



Minutes of the Council

5 February 2015

-: Present :-

Chairwoman of the Council (Councillor Barnby) (In the Chair)
Vice-Chairman of the Council (Councillor Hill)

The Mayor of Torbay (Mayor Oliver)

Councillors Addis, Amil, Baldrey, Brooksbank, Cowell, Davies, Darling, Doggett, Ellery, Excell, Faulkner (A), Faulkner (J), Hytche, James, Kingscote, Lewis, McPhail, Mills, Morey, Parrott, Pentney, Pountney, Pritchard, Scouler, Stockman, Stocks, Thomas (J) and Tyerman

124 Opening of meeting

Members observed a minute's silence as a mark of respect in memory of the late former Mayor and Councillor Aubrey Sawyer who passed away recently and will be greatly missed. The Chairwoman gave apologies from her Chaplain and then opened the meeting with a further minute's silence for personal reflection.

125 Apologies for absence

Apologies for absence were received from Councillors Bent, Butt, Hernandez, Stringer and Thomas (D). Councillor Faulkner (A) also gave his apologies as he had to leave the meeting early.

126 Minutes

The Minutes of the meeting of the Council held on 4 December 2014 were confirmed as a correct record and signed by the Chairwoman.

127 Declarations of interests

The following non-pecuniary and pecuniary interests were declared:

Councillor	Minute Number	Nature of interest
Doggett	132	Non-pecuniary interest as Member of Torbay Rail Line Users Group
Mayor Oliver	134	Pecuniary interest as he owns property in Torre

Excell	134	Pecuniary interest as he owns property in Torre
Parrott	136	Non-Pecuniary interest as his business has an interest in Torquay United
Pountney	136	Non-Pecuniary interest as a Member of Torbay Sports Council and Chairman of Torquay United Football in the Community Trust
James	139	Non-Pecuniary interest as member of Anti-Bullying Group

128 Communications

The Mayor advised that Torbay had been awarded nearly £4.6m of funding to deliver a number of regeneration projects. This included £1.575m from the Coastal Communities Fund - £1.1m towards the Electronics and Photonics Innovation Centre at White Rock, and a further £475,000 to deliver a retail business support project and events programme. An additional £3m from the Heart of the South West Local Enterprise Partnership local Growth Deal had also been secured for the Innovation Centre which meant this project can now move into the delivery phase. This investment confirms the importance of the Hi Tech sector in Torbay, and the opportunities it offers to create high value jobs for the future.

The Overview and Scrutiny Co-ordinator thanked everyone involved in the Priorities and Resources Panel meetings and commended the Priorities and Resources Report to the Mayor.

129 Order of Business

In accordance with Standing Order A7.2 in relation to Council meetings, the order of business was varied to enable agenda Item 7 (Members Questions) to be considered after Item 15 (Chairman/woman and Vice-Chairman/woman Select).

130 Public Question - Torquay Harbourside

In accordance with Standing Order A24, the Council heard from Mr Griffey who had submitted a statement and question in relation to the Torquay Harbourside. The Mayor responded to the statement and question that had been put forward, plus a supplementary question asked by Mr Griffey.

131 Public Question - McCarthy and Stone Site on Torre Marine

In accordance with Standing Order A24, the Council heard from Mr Long who had submitted a statement and question in relation to the McCarthy and Stone site on Torre Marine. The Executive Lead for Safer Communities, Highways, Environment and Sport responded to the statement and question that had been put forward, plus a supplementary question asked by Mr Long.

132 Notice of Motion - Great Western Trains (Mayoral Decision)

Members considered a motion in relation to Great Western Trains, notice of which was given in accordance with Standing Order A14.

It was proposed by Councillor Doggett and seconded by Councillor Darling:

This Council notes:

- the proposals for changes to the Great Western Rail Services, with the introduction of the new Intercity Express Programme (IEP) Trains;
- Torbay is the biggest tourist destination west of Bristol;
- a quality transport infrastructure is essential for the development of better paid jobs in Torbay; and
- that passenger safety and services could be jeopardised if the new Rolling Stock is used as cover for de-staffing stations, especially train dispatch staff. Threats to skilled maintenance workers' jobs in these proposals would further impact on passenger safety and services and cause problems with regard to the Rail Industry and Regions Skills Crisis and Driver Only operation would downgrade the Train Guard's Safety Operational Role and increase risks to passengers by restricting responsibility for safe operation of the train to the driver;
- that under current proposals the new rolling stock being introduced from 2018 could have the buffet car removed, meaning that hot food and meals will only be available in First Class while other passengers will be forced to rely on a trolley-only service for long, often crowded, journeys, so more seats can be crammed onto inter-city services.

