



Minutes of the Cabinet

7 January 2020

-: Present :-

Councillor Steve Darling (Chairman)

Councillors Long, Morey, Carter, Law and Cowell

(Also in attendance: Councillors Douglas-Dunbar, Foster, Kennedy, Chris Lewis, Mills and David Thomas)

64. Apologies

An apology for absence was received from Councillor Stockman.

65. Minutes

The Minutes of the meeting of the Cabinet held on 26 November 2019 and 17 December 2019 were confirmed as a correct record and signed by the Chairman subject to minute 54.3 being amended to read 'Quarterly 'back to the floor' visits would be undertaken by ~~Cabinet Member~~ **all Councillors** and Senior Officers.'

66. Communications

The Cabinet Member for Economic Regeneration, Tourism and Housing, Councillor Long provided Members with an update on Crossways. Members were advised that following the Council decision in September to progress the acquisition of the Crossways shopping centre Paignton, either by negotiated purchase or a compulsory purchase order, work has been progressing as expected.

A meeting has taken place with the current owners and a suggested way forward has been presented to them. In addition to this solicitors have been appointed and work has commenced on the formal elements of compulsory purchase order.

A satisfactory planning permission will need to be obtained alongside any purchase and a scoping meeting to better define the Council's aspirations for this site has been held. Once the objectives are clear then a project team will need to be procured.

67. Matters for Consideration

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

- 68. Community Governance Review of Torbay - outcome of second stage consultation and final recommendations**
- 69. Proposed Council Tax Support Scheme 2020/21**
- 70. Exclusion of Press and Public**

Councillor Long proposed and Councillor Cowell seconded the motion, which was agreed by the Cabinet unanimously, as set out below:

that the press and public be excluded from the meeting prior to consideration of the item 12 on the agenda on the grounds that exempt information (as defined in paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972 (as amended)) was likely to be disclosed.

Prior to consideration of the item in Minute 73, the press and public were formally excluded from the meeting.

71. New Investment Opportunities

There were no new Investment Opportunities.

72. New Economic Growth Fund Opportunities

There were no new Economic Growth Fund Opportunities.

73. Funding for Torbay Leisure Centre and Riviera International Conference Centre

Chairman

Record of Decisions

Community Governance Review of Torbay - outcome of second stage consultation and final recommendations

Decision Taker

Cabinet on 07 January 2020

Decision

That the Cabinet recommend to Council:

- (i) That the responses received to the second phase consultation on the Community Governance Review of Torbay be noted as set out in Appendix 1 to the submitted report.
- (ii) That the Cabinet recommendations of the community governance review be that there shall be no change to existing community governance arrangements in Torbay and specifically:
 - (a) That no new parishes be constituted in the area under review;
 - (b) That no existing parishes in the area under review be abolished and that the name and area of Brixham parish and the electoral arrangements of Brixham Town Council remain unaltered.
 - (c) That unless the community strongly calls for the establishment of further town councils, there shall be no further community governance reviews during this term of office.
- (iii) That the Director of Corporate Services publish the final recommendations and take steps to secure that persons who may be interested in the review are informed of them; and
- (iv) That the Council be recommended to give effect to the final recommendations set out at (ii) above.

Reason for the Decision

The Local Government in Public Involvement in Health Act 2007 requires that a Community Governance Review must conclude within a period of twelve months after the start of the review. At the end of a Community Governance Review the principal council must make recommendations as to:

- (a) whether a new parish or any new parishes should be constituted;
- (b) whether existing parishes should or should not be abolished or whether the area of existing parishes should be altered; and
- (c) what the electoral arrangements for new or existing parishes, which are to have parish councils, should be.

The Partnership were keen to listen to the views of the community to inform their decision-making which is why the Cabinet are proposing not to pursue the creation of new parish/town councils for Torquay and/or Paignton or any other change to the existing community governance arrangements within Torbay, in light of the wishes of the significant majority of

respondents to the consultation on the draft recommendations of the review, who did not support any of the proposals for change.

