commitment outlined in this report and underwrite any possible shortfall in the third party matched funding element of the package.

Reason for the Decision

To support a bid for funding of the Torre Abbey Restoration Phase 3 project to help protect the Abbey, a scheduled ancient monument, for the benefit of the local community and our visitors.

Implementation

The recommendations of the Cabinet will be considered at the Council meeting on 27 February 2020.

Information

The submitted report sought approval to re-submit a Phase 3 Round 1 bid to the National Heritage Lottery Fund (NHLF) in May 2020 in respect of the Torre Abbey Restoration Programme. Whilst the Council was unsuccessful with the first Phase 3 Round 1 bid in June 2018, officers were encouraged by NHLF to submit an Expression of Interest (EOI) for Torre Abbey in respect of the re-launched Heritage Lottery funding programme. This most recent EOI was successful and as a result, in 2019, the NHLF invited the Council to submit a Round 1 application for Phase 3 of the Torre Abbey restoration project.

In previous rounds the Council, supported by the TDA, had successfully obtained HLF funding in excess of £7m which had been matched with funding contributions from Torbay Council, the Friends of Torre Abbey (FOTA) and others to reach a total investment of circa £11m for the two earlier phases of restoration and redevelopment (2006 ~ 2013). Phase 3 would require the Council borrowing up to £1.7m to underwrite any shortfall in the third party matched funding element of the package.

Councillor Morey proposed and Councillor Long seconded a motion which was agreed unanimously by the Cabinet as set out above.

Alternative Options considered and rejected at the time of the decision

Alternative options were set out in the submitted report.

Is this a Key Decision?

No

Does the call-in procedure apply?

No

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

None

Published

24 February 2020

Signed: _____ Date: _____
Leader of Torbay Council on behalf of the Cabinet

Record of Decisions

Torbay Council Annual Pay Policy Statement including Gender Pay Gap Report and Review of Pensions Discretions

Decision Taker

Cabinet on 20 February 2020

Decision

That Council be recommended:

- (i) that the Torbay Council Annual Pay Policy Statement 2020/21 as set out in Appendix 1 to the submitted report be approved for publication;
- (ii) that the Torbay Council Gender Pay Gap Report, contained within the Annual Pay Policy Statement 2020/21 in Appendix 1 be approved for publication; and
- (iii) that the Employers Pensions Discretions set out in Appendix 2 to the submitted report be approved for publication.

Reason for the Decision

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

Implementation

The recommendations of the Cabinet will be considered at the Council meeting on 27 February 2020.

Information

The submitted report set out the Council's Annual Pay Policy Statement, as required under Section 38(1) of the Localism Act 2011. It was noted that the Pay Policy Statement drew together the Council's overarching policies on pay and conditions which would be published on the Council's website. The report also set out the annual review of pensions discretions as required by the Local Government Pension Scheme Regulations. In addition, the report set out details of the Council's gender pay gap data as required by the Equality Act 2010 (Specific Duties and Public Authorities) Regulations 2017.

Councillor Carter proposed and Councillor Cowell seconded a motion which was agreed unanimously by the Cabinet as set out above.

Alternative Options considered and rejected at the time of the decision

None

Is this a Key Decision?

Yes

Does the call-in procedure apply?

No

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

None

Published

24 February 2020

Signed: _____ Date: _____
Leader of Torbay Council on behalf of the Cabinet