



Town Hall, Castle Circus,  
Torquay, Devon TQ1 3DR  
Main Switchboard (01803) 201201  
Fax (01803) 207006 DX 59006

Thursday, 25 January 2018

## Meeting of the Council – Revised Agenda

Dear Member

I am pleased to invite you to attend a meeting of Torbay Council which will be held in **Burdett Room, Riviera International Conference Centre, Chestnut Avenue, Torquay, TQ2 5LZ** on **Thursday, 1 February 2018** commencing at **5.30 pm**

The items to be discussed at this meeting are attached.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Steve Parrock'.

Steve Parrock  
Chief Executive

(All members are summoned to attend the meeting of the Council in accordance with the requirements of the Local Government Act 1972 and Standing Orders A5.)

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**A prosperous and healthy Torbay**

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For information relating to this meeting or to request a copy in another format or language please contact:

**June Gurry, Town Hall, Castle Circus, Torquay, TQ1 3DR**  
**01803 207012**

Email: [governance.support@torbay.gov.uk](mailto:governance.support@torbay.gov.uk)  
[www.torbay.gov.uk](http://www.torbay.gov.uk)

# Meeting of the Council

## Revised Agenda

1. **Opening of meeting**

2. **Apologies for absence**

3. **Minutes**

To confirm as a correct record the minutes of the meeting of the Council held on 7 December 2017.

(Pages 5 - 26)

4. **Declarations of interests**

- (a) To receive declarations of non pecuniary interests in respect of items on this agenda

**For reference:** Having declared their non pecuniary interest members may remain in the meeting and speak and, vote on the matter in question. A completed disclosure of interests form should be returned to the Clerk before the conclusion of the meeting.

- (b) To receive declarations of disclosable pecuniary interests in respect of items on this agenda

**For reference:** Where a Member has a disclosable pecuniary interest he/she must leave the meeting during consideration of the item. However, the Member may remain in the meeting to make representations, answer questions or give evidence if the public have a right to do so, but having done so the Member must then immediately leave the meeting, may not vote and must not improperly seek to influence the outcome of the matter. A completed disclosure of interests form should be returned to the Clerk before the conclusion of the meeting.

**(Please Note:** If Members and Officers wish to seek advice on any potential interests they may have, they should contact Governance Support or Legal Services prior to the meeting.)

5. **Communications**

To receive any communications or announcements from the Chairman, the Elected Mayor, the Overview and Scrutiny Co-ordinator, the Council's representative on the Heart of the South West Joint Committee or the Chief Executive.

6. **Public question time**

To hear and respond to any written questions or statements from members of the public which have been submitted in accordance with Standing Order A24.

7. **Members' questions**

To respond to the submitted questions asked under Standing Order A13.

(Pages 27 - 29)

- 8. Notice of motions**  
To consider the attached motions, notice of which has been given in accordance with Standing Order A14 by the members indicated:
- (a) Notice of Motion - Marina Car Park, the Pavilion and Cary Green Development (Page 30)
- (b) Notice of Motion - Stalled Developments Site Register (Page 31)
- 9. Budget Monitoring 2017/2018 - Quarter Three** (Pages 32 - 49)  
To consider the third budget monitoring report for 2017/2018 under the Authority's agreed budget monitoring procedures which provides high-level information on capital and revenue expenditure and funding for the year compared to the latest position as reported to Council in December 2017.
- To consider any recommendations from the Overview and Scrutiny Board.
- 10. Review of Political Balance and Appointments to Committees** (Pages 50 - 58)  
To consider the submitted report on the review of political balance and appointments to committees and working parties following a recent change in political balance.
- 11. Composition and Constitution of Executive and Delegation of Executive Functions** (Pages 59 - 68)  
To receive details on the composition and constitution of the Elected Mayor's Executive for 2017/2018, together with the record of delegation of Executive Functions.
- 12. Chairman/woman and Vice-Chairman/woman Select**  
In accordance with the Council's Standing Order (A9.1) to select, by elimination ballot, the Chairman/woman-Elect and Vice-Chairman/woman-Elect for the Municipal Year 2018/2019.
- 13. Exclusion of the Press and Public**  
To consider passing a resolution to exclude the press and public from the meeting prior to consideration of items 14 and 15 on the agenda on the grounds that exempt information (as defined in Part 3 of Schedule 12A of the Local Government Act 1972 (as amended)) is likely to be disclosed.
- 14. Transformation Project - Update on the Riviera International Conference Centre**  
To consider the submitted report on the above.
- 15. Investment Committee Recommendation - Investment Opportunity**  
To consider any recommendations from the Investment Committee on investment opportunities.

- 16. Adjournment**  
The following items form part of the Council's Annual Budget setting process and will be deferred for consideration at an adjourned meeting of the Council to be held on 8 February 2018.
- 17. Revenue Budget 2018/2019** (To Follow)  
To consider the recommendations of the Elected Mayor on the Revenue Budget proposals for 2018/2019 and the Chief Financial Officer's Report. Circulated separately to this report are the following documents:
- Proposed Budget Digest (including the proposals for service change, income generation and savings)
  - Equality Impact Assessments
  - Proposed Fees and Charges
- See [www.torbay.gov.uk/council/finance/budget/budget-201819/](http://www.torbay.gov.uk/council/finance/budget/budget-201819/)
- 18. Treasury Management Strategy 2018/19 (incorporating the Annual Investment Strategy 2018/19 and the Minimum Revenue Provision Policy 2018/19)** (To Follow)  
To consider the submitted report on the above and any recommendations of the Audit Committee.
- 19. Corporate Asset Management Plan** (To Follow)  
To consider the submitted report on a review of the Council's Corporate Asset Management Plan (Policy Framework document).
- 20. Capital Plan Budget 2018/2019** (To Follow)  
To consider the recommendations of the Elected Mayor on the Capital Plan Budget proposals for 2018/2019 and the application of Capital Projects Scoring Matrix to the reserve list of Capital Schemes.
- 21. Corporate Capital Strategy** (To Follow)  
To consider the submitted report on the review of the Council's Corporate Capital Strategy (Policy Framework document).
- 22. Reserves** (To Follow)  
To consider the submitted report on the current forecast position on the use of Council reserves.

**Note**

An audio recording of this meeting will normally be available at [www.torbay.gov.uk](http://www.torbay.gov.uk) within 48 hours.



## **Minutes of the Council** **(Council decisions shown in bold text)**

**7 December 2017**

**-: Present :-**

**Chairwoman of the Council (Councillor Brooks) (In the Chair)**  
**Vice-Chairman of the Council (Councillor Doggett)**

The Elected Mayor of Torbay (Mayor Oliver)

Councillors Amil, Bent, Bye, Carter, Darling (M), Darling (S), Ellery, Excell, Haddock, Hill, King, Kingscote, Lewis (B), Lewis (C), Manning, Mills, Morey, Morris, O'Dwyer, Parrott, Pentney, Robson, Sanders, Stockman, Stubley, Sykes, Thomas (D), Thomas (J), Tolchard, Tyerman and Winfield

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### **127 Opening of meeting**

Members observed a minutes silence as a mark of respect in memory of the late Councillor Roger Stringer who passed away on 18 October 2017. The Chairwoman's Chaplain then opened the meeting with a prayer.

### **128 Apologies for absence**

Apologies for absence were received from Councillors Barnby and Stocks.

### **129 Minutes**

The Minutes of the meeting of the Council held on 19 October 2017 and the Minutes of the Extraordinary meeting of the Council held on 9 November 2017 were confirmed as a correct record and signed by the Chairwoman.

### **130 Declarations of interests**

Councillor Haddock declared a pecuniary interest in respect of Minute 136.

### **131 Communications**

The Chairman invited members to the Civic and Community Christmas Carol Service which was due to be held at the Church of St John the Apostle, Torquay, on 20 December 2017 commencing at 6.15 pm.

The Overview and Scrutiny Co-ordinator:

- a) thanked members for their work on reviewing the Elected Mayor's Budget Proposals at the Priorities and Resources Review Panel meetings. He advised that the Overview and Scrutiny Board was due to meet on 13 December 2017 to finalise recommendations to the Elected Mayor; and
- b) thanked Councillor Stockman for her work on scrutiny and wished her well in her new role as Executive Lead for Health and Wellbeing.

### **132 Order of Business**

In accordance with Standing Order A7.2 in relation to Council meetings, the order of business was varied to enable: Item 11 on the agenda (Application for Designation of Neighbourhood Forums and Areas for Torquay, Paignton and Brixham Peninsula) to be considered after Item 7 (Public question time); and Item 10 on the agenda (Oxen Cove Fish/Shellfish Processing Facility) to be considered after Item 11 on the agenda (Application for Designation of Neighbourhood Forums and Areas for Torquay, Paignton and Brixham Peninsula).

### **133 Petition - Request for one way system with residents parking in Victoria Road, Torquay**

In accordance with Standing Order A12, the Council received a petition requesting the Council to introduce a one way system and residents parking along Victoria Road, Torquay (26 valid signatures).

It was noted that the petition would be referred to the Executive Head for Assets and Business Services for consideration in consultation with the Executive Lead for Community Services.

### **134 Public question time**

In accordance with Standing Order A24, the Council heard from Mr Orme who had submitted a statement and question in relation to the funding for the new infrastructure for Oxen Cove Fish Processing Unit, Brixham. Councillor Amil responded to the statement and question that had been put forward, plus a supplementary question asked by Mr Orme.

The Chairwoman advised that she had permitted late statements and questions in relation to the designation of neighbourhood forums and areas for Torquay, Paignton and Brixham which had been circulated on 6 December 2017. At the invitation of the Chairwoman, the Council heard from Mr Butler, Mr Cowell and Mr Watts. The Deputy Mayor and Executive Lead for Planning responded to the statements and questions that had been put forward, plus a supplementary question asked by Mr Cowell.

### **135 Application for Designation of Neighbourhood Forums and Areas for Torquay, Paignton and Brixham Peninsula**

Members considered the submitted report on applications to re-designate the three Neighbourhood Forums as 'qualifying bodies' and neighbourhood areas as the

current designations expired on 6 December 2017. It was noted the primary function of Neighbourhood Forums was to prepare neighbourhood plans along with being consultees on planning applications in their area.

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

- (i) that the Council considers the three applications for area and Forum re-designation, in accordance with the specified criteria set out in the Localism Act 2011 (and summarised in the submitted report), whilst recognising that this decision is without prejudice to any representation to, or considerations of, the submitted Plans;**
- (ii) that the Council recognises that the area status does not expire and will still be maintained in accordance with the decision made in December 2012;**
- (iii) that the application in accordance with the Neighbourhood Planning (General) Regulations 2012 (as amended), Regulation 8 for the qualifying body for Torquay be approved, and that the Council publicise this decision in accordance with Regulation 10;**
- (iv) that the application in accordance with the Neighbourhood Planning (General) Regulations 2012 (as amended), Regulation 8 for the qualifying body for Paignton be approved, and that the Council publicise this decision in accordance with Regulation 10;**
- (v) that the application in accordance with the Neighbourhood Planning (General) Regulations 2012 (as amended), Regulation 8 for the qualifying body for Brixham Peninsula be approved, and that the Council publicise this decision in accordance with Regulation 10; and**
- (vi) that the Council convey its thanks and gratitude for the work undertaken by officers and the community on the development of neighbourhood plans for Torbay.**

A recorded vote was taken on the motion. The voting was taken by roll call as follows: For: Elected Mayor Oliver, Councillors Amil, Bent, Bye, Carter, Darling (M), Darling (S), Doggett, Ellery, Excell, Haddock, Hill, King, Kingscote, Lewis (B), Lewis (C), Manning, Mills, Morey, Morris, O'Dwyer, Parrott, Pentney, Robson, Sanders, Stockman, Stubley, Sykes, Thomas (D), Thomas (J), Tolchard, Tyerman and Winfield (33); Abstain: Councillors Brooks (1); and Absent: Councillors Barnby and Stocks (2).