That the Mayor be recommended to instruct the Executive Director of Operations and Finance to make representations to the Government and rail Franchise Operators of the Great Western Rail Services to protect the interests of passengers and the communities who rely on these railway services, by ensuring all contracts are set up to deliver properly funded, properly staffed and affordable Railways.

In accordance with Standing Order A14.3(a), the motion stood referred to the Mayor. The Mayor advised that he would accept the motion and the record of his decision is attached to these Minutes.

(Note: During consideration of Minute 132, Councillor Doggett declared his non-pecuniary interest.)

133 Notice of Motion - Parking Review (Mayoral Decision)

Members considered a motion in relation to a parking review, notice of which was given in accordance with Standing Order A14.

It was proposed by Councillor Cowell and seconded by Councillor Stockman:

As a result of the promise by the Director for Place at a recent Priorities and Resources Panel meeting, this Council notes the commitment to undertake a review of parking in Torbay.

That the Mayor be recommended to ensure that the review of parking should be thorough and not restricted to issues such as tariffs.

The process should include (but not be limited to):

- review all car parking tariffs – to include seasonal rates and special promotions;
- improved promotion of seasonal and annual permits and investigate how to make permits easier to pay for on a monthly basis;
- an economic impact assessment of parking policy and strategy;
- understand the impact on residential parking on the edges of the three towns;
- review demand for Controlled Parking Zones (CPZ);
- identify alternative options to CPZ;
- work with communities to manage parking issues such as on verges;
- an 'invest to save' strategy for use of technology and to consider the merits of increased pay on exit car parks;
- establish an 'easy pay' method of buying tourist parking permits with the hotel industry and Town Centre Company (hopefully to become the Torbay Retail and Tourism Business Improvement District)
- combine all existing strategies in to one strategic document (including 'Parking Strategy (2008)', 'Parking Policy 2012-15', 'Parking Enforcement Policy' (2013));
- representatives from business and community groups as well as other stakeholders such as the English Riviera Tourism Company and Torbay Community Development Trust should be included on the Panel; and
- analyse the effectiveness of a mobile enforcement vehicle and its' likely benefit to road safety.

The review should be undertaken in partnership with those included in the Priorities and Resources Review Panel with the Council acting as a facilitator.

The purpose of the review will be to ensure that there is a collective understanding and consensus for the fair delivery of parking in Torbay.

In accordance with Standing Order A14.3(a), the motion stood referred to the Mayor. The Mayor advised that as he had already taken the decision to review parking in response to the recommendation of the Priorities and Resources Panel, as set out in his Revenue Budget proposals for 2015/2016, he rejected the motion.

134 Notice of Motion - Torre Traffic Reversal (Mayoral Decision)

Members considered a motion in relation to Torre traffic reversal, notice of which was given in accordance with Standing Order A14.

It was proposed by Councillor Cowell and seconded by Councillor Faulkner (J):

Torbay Council is required to submit a business case to secure £400k funding from the Local Enterprise Partnership to open up access to Torquay Town Centre. This is a significant opportunity to provide direct access to the town and encourage inward investment.

This Council notes the preferred choice of the Transport Working Party to reverse the flow of traffic in Union Street through Torre from Brunswick Square and enters the town via Trematon Avenue past the Library and into Castle Circus.

Council further notes:

- That the purpose behind the reversal is to ensure a direct route in to Torquay Town centre to encourage economic recovery.
- That the Torquay Town Centre Masterplan states “it is proposed that the one-way system between Torre and Castle Circus should be reconfigured so that people heading into the town centre by car from Torre follow the most direct and attractive route via (Union Street) and do not have to follow the ‘scenic route’ via Upton Park” and there was no reference to this in the report presented to the Working Party.
- The report also failed to mention that the Town Hall Car Park is a recognised development opportunity.
- The report stated that any of the options were deliverable.

