

Minutes of the Executive

11th October 2005

-: Present :-

Councillor Jennings (Chairman)

Councillors Carter and Faulkner (Mr A)

(Also in attendance: Councillors Brennan, Bye, Carroll, McPhail and Turnbull)

669. Apologies. Apologies for absence were received from Councillors Harris, Lomas and McHugh.

670. Minutes. The Minutes of the meeting of the Executive held on 13th September 2005 were confirmed as a correct record and signed by the Leader of the Council.

671. Public Question Time Session. The Executive heard from three members of the public who had submitted questions and a statement in relation to the cross at the crematorium in accordance with the Council's Standing Orders. The Executive Member for Environmental Services responded in turn, to the questions and the statement that had been put forward.

672. Urgent Items. The Executive considered the items in Minutes 673.2 and 673.12, and not included on the agenda, the Leader 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.

673. Matters for Consideration. The Executive considered the following matters, details of which (including the decisions of the Executive) are set out in the Record of Decisions in Appendix 1 to these Minutes.

673.1 Notice of Motion – Wooden Cross, Crematorium.

673.2 Development of the Council's Procurement Team.

673.3 Notice of Motion – Pensioners.

673.4 Medium Term Financial Plan.

673.5 Review of Reserves 2006/2007.

673.6 Paignton Multi-Agency Advice Network.

673.7 Contract for Street Lighting.

673.8 Review of Contaminated Land Strategy.

673.9 Photocopiers – Equipment Exchange.

673.10 Land at Queens Park, Paignton.

673.11 Review of Adult Social Services – Action Plan.

673.12 Care Package – Case 10/10/05.

(Note: Prior to consideration of the item in Minute 673.12, the press and public were formally excluded from the meeting on the grounds that the item involved the likely disclosure of exempt information as defined in paragraphs 8 and 9 of Part 1 of Schedule 12A of the Local Government Act 1972.)

Mayor of Torbay



APPENDIX 1

**to the Minutes of the meeting of the Executive
held on 11th October 2005**

RECORD OF DECISION

NOTICE OF MOTION – WOODEN CROSS, CREMATORIUM

Decision Taker

The Executive at its meeting held on 11th October 2005

Decision

- (i) That consideration of the matter be deferred to enable a consultation meeting to take place involving the Director of Environment, an elected Member and a representative from the church and secular communities and the Crematorium Society/Institute of Cemeteries and Crematoria Management to consider the appropriateness of fixing a cross on the wall of the crematorium with the provision of a curtain so that the cross could be concealed upon request, and
- (ii) that the Strategic Director for Environment, in consultation with the Executive Member for Environmental Services, be authorised to determine the matter having had regard to the views expressed at the meeting referred to in (i) above

Reason for Decision

To respond to the Notice of Motion.

Information

The following Notice of Motion was presented to the Council at its meeting on 15th September 2005 in accordance with Standing Order 14 in relation to Council and Committee Meetings and was referred to the Executive for consideration:-

“The removal of the wooden cross from Torquay Crematorium has caused worry and distress amongst the residents of Torbay, and the decision was to remove it was the wrong one.

To this end, this Council resolves to restore the wooden cross at Torquay Crematorium to its rightful place, and to take measures to ensure that it can be covered up as and when requested.”

Alternative options considered and rejected at the time of the decision

To support the Notice of Motion.

Is this a Key Decision? (Give reference number if applicable)

No

Does the call-in procedure apply? (If no, please give reason)

Yes

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

None

APPENDIX 1 (continued)

Published

Friday, 14th October 2005

Implementation

This decision will come into force and may be implemented on Monday, 24th October 2005 unless the call-in procedure is triggered (as set out in Standing Orders in relation to Overview and Scrutiny).

APPENDIX 1 (continued)

RECORD OF DECISION

DEVELOPMENT OF THE COUNCIL'S PROCUREMENT TEAM

Decision Taker

The Executive at its meeting held on 11th October 2005

Decision

- (i) That additional annual resources of £110,000 be allocated to the base budget of the Corporate Property and Procurement Team budget with effect from 2006/2007 to expedite the further development of the corporate procurement function in line with paragraph 7.7 of report 463/2005,
- (ii) that the Director of Finance in consultation with all Directors and Heads of Business Units, as part of the budget development process for 2006/2007, be requested to reduce such relevant budgets as he considers reasonably necessary to meet the costs of (i) above, and
- (iii) that £15,000 be allocated from the balance of contingencies for 2005/2006 to enable the Assistant Director (Corporate Property and Procurement) to commence recruitment immediately.