**136 Oxen Cove Fish/Shellfish Processing Facility**

Further to the decision of the Council on 19 October 2017 for the construction of a new shellfish landing jetty, the Council considered the submitted report on capital funding proposals to carry out design works for an industrial unit at Oxen Cove, Brixham Harbour, to accommodate shellfish processing. It was noted the funding would assist with a grant funding application to the Marine Management Organisation for funding from the European Maritime and Fisheries Fund.

Elected Mayor Oliver proposed and Councillor Mills seconded a motion, which was agreed by the Council as set out below:

- (i) that the proposal to construct a shellfish/fish unit in Oxen Cove is approved as detailed in the business case set out in Appendix 1 to the submitted report, and that the scheme be included in the Council's Capital Plan;**
- (ii) that a budget of £400,000 be authorised so that the Executive Head of Assets and Business Services can commission specialist professional support to undertake the necessary design work and also submit a bid for grant funding from the European Maritime and Fisheries Fund (EMFF), in addition to seeking tenants for the proposed new shellfish/fish unit, via a marketing campaign;**
- (iii) that subject to a successful application(s) for grant funding, a further report is submitted to the Council with the outcome of the RIBA Design Stage 4 work and the marketing campaign for potential tenants. A future report to the Council will, if necessary, request an appropriate level of prudential borrowing in support of a viable scheme; and**
- (iv) that the Executive Head of Assets and Business Services be asked to work with Brixham Town Council and other local stakeholder groups to establish the likely impact on parking capacity in Brixham, should this scheme proceed, and identify appropriate and reasonable mitigating actions that could be implemented, in consultation with the Elected Mayor and all Group Leaders.**

(Note: Prior to consideration of Minute 136, Councillor Haddock declared his pecuniary interest and withdrew from the meeting.)

**137 Members' questions**

The Chairwoman advised that she had accepted an urgent question submitted by Councillor Darling (M). Members received a paper detailing questions, as set out at Appendix 1 to these minutes, notice of which had been given in accordance with Standing Order A13. The paper also contained the answers to the questions which had been prepared by Elected Mayor Oliver and Councillors Excell, King and Mills.



Supplementary questions were put and answered by Elected Mayor Oliver and Councillors Excell and King arising from their responses to the questions in respect of questions 1, 2, 3, 4, 5, 6, 7, 10, 13 and the urgent question.

### **138 Notice of Motion - Safety of Fishermen (Mayoral Decision)**

Members considered a motion in relation to the use of personal floatation devices and locator beacons for the safety of fishermen, notice of which was given in accordance with Standing Order A14.

It was proposed by Councillor Ellery and seconded by Councillor Amil:

This Council notes that the fishing industry is a dangerous industry to work in, with several lives lost across the UK each year. Such a tragic loss of life has a far reaching impact upon the fisherman's family, friends and community. Personal Floatation Devices and Personal Locator Beacons would greatly improve the chances of the fisherman being rescued. Unfortunately not all fishermen can afford this equipment.

Therefore this Council requests the Executive Head of Business Services and Assets to make an application to the Marine Management Organisation for funding through the European Maritime and Fisheries Fund to fully fund the purchase of Personal Floatation Devices equipped with Personal Locator Beacons and to develop a delivery scheme in partnership with the local fishing industry. This would ensure that those local fishermen who would struggle financially to buy one of these potentially lifesaving pieces of equipment can be provided to them at no cost.

This Council also requests the Chief Executive to write to the Local Government Association to request they encourage all other councils with fishing communities to follow suit and support the fishing industry nationally.

In accordance with Standing Order A14.3(a), the motion stood referred to the Elected Mayor.

The Elected Mayor supported the motion and his record of decision is attached to these minutes.

### **139 Transformation Project - Torbay Libraries - Appointment of Supplier**

Members considered the submitted report on the outcome of a review of options for the future of Library Services which would reduce operating costs, provide sustainability across existing service outlets and deliver a more modern and innovative Library service.

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

- (i) that Council approve the proposal to enter into a Service delivery contract with an external Library Service Provider to deliver and manage Torbay Libraries;**
- (ii) that the Director of Corporate Services and Operations be given delegated authority to enter into a five year contract (with an option to extend for a further five years) to be awarded to the preferred bidder, 'Libraries Unlimited', with the contract to commence in April 2018; and**
- (iii) that Council note that the upfront costs of entering into this contract of £107,000 for Library ICT and estimated to be between £294,000 and £354,000 for staff transition costs, both of which will be funded from the Comprehensive Spending Review Reserve.**

#### **140 Transformation Project - Review of Public Toilets**

Members considered the submitted report on a review of public toilet provision to identify a long term solution to reduce costs whilst retaining and improving public toilets within Torbay. The report detailed the outcome of a procurement exercise seeking a commercial partner to deliver Torbay's public toilet provision.

Councillor Excell proposed and Councillor Carter seconded a motion, which was agreed by the Council as set out below:

- (i) that Council approve the proposal to enter into a service delivery contract with an external Provider to deliver and manage the sixteen toilet facilities as detailed within their tender;**
- (ii) that the Executive Head of Assets and Business Services be given delegated authority in consultation with the Elected Mayor, to enter into a 15 year contract (with an option to extend for a further 5 years) to be awarded to the preferred bidder, 'Healthmatic', with the contract to commence in 1<sup>st</sup> April 2018 in respect of the sixteen toilets detailed in their tender, on the basis that any charges implemented for use of the public toilets will be between 20p – 30p, dependent on location;**
- (iii) that Council authorise prudential borrowing of £1.032m to make capital investment in the modernisation of the Council's toilets facilities referenced in (i) above;**
- (iv) that the Council notes that the transitional costs of delivering (i) to (iii) of up to £150,000 in 2018/19 is to be funded from the Comprehensive Spending Review (CSR) Reserve; and**
- (v) that the Executive Head of Assets and Business Services be given delegated authority to award a contract which ensures that**

**all remaining public toilets remain open and be maintained at current levels, meaning that no toilets are proposed to close.**

(During consideration of Minute 140 Councillor Stubbley left the meeting.)

**141 Draft recommendations on the new electoral arrangements for Torbay Council - Electoral Review - Submission by Torbay Council**

Following the decision of the Council meeting on 8 August 2017, members received the submitted report on the recommendations of the Constitution Working Party on the Council's response to the Local Government Boundary Commission for England (LGBCE) proposals for new electoral arrangements for Torbay Council. It was noted the LGBCE proposals included 16 wards comprising a variety of two, three and one members.

Elected Mayor Oliver proposed and Councillor Hill seconded a motion, which was agreed by the Council as set out below:

**that the Proposed Changes to Warding Patterns – Submission by Torbay Council set out in Appendix 1 to the submitted report be approved for submission by the Director of Corporate Services and Operations to the Local Government Boundary Commission for England.**

**142 Proposed Council Tax Support Scheme 2018/19**

The Council considered the submitted report on a review of the current local Council Tax Support Scheme for 2018/19. The Scheme provided a discount to help low income households (including looked after children and care leavers) with their Council Tax payments. Members noted that for each financial year the Council must approve its current scheme by 31 January even if no changes were proposed and where changes were proposed a consultation exercise must be carried out.

Councillor King proposed and Councillor Haddock seconded a motion, which was agreed by the Council as set out below:

- (i) that Personal Allowances and Premiums for Council Tax Support are uprated from 1 April 2018 in line with the prescribed pensioner scheme and national working-age benefits, which are both set by the Government;**
- (ii) that the Exceptional Hardship Fund of £80,000, which is used to top up Council Tax Support awards in appropriate cases, be continued;**
- (iii) that the Chief Accountant be given delegated authority, in consultation with the Elected Mayor and Executive Lead for IT, Libraries and Waste, to make any further adjustments required to the Exceptional Hardship Policy and Fund and the Vulnerable policy;**

- (iv) that the scheme be updated to include “we may use DWP notifications to update Council Tax Support”;**
- (v) that the scheme be updated to include “For the avoidance of doubt, the authority will decide what constitutes a claim for Council Tax Support. In the case of applicants who have applied for Universal Credit, the authority shall decide on a case by case basis when a claim is required from the applicant and by what method the claim is made. The authority may accept information received (in whatever format) from the DWP (Secretary of State for Work and Pensions) as a claim for Council Tax Support.”;**  
**and**
- (vi) that members note that Council Tax Support for working age households will be restricted to a Band D property and maximum entitlement will reduce from 72.5 % to 70%, from April 2018, as agreed by Council in December 2016.**

#### **143 Council Tax Base 2018/2019**

Members considered the submitted report which set out the Council’s tax base for council tax purposes for 2018/19. The Chairwoman reported that a revised officer recommendation had been circulated prior to the meeting.

Elected Mayor Oliver proposed and Councillor Mills seconded the motion, which was agreed (unanimously) by the Council, as set out below:

- (i) that the calculation of the Council Tax Base for the year 2018/19 be approved as shown in Appendix 1 to the submitted report;**
- (ii) that the calculation of the Brixham Town Council Tax Base for the year 2018/19 be approved as shown in Appendix 2 to the submitted report;**
- (iii) that the creation of an additional class of local discretionary council tax discount of up to 100% for care leavers, (that were in the care of Torbay Council), up to 25 years of age with effect from 1 April 2018 be approved; and that the policy for the eligibility criteria for the scheme is delegated to Head of Finance, in consultation with the Elected Mayor;**
- (iv) that the Head of Finance, in consultation with the Elected Mayor, be given delegated authority to approve an increase in empty homes premium from 50% to 100% (subject to legislation being passed) with effect from 1 April 2018;**
- (v) that, in accordance with the Local Authorities (Calculation of Tax base) (England) Regulations 2012, the amount calculated by**

**Torbay Council as its Council Tax base for the year 2018/19 should be 44,865.89;**

- (vi) that, in accordance with the Local Authorities (Calculation of Tax base) (England) Regulations 2012, the amount calculated by Torbay Council as the Council Tax base for Brixham Town Council for the year 2018/19 should be 6,004.42;**
- (vii) that the Head of Finance and Director of Children's Services be given delegated authority, in consultation with the Elected Mayor and Executive Lead for Children's Services to create a Policy (with associated eligibility criteria), whereby Torbay Council care leavers up to 25 years of age, who live outside of the area, can apply for grants to assist them with their Council Tax. The cost implications of this Policy to be included within the budget setting process.**

(Note: During consideration of Minute 143 Councillor King left the meeting.)

#### **144 Appointment of Heart of the South West Joint Committee**

Following the decision of the Council meeting in February 2017 to establish 'in principle' a Heart of the South West Joint Committee, the Council considered the submitted report providing documentation to enable the Joint Committee to be formally established.

Elected Mayor Oliver proposed and Councillor Mills seconded a motion as set out below:

- (i) that the recommendation of the Heart of the South West's Leaders (meeting as a shadow Joint Committee) to form a Joint Committee for the Heart of the South West be approved;
- (ii) that the Arrangements and Inter-Authority Agreement documents set out in appendices 1 and 2 to the submitted report for the establishment of the Joint Committee with the commencement date of Monday 22 January 2018 be approved;
- (iii) that the Elected Mayor (Gordon Oliver) and the Leader of the Conservative Group (Councillor David Thomas) be appointed as Torbay Council's named representative and substitute named representative on the Joint Committee;
- (iv) that Somerset County Council be appointed as the Administering Authority for the Joint Committee for a 2 year period commencing 22 January 2018;
- (v) that the transfer of the remaining joint devolution budget to meet the support costs of the Joint Committee for the remainder of 2017/18

financial year subject to approval of any expenditure by the Administering Authority be approved;

- (vi) that an initial contribution of £4000 for 2018/19 to fund the administration and the work programme of the Joint Committee, noting that any expenditure will be subject to the approval of the Administering Authority, be approved;
- (vii) that it be agreed that the key function of the Joint Committee is to approve the Productivity Strategy;
- (viii) that the initial work programme of the Joint Committee aimed at the successful delivery of the Productivity Strategy be authorised; and
- (ix) that the proposed meeting arrangements for the Joint Committee including the timetable of meetings for the Joint Committee as proposed in section 1 of the Background Information set out in the submitted report be agreed.