That the Mayor be recommended that Option 3 - the introduction of a signalised junction at the top of Trematon Avenue and the provision of two way traffic on the section of Union Street between Trematon Avenue and Tor Hill Road should be submitted as the business case for the reversal of traffic at Torre to the Local Enterprise Partnership.

In accordance with Standing Order A14.3(a), the motion stood referred to the Deputy Mayor in the absence of the Mayor. The Deputy Mayor rejected the motion as he supported the recommendation of the Transport Working Party for Option 1.

(Note: Prior to consideration of Minute 134, Mayor Oliver and Councillor Excell declared their pecuniary interests and withdrew from the meeting).

135 Notice of Motion - Better Rented Homes (Mayoral Decision)

Members considered a motion in relation to better rented homes, notice of which was given in accordance with Standing Order A14.

It was proposed by Councillor Stocks and seconded by Councillor Darling:

This Council notes that Torbay has:

- 8.1% of Social rented housing compared to England and Wales at 18.5%;
- significantly higher numbers of Private rented housing at 23.2% compared to England and Wales at 17.4%; and
- no current housing Strategy.

This Council welcomes the Shelter report 'Safe and Decent Homes' and its findings and recommendations such as proposing bold solutions to drive up standards and ensure everyone can access a decent, secure private rented home. Over the past year we have worked with renters, local authorities, landlords and housing and health experts to identify common-sense reforms that will strengthen the existing legislation. The report argues that we need to:

- Improve knowledge and understanding in the sector
- Improve renters' consumer bargaining power
- Increase the power of local authorities

It also suggests a range of proposals that national Government should consider, including changes to the tax regime and the role of Lenders.

That the Mayor be recommended to instruct the Interim Director of Public Health to:

- review the findings of the Shelter report 'Safe and Decent Homes' and report back to members of the Overview and Scrutiny Board in June 2015 with an action plan;
- develop a know your rights campaign for Tenants in Torbay; and
- consider what additional effective actions could be taken to tackle rogue landlords and letting agents.

In accordance with Standing Order A14.3(a), the motion stood referred to the Mayor. The Mayor rejected the motion as the Council was already working with partners to improve housing standards across Torbay and therefore a review was not required. The Mayor will continue to support the work the Council is doing to tackle rogue landlords.

136 Torbay Sports Facility and Playing Pitch Strategies (Mayoral Decision)

A revised Officer recommendation was circulated at the meeting. The Council made the following recommendations to the Mayor:

It was proposed by Councillor Excell and seconded by Councillor Lewis:

That the Mayor be recommended:

- (i) that, subject to the Torbay Playing Pitch Action Plan being amended to read 'Browns Bridge will remain a potential site for Sports provision as stated in the Local Plan. A feasibility study will be carried out to ascertain what future sports and pitches are possible on this site when funds are available.' the Sports Facilities and Playing Pitch Strategies set out in Appendices 1 and 2 to the submitted report be approved; and
- (ii) that the Executive Head of Residents and Visitor Services, in consultation with the Executive Lead for Safer Communities, Highways, Environment and Sport be delegated authority to engage with clubs, organisations and agencies across the sports sector and develop funding options for the implementation of the aims and objectives on a regular basis.

On being put to the vote, the motion was declared carried.

The Mayor considered the recommendation of the Council set out above at the meeting and the record of his decision, together with further information is attached to these Minutes.

(Note: During consideration of Minute 136, Councillors Parrott and Pountney declared their non-pecuniary interests and Councillor Faulkner (A) left the meeting.)

137 Western Corridor Improvement, Paignton - Spruce Way to Churscombe Cross - Acquisition of Land - Compulsory Purchase Order (Mayoral Decision)

The Council made the following recommendations to the Mayor:

It was proposed by Councillor Excell and seconded by Councillor Mills:

That the Mayor be recommended:

- (i) that the Head of Estates use his delegated authority to continue negotiations with the landowners for acquisition of the land required for the Western Corridor scheme to completion and to acquisition by agreement when possible;
- (ii) that authority be delegated to the Executive Head of Commercial Services to make a Compulsory Purchase Order for the land required

for the Western Corridor Highway Improvement Scheme affecting land adjacent to the A380 Kings Ash Road in accordance with the following:-

That Torbay Council makes a Compulsory Purchase Order under sections 239, 240, 249, 250 and 260 of the Highways Act 1980 for the acquisition of all interests in the land (except those already owned by the Council) and new rights within areas shown (shaded pink for areas of land in respect of which all interests are to be acquired and shaded blue for the areas over which new rights are to be acquired) on plan number 8/9/14_06 attached as Appendix 1 for the purpose of highway improvement.