Reason for Decision

To assist the Council in meeting its obligations in relation to procurement as set out in the National Procurement Strategy, the National E-Procurement Programme and the Gershon Review.

Information

Report 463/2005 requested that consideration be given to the allocation of additional resources in the Council's Procurement Team as an 'invest to save' initiative.

Past evidence suggested that investment in procurement capacity would deliver significantly greater efficiency savings through reduced process costs as well as actual cost savings. It was considered that the additional savings achievable from the proposals would cover costs by the end of 2006/2007 and thereafter achieve substantial efficiency gains.

Alternative options considered and rejected at the time of the decision

No additional resources be invested in the Council's Procurement function.

Is this a Key Decision? (Give reference number if applicable)

No

Does the call-in procedure apply? (If no, please give reason)

Yes

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

None

APPENDIX 1 (continued)

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APPENDIX 1 (continued)

RECORD OF DECISION

NOTICE OF MOTION - PENSIONERS

Decision Taker

The Executive at its meeting held on 11th October 2005

Decision

That the motion be adopted, subject to the fifth suggested right of pensioners (listed below) being amended to read “Free high quality long term care”.

Reason for Decision

To respond to the Notice of Motion.

Information

The following Notice of Motion was presented to the Council at its meeting on 29th September 2005 in accordance with Standing Order 14 in relation to Council and Committee Meetings and was referred to the Executive for consideration:-

“Torbay Council resolves to support the National Pensioners Convention in their efforts to secure a fairer deal for pensioners.

In particular, this Council is happy to sign up to the goals laid out in the Convention’s Charter as laid out below.

Every man and woman on reaching state pensionable age will have the right to:

- ☐ A basic state pension set above the official poverty level and linked to average male earnings.
- ☐ A warm and comfortable home.
- ☐ Free health care and treatment based on clinical need and an annual comprehensive health check.
- ☐ Free community care and services to assist living at home.
- ☐ Free long term care.
- ☐ Free nationwide travel on all public and local transport.
- ☐ Free education, access to and participation in leisure and cultural activities.
- ☐ Goods, services and benefits without age discrimination.
- ☐ Active engagement and consultation on national and local issues affecting older citizens.
- ☐ Advocacy, dignity, respect and fair treatment in all aspects of their lives”.

Alternative options considered and rejected at the time of the decision

None

Is this a Key Decision? (Give reference number if applicable)

No

Does the call-in procedure apply? (If no, please give reason)

Yes

APPENDIX 1 (continued)

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

None

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APPENDIX 1 (continued)

RECORD OF DECISION

MEDIUM TERM FINANCIAL PLAN

Decision Taker

The Executive at its meeting held on 11th October 2005

Decision

- (i) That the latest financial projections for the Council for 2006/2007 and later years be noted, and
- (ii) that the Overview and Scrutiny Board be requested to review the Medium Term Financial Plan as part of the budget process.

Reason for Decision

To facilitate the budget setting process.

Information

Report 444/2005 set out an updated version of the Medium Term Financial Plan which informed Members of the projected financial position of the Authority for the period up to and including 2008/2009 based on the latest information available to the Council.

Alternative options considered and rejected at the time of the decision

None

Is this a Key Decision? (Give reference number if applicable)

No

Does the call-in procedure apply? (If no, please give reason)

Yes

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

None

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APPENDIX 1 (continued)

RECORD OF DECISION

REVIEW OF RESERVES 2006/2007

Decision Taker

The Executive at its meeting held on 11th October 2005

Decision

- (i) That the Council's policy for reserves as detailed in paragraph 8 of report 451/2005 be approved, and
- (ii) that the Overview and Scrutiny Board be invited to review the analysis of the Council's reserves and report back during the budget round any new proposals.

Reason for Decision

To facilitate the budget setting process.

Information

Report 451/2005 requested Members to review the Council's reserves as part of the 2006/2007 budget setting process. The report set out the relevant legislative requirements, provided a breakdown of the reserves and put forward a suggested policy for the reserves for endorsement.