During the debate Councillor Thomas (J) proposed and Councillor Robson seconded an amendment to the motion as follows:

- (iii) that the Leader of the majority party (currently Councillor David Thomas) ~~Elected Mayor (Gordon Oliver)~~ and the Deputy Leader of the majority party (currently Councillor Alan Tyerman) ~~Deputy Mayor (Councillor Derek Mills)~~ be appointed as Torbay Council's named representative and substitute named representative on the Joint Committee;

A recorded vote was taken on the amendment. The voting was taken by roll call as follows: For: Councillors Bent, Bye, Hill, Kingscote, Lewis (B), Lewis (C), Manning, Morey, Morris, O'Dwyer, Robson, Sykes, Thomas (D), Thomas (J), Tolchard, Tyerman and Winfield (17); Against: Elected Mayor Oliver, Councillors Amil, Carter, Darling (M), Darling (S), Doggett, Ellery, Excell, Mills, Parrott, Pentney, Sanders and Stockman (13); Abstain: Councillors Brooks and Haddock (2); and Absent: Councillors Barnby, King, Stocks and Stubbley (4). Therefore, the amendment was declared carried.

During the debate Councillor Mills proposed and Councillor Parrott seconded a further amendment to the motion as follows:

- (iii) that the Elected Mayor (Gordon Oliver) and Leader of the majority party (currently Councillor David Thomas) ~~and the Deputy Leader of the majority party (currently Councillor Alan Tyerman)~~ be appointed as Torbay Council's jointly named representatives and alternate their attendance at the meetings ~~and substitute named representative on the Joint Committee;~~

A recorded vote was taken on the amendment. The voting was taken by roll call as follows: For: Elected Mayor Oliver, Councillors Amil, Excell, Mills, Parrott and

Stockman (6); Against: Councillors Bent, Bye, Hill, Kingscote, Lewis (B), Lewis (C), Manning, Morris, O'Dwyer, Robson, Sykes, Thomas (D), Thomas (J), Tolchard, Tyerman and Winfield (16); Abstain: Councillors Brooks, Carter, Darling (M), Darling (S), Doggett, Ellery, Haddock, Morey Pentney and Sanders (10); and Absent: Councillors Barnby, King, Stocks and Stubbley (4). Therefore, the amendment was declared lost.

The amended (substantive) motion was then considered by members, which was agreed by the Council as follows:

- (i) that the recommendation of the Heart of the South West's Leaders (meeting as a shadow Joint Committee) to form a Joint Committee for the Heart of the South West be approved;**
- (ii) that the Arrangements and Inter-Authority Agreement documents set out in appendices 1 and 2 to the submitted report for the establishment of the Joint Committee with the commencement date of Monday 22 January 2018 be approved;**
- (iii) that the Leader of the majority party (currently Councillor David Thomas) and the Deputy Leader of the majority party (currently Councillor Alan Tyerman) be appointed as Torbay Council's named representative and substitute named representative on the Joint Committee;**
- (iv) that Somerset County Council be appointed as the Administering Authority for the Joint Committee for a 2 year period commencing 22 January 2018;**
- (v) that the transfer of the remaining joint devolution budget to meet the support costs of the Joint Committee for the remainder of 2017/18 financial year subject to approval of any expenditure by the Administering Authority be approved;**
- (vi) that an initial contribution of £4000 for 2018/19 to fund the administration and the work programme of the Joint Committee, noting that any expenditure will be subject to the approval of the Administering Authority, be approved;**
- (vii) that it be agreed that the key function of the Joint Committee is to approve the Productivity Strategy;**
- (viii) that the initial work programme of the Joint Committee aimed at the successful delivery of the Productivity Strategy be authorised; and**
- (ix) that the proposed meeting arrangements for the Joint Committee including the timetable of meetings for the Joint Committee as**

**proposed in section 1 of the Background Information set out in the submitted report be agreed.**

#### **145 Review of Political Balance**

The Council considered a review of political balance on committees and working parties following the creation of the Mayor's Non-Political Executive Group as set out in the submitted report. The Chairwoman reported that the revised officer recommendation had been circulated.

Elected Mayor Oliver proposed and Councillor Thomas (D) seconded a motion, which was agreed by the Council as set out below:

- (i) that the overall political balance of the committees as set out at Appendix 1 to the submitted report be approved;**
- (ii) that the following Working Parties be disbanded as their work has concluded:**
  - LGA Corporate Peer Challenge Action Plan Working**
  - Strategic Partnership Forum Working Party**
  - Housing Working Group for Officers and Members; and**
- (iii) that, in accordance with the Local Protocol for Working Parties, the overall political balance of working parties as set out in revised Appendix 2 be approved, subject to the Airshow Working Party membership being reduced to 5 members (comprising 3 Conservative, 1 Liberal Democrat and 1 Mayor's Non-Political Executive Group).**

#### **146 Budget Monitoring 2017/2018 - Quarter 2**

The Council received the submitted report on the high level budget summary of the Council's revenue and capital income and expenditure for quarter 2 of 2017/18 financial year. It was noted the revenue budget was predicting an overspend of £1.9 million primarily as a result of expenditure pressures in Children's Services. Members also noted the Capital Plan budget totalled £191.8 million for the 4 year programme, with £104 million scheduled to be spent in 2017/18, including £68 million on Investment Fund opportunities, £7 million on major transport schemes and £15 million on regeneration projects.

The submitted report including proposals for lending to Torquay Academy for expansion to meet demand for secondary school places.

Elected Mayor Oliver proposed and Councillor Darling (M) seconded a motion, which was agreed (unanimously) by the Council as set out below:

- (i) that the Council notes the current position; and**



- (ii) that the Council approves a loan to Torquay Academy of £0.225m to be repaid over seven years to fund additional teaching space at Torquay Academy.

**147 Provisional Calendar of Meetings for 2018/2019**

The Council considered the submitted report setting out the proposed calendar of meetings for 2018/2019.

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

- (i) that, subject to the start time for the meetings of the Policy Development and Decision Group (Joint Commissioning Team) (PDDG JCT) being amended to 2.00 p.m. and the meetings of the Policy Development and Decision Group (Joint Operations Team) being amended to 3.00 p.m. (or at the rising of the PDDG JCT), the provisional calendar of meetings for 2018/2019, set out in Appendix 1 to the submitted report, be approved for final ratification at the Annual Council Meeting; and
- (ii) that meetings of the Employment Committee and Civic Committee be held on an ad-hoc basis, to be determined by the Governance Support Manager in consultation with the relevant Chairman/woman.

**148 Composition and Constitution of the Executive and Delegation of Executive Functions**

Members noted the submitted report which provided details of changes made by the Elected Mayor to his Executive.

Chairwoman

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## Questions Under Standing Order A13

A member may only submit three questions for consideration at each Council Meeting. Each member will present their first question in turn, when all the first questions have been dealt with the second and third questions may be asked in turn. The time for member's questions will be limited to a total of 30 minutes.

<p><b>Question (1) by Councillor Darling (S) to the Executive Lead for Community Services (Councillor Excell)</b></p>	<p><b>Torbay Council plans to close Watcombe Beach Car Park, due to anti-social behaviour, were met with horror by many members of the local community. Whilst the stay of execution for the car park is welcome, what action has the local authority taken to tackle the anti-social activities that led to the plans to close this popular car park?</b></p>
<p>Councillor Excell</p>	<p>There are limited viable options to address the issues at the car park (which include anti-social behaviour), due to the resource implications this places upon the Council and partners. However, the Council along with external agencies are considering the actions which may be taken to tackle the anti-social activities which have been reported in this car park.</p>
<p><b>Question (2) by Councillor Darling (M) to the Executive Lead for Community Services (Councillor Excell)</b></p>	<p><b>A number of residents in Magdalene Road, Torquay have complained to me about the double yellow lines being unenforceable on this highway. Despite numerous requests I understand that Tor2 have not been able to provide a date when work can be undertaken to bring these lines up to an enforceable standard. I would be grateful if you could advise me what action you intend to take to get this matter resolved?</b></p>
<p>Councillor Excell</p>	<p>We are currently working with our contractors to carry out marking works to Magdalene Road. There has been difficulty in moving parked cars and there has been consultation with residents. We are looking to impose a parking suspension in order to progress these works, however we are awaiting a proposed date from our contractor in order that we arrange the suspension for the appropriate time.</p>
<p><b>Question (3) by Councillor Sanders to The Elected Mayor and Executive Lead for Finance, Regeneration and Corporate Services (Mayor Oliver)</b></p>	<p><b>Will the Elected Mayor a) circulate to elected members and b) post on Torbay Council's website the agreement Torbay Council has signed to participate in a joint committee with the other local authorities in Devon &amp; Somerset?</b></p>
<p>Mayor Oliver</p>	<p>The proposal for a Joint Committee is on the agenda for this Council meeting, and it is for Council to agree this. As such there is no agreement that has been signed.</p> <p>Given it is on the agenda, the proposals are already available on the Council's website.</p>
<p><b>Question (4) by Councillor Kingscote to The Elected Mayor and Executive Lead for Finance, Regeneration and</b></p>	<p><b>Could The Elected Mayor please advise the Council, how much money (gross and net) the Investment Strategy fund will bring into this authority from 1<sup>st</sup> April 2018.</b></p>

<b>Corporate Services (Mayor Oliver)</b>	
Mayor Oliver	<p>Based on the four purchases to date costing £87m – gross rent is £5.5m with an estimated surplus to Council of £1.8m As at 01/12/17 external debt is £273m. Could rise to over £437m if all borrowing approved in principal, such as investment fund, housing company and town centre regeneration all progress.</p> <p>On the £118m spent on 5 investment properties, one is in Torbay (£21m) and four outside the area (£97m). All other capital spend is in Torbay or closely related such as South Devon Highway.</p>
<b>Question (5) by Councillor Lewis to The Elected Mayor and Executive Lead for Finance, Regeneration and Corporate Services (Mayor Oliver)</b>	<b>Taking Torbay Leisure Centre as a recent example of Council offering its buildings on a long term lease free of income in order to keep services both offered and running. Is this a principle that the Mayor now supports and is looking at being one of the solutions in helping to close the ongoing financial gap this Council is experiencing?</b>
Mayor Oliver	Each case to be taken on its merits. I'm told that the working party asked for feedback on the recent open day for interested parties. No recommendations that I'm aware of.
<b>Question (6) by Councillor Pentney to the Executive Lead for IT, Libraries and Waste (Councillor King)</b>	<p><b>I note that Cllr Stringer put the following question in on the 5 February 2015.</b></p> <p><b>“In recent weeks Devon County Council have stopped Torbay residents from using the Recycling Centre at Brunel Industrial Estate Newton Abbot. What representations have you made to try to ensure that our residents continue to have use of this valued facility.”</b></p> <p><b>There is no record of the Councils response. What progress have the Council made in the last two years for Torbay residents to gain access to this facility?</b></p>
Councillor King	<p>Devon County Council are actively stopping Torbay residents from using Brunel Road, Newton Abbot recycling centre. This was as a result of budget negotiations back in October 2014 as Devon County Council wanted a contribution of about £190k p.a. to allow Torbay residents to continue to use this facility. The then Deputy Mayor Dave Thomas after negotiations with Councillor Croad of Devon County Council decided that this contribution was not possible so the restriction on Torbay residents accessing their site was put in place and still continues.</p> <p>This will not change unless Torbay Council wishes to contribute to the running of their site and with the current financial climate and a budget reduction needed in waste of £500k I do not believe funds are available to reverse this decision.</p>