- (iii) that the Executive Head of Commercial Services be authorised to:-
 - (a) take all necessary steps to secure the making, confirmation and implementation of the Compulsory Purchase Order including the publication and service of all notices and the presentation of the Council's case at any Public Inquiry;
 - (b) acquire interests in land and new rights within the Compulsory Purchase Order either by agreement or compulsorily; and
 - (c) approve agreements with land owners setting out terms for the withdrawal of objections to the Order, including where appropriate seeking exclusion of land or new rights from the Order; and
- (iv) that detailed design and preparation of proposals continue for the highway improvement scheme in order that a scheme can be implemented following acquisition of all required sections of land.

On being put to the vote, the motion was declared carried.

The Mayor considered the recommendation of the Council set out above at the meeting and the record of his decision, together with further information is attached to these Minutes.

138 Torbay Council Local Flood Risk Management Strategy (Mayoral Decision)

The Council made the following recommendation to the Mayor:

It was proposed by Councillor Excell and seconded by Councillor Mills:

That the Local Flood Risk Management Strategy for Torbay set out in Appendix 1 to the submitted report be approved.

On being put to the vote, the motion was declared carried unanimous.

The Mayor considered the recommendation of the Council set out above at the meeting and the record of his decision, together with further information is attached to these Minutes.

139 Torbay Community Anti-Bullying Strategy (Mayoral Decision)

The Council made the following recommendation to the Mayor:

It was proposed by Councillor Pritchard and seconded by Councillor James:

That the Mayor be recommended to support and endorse the Torbay Community Anti-Bullying Strategy 2015 set out at Appendix 1 to the submitted report on behalf of Torbay Council.

On being put to the vote, the motion was declared carried unanimous.

The Mayor considered the recommendation of the Council set out above at the meeting and the record of his decision, together with further information is attached to these Minutes.

(Note: During consideration of Minute 139, Councillor James declared his non-pecuniary interest.)

140 Treasury Management Strategy 2015/16 (incorporating the Annual Investment Strategy 2015/16 and the Minimum Revenue Provision Policy 2015/16)

The Council considered the submitted report setting of the Treasury Management Strategy 2015/16 which incorporated the Annual Investment Strategy 2015/16 and Minimum Revenue Provision Policy 2015/16.

It was proposed by the Mayor and seconded by Councillor Mills:

- (i) that the Treasury Management Strategy for 2015/16 (incorporating the Annual Investment Strategy 2015/16) set out at Appendix 1 to the submitted report be approved;
- (ii) that the Prudential and Treasury Indicators 2015/16 set out in Annex 1 of the submitted report be approved;
- (iii) that in line with the Council's Constitution and Financial Regulations:
 - (a) the Chief Finance Officer be authorised to take any decisions on borrowing and investments. (Delegations to the Section 151 Officer, paragraph 3.1(a));
 - (b) that the Chief Finance Officer be authorised to invest temporarily or utilise surplus monies of the Council; (Financial Regulations, paragraph 14.5); and

- (c) that the provisions outlined above exclude decisions to make loans to external organisations and that these require approval by Council. However loans of less than £50,000 to be approved by the Chief Finance Officer; and
- (iv) that the Annual Minimum Revenue Provision Policy Statement for 2015/16 as shown in Annex 2 to the submitted report be approved.

On being put to the vote, the motion was declared carried unanimous.

141 Revenue Budget 2015/2016

At the invitation of the Chairwoman, the Mayor outlined his budget proposals for 2015/16.

A copy of the record of decision setting out the recommendations of the Mayor in respect of the revenue budget proposals is attached to these Minutes.

The Chairwoman advised that in accordance with Standing Orders F2.13 and F3.12 in relation to the Budget and Policy Framework this item was referred to an adjourned meeting of Council to be held on 12 February 2015 to enable full consideration to be given to the implications of the proposals set out in the report circulated on 5 February 2015.

