



Minutes of the Overview and Scrutiny Board

12 July 2017

-: Present :-

Councillors Barnby, Bent, Darling (S), Lewis (C), Stockman, Stocks, Sykes, Tolchard and Tyerman

(Also in attendance: Councillors Amil, Brooks, Excell, Haddock, King, Mills, Robson and Thomas (D))

1. Election of Chairman

Councillor Lewis (C) was elected Chairman of the Board of the 2017/2018 Municipal Year.

Councillor Lewis (C) in the Chair

2. Apologies

It was reported that, in accordance with the wishes of the Conservative Group, the membership of the Board had been amended to include Councillor Sykes in place of Councillor Bye.

Apologies for absence were received from the Mayor and Councillor Parrott and from Councillor Morey who was one of the signatories to the call-in which was on the agenda.

3. Appointment of Vice-chairman

Resolved: that Councillor Stockman be appointed Vice-chairman of the Board for 2017/2018.

4. Minutes

The minutes of the meeting of the Board held on 3 May 2017 were confirmed as a correct record and signed by the Chairman.

5. Urgent Items

The Board considered the items in Minute 6, and not included on the agenda, the Chairman being of the opinion that they were urgent by reason of special circumstances i.e. the matters having arisen since the agenda was prepared and it was unreasonable to delay a decision until the next meeting.

6. Petition requesting a covenant protecting Churston Golf Course from development

The Board considered the details of a call-in by seven Members of the Council of the decision of the Mayor to enter into a deed of covenant with the residents of Churston with Galmpton Ward for a period of 10 years in respect of land at Churston Golf Course.

The Call-in Promoter outlined that the decision had been published alongside a report issued by the Monitoring Officer pursuant to section 5 of the Local Government and Housing Act 1989. The Monitoring Officer's report set out her view that the Mayor's decision was outside the Council's Budget and Policy Framework and was therefore ultra vires.

The Deputy Mayor read a letter from the Mayor to the Chairman of the Board asking that consideration of the call-in be deferred until he had responded to the Monitoring Officer's report (which he was required to do within 21 days of it being issued).

Members of the Board indicated that they were minded to agree that the decision was contrary to the Council's Budget and Policy Framework and, at that point, the Monitoring Officer provided advice to the Board.

Resolved: that, having heard the Monitoring Officer reconfirm her advice that the decision of the Mayor to place a covenant on the land at Churston Golf Course was contrary to the Policy Framework, the matter shall be referred to the Council in accordance with the Constitution.

7. Update of Torbay Economic Strategy

The Board considered a draft report which had been prepared following a meeting of a Task-and-Finish Group to consider the draft Economic Strategy issued by the Mayor.

Resolved: that the Report be approved and forwarded to the Mayor in response to his consultation on the draft Economic Strategy.

8. Transformation Project - Modernisation of the CCTV System

The Board had before it a report prepared following a meeting of a task-and-finish group which had met to consider the business case for replacing the Council's CCTV system.

Resolved: that the report be approved and submitted to the Council for consideration.

9. Strategic Agreement between Torbay and South Devon NHS Foundation Trust and Torbay Council/South Devon and Torbay Clinical Commissioning Group

The Assistant Director – Corporate and Business Services provided an update on the proposals for the Strategic Agreement between the Council and the Torbay and South Devon NHS Foundation Trust and the South Devon and Torbay Clinical Commissioning Group. Representatives from the Trust and the CCG also answered the Board's questions.

The proposed Strategic Agreement included a variation to the Risk Share Agreement whereby the Council would “buy-out” its share of the risk at a set amount for the remainder of the agreement. This would involve the Council providing a higher amount of funding to the Trust than the core funding currently provided. However, it was expected that this fixed amount would be less than the total amount that would need to be provided in future years to take account of the deficits projected by the Trust. The proposed Agreement provided certainty for the Council moving forward on an otherwise potentially volatile budget.

Resolved: that the Council be recommended to accept the proposed variation of the Risk Share Agreement for current and future years subject to the Trust and the CCG also endorsing and agreeing this approach in July 2017.

10. Acute Services Review

Representatives from Torbay and South Devon NHS Foundation Trust and South Devon and Torbay Clinical Commissioning Group (CCG) provided an update on the Acute Services Review which had been announced alongside the Devon-wide Sustainability and Transformation Plan in November 2016.

The review was being undertaken as doctors had identified that key acute hospital services were likely to become unsustainable in future due to the difficulty of recruiting certain clinical staff, large increases in demand for services and the challenge of consistently meeting national service standards.

The review had focused on the high priority acute services: urgent and emergency care; stroke; and maternity, neonatology and paediatrics. The report presented set out the clinically preferred recommendations. The next steps of the review would be test the recommendations in more detail to ensure that they can be delivered with safe, cost-effective and reliable staffing solutions for the future.

The Board were assured that they would be kept informed of future developments and that, should any final proposal be likely to result in a significant change to local services, the public would be fully consulted in line with NHS statutory requirements.

11. Torbay Air Show

The Board considered the report which was scheduled to be presented to the Council at its meeting on 20 July 2017 that provided a summary of the outcomes

of the second Torbay Airshow and a revised financial proposal to support the Airshow in future years.

Resolved: that it be recommended to the Council that:

- (i) the future delivery of the Torbay Airshow be supported;
- (ii) further consideration be given to how the Airshow can provide an opportunity to create greater benefits which support the Council's broader corporate objectives (including providing opportunities for the Council's Looked After Children); and
- (iii) the figures provided within the proposed budget for the Airshow in future years should reflect the ambition to reduce the costs to the Council of the Airshow.

12. Transformation project - Generating income through Housing Policy Framework Document

The Assistant Director – Corporate and Business Services provided an update to the Board on the proposed amendment to the Mayor's Policy Framework proposal in relation to the Housing Company.

13. Revenue Budget 2018/2019

The Board considered a draft report which had been prepared following a series of meetings which had been held to discuss the Council's revenue budget for 2017/2018 and the implications for 2018/2019.

Resolved: that, subject the Board's decisions in respect of the Annual Strategic Agreement, CCTV and the Airshow made at this meeting being reflected, the Report be approved and forwarded to the Mayor for him to take into account when he publishes his proposals for the Council's overall financial approach for 2018/2019.

14. Work Programme

Resolved: that the Work Programme for 2017/2018 be approved.

Chairman