## Second Round

<b>Question (7) by Councillor Darling</b>	<b>I understand from the Community Development Trust and officers of Torbay Council that plans are progressing for a replacement bus service</b>
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<b>(S) to the Executive Lead for Community Services (Councillor Excell)</b>	<b>for the 65/64 bus service. Many of my residents remain stranded with no buses. Will this service be introduced in time for Christmas 2017?</b>										
Councillor Excell	Whilst not confirmed, I would not expect the service to be introduced before Christmas. Council agreed a capital funding contribution towards a bus to operate on this service but the CDT will be responsible for the set up and operation. Council officers are currently considering the CDT's submission and a business case will be presented to the Executive Head and Executive Lead for agreement as soon as possible. Once this is agreed the CDT can make the necessary arrangements to set up the service.										
<b>Question (8) by Councillor Sanders to The Elected Mayor and the Executive Lead for Finance, Regeneration and Corporate Services (Mayor Oliver)</b>	<b>What is the current level of Council borrowing so far in this financial year and what were the levels of Council borrowing in each of the last four completed financial years?</b>										
Mayor Oliver	<table border="0"> <tr> <td>14/15</td> <td>£138m</td> </tr> <tr> <td>15/16</td> <td>£138m</td> </tr> <tr> <td>16/17</td> <td>£138m</td> </tr> <tr> <td>17/18</td> <td>£153m</td> </tr> <tr> <td>As at 24/11/17</td> <td>£273m</td> </tr> </table>	14/15	£138m	15/16	£138m	16/17	£138m	17/18	£153m	As at 24/11/17	£273m
14/15	£138m										
15/16	£138m										
16/17	£138m										
17/18	£153m										
As at 24/11/17	£273m										
<b>Question (9) by Councillor Darling (M) to the Deputy Mayor and Executive Lead for Planning (Councillor Mills)</b>	<p><b>Both residents and tourists continue to complain about the blot on the landscape caused by the lack of progress on the Torwood Street development.</b></p> <p><b>Would you agree with me that this situation has gone on long enough and it is time that Torbay Council started to move towards a compulsory purchase order so as to bring things to a satisfactory conclusion?</b></p>										
Councillor Mills	The Mayor and his executive colleagues share the desire of residents, tourists and the local business community to see progress on this important development for Torquay. With a private developer committed to the site, as well as the town it would not be appropriate at this time to propose a compulsory purchase of the site. However, I would like to reassure Councillor Darling that every effort is being made by the Council to bring the project forward so that the investment comes into the town, jobs are created and momentum is generated for the long term town centre regeneration programme, which we are all committed to see delivered.										
<b>Question (10) by Councillor Pentney to The Elected Mayor and Executive Lead for Finance, Regeneration and Corporate Services (Mayor Oliver)</b>	<b>What is the current number of families in Torbay bidding for social housing?</b>										

Mayor Oliver	There are 993 households currently registered with Torbay who can bid on Devon Home Choice. Of these, 641 households (65%) have actually placed at least 1 bid.
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### Third Round

<b>Question (11) by Councillor Darling (S) to the Executive Lead for Community Services (Councillor Excell)</b>	<b>I understand that following the loss of the 32 bus services officers are exploring the 34 bus service to be extended to Torbay hospital. Can you give us an update on progress in improving this service and particularly when any such changes may be implemented?</b>										
Councillor Excell	As part of the discussions following notification by Stagecoach of amendments to the Service 32, an option was tabled to consider a revision to the route for the Service 34. In the short time period during those discussions and implementation of the amendments to the Service 32, it was not possible to agree a funding package which would provide the opportunity to improve the Service 34 and sufficiently increase the passenger demand to make the business case. Council officers are still considering other options to improve the link between Torbay Hospital and The Willows, however, that solution may not include the Service 34 and there is not implementation plan currently.										
<b>Question (12) by Councillor Darling (M) to the Executive Lead for Community Services (Councillor Excell)</b>	<b>Some time ago residents raised the issue of the bollards outside 2 Plantation Way, Torquay. These bollards were originally sited incorrectly. The bollards were then re-sited but constructed with inappropriate material. Following this the bollards were removed and to date have not been replaced in the correct location. Please could you advise when these bollards will be put back in situ?</b>										
Councillor Excell	The bollards placed in Plantation Way were installed by the developers at their expense to ensure that the existing grass verge was protected from overrunning from large vehicles accessing the adjacent construction site. The bollards were instructed to be removed as they were not the correct specification for use on the highway and were a potential hazard. Since their removal however, inspectors have monitored the area and as there has been little evidence of damage being caused, highways have therefore agreed that these bollards are not replaced, however may request installation if the situation changes or damage is recorded.										
<b>Question (13) by Councillor Sanders to The Elected Mayor and Executive Lead for Finance, Regeneration and Corporate Services (Mayor Oliver)</b>	<b>How many units of regulated rent secure tenancy (social housing) have been constructed in Torbay in each of the past 5 years for which figures are available?</b>										
Mayor Oliver	From 2012/13 to 2016/17 (5 years) 430 units were constructed.										
	<table border="1"> <thead> <tr> <th>Year</th> <th>Social Rent</th> <th>Affordable Rent</th> <th>Shared Ownership</th> <th>Totals</th> </tr> </thead> <tbody> <tr> <td>2007/08</td> <td>77</td> <td>Page 22</td> <td>70</td> <td>149</td> </tr> </tbody> </table>	Year	Social Rent	Affordable Rent	Shared Ownership	Totals	2007/08	77	Page 22	70	149
Year	Social Rent	Affordable Rent	Shared Ownership	Totals							
2007/08	77	Page 22	70	149							

2008/09	92	0	27	119
2009/10	57	0	60	117
2010/11	110	0	17	127
2011/12	27	0	8	35
2012/13	14	0	21	35
2013/14	179	0	16	195
2014/15	89	8	16	113
2015/16	32	12	2	46
2016/17	23	11	8	41

### Urgent Question

<p><b>Question (14) by Councillor Darling (M) to the Executive Lead for Community Services (Councillor Excell)</b></p>	<p>I understand that on Sunday 26<sup>th</sup> November there was a fatal accident at the junction of Belgrave Road and Lucius Street. I have previously raised concerns about the lack of pedestrian facilities at this junction but been advised that it was not in the Council's capital programme of improvement. In light of this fatality can I request that this be urgently considered that pedestrian facilities installed at this junction?</p>
<p>Councillor Excell</p>	<p>Torbay Council are deeply saddened to hear of this fatal collision on one of our roads and our sympathies go out to the relatives and friends on the gentleman involved.</p> <p>At this stage we are unable to comment on the specific details of this collision as this remains subject to a Police investigation, however once we receive the report we will consider the implications as part of our next collision site review across the Torbay Network in 2018, which will set the next priority sites for road safety engineering intervention.</p> <p>It should be noted that this particular site was not identified as a particular concern from the most recent site review, the priorities of which were recently considered and supported by the Transport Working Party, and at the present time I am unable to comment as to whether this junction will be identified as one of our priorities for next year until we have all the information available. I would comment however that the junction concerned has been identified as a location that may be considered for pedestrian improvements as part of any future upgrade of the signal apparatus, subject to available budget and design constraints.</p>

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## Record of Decisions

### Notice of Motion - Safety of Fishermen

#### Decision Taker

Elected Mayor on 7 December 2017

#### 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 Tuesday, 19 December 2017 unless the call-in procedure is triggered (as set out in the Standing Orders in relation to Overview and Scrutiny).

#### Information

At the Meeting of the Council held on 7 December 2017, members received a motion, as set out below, notice of which had been given in accordance with Standing Order A14 by Councillors Ellery and Amil:

This Council notes that the fishing industry is a dangerous industry to work in, with several lives lost across the UK each year. Such a tragic loss of life has a far reaching impact upon the fisherman's family, friends and community. Personal Floatation Devices and Personal Locator Beacons would greatly improve the chances of the fisherman being rescued. Unfortunately not all fishermen can afford this equipment.

Therefore this Council requests the Executive Head of Business Services and Assets to make an application to the Marine Management Organisation for funding through the European Maritime and Fisheries Fund to fully fund the purchase of Personal Floatation Devices equipped with Personal Locator Beacons and to develop a delivery scheme in partnership with the local fishing industry. This would ensure that those local fishermen who would struggle financially to buy one of these potentially lifesaving pieces of equipment can be provided to them at no cost.

This Council also requests the Chief Executive to write to the Local Government Association to request they encourage all other councils with fishing communities to follow suit and support the fishing industry nationally.

The Elected Mayor considered the motion at the Meeting of the Council and his decision is set out above.

#### Alternative Options considered and rejected at the time of the decision

Not to support the motion.

**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**

11 December 2017

Signed: \_\_\_\_\_  
Deputy Mayor on behalf of  
The Elected Mayor of Torbay

Date: 11 December 2017

## Questions Under Standing Order A13

A member may only submit three questions for consideration at each Council Meeting. Each member will present their first question in turn, when all the first questions have been dealt with the second and third questions may be asked in turn. The time for member's questions will be limited to a total of 30 minutes.

<p><b>Question (1) by Councillor Carter to the Elected Mayor and Executive Lead for Assets, Finance, Governance and Corporate Services, Economic Regeneration and Transformation (Elected Mayor Oliver)</b></p>	<p><b>I note that an auction of Oldway Mansion has not been excluded from the options for the consultants reviewing the future of Oldway Mansions. As Elected Mayor can you personally exclude the public auction of Oldway Mansion as an option that you could never support?</b></p>																																										
<p>Elected Mayor Oliver</p>																																											
<p><b>Question (2) by Councillor Darling (S) to the Chairman of the Development Management Committee (Councillor Kingscote)</b></p>	<p><b>I have been approach by members of the public concerned that in recent months the Development Management Committee has stopped recording meetings. Can you please assure me as the Chairman of Development Management Committee that you will instruct officers to reinstate the recording of these meetings?</b></p>																																										
<p>Councillor Kingscote</p>																																											
<p><b>Question (3) by Councillor Long to the Executive Lead for Community Services (Councillor Excell)</b></p>	<p><b>The Council are currently instigating 20 MPH zones outside schools, and it is hoped that once the schools have been completed that other areas will also be considered also. What progress is being made on making roads outside schools 20 mph and when is this work likely to be completed?</b></p>																																										
<p>Councillor Excell</p>																																											
<p><b>Question (4) by Councillor Sanders to the Executive Lead for Environment (Councillor Ellery)</b></p>	<p><b>For the last financial year, please complete the table below for the top five organisations/landlords that provide or manage emergency accommodation payments.</b></p> <table border="1" style="width: 100%; border-collapse: collapse; margin-top: 10px;"> <thead> <tr> <th style="width: 5%;"></th> <th style="width: 15%;">Number of units managed</th> <th style="width: 15%;">Total Payments / Housing Benefits</th> <th style="width: 15%;">Total incentive payments</th> <th style="width: 10%;">Sum of units * nights</th> <th style="width: 10%;">Sum of person* nights</th> <th style="width: 10%;">Average length of tenancy (days)</th> </tr> </thead> <tbody> <tr> <td style="text-align: center;">1</td> <td></td> <td style="text-align: center;">/</td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td style="text-align: center;">2</td> <td></td> <td style="text-align: center;">/</td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td style="text-align: center;">3</td> <td></td> <td style="text-align: center;">/</td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td style="text-align: center;">4</td> <td></td> <td style="text-align: center;">/</td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td style="text-align: center;">5</td> <td></td> <td style="text-align: center;">/</td> <td></td> <td></td> <td></td> <td></td> </tr> </tbody> </table>		Number of units managed	Total Payments / Housing Benefits	Total incentive payments	Sum of units * nights	Sum of person* nights	Average length of tenancy (days)	1		/					2		/					3		/					4		/					5		/				
	Number of units managed	Total Payments / Housing Benefits	Total incentive payments	Sum of units * nights	Sum of person* nights	Average length of tenancy (days)																																					
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<p>Councillor Ellery</p>																																											
<p><b>Question (5) by Councillor Doggett</b></p>	<p><b>In the last financial year how much was paid in housing benefits?</b></p>																																										

to the Executive Lead for Environment	
Councillor Ellery	
<b>Question (6) by Councillor Darling (M) to the Executive Lead for Community Services (Councillor Excell)</b>	<b>In last year's budget the Mayor recommended and it was agreed to end the post of a road safety officer on Torbay Council. In light of the recent fatality on Belgrave Road. Do you agree with me that the ending of this post was an error of judgement?</b>
Councillor Excell	
<b>Question (7) by Councillor Pentney to the Executive Lead for IT, Libraries and Waste (Councillor King)</b>	<b>I understand that in light of mounting concerns about fly tipping a Government minister has signalled to Councils to stop their waste and recycling centres charging for DIY domestic waste. What talks have taken place with TOR2 to review the current Council charges?</b>
Councillor King	