142 Chairman/woman and Vice-Chairman/woman Select

In accordance with the Council's Standing Orders (A9.1), the Council was required to consider selecting, by elimination ballot, the Chairman/woman-Elect and Vice-Chairman/woman-Elect for the next Municipal Year 2015/16.

It was proposed by Councillor Mills and seconded by Councillor Darling:

That no action be taken to select a Chairman/woman Elect or Vice-Chairman/woman Elect until the start of the 2015/16 Municipal Year.

On being put to the vote, the motion was declared carried unanimous.

143 Members' questions

Members received a paper detailing the questions, as set out at Appendix 1 to these Minutes, notice of which had been given in accordance with Standing Order A13.

Verbal responses were provided at the meeting. Supplementary questions were then asked and answered in respect of the questions.

144 Standing Order D11 (in relation to Overview and Scrutiny) - Call-in and Urgency

Members noted the submitted report setting out the executive decisions taken by the Mayor to which the call-in procedure did not apply.

145 Urgent Decision taken by the Chief Operating Officer under the Officer Scheme of Delegation

Members noted the submitted report setting out details of an urgent decision taken by the Chief Operating Officer/Executive Director of Operations and Finance in accordance with the Council's Officer Scheme of Delegation.

146 Adjournment

At this juncture, the Chairwoman adjourned the meeting to 5.30 p.m. on Thursday, 12 February 2015.

Chairwoman

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Record of Decisions

Notice of Motion - Great Western Trains (Mayoral Decision)

Decision Taker

Mayor on 05 February 2015

Decision

That the motion be supported.

Reason for the Decision

To respond to the motion.

Implementation

This decision will come into force and may be implemented on Wednesday, 18 February 2015 unless the call-in procedure is triggered (as set out in the Standing Orders in relation to Overview and Scrutiny).

Information

At the Council meeting held on 5 February 2015, Members received a motion, as set out below, notice of which had been given in accordance with Standing Order A14 by Councillors Doggett and Darling.

This Council notes:

- the proposals for changes to the Great Western Rail Services, with the introduction of the new Intercity Express Programme (IEP) Trains;
- Torbay is the biggest tourist destination west of Bristol;
- a quality transport infrastructure is essential for the development of better paid jobs in Torbay; and
- that passenger safety and services could be jeopardised if the new Rolling Stock is used as cover for de-staffing stations, especially train dispatch staff. Threats to skilled maintenance workers' jobs in these proposals would further impact on passenger safety and services and cause problems with regard to the Rail Industry and Regions Skills Crisis and Driver Only operation would downgrade the Train Guard's Safety Operational Role and increase risks to passengers by restricting responsibility for safe operation of the train to the driver;
- that under current proposals the new rolling stock being introduced from 2018 could have the buffet car removed, meaning that hot food and meals will only be available in First Class while other passengers will be forced to rely on a trolley-only service for long, often crowded, journeys, so more seats can be crammed onto inter-city services.

That the Mayor be recommended to instruct the Executive Director of Operations and Finance to make representations to the Government and rail Franchise Operators of the Great Western

Rail Services to protect the interests of passengers and the communities who rely on these railway services, by ensuring all contracts are set up to deliver properly funded, properly staffed and affordable Railways.

Alternative Options considered and rejected at the time of the decision

None

Is this a Key Decision?

No

Does the call-in procedure apply?

Yes

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

None

Published

10 February 2015

Signed: _____
Mayor of Torbay

Date: 10 February 2015

Record of Decisions

Torbay Sports Facility and Playing Pitch Strategies (Mayoral Decision)

Decision Taker

Mayor on 05 February 2015

Decision

- (i) that, subject to the Torbay Playing Pitch Action Plan being amended to read 'Browns Bridge will remain a potential site for Sports provision as stated in the Local Plan. A feasibility study will be carried out to ascertain what future sports and pitches are possible on this site when funds are available.' the Sports Facilities and Playing Pitch Strategies set out in Appendices 1 and 2 to the submitted report be approved; and
- (ii) that the Executive Head of Residents and Visitor Services, in consultation with the Executive Lead for Safer Communities, Highways, Environment and Sport be delegated authority to engage with clubs, organisations and agencies across the sports sector and develop funding options for the implementation of the aims and objectives on a regular basis.