Alternative options considered and rejected at the time of the decision

None

Is this a Key Decision? (Give reference number if applicable)

No

Does the call-in procedure apply? (If no, please give reason)

Yes

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

None

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APPENDIX 1 (continued)

RECORD OF DECISION

PAIGNTON MULTI-AGENCY ADVICE NETWORK

Decision Taker

The Executive at its meeting held on 11th October 2005

Decision

- (i) that the vision for a cross sector, multi-agency, One Stop Shop for advice and information services in Torbay be supported in principle;
- (ii) that bids for external funding be pursued through the Torbay Citizens Advice Bureau in partnership with the Council;
- (iii) that the Council commits the necessary resources and expertise to bring the project to fruition;
- (iv) that any Council funding which may be required to support the development of the project be considered through the annual Capital Plan budget review process;
- (v) that the provision of a Council owned site be approved in principle subject to a detailed financial appraisal of the site under consideration being undertaken;
- (vi) that the Director of Finance, in consultation with the Strategic Director (Community), the Director of Law and Support and the relevant Executive Member, be authorised to discuss potential land swaps to enable a suitable site to be assembled;
- (vii) that a final decision about the site allocation be made in the light of the outcome of (v) and (vi) above and the funding requirements of the Council; and
- (viii) that the Council enters into negotiations with Torbay Citizens Advice Bureau to set up appropriate management arrangements for the facility.

Reason for Decision

The scheme would increase the likelihood of obtaining external funding, improve customer service and perception and reinforce the Council's commitment to partnership working with the voluntary sector to deliver services.

Information

Report 445/2005 advised that three years ago, the Citizens Advice Bureau (CAB) and the Council agreed in principle a 40 year lease for the development of a CAB office at Victoria Square in Paignton. The proposal had been further developed to serve not only CAB but a number of other organisations and agencies resulting in a project that would lead to improved accessibility for customers seeking information about services offered by the voluntary sector and the Council.

Members' support was sought to progress the scheme and to the commitment of the necessary resources to bring the project to fruition.

Alternative options considered and rejected at the time of the decision

1. Not to pursue the project:

- ☐ Existing provision would continue to be fragmented,

APPENDIX 1 (continued)

- ☐ An opportunity to secure external funding of £1.5m to support the objectives of the Council and its partners could be lost,
- ☐ The needs of customers would continue to be met in an unco-ordinated manner, and
- ☐ Opportunities for efficiency savings for the council and its partners would be lost.

2. Citizens Advice Bureau (CAB) standalone initiative:

The project started three years ago as a standalone proposal to deliver a purpose built office for the Torbay CAB. The Council agreed in principle a 40 year lease to enable the project to be implemented. By pursuing this option there would be less likelihood of delivery given limited resources and funding available to CAB.

Is this a Key Decision? (Give reference number if applicable)

No

Does the call-in procedure apply? (If no, please give reason)

Yes

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

None

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Friday, 14th October 2005

Implementation

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APPENDIX 1 (continued)

RECORD OF DECISION

CONTRACT FOR STREET LIGHTING

Decision Taker

The Executive at its meeting held on 11th October 2005

Decision

- (i) That tenders for a contract for street lighting for 2006-2010 be invited; and
- (ii) that the Assistant Director (Highways and Engineering), in consultation with the Executive Member (Environment), be given delegated authority to appoint the most economically advantageous contractor.

Reason for Decision

To maintain and improve street lighting and illuminated signs infrastructure.

Information

Report 446/2005 (appendix 1) requested that consideration be given to matters in connection with a proposed contract for the maintenance and installation of street lighting, illuminated signs and associated works.

Alternative options considered and rejected at the time of the decision

None

Is this a Key Decision? (Give reference number if applicable)

No

Does the call-in procedure apply? (If no, please give reason)

Yes

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

None

Published

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Implementation

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APPENDIX 1 (continued)

RECORD OF DECISION

REVIEW OF CONTAMINATED LAND STRATEGY

Decision Taker

The Executive at its meeting held on 11th October 2005

Decision

That the revised Contaminated Land Strategy, set out at Appendix 1 to Report 447/2005, be approved.

Reason for Decision

To comply with the requirements placed on the Council by the Environmental Protection Act 1990.

Information

Report 447/2005 informed Members of the Council's obligations in relation to contaminated land and the implications for the Authority arising from the introduction of a new Best Value Performance Indicator associated with its responsibilities for such land. A contaminated land strategy had been produced in 2001 which had been reviewed in the light of the Best Value requirements. A revised strategy had now been produced which was before Members for consideration.

Alternative options considered and rejected at the time of the decision

Not to approve the revised Strategy or to recommend changes to the revised Strategy.