### Second Round

<b>Question (8) by Councillor Darling (S) to the Executive Lead for Planning (Councillor Mills)</b>	<b>I note that at the Policy Development Decision Group meeting held on 10 January 2018 that you stated that the Planning Enforcement Officer for Torbay had a work load of over 400 cases. Can you please let me know how many of these cases have been progressed in their management since the 1 January 2018?</b>			
Councillor Mills				
<b>Question (9) by Councillor Long to the Executive Lead for Community Services (Councillor Excell)</b>	<b>The Council has a £65,000 pound capital sum for road safety and also the creation of 20mph zones. Please could you outline how this sum is being utilised?</b>			
Councillor Excell				
<b>Question (10) by Councillor Sanders to the Executive Lead for Environment (Councillor Ellery)</b>	<b>For the last financial year, please complete the table below for the top ten organisations/landlords that provide or manage 'housing benefit' rental accommodation.</b>			
	<b>Number of units managed /number of buildings</b>	<b>Total Housing Benefits Income</b>	<b>Total 'incentive' income</b>	<b>Average length of tenancy [weeks] for Housing Benefit tenants</b>
	1			
	2			
	3			
	4			
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	6			
	7			
	8			
	9			
	10			
Councillor Ellery	Page 28			

<b>Question (11) by Councillor Doggett to the Executive Lead for Environment (Councillor Ellery)</b>	<b>In the last financial year how much was paid in 'incentive' payments for landlords to accommodate the most vulnerable?</b>
Councillor Ellery	
<b>Question (12) by Councillor Carter to the Executive Lead for Adults and Children (Councillor Parrott)</b>	<b>I understand that the department for Education has rejected the site to the SW of Paignton that the Council had proposed at the Full Council in August 2017 to tackle the shortage of school places in Torbay. Can you confirm what steps the Council is now taking to plug the gap in primary school places and whether the former Tower House site will be considered alongside other sites?</b>
Councillor Parrott	

### Third Round

<b>Question (13) by Councillor Darling (S) to the Executive Lead for Community Services (Councillor Excell)</b>	<b>During winter months a number of grass verges across Torbay are turned into unsightly mud baths. Can you advise what consideration has Torbay Council given to using community protection notices or Anti-Social Behaviour Orders to tackle this problem?</b>
Councillor Excell	
<b>Question (14) by Councillor Sanders to the Executive Lead for Adults and Children (Councillor Parrott)</b>	<b>What impact, if any, has the loss of beds at Paignton Hospital had on Adult Social care in Torbay?</b>
Councillor Parrott	
<b>Question (15) by Councillor Doggett to the Executive Lead for Environment (Councillor Ellery)</b>	<b>In the last financial year how much was paid in 'emergency' accommodation?</b>
Councillor Ellery	

## Notice of Motion – Council 1 February 2017

### Marina Car Park, the Pavilion and Cary Green Development

This Council notes the decision of the Elected Mayor on 1 February 2012 in respect of the Development Agreement for the Marina Car Park, the Pavilion and Cary Green and that planning permission for a hotel was granted by the Development Management Committee on 27 February 2017. However to date there appears to have been no progress of the development.

Given the desperate need for economic regeneration in the Bay, this Council requests the Mayor to rescind his decision of 1 February 2012 and that as a consequence he instructs the Director of Corporate Services and Operations to terminate the Development Agreement.

Proposer: Councillor Darling (S)  
Seconder: Councillor Darling (M)

## Notice of Motion – Council 7 February 2018

### Stalled Developments Site Register

This Council notes that a number of sites across Torbay are stalled in respect of their redevelopment and that a register of such “stalled Sites” would both act as a focus to ensure action is taken to promote activity to improve these sites and allow the local community and developers clear guidance as to what action is being taken to tackle the stalled site and what opportunity there is to engage with the redevelopment of these sites.

The register should include sites that have been stalled for more than one year and has been identified by either Councillors or community partnerships as a site of concern.

This Council instructs officers to establish a register of such sites.

The initial register should include: Oldway Mansions, Crossways centre, Hollicombe site, Former B&Q Torre, Shedden Hall Hotel, The Pavilion, Torwood Street site.

A six monthly update on the register should be placed on the agenda for the Councils Overview & Scrutiny committee.

The register should be maintained on the Councils website.

Proposer Cllr Steve Darling

Seconded Cllr Chris Carter



**Meeting:** Council

**Date:** 1 February 2018

**Wards Affected:** All Wards

**Report Title:** Budget Monitoring 2017/2018 – Quarter Three

**Is the decision a key decision?** No

**When does the decision need to be implemented?** n/a

**Executive Lead Contact Details:** Elected Mayor Oliver, [mayor@torbay.gov.uk](mailto:mayor@torbay.gov.uk)

**Supporting Officer Contact Details:** Martin Phillips, Head of Finance,  
[Martin.phillips@torbay.gov.uk](mailto:Martin.phillips@torbay.gov.uk), 01803 207285

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## 1. Purpose and Introduction

- 1.1. This report provides a high level budget summary of the Council's revenue and capital income and expenditure for the financial year 2017/18.
- 1.2. As at the end of quarter three 2017/18 the Council's **Revenue** budget is predicting an over spend of £2.5m primarily as a result of expenditure pressures in children's social care. This level of overspend is a cause for concern and has been reflected in the Elected Mayor's budget proposals for 2018/19 which were published in October 2017 and has been considered for the Elected Mayor's final Budget Proposals to Council in February 2018. In the absence of any compensating savings in other services the Council will need to identify options to fund the over spend. The 2018/19 Review of Reserves report addresses this issue.
- 1.3. The **Capital** Plan budget totals £329million for the 4 year programme, with £135 million currently scheduled to be spent in 2017/18, including £99 million on Investment Fund acquisitions. The Capital Plan requires £0.9 million from (new) capital receipts and capital contributions over the life of the Plan
- 1.4. Appendix 2 is an expanded narrative of the **capital schemes** expected to incur expenditure in 2017/18 with a specific update for each project. This aims to provide members with greater oversight of the progress on capital projects rather than a focus exclusively on financial issues.

## 2. Recommendation (s) / Proposed Decision

- 2.1. That the forecast 2017/2018 revenue budget position be noted.
- 2.2. That the latest position for the Council's Capital expenditure and funding for 2017/2018 be noted.

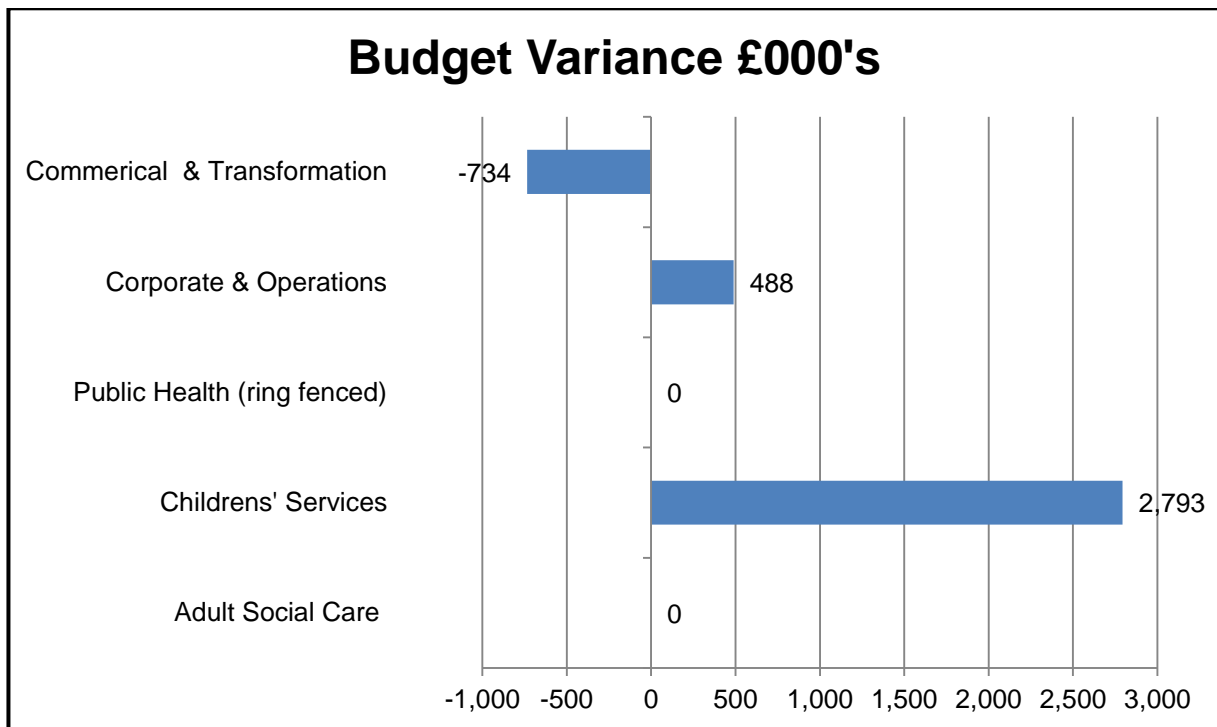


### 3. Reason for Recommendation/ Proposed Decision

3.1 Report for review and information.

### 4. 2017/18 Revenue Budget Summary Position

4.1 As at Quarter 3 the Council's revenue budget is predicting an over spend of £2.5m, primarily as a result of issues in Children's Services, offset in part by under spends or additional income on other services. A bar chart summarising the projected budget variance by service for 2017/18 is as follows:



The budgets are presented in line with the new Council management structure that was applicable from November 2017. There is likely to be further “housekeeping” revisions to the structure as it develops.

#### Children's Services

4.2 The Children's Services' Medium Term Financial Strategy (MTFS) focuses on bringing the two main areas of expenditure – placements and staffing, in line with comparators over time. Our spending on placements is projected to be above last year's outturn. Overall our Children Looked After population is broadly static which is in contrast to the national position which is showing year on year growth. Although placement numbers remain broadly constant over the past year the average cost per new placement is often higher, from both complexity of placement and higher cost per placement due to scarcity in the national supply of placements. The staffing outturn for the current year is still projected to be broadly in line with last year's outturn and

has been affected by investment to stabilise the Social Care workforce and ensure that children were not subject to repeated change in their allocated Social Worker.

- 4.3 As previously reported the schools' higher needs block in the Dedicated Schools Grant has been under financial pressure as a result of an increasing level of referrals from schools for higher needs support for children resulting in an over spend in 2017/18 of £1.2m. The Council does not receive any funding for schools therefore the over spend will remain in the DSG to be funded in future years and is not a cost the Council will fund. The Council will continue to work directly with schools to jointly work on a solution to this issue.

#### Investment Property

- 4.4 In the third quarter 2017/18 the Council purchased another investment property for £31m at a yield of 5.5%.