Reason for the Decision

To provide updated Sports Facilities and Playing Pitch Strategies which sets out an overall vision for sport in Torbay and gives a clear sense of direction with planned and prioritised actions based upon established need and informed by analysis of appropriate data and evidence.

Implementation

This decision will come into force and may be implemented on Wednesday, 18 February 2015 unless the call-in procedure is triggered (as set out in the Standing Orders in relation to Overview and Scrutiny).

Information

The submitted report sets out the Torbay Sports Facilities and Playing Pitch Strategies which have been developed with support from Sport England which set out the strategic direction and site specific priorities for the future delivery of sport facilities across Torbay until 2021. A revised Officer recommendation was circulated at the meeting.

The Mayor considered the recommendations of the Council made on 5 February 2015 and his decision is set out above.

Alternative Options considered and rejected at the time of the decision

Alternative options are set out in the submitted report.

Is this a Key Decision?

Yes – Reference Number: I017749

Does the call-in procedure apply?

Yes

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

Councillor Parrott declared a non-pecuniary interest as his business as an interest in Torquay United.

Councillor Pountney declared a non-pecuniary interest as a member of Torbay Sports Council and Chairman of Torquay United Football in the Community Trust.

Published

10 February 2015

Signed: _____
Mayor of Torbay

Date: 10 February 2015

Record of Decisions

**Western Corridor Improvement, Paignton - Spruce Way to Churscombe Cross -
Acquisition of Land - Compulsory Purchase Order (Mayoral Decision)**

Decision Taker

Mayor on 05 February 2015

Decision

- (i) that that Head of Estates use his delegated authority to continue negotiations with the landowners for acquisition of the land required for the Western Corridor scheme to completion and to acquisition by agreement when possible;
- (ii) that authority be delegated to the Executive Head of Commercial Services to make a Compulsory Purchase Order for the land required for the Western Corridor Highway Improvement Scheme affecting land adjacent to the A380 Kings Ash Road in accordance with the following:-

That Torbay Council makes a Compulsory Purchase Order under sections 239, 240, 249, 250 and 260 of the Highways Act 1980 for the acquisition of all interests in the land (except those already owned by the Council) and new rights within areas shown (shaded pink for areas of land in respect of which all interests are to be acquired and shaded blue for the areas over which new rights are to be acquired) on plan number 8/9/14_06 attached as Appendix 1 for the purpose of highway improvement.

- (iii) that the Executive Head of Commercial Services be authorised to:-
 - (a) take all necessary steps to secure the making, confirmation and implementation of the Compulsory Purchase Order including the publication and service of all notices and the presentation of the Council's case at any Public Inquiry;
 - (b) acquire interests in land and new rights within the Compulsory Purchase Order either by agreement or compulsorily; and
 - (c) approve agreements with land owners setting out terms for the withdrawal of objections to the Order, including where appropriate seeking exclusion of land or new rights from the Order; and
- (iv) that detailed design and preparation of proposals continue for the highway improvement scheme in order that a scheme can be implemented following acquisition of all required sections of land.

Reason for the Decision

To enable the Council to acquire land between Spruce Way and Churscombe Cross for use as part of the Western Corridor Improvement, Paignton.

Implementation

This decision will come into force and may be implemented on Wednesday, 18 February 2015 unless the call-in procedure is triggered (as set out in the Standing Orders in relation to

Overview and Scrutiny).

Information

The submitted report seeks to ensure that the major highway improvement scheme for the Western Corridor, Paignton is delivered by requesting Members' approval to make a Compulsory Purchase Order for land required for the Scheme between Spruce Way and Churscombe Cross if agreement cannot be made with the land owners.

The Mayor considered the recommendations of the Council made on 5 February 2015 and his decision is set out above.

Alternative Options considered and rejected at the time of the decision

Alternative options are set out in the submitted report.

Is this a Key Decision?

Yes – Reference Number: I018222

Does the call-in procedure apply?

Yes

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

None

Published

10 February 2015

Signed: _____
Mayor of Torbay

Date: 10 February 2015

Record of Decisions

Torbay Council Local Flood Risk Management Strategy (Mayoral Decision)

Decision Taker

Mayor on 05 February 2015

Decision

That the Local Flood Risk Management Strategy for Torbay set out in Appendix 1 to the submitted report be approved.