Implementation

The Cabinet recommendations will be considered at the Council meeting on 9 January 2020.

Information

On 14 January 2019 the Council launched a community governance review of the whole area of Torbay, to consider if any changes should be made to existing arrangements including whether new parish/town councils should be created in areas of the authority that are currently unparished.

Following a first phase of consultation, Council on 22 July 2019 agreed draft recommendations, to be the subject of further consultation with local electors, residents, organisations and interested parties. Consultation on the draft recommendations opened on 2 September 2019 and closed on 25 October 2019. Appendix 1 to the submitted report set out the outcome of the consultation subsequently the submitted report proposed in accordance with the majority of responses received that the proposals in the draft recommendations are not pursued.

Alternative Options considered and rejected at the time of the decision

Alternative options were set out in the submitted report but were not discussed at the meeting.

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

9 January 2020

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

Record of Decisions

Proposed Council Tax Support Scheme 2020/21

Decision Taker

Cabinet on 07 January 2020

Decision

That the Cabinet recommend to Council:

- (i) that Personal Allowances and Premiums, used to calculate Council Tax Support, are uprated from 1 April 2020 in line with the prescribed Pensioner scheme and national working-age benefits, which are both set by the Government; and
- (ii) that the Chief Finance Officer be given delegated authority, in consultation with the Cabinet member for Corporate and Community Services, to make any further adjustments required to the Exceptional Hardship Policy and fund.

Reason for the Decision

The Council must approve the final scheme by 11 March 2020 for operation by 1 April 2020. The scheme cannot be changed mid-financial year.

The Council had initially considered an income banded scheme format for the Council Tax Support from April 2020. However due to delays with the software provider being able to present necessary assurances that all works would be successfully completed within the required timeframe the pragmatic approach to delay the implementation of this format until 2021 was taken. An approach also adopted by a number of other Devon authorities.

Therefore approval of a Council Tax Support Scheme for 2020/2021 which is based on the current scheme with no changes other than the standard yearly uprating of the personal allowances and premiums is sought.

Implementation

The Cabinet recommendations will be considered at the Council meeting on 9 January 2020.

Information

The Council has a statutory duty to provide a local Council Tax Support Scheme for working-age households within its area. The proposed scheme for 2020/2021 was based upon the current scheme with no changes other than the standard yearly uprating of the personal allowances and premiums.

Alternative Options considered and rejected at the time of the decision

Alternative options were set out in the submitted report but not discussed at the meeting.

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.

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Leader of Torbay Council on behalf of the Cabinet

Record of Decisions

Funding for the Torbay Leisure Centre and Riviera International Conference Centre

Decision Taker

Cabinet on 07 January 2020

Decision

That the decision in respect of 'Funding for the Torbay Leisure Centre and Riviera International Conference Centre', as set out in the exempt Cabinet minute 72, be approved.

Reason for the Decision

Members were asked to approve a technical change to Council restricted Minute 49 (ii) and Minute 38 (iv) in order to comply with accounting practice, this change would not result in any financial implications to the Council.

The additional funding is for landlord's improvement works, as set out in the exempt Appendices to the submitted report.

Implementation

The exempt Cabinet recommendation will be considered at the Council meeting on 9 January 2020.

Information

Members considered an exempt report that provided background to the arrangements for management of the Riviera International Conference Centre and Torbay Leisure Centre, requested approval for a technical amendment to previous decisions, requested additional funding for these assets to enable the upgrade of the facilities at both sites and provided an enhanced offer to the community, payable through rental assets.

Alternative Options considered and rejected at the time of the decision

Alternative options were set out the submitted exempt 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)

Prior to consideration of the report Councillor Loxton, who was also in attendance, declared a non-pecuniary interest as the Council's representative on the Riviera International Conference

Board of Directors.

Published

9 January 2020

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