#### 4.5 Detailed Position

The budget position for each service is shown in the table below:

Service	2017/18 Budget			Forecast Full Year Variance
	Expenditure £000s	Income £000's	Net £000's	
Adult Social Care	49,539	(10,479)	39,060	0
Children's Services	77,467	(48,741)	28,726	2,793
Public Health	11,115	(1,479)	9,636	0
<b>Joint Commissioning</b>	<b>138,121</b>	<b>(60,699)</b>	<b>77,422</b>	<b>2,793</b>
Business Services	23,450	(17,964)	5,486	168
Community Services	10,736	(1,433)	9,303	110
Corporate Services	5,769	(1,548)	4,221	290
Customer Services	73,716	(70,225)	3,491	150
Investment Properties	3,517	(4,281)	(764)	(230)
<b>Corporate Services and Operations</b>	<b>117,188</b>	<b>(95,451)</b>	<b>21,737</b>	<b>488</b>

Business Development	11,073	(2,414)	8,659	(90)
Financial Services	18,934	(16,971)	1,963	(644)
Transformation	727	(421)	306	<b>0</b>
<b>Commercial Services and Transformation</b>	<b>30,734</b>	<b>(19,806)</b>	<b>10,928</b>	<b>(734)</b>
<b>Gross Revenue Budget</b>	<b>286,043</b>	<b>(175,956)</b>	<b>110,087</b>	<b>2,547</b>
Sources of Funding	-	(110,087)	(110,087)	(11)
<b>Net Revenue Budget</b>	<b>286,043</b>	<b>(286,043)</b>	<b>0</b>	<b>2,536</b>

A narrative of the position in each service area is as follows:

<b>Service</b>	<b>Variance to Budget £m</b>	<b>Main Variances in 2017/18</b>
Adult Social Care	0	Fixed payment agreed with ICO for 2017/18
Children's Services	2.8	As paragraph 4.2 above
Public Health	0	Ring fenced budget
Commercial Services and Transformation	(0.8)	Expected savings in pension payments (both discretionary and deficit related) based on expenditure profile to date, the release of a number of contingency budgets and lower than expected waste tonnages.
Corporate and Operations	0.5	Projected over spend on coroner, legal services, elections and spatial planning, offset by additional confirmed investment properties to date. Income shortfall in printing offset in part by salary savings in exchequer and benefits.  Income budgets not being achieved. Projected over spends on events, CCTV, and Torre Abbey. Offset by salary, housing options and temporary accommodation savings. Also included are savings from the new contract with Parkwood Leisure for Torbay Leisure Centre and the Velopark.
Sources of Funding	0	
<b>Total</b>	<b>2.5</b>	Projected over spend

#### 4.6 Risks & Sensitivity

- 4.7 The predictions for the full year outturn in this report are based on nine months of financial information and will be subject to changes in both assumptions and demand.
- 4.8 Historically the Council's overall position improves in the last quarter of the year as actual expenditure and income for the year is finalised and impact of some future year savings are realised in year.
- 4.9 There are a number of financial risks facing the Council. Key risks are shown below:

<b>Risk</b>	<b>Impact</b>	<b>Mitigation</b>
Achievement of approved savings for 2017/18	Medium	17/18 Budget monitoring and "saving tracker" monitored by senior staff.
Potential impact and costs of judicial review for care home fees	Low	Judgement in Council's favour – October 2017
Risk that current ASC/ICO proposals are not formally agreed.	Low	The 3 bodies of CCG, ICO and Council have signed a revised risk share which caps council risk
Achievement of Childrens' Services cost reduction plan	High	Regular monitoring of performance and recovery plan.
Identification, and achievement, of £17.4m of savings for 2018/19 to 2020/21 per Medium Term Resource Plan April 2017	High	Transformation Team set up to coordinate the implementation of potential transformation savings. Elected Mayors 2018/19 budget proposals released in October 2017
Additional demand for services particularly in childrens' social care	High	17/18 Budget monitoring, use of service performance data and recovery plan.
Investment Property Income changes	Low	Regular review of income and tenant negotiation

#### 5. **2018/19 Budget Process**

- 5.1 The Elected Mayor presented his budget proposals for 2018/19 as planned on the 23<sup>rd</sup> October 2017 for consultation. The 2018/19 budget will be presented to Council for approval in February 2018.
- 5.2 The Elected Mayor's 2018/19 budget proposals are available on the Council's website:

<http://www.torbay.gov.uk/council/finance/budget/budget-201819/>

## 6. Balance Sheet issues

### Borrowing

- 6.1 Since end of September 2017 the Council has borrowed a further £50m, primarily to fund investment property acquisitions. Total borrowing as at 31<sup>st</sup> December 2017 was £273m.

### Council Subsidiary Companies

- 6.2 The Council has interests in a number of companies. The financial performance for 2016/17 of these companies is included in the Council's statement of accounts (link below).

<http://www.torbay.gov.uk/council/finance/statement-of-accounts/>

- 6.3 The Council has now set up Torbay Housing Company Ltd for the aim of buying domestic dwellings for rent in line with the Council's housing strategy.
- 6.4 The TDA has also set up two new trading companies for their commercial activities. These are currently not trading.
- 6.5 All of these companies form part of the Council's group boundary, therefore Members should be aware of the assets and liabilities of these companies.

### Debtor – Write offs

- 6.6 The total value of debtor write offs in the third quarter of 2017/18 was:

Service	Number of records written off	Value of write offs £000's	Number over £5,000
Council Tax	697	257	0
NNDR	30	126	6
Housing Benefit	162	51	0

## 7. Capital Plan Summary Position

- 7.1 The Capital Plan Budget has been updated for any further revision to both projects and timing, resulting in the latest revision attached at Appendix 1. The Plan now totals £328 million over the 4 year period of which £135 million relates to 2017/18 and £138 million relates to 2018/19.
- 7.2 The movements in the estimate of expenditure in 2017/18 on the Capital Plan between the last monitoring report at September 2017 of £104.0m and the current budget for 2017/18 of £134.8 m are shown below.

<b>Scheme</b>	<b>Changes £m</b>	<b>New Schemes £m</b>	<b>Reason</b>
<b>Budget changes since last report (Q2 2017/18 - £104.0m)</b>			Capital Plan Update – 2017/18 Quarter 2 (Report 7 Dec 2017)
<b>Protecting Children:</b>			
Early Years – Ellacombe Nursery	(0.2)	0	Delayed start so part budget moved to 2018/19
New Paignton Primary School	(0.5)	0	Site acquisition delayed by funder's requirements.
Relocate Torbay School	(0.6)	0	Delay in decision on relocation options.
<b>More Prosperous Torbay</b>			
Investment Fund	31.5	0	Further site approved and purchased
Oxen Cove Landing Jetty	(1.9)	2.0	New landing facility Rephased to reflect likely spend
Oxen Cove Shellfish Facility- design work	(0.3)	0.4	Preparatory design work pending grant application. Reprofiled budget to 18/19
Town Centre Regeneration Programme	(24.0)	25.0	Council Oct 17 approval. Rephased budget to future years.
Transport Integrated Transport Schemes	1.4 (1.8)	0	Budget from future years Part budget used to fund Western Corridor work. Rephased to 2018/19
Transport – Western Corridor	(0.3) (0.7)	0	Latest estimate of work
<b>Attractive and Safe place</b>			
Public Toilets Modernisation Programme	(0.9)	1.0	Agreed by Council as part of new contract proposal Costs likely to spread over 3 years
<b>Corporate Support</b>			
Corporate IT Developments	0.2	0	Part budget brought forward from future years
Office Rationalisation – Electric House	(0.2)	0.7	Refurbishment works Part budget transferred to next year
<b>Estimate – Quarter Three 2017/18, total £134.8m</b>	<b>1.7</b>	<b>29.1</b>	

## **8 Updates to Capital Plan:**

### **8.1 Protecting Children**

8.2 There are a number of projects in Childrens' services where some expenditure has been re profiled to move funding between years to reflect latest expenditure projections:

- Early years – Ellacombe - £0.25m budget has been moved to 2018/19 as a result of a delayed start on site
- New Paignton Primary school - £0.48m budget rephased to next year as site acquisition is delayed by funder's requirements.
- Relocate Torbay School - £0.6m budget moved to 2018/19 awaiting decisions on relocation options.

### **8.3 More Prosperous Torbay**

8.4 Claylands redevelopment – approval to utilise a further £0.4m prudential borrowing (to a total of £7.9m) on this project was agreed at Council in October and the budget has been revised in the Capital Plan to reflect this change.

8.5 Investment Fund – the 2017/18 budget has been increased by a further £31.5m to reflect the acquisition of a site approved by Investment Committee, to be funded by prudential borrowing. The balance of the approved £200m budget is now held in 2018/19 for further purchases.

8.6 Oxen Cove Landing Jetty – Council approved this scheme to provide additional landing facilities primarily for local shellfish at Oxen Cove. The estimated project cost is £1.9m funded from external grant and prudential borrowing. Whilst some budget has been left in the current financial year it is anticipated that most expenditure will be incurred next year.

8.7 Oxen Cove Shellfish Facility – approval was given by Council on 7 December 2017 to commission preparatory design work for this scheme at a cost of £0.4m. This should enhance a funding bid to provide resources along with some prudential borrowing for additional shellfish processing facilities, subject to a further report to Council.

8.8 Town Centre Regeneration Programme – as agreed by Council 19 October 2017 a total £25m prudential borrowing budget has been added to the Capital Plan spread over current and future years. Individual projects within this overall programme to be agreed by specified officers and members before draw down of prudential borrowing is approved.

8.9 Transport - Integrated Transport Programme. In accordance with previous Council decisions regarding the use of the Integrated Transport Block budget, £1.8m of the funding has been transferred to support the ongoing improvements along the Western

Corridor. In addition £0.3m of the budget has been moved to next year reflecting likely expenditure levels of individual schemes, primarily Fleet Walk improvements.

8.10 Transport – Western Corridor. – This scheme is mainly funded from Local Enterprise Partnership (LEP) grant and in view of the increased costs of these road improvements a further £1.8m has been added to the budget to support this project. These resources are transferred from the Integrated Transport block. The LEP have also agreed to transfer £0.95m of its grant funding from the Torquay Gateway project to the Western Corridor scheme, and the budgets have been revised in the Council's Capital Plan accordingly. There has also been some adjustment of the budgets between years following a review of likely expenditure patterns, for both the Western Corridor and Torquay Gateway projects.

### **8.11 Attractive and Safe Place**

8.12 Public Toilets Modernisation Programme – as part of the agreement with the new service provider, a programme of works to update the public toilets in the Bay will be undertaken over the next two or three years. The improvements are estimated to cost a total of £1.032m and will be funded by prudential borrowing, as agreed at Council on 7 December 2017.

8.13 Torquay Town Dock pontoon replacements – The agreed scheme is now expected to cost slightly more than initially estimated and an additional £0.04m will be funded from the Harbours Reserve.

### **8.14 Supporting Vulnerable Adults**

8.15 Adult Social Care – an increased Government Disabled Facilities Grants allocation of £0.122m has been awarded

### **8.16 Corporate Support**

8.17 Corporate IT Developments – The 4 year budget has been reprofiled to support the urgent need to replace outdated ICT Infrastructure equipment; upgrade Microsoft Software; and also to support some additional costs associated with the ORP office move project and Agile/flexible working. A further estimate of £1m will be required to fund potential further improvements to ICT infrastructure items for 2019/20, 2020/21.

## **9 Receipts & Funding**

9.1 The funding identified for the latest Capital Plan budget is shown in Appendix 2. This is based on the latest prediction of capital resources available to fund the budgeted expenditure over the next 4 years.

## **10. Grants**

10.1 Since the last Capital update (Quarter 2 2017/18) reported to Council in December 2017, the Council has been notified of the following capital grant allocation:



- Dept. for Communities and Local Government – Disabled Facilities Grants additional 2017/18 allocation £0.122m.

The DCLG (now MHCLG) recently announced this additional allocation but there are strict requirements attached to this grant including that it is used by 31 March 2018. It can be used on DFGs or other social care capital projects.

## **11. Capital Receipts**

- 11.1 The approved Plan relies on the use of £3.4m capital receipts. The Council already holds a capital receipts reserve of £2.1 m at 31 March 2017 and a further £0.4m was received by the end of December 2017, leaving a target of £0.9m still to be achieved.

## **12. Capital Contributions – S106 & Community Infrastructure Levy**

- 12.1 Income from Section106 capital contributions so far in 2017/18 amount to £0.3 million.