Reason for the Decision

Torbay Council as a Unitary Authority has been designated as the Lead Local Flood Authority (LLFA) for Torbay and under Section 10 of the Flood and Water Management Act 2010 (FWMA) and is required to develop, maintain, apply and monitor a Local Flood Risk Management Strategy (LFRMS) for Torbay.

Implementation

This decision will come into force and may be implemented on Wednesday, 18 February 2015 unless the call-in procedure is triggered (as set out in the Standing Orders in relation to Overview and Scrutiny).

Information

The submitted report sets out the Torbay Council Local Flood Risk Management Strategy, a high level strategy for addressing flood risk from local sources including surface water, groundwater and ordinary watercourses.

In order to comply with the local outcome measures contained within the Torbay Council Local Flood Risk Management Strategy, in conjunction with the Environment Agency, the Mayor had approved a study into Torbay's coastal defence structures. This study will identify works that are required to maintain these defences for the next 100 years allowing for the effects of climate change. Following completion of the study any works that are required will be carried out at each coastal defence structure between 2016 and 2020 subject to funding. Funding for these works is identified within the Environment Agency's medium term financial plan and Torbay Council's financial contribution is identified within our capital investment plan reserve list.

The Mayor considered the recommendation of the Council made on 5 February 2015 and his decision is set out above.

Alternative Options considered and rejected at the time of the decision

Alternative options are set out in the submitted report.

Is this a Key Decision?

Yes – Reference Number: I018099

Does the call-in procedure apply?

Yes

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

None

Published

10 February 2015

Signed: _____
Mayor of Torbay

Date: 10 February 2015

Record of Decisions

Torbay Community Anti-Bullying Strategy (Mayoral Decision)

Decision Taker

Mayor on 05 February 2015

Decision

That the Mayor supports and endorses the Torbay Community Anti-Bullying Strategy 2015 set out at Appendix 1 to the submitted report on behalf of Torbay Council.

Reason for the Decision

This is a community wide strategy and endorsement by the Council will help the community in applying for funding and securing support of organisations across Torbay.

Implementation

This decision will come into force and may be implemented on Wednesday, 18 February 2015 unless the call-in procedure is triggered (as set out in the Standing Orders in relation to Overview and Scrutiny).

Information

Bullying is an issue that affects many young people in Torbay, especially those in more vulnerable groups. Its affects can be devastating and long lasting with evidence suggesting a wide range of impacts both on the individual and society as a whole when it is not adequately dealt with. The issue is repeatedly raised by young people as their number one concern and therefore it is the duty of elected members to consider their concerns and seek to address them. The submitted report sets out a strategy to tackle bullying which has been created by the community and requests that the Council endorses the strategy.

The Mayor considered the recommendation of the Council made on 5 February 2015 and his decision is set out above.

Alternative Options considered and rejected at the time of the decision

Alternative options are set out in the submitted report.

Is this a Key Decision?

No – Reference Number: I019332

Does the call-in procedure apply?

Yes

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

Councillor James declared a non-pecuniary interest as a member of the Anti-Bullying Group.

Published

10 February 2015

Signed: _____
Mayor of Torbay

Date: 10 February 2015

Record of Decisions

Revenue Budget 2015/2016

Decision Taker

Mayor on 05 February 2015

Decision

- (a) That it be recommended to Council:
- (i) that the revenue budget for 2015/16 (paragraph 4.15 to the submitted report) and the associated fees and charges be approved;
 - (ii) that a contingency of £1.4m be created to mitigate against any unforeseen or emerging budget pressures that may arise within Social Care and other services;
 - (iii) that due to the timing of and deliverability of savings within Adult Social Care, the £1.566m saving for joint working, shared commissioning, new income and efficiencies is deferred for one year and delivered in 2016/17;
 - (iv) in response to the government announcement as to the amount they expect local authorities to receive for Welfare Assistance (Crisis Support Fund) the Council makes budget provision of £0.4m for the continuation of this scheme in 2015/16 and future years;
 - (v) that the final notified Dedicated Schools Grant be used in accordance with the nationally laid down Schools Financial Regulations (paragraph 6.5 to the submitted report) and that the Chief Finance Officer be authorised to make amendments as required when the final figures are confirmed;
 - (vi) that the Members' Allowances Scheme be implemented in 2015/2016 in accordance with the decision of the Council at its meeting on 1 February 2012 in line with the announced annual local government pay percentage increase (paragraph 6.1 (b) to the submitted report);
 - (vii) that the Chief Finance Officer in consultation with the Mayor and Executive Lead Member for Finance be authorised to approve or earmark expenditure from the Comprehensive Spending Review Reserve;
 - (viii) that in accordance with the requirement of the Local Government Act 2003, to consider and note 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 (sections 7 to 9 to the submitted report);
 - (ix) that the Chief Finance Officer, in consultation with the Mayor and Executive Lead Member for Finance, be authorised to make adjustments to and introduce new fees and charges within the budget during 2015/16 if it is in the best interest for the Council;
 - (x) that the Chief Finance Officer, in consultation with the Mayor, Executive Lead Member for Finance and appropriate officers, be authorised to determine the