Is this a Key Decision? (Give reference number if applicable)

Yes – Reference Number X17/2005

Does the call-in procedure apply? (If no, please give reason)

Yes

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

None

Published

Friday, 14th October 2005

Implementation

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APPENDIX 1 (continued)

RECORD OF DECISION

PHOTOCOPIERS – EQUIPMENT EXCHANGE

Decision Taker

The Executive at its meeting held on 11th October 2005

Decision

- (i) That the recommendations contained in the Ricoh Sub-Print Audit Report set out in Appendix 1 to Report 448/2005 be approved; and
- (ii) that the exchanges relating to the photocopying equipment listed in Appendix 1 to the submitted report be approved.

Reason for Decision

All local authorities were now required to achieve annual efficiency targets in line with targets set by the Office of the Deputy Prime Minister (ODPM). The Council would benefit from the cost and efficiency savings arising from the proposed course of action and be able to report and include them in the annual efficiency statement returned to the ODPM.

The exchange of the equipment would bring to the Council more efficient, up-to-date equipment that would be easier to use and provide cost benefits.

Information

Report 448/2005 sought approval to progress the recommendations contained in the Ricoh Sub-Print Audit Report regarding the Council's existing photocopier equipment. The Report set out recommended changes to a number of the Council's existing photocopier contracts which would enable the Council to save in excess of £180,000 over a 5-year lease period.

Alternative options considered and rejected at the time of the decision

None

Is this a Key Decision? (Give reference number if applicable)

No

Does the call-in procedure apply? (If no, please give reason)

Yes

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

None

Published

Friday, 14th October 2005

APPENDIX 1 (continued)

Implementation

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APPENDIX 1 (continued)

RECORD OF DECISION

LAND AT QUEENS PARK, PAIGNTON

Decision Taker

The Executive at its meeting held on 11th October 2005

Decision

- (i) **That the Director of Law and Support, in consultation with the Director of Finance and the relevant Executive Member, be authorised to grant a 40-year lease to the Queens Park Sports Club Limited for the land and buildings shown edged red on plan EM 1312; and**
- (ii) **that the lease be excluded from the provisions of the Landlord and Tenant Act 1954.**

Reason for Decision

To enable the Sports Club to apply for grants to improve the facilities at Queens Park.

The exclusion from the provisions of the Landlord & Tenant Act 1954 would protect the Council's position at the end of the term as the tenant would not have security of tenure.

Information

Report 449/2005 sought Members' approval to the grant of a 40-year excluded lease to the Queens Park Sports Club Limited for the sports ground at Queens Park, Paignton.

Alternative options considered and rejected at the time of the decision

Not to grant the lease.

Is this a Key Decision? (Give reference number if applicable)

No

Does the call-in procedure apply? (If no, please give reason)

Yes

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

None

Published

Friday, 14th October 2005

Implementation

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APPENDIX 1 (continued)

RECORD OF DECISION

REVIEW OF ADULT SOCIAL SERVICES – ACTION PLAN

Decision Taker

The Executive at its meeting held on 11th October 2005

Decision

That the action taken in response to the review of Adult Social Services be endorsed.

Reason for Decision

To respond to the request of the Executive.

Information

At its meeting held on 17th May 2005 (Minute 49.4/5/05, refers) the Executive approved the recommendations of the Social Services Review Panel in relation to Children's and Adults' Social Services. The Executive requested that an action plan be presented to a future meeting setting out the targets and financial implications for implementing the recommendations.

Report 450/2005 advised Members of the progress made in implementing the recommendations from the review of Adult Social Services and set out an action plan with targets and associated financial implications.

Alternative options considered and rejected at the time of the decision

None

Is this a Key Decision? (Give reference number if applicable)

No

Does the call-in procedure apply? (If no, please give reason)

Yes

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

None

Published

Friday, 14th October 2005

Implementation

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APPENDIX 1 (continued)

RECORD OF DECISION

CARE PACKAGE

Decision Taker

The Executive at its meeting held on 11th October 2005

Decision

That the care package in respect of case 10/10/05 be approved.

Reason for Decision

To comply with the Council's statutory responsibilities.

Information

Report 446/2005 (appendix 2) sought approval for the funding of a care package for an adult with special needs.

Alternative options considered and rejected at the time of the decision

None

Is this a Key Decision? (Give reference number if applicable)

No

Does the call-in procedure apply? (If no, please give reason)

Yes

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

None

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Implementation

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