### **Appendices:**

Appendix 1 Capital Plan expenditure and funding summary – Quarter Three 2017/18

Appendix 2 Capital Plan 2017/18 – Performance Summary








**CAPITAL PLAN - QUARTER 3 2017/18 - EXPENDITURE**

							Revised 4-year Plan Dec 2017				
	Latest Est Scheme Cost	Expend in Prev Years (active schemes only)	Actuals & Commitments 2017/18 Qtr3	Previous 2017/18 (@ Q2 17/18)	2017/18 Q3 Adjustments	New Schemes 2017/18	Total 2017/18 Revised	2018/19	2019/20	2020/21	Total for Plan Period
<b>APB</b> = Approved Prudential Borrowing schemes	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000
<b>Protecting children and giving them the best start in life</b>											
Brookfield House Site	550	465	23	64			64				64
Capital Repairs & Maintenance 2014/15 (incl. Furzeham)	752	668		9			9				9
Capital Repairs & Maintenance 2015/16	205	21	1	0			0				0
Capital Repairs & Maintenance 2016/17 & 2017/18	866		364	704			704				704
Cockington Primary expansion	3,149	3,074		7			7				7
Devolved Formula Capital			127	223			223				223
Early Years - Ellacombe Academy Nursery	746		662	682	(250)		432	250			682
Early Years - White Rock Primary Nursery	420		340	378	22		400				400
Education Review Projects			28	106	(24)		82	200	559		841
Ellacombe Primary expansion	558	469	11	12			12				12
New Paignton Primary school	509	2		502	(480)		22	480			502
Paignton Academy Places - mobiles	483	1	2	0	2		2				2
Secondary School places	2,357	185	1,571	687			687	1,225			1,912
Special Provision Fund	500						0	166	167	167	500
Torbay School Relocation	2,800	35	12	630	(600)		30	2,600			2,630
Whiterock Primary expansion	3,930	3,574	42	43			43				43
Youth Modular Projects	409	372		37			37				37
	<b>27,100</b>	<b>8,866</b>	<b>3,183</b>	<b>4,084</b>	<b>(1,330)</b>	<b>0</b>	<b>2,754</b>	<b>4,921</b>	<b>726</b>	<b>167</b>	<b>8,568</b>
<b>Working towards a more prosperous Torbay</b>											
<b>APB</b> Claylands Redevelopment	10,400	0	173	478	0		478	5,500	4,400		10,378
DfT Better Bus Areas	462	263	2	87			87				87
DfT Local Sustainable Transport Fund (Ferry/Cycle)	1,643	1,639	4	4			4				4
<b>APB</b> Edginswell Business Park	6,620		49	3,000			3,000	3,620			6,620
<b>APB</b> Employment Space	6,644	0	6,607	5,644			5,644	1,000			6,644
<b>APB</b> Investment Fund	200,000	21,054	97,078	67,945	31,545		99,490	79,456	0		178,946

**CAPITAL PLAN - QUARTER 3 2017/18 - EXPENDITURE**

							Revised 4-year Plan Dec 2017				
	Latest Est Scheme Cost	Expend in Prev Years (active schemes only)	Actuals & Commitments 2017/18 Qtr3	Previous 2017/18 (@ Q2 17/18)	2017/18 Q3 Adjustments	New Schemes 2017/18	Total 2017/18 Revised	2018/19	2019/20	2020/21	Total for Plan Period
	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000
<b>= Approved Prudential Borrowing schemes</b>											
NGP - Torbay Innovation Centre Ph 3 (EPIC)	7,740	696	526	2,125			2,125	4,862	677		7,664
Old Toll House, Torquay	150	4	5	146			146				146
Oxen Cove Landing Jetty	1,967		253		(1,900)	1,967	67	1,900			1,967
Oxen Cove Shellfish processing facility -design work	400				(300)	400	100	300			400
South Devon College - Loan	4,000		4,000	4,000			4,000				4,000
South Devon Highway - Council contribution	20,224	12,670	49	1,361			1,361	1,000	407		2,768
Street Lighting - Energy reduction Ph2	1,132	1,131	2				0				0
TEDC Capital Loans/Grant	2,690	1,327		725			725				725
Town Centre Regeneration Programme	25,000				(24,000)	25,000	1,000	5,000	10,000	9,000	25,000
Transport - Edginswell Station	520	511	9	10			10	0	0		10
Transport Integrated Transport Schemes			217	1,621	(746)		875	917	613	613	3,018
Transport Structural Maintenance			639	1,673	(50)		1,623	1,224	1,174	1,174	5,195
Transport - Torquay Gateway Road Improvements	2,925	604	307	82	68		150	1,732	50		1,932
Transport - Torquay Town Centre Access	625	208	55	327			327				327
Transport - Tweenaway Junction	4,871	4,871	26				0				0
Transport - Western Corridor	10,603	1,571	5,759	3,945	(696)		3,249	3,494			6,743
Upton Place, Lymington Road (Student Accom - Town Hall Car Park)	14,200			200			200	10,000	4,000		14,200
	<b>322,816</b>	<b>46,549</b>	<b>115,760</b>	<b>93,373</b>	<b>3,921</b>	<b>27,367</b>	<b>124,661</b>	<b>120,005</b>	<b>21,321</b>	<b>10,787</b>	<b>276,774</b>
<b>Ensuring Torbay remains an attractive and safe place to live and visit</b>											
Babbacombe Beach Road	70	0		70			70				70
Beacon Quay Toilets refurbishment	117	106	40	11			11				11
CCTV equipment	385	0		385			385				385
Clennon Valley Sport Improvements	70	1	1	69			69				69
Flood Defence schemes (with Env Agency)	686	630	16	56			56				56
Freshwater Cliffs Stabilisation	375	359	11	16			16				16
Haldon Pier - Structural repair Phase I&2	3,064	3,045	20	18			18				18
Harbour Workboat	45	34	11	11			11				11
Hollicombe Cliffs Rock Armour	1,544	689	623	855			855				855







**CAPITAL PLAN - QUARTER 3 2017/18 - EXPENDITURE**

							Revised 4-year Plan Dec 2017				
	Latest Est Scheme Cost	Expend in Prev Years (active schemes only)	Actuals & Commitments 2017/18 Qtr3	Previous 2017/18 (@ Q2 17/18)	2017/18 Q3 Adjustments	New Schemes 2017/18	Total 2017/18 Revised	2018/19	2019/20	2020/21	Total for Plan Period
	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000
<b>= Approved Prudential Borrowing schemes</b>											
 Paignton Harbour Lights Redevelopment	600	0		0			0	600			600
 Parkwood Loan re Torbay Leisure Centre	1,701	0		701			701	1,000			1,701
Princess Gardens Fountain	122		155	122			122				122
Princess Pier - Structural repair (with Env Agency)	1,744	0	133	544			544	1,200			1,744
 Public Toilets Modernisation Programme	1,032				(932)	1,032	100	532	400		1,032
Torbay Leisure Centre - structural repairs	545	541		3			3				3
Torre Abbey Renovation - Phase 2	5,010	4,992		18			18				18
Torre Valley North Enhancements	127	22	20	105			105				105
Torquay Harbour -Town Dock Pontoons replacements	260		15	220	40		260				260
	<b>17,497</b>	<b>10,419</b>	<b>1,045</b>	<b>3,204</b>	<b>(892)</b>	<b>1,032</b>	<b>3,344</b>	<b>3,332</b>	<b>400</b>	<b>0</b>	<b>7,076</b>
<b>Protecting and supporting vulnerable adults</b>											
Adult Social Care	1,553	922		631			631				631
Affordable Housing	2,624			0			0	1,430	1,194		2,624
 Housing Rental Company - Loan	25,000						0	5,000	10,000	10,000	25,000
Sanctuary HA - Hayes Road Pgn	500	250		250			250				250
Disabled Facilities Grants			572	1,216	50		1,266				1,266
Empty Homes Scheme	500	43		0			0	457			457
Private Sector Renewal				0			0	113			113
	<b>30,177</b>	<b>1,215</b>	<b>572</b>	<b>2,097</b>	<b>50</b>	<b>0</b>	<b>2,147</b>	<b>7,000</b>	<b>11,194</b>	<b>10,000</b>	<b>30,341</b>
<b>Corporate Support</b>											
 Corporate IT Developments	1,000	1	352	499	201		700	299	0		999
 Council Fleet Vehicles	463	322		141			141				141
 Essential Capital repair works	2,625	0		225			225	1,400	1,000		2,625
Enhancement of Development sites	299	96	9	53			53	150			203
Flexible Use of Capital Receipts	600	0		300			300	300			600
Office Rationalisation Project - Electric House refurb	700	0			(200)	700	500	200			700

**CAPITAL PLAN - QUARTER 3 2017/18 - EXPENDITURE**

							Revised 4-year Plan Dec 2017					
		Latest Est Scheme Cost	Expend in Prev Years (active schemes only)	Actuals & Commitments 2017/18 Qtr3	Previous 2017/18 (@ Q2 17/18)	2017/18 Q3 Adjustments	New Schemes 2017/18	Total 2017/18 Revised	2018/19	2019/20	2020/21	Total for Plan Period
		£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000
<b>APB = Approved Prudential Borrowing schemes</b>												
	Payroll Project	370	348	6	22			22				22
	General Capital Contingency	631	0		0			0	631			631
		6,688	767	367	1,240	1	700	1,941	2,980	1,000	0	5,921
<b>TOTALS</b>			<b>67,816</b>	<b>120,927</b>	<b>103,998</b>	<b>1,750</b>	<b>29,099</b>	<b>134,847</b>	<b>138,238</b>	<b>34,641</b>	<b>20,954</b>	<b>328,680</b>
<b>CAPITAL PLAN - QUARTER 3 2017/18 - FUNDING</b>												
	Unsupported Borrowing				85,093	5,353	27,499	117,945	115,335	30,147	18,977	282,404
	Grants				16,091	(3,188)	500	13,403	18,760	3,240	1,954	37,357
	Contributions				631			631	198	460		1,289
	Reserves				799	(380)	1,100	1,519	2,028	(180)	(180)	3,187
	Revenue				499	(85)		414	97	240	203	954
	Capital Receipts				885	50		935	1,820	734		3,489
	<b>Total</b>				<b>103,998</b>	<b>1,750</b>	<b>29,099</b>	<b>134,847</b>	<b>138,238</b>	<b>34,641</b>	<b>20,954</b>	<b>328,680</b>

## CAPITAL PLAN - QUARTER 3 2017/18 - PROJECT UPDATE

Capital Plan Projects		Project status report
 = Approved Prudential Borrowing schemes		17/18 budget so comment required
<b>Protecting children and giving them the best start in life</b>		
	Brookfield House Site	Site purchased and secured. Development on hold subject to decision on Relocation of Torbay School.
	Capital Repairs & Maintenance 2014/15 (incl. Furzeham)	Projects complete.
	Capital Repairs & Maintenance 2015/16	Projects complete.
	Capital Repairs & Maintenance 2016/17 & 2017/18	On-going Repairs & Maintenance projects considered and approved on a priority basis.
	Cockington Primary expansion	Project complete. Minor defects being addressed.
	Devolved Formula Capital	Delegated capital funds managed by LA for maintained schools only.
	Early Years - Ellacombe Academy Nursery	Project on site and progressing well. Completion expected May 2018.
	Early Years - White Rock Primary Nursery	Project complete on time. New nursery opened 3rd January 2018.
	Education Review Projects	Small reserve budget for unforeseens. Also future Basic Need funding for new school place provision projects.
	Ellacombe Primary expansion	Project complete.
	New Paignton Primary school	On-going discussions with ESFA to identify a suitable site. Awaiting ESFA instructions.
	Paignton Academy Places - mobiles	Project complete.
	Secondary School places	Project on site and progressing well. Completion expected August 2018.
	Special Provision Fund	Action Plan drafted and currently out to consultation. Plan to be agreed in March prior to commencement of capital works from April 2018.
	Torbay School Relocation	Following report to PDDG in December, Officers have been tasked to review options for the Relocation of both Brunel and Burton Academies. Report to go back to PDDG in February 2018.
	Whiterock Primary expansion	Project complete. Minor defects being addressed.
	Youth Modular Projects	Awaiting decision on future of My Place Parkfield.
<b>Working towards a more prosperous Torbay</b>		
	Claylands Redevelopment	Environment Agency expected to confirm their consent for scheme to proceed in q1. Legals are progressing with prospective tenant and we will be tendering the works with intended start on site in q3 of calendar year.
	DfT Better Bus Areas	Main project plans complete.
	DfT Local Sustainable Transport Fund (Ferry/Cycle)	Project complete
	Edginswell Business Park	Site not yet purchased. Investigation, clearance and survey work are being undertaken along with design and legal advice.
	Employment Space	Scheme progressing well with tenant due to take occupation in the summer
	Investment Fund	Five sites acquired so far. Others are still possible pending 'due diligence' investigations.
	NGP - Torbay Innovation Centre Ph 3 (EPIC)	Planning is in place subject to confirmation of certain matters, legal work is progressing and sub contracting package prices are coming back. There is some evidence of construction price inflation but we expect to be on site before end March