allocation and expenditure of any new grant monies, unallocated grants, underspends or other additional income that may be received during the year 2015/16;

- (xi) that the Chief Finance Officer be authorised to make adjustments to the budgets for any technical changes;
 - (xii) that the Chief Finance Officer prepare the appropriate documentation for the Council to approve the setting of Council Tax at the meeting on 26 February 2015 and all other returns to be made by the appropriate date;
 - (xiii) that Capital Strategy and Asset Management Plan be approved and endorsed as set out at <http://www.torbay.gov.uk/draft-amp.doc> and <http://www.torbay.gov.uk/summarycapitalstrategy.doc>;
 - (xiv) that the latest updated Medium Term Resource Plan be noted, as set out at <http://www.torbay.gov.uk/mtrp-v5.doc>;
 - (xv) that it be noted that Torbay has continued to be part of the Devonwide Pool as part of the Business Rates Retention scheme;
 - (xvi) that the completed NNDR1 form be noted which forms part of the Council's overall income to fund the 2015/16 budget (as set out at <http://www.torbay.gov.uk/signedcopyofnndr1-201516.pdf>);
 - (xvii) the collection fund surplus as set out in section 4 of the submitted report which forms part of the Council's overall income to fund the 2015/16 budget be noted.
 - (xviii) that the additional £0.261m Revenue Support grant announced on 4 February 2015 be allocated to a contingency for social care.
- (b) that due to the size of the reductions required to deliver a balanced budget and their impact, Council accept all the risks in preparing this budget both in terms of the impact upon service delivery and the potential for budget pressures which may require remedial action during the year. These risks have been identified in detail in this report and associated budget proposals prepared by officers for their respective Business Units.

Reason for the Decision

The Council has a statutory obligation to set a budget each year. The approval of the 2015/16 budget will assist the Council in delivering its key objectives and meet its statutory obligations.

For the Mayor to respond to the recommendations of the Overview and Scrutiny Board.

Implementation

The recommendations of the Mayor will be considered at the adjourned meeting of Council to be held on 12 February 2015.

Information

The Mayor's provisional budget proposals were published on 4 December 2014. The process

was different to previous years due to the fact Council had already approved Budget Savings proposals at its meetings in February 2014 and October 2014.

The Council has been through a detailed consultation on the budget savings proposals. Members of the Overview and Scrutiny Board examined the proposals in detail and stakeholders and residents have had the opportunity to make representations on the proposals. The Mayor considered all of the responses received and the final saving proposals were drawn up after consideration of the various reports presented to Members.

The approved budget savings proposals from October (and February 2014) form the basis of the 2015/16 budget and will support the Council in delivering its key aims and objectives.

The prospective budget for 2015/16 has been developed on key principles that reflect the priorities of the Council of securing a cleaner Torbay and more prosperous economy, whilst, as far as possible, protecting Children's and Adult Services.

In addition to the Revenue Budget proposals for 2015/16, the report encompasses the Capital Strategy and Asset Management Plan.

At the Council meeting on 5 February 2015, the Mayor made a statement on the budget for 2015/16 and responded to the Priorities and Resources Panel, as outlined in paragraph 5 of the submitted report.

Alternative Options considered and rejected at the time of the decision

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

Is this a Key Decision?

Yes – Reference Number: I018005

Does the call-in procedure apply?

No

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

None

Published

10 February 2015

Signed: _____
Mayor of Torbay

Date: 10 February 2015