## CAPITAL PLAN - QUARTER 3 2017/18 - PROJECT UPDATE

Capital Plan Projects		Project status report
<b>PB</b>	<b>= Approved Prudential Borrowing schemes</b>	17/18 budget so comment required
	Old Toll House, Torquay	Architectural work and site clearance being undertaken
<b>PB</b>	Oxen Cove Landing Jetty	Scheme recently approved some preparatory work expected this financial year.
	Oxen Cove Shellfish processing facility -design work	Scheme recently approved some preparatory work expected this financial year.
<b>PB</b>	South Devon College - Loan	Loan provided for hi-tech facilities
<b>PB</b>	South Devon Highway - Council contribution	Main construction complete but costs still to be incurred as and when invoiced by Devon CC (lead authority)
<b>PB</b>	Street Lighting - Energy reduction Ph2	Scheme completed
<b>PB</b>	TEDC Capital Loans/Grant	Funds available to draw on as required by TEDC to finance capital schemes
<b>PB</b>	Town Centre Regeneration Programme	Potential scheme options still to be determined
	Transport - Edginswell Station	Preliminary design work complete. Awaiting funding to enable construction phase.
	Transport Integrated Transport Schemes	Fleet Street Improvement commenced January 2018, Road Safety Schemes and School 20mph zone programmes under way.
	Transport Structural Maintenance	Resurfacing Programme is well advanced and on target
	Transport - Torquay Gateway Road Improvements	Shiphay cycle Route, Gallows Gate Widening and Scotts Bridge Widening now implemented, Newton Road Widening delayed due to lack of response from Network Rail regarding land acquisition issues
	Transport - Torquay Town Centre Access	Brunswick Square crossing to be commenced in February 2018, scheme nearing full completion.
	Transport - Tweenaway Junction	Compensation Claims are progressing but yet to be concluded
	Transport - Western Corridor	Kings Ash Road widening to be completed January 2018, Brixham Road Widening commencing January 2018. Funding transferred from Integrated Transport and Torquay Gateway to ensure full scheme delivery.
<b>PB</b>	Upton Place, Lymington Road (Student Accom - Town Hall Car Park)	Negotiations with the prospective tenant have not progressed as quickly as Council & TDA would like. There is a strong desire from Council to TDA to develop alternative options if these negotiations do not conclude promptly
<b>Ensuring Torbay remains an attractive and safe place to live and visit</b>		
	Babbacombe Beach Road	Contribution to scheme available when third party works undertaken
	Beacon Quay Toilets refurbishment	Project complete.
<b>PB</b>	CCTV equipment	Project at evaluation of tender bids, with intention of signing contracts in the Jan-Mar 18 quarter.
	Clennon Valley Sport Improvements	Awaiting feasibility study regarding Parkwood development with extra astro pitch before drainage issues can be addressed
	Flood Defence schemes (with Env Agency)	Council contribution towards capital schemes at Cockington and Monksbridge subject to grant in aid funding being secured for these schemes in 2017/18. Business case will be submitted to EA in January/February.
<b>PB</b>	Freshwater Cliffs Stabilisation	All works completed on site. Final account being agreed with the contractor.
	Haldon Pier - Structural repair Phase 1&2	Main works are complete -some remaining surveys
	Harbour Workboat	Complete. Boat purchased and in operation
	Hollicombe Cliffs Rock Armour	All works completed on site. Final account being agreed with the contractor.
<b>PB</b>	Paignton Harbour Lights Redevelopment	Proposals for redevelopment likely to commence next financial year.
<b>PB</b>	Parkwood Loan re Torbay Leisure Centre	First drawdown tranche of agreed loan expected January 2018

## CAPITAL PLAN - QUARTER 3 2017/18 - PROJECT UPDATE

Capital Plan Projects		Project status report
<b>PB</b>	<b>= Approved Prudential Borrowing schemes</b>	17/18 budget so comment required
	Princess Gardens Fountain	Works progressing completion date April 2018
	Princess Pier - Structural repair (with Env Agency)	Report was presented to full council on 13th September and the recommendations for these works to commence this financial year were approved. Detailed design work and the production of a planning application for the removal of the old landing stage have been completed. The scheme has now been tendered and the successful contractor has been appointed. Works will commence on site as soon as the planning permission has been approved. Likely to be mid January 2018.
<b>PB</b>	Public Toilets Modernisation Programme	The council appointed Healthmatic as the contractor at December's Council meeting. Meetings are now booked for January 2018 to agree the terms of the contract and to agree the draw down schedule for the capital. Once this has been agreed the budgets will be updated but at this stage anticipate the drawdown being over a 3 year period.
	Torbay Leisure Centre - structural repairs	Scheme complete. Small residual budget.
	Torre Abbey Renovation - Phase 2	An outstanding matter is still to be finalised and agreed - probably complete by Feb 2018
	Torre Valley North Enhancements	Awaiting information regarding lease and improvement plans are delayed awaiting the availability of fill materials (probably from Western Corridor road scheme).
	Torquay Harbour -Town Dock Pontoons replacements	Plan to replace pontoon design with a steel tubular floats similar to the outer wave screen. Project to be completed prior to the start of the summer season to minimise any disruption to customers.
<b>Protecting and supporting vulnerable adults</b>		
	Adult Social Care	Project(s) still to be identified
	Affordable Housing	Funds likely to be utilised for affordable housing schemes as identified by Housing Company
<b>PB</b>	Housing Rental Company - Loan	Finance approved to help establish Housing Company
	Sanctuary HA - Hayes Road Pgn	Torbay contribution to affordable housing scheme. Development completed.
	Disabled Facilities Grants	Statutory provision of financial assistance for adaptations to private residences enabling independence for recipients
	Empty Homes Scheme	Funds likely to be utilised for affordable housing schemes as identified by Housing Company
	Private Sector Renewal	Residual funds from former Improvement Grants budget
<b>Corporate Support</b>		
<b>PB</b>	Corporate IT Developments	ICT infrastructure items have and continue to be replaced and upgraded.
<b>PB</b>	Council Fleet Vehicles	Balance of funding available for acquisition of Council's fleet vehicles as required
<b>PB</b>	Essential Capital repair works	Budget provided to cover emergency / urgent repairs to Council properties
	Enhancement of Development sites	Relatively moderate expenditure to enhance value of potential sites.
	Flexible Use of Capital Receipts	Government has introduced flexibility to allow use on transformative projects which produce ongoing savings
	Office Rationalisation Project - Electric House refurbishment	Works to update office accommodation are underway along with associated office moves
	Payroll Project	Project largely completed . Ongoing consultancy and implementation costs.



**CAPITAL PLAN - QUARTER 3 2017/18 - PROJECT UPDATE**

<b>Capital Plan Projects</b>		<b>Project status report</b>
<b>PB</b>	<b>= <i>Approved Prudential Borrowing schemes</i></b>	17/18 budget so comment required
	General Capital Contingency	Contingency for unforeseen emergencies or funding shortfalls



**Meeting: Council**

**Date: 1 February 2018**

**Wards Affected: All Wards**

**Report Title: Review of Political Balance**

**Is the decision a key decision? No**

**When does the decision need to be implemented? Immediately**

**Supporting Officer Contact Details:** June Gurry, Governance Support Manager, telephone 01803 207012 and email [june.gurry@torbay.gov.uk](mailto:june.gurry@torbay.gov.uk)

## **1. Proposal and Introduction**

1.1 This report sets out a review of the political balance of the Council to ensure places on Committees and Working Parties are allocated in accordance with the relevant statutory and Constitutional requirements. The report is presented following notification that Councillors Amil, Excell, Mills and King wish to be known as ungrouped Independent members on the Council and Councillor Parrott wishes to be known as a UKIP member. Following this notification the Mayor's Non-Political Executive Group has ceased to exist by default as it no longer includes any members.

## **2. Reason for Proposal**

2.1 Following notification by Councillors Amil, Excell, King and Mills that they wish to be known as ungrouped Independent members on the Council and Councillor Parrott wishes to be known as a UKIP member, the Council's political balance needs amending.

## **3. Recommendation(s) / Proposed Decision**

3.1 **That the overall political balance of the committees as set out at Appendix 1 be approved.**

3.2 **That, in accordance with the Local Protocol for Working Parties, the overall political balance of working parties as set out in Appendix 2 be approved.**

3.3 **That the designation of seats to the ungrouped Independent members be delegated to the Governance Support Manager, in consultation with the ungrouped Independent members. Where consensus cannot be reached and the seat is not designated to a specific Executive Lead, seats will be allocated by the drawing of lots by the Governance Support Manager.**

## **Appendices**

Appendix 1: Political Balance of Committees

Appendix 2: Political Balance of Working Parties

**Background Documents:** None

## Supporting Information

### 1. Position and Background Information

Following notification by Councillors Amil, Excell, King and Mills that they wish to be known as ungrouped Independent members and Councillor Parrot wishes to be known as a UKIP member, this has resulted in changes to the political make-up of the Council. There are now 20 members of the Conservative Group, 8 members of the Liberal Democrat Group, 3 members of the Independent Group, 4 ungrouped Independent members and 1 UKIP member. The political balance is now:

Conservative Group	20 seats	= 55.56%
Liberal Democrat Group	8 seats	= 22.22%
Independent Group	3 seats	= 2.78%
Independent (Cllr Amil)	1 seat	= 2.78%
Independent (Cllr Excell)	1 seat	= 2.78%
Independent (Cllr King)	1 seat	= 2.78%
Independent (Cllr Mills)	1 seat	= 2.78%
UKIP (Cllr Parrott)	1 seat	= 2.78%

The notifications have resulted in the Mayor's Non-Political Executive Group being disbanded and therefore a change in the political make-up of the Council with a recalculation of seats on Committees between political groups. Proportional distribution of seats on Committees is set out at Appendix 1.

Whilst not a legislative requirement, the Council has included in its Constitution for Working Parties to also be politically balanced. Proportional distribution of seats on Working Parties is set out at Appendix 2.

### 2. How does this proposal support the ambitions, principles and delivery of the Corporate Plan?

The calculation of political balance of committees is a statutory requirement and supports all aspects of the Corporate Plan through the good governance of the Council.

### 3. How does this proposal contribute towards the Council's responsibilities as corporate parents?

There is no direct contribution towards the Council's responsibilities as corporate parents. The legislation ensures that nominations to the seats on committees reflects the representation of different political groups on the Council.

4.	<p><b>How does this proposal tackle deprivation?</b></p> <p>As section 3 above.</p>
5.	<p><b>What are the financial and legal implications?</b></p> <p><b>Legal:</b>  The Local Government and Housing Act 1989 requires the Council to allocate seats on committees to political groups in accordance with the size of each group as a whole, unless alternative arrangements are notified to all Members and agreed without any councillor voting against them. The Council is required to observe the following principles as far as it is reasonably practicable:</p> <p>(a) that not all seats on the body are allocated to the same group;</p> <p>(b) that the majority of seats on the body are allocated to a particular political group if the number of persons belonging to that group is a majority of the authority's membership;</p> <p>(c) subject to paragraphs (a) and (b) above, that the number of seats on the ordinary committees of a relevant authority which are allocated to each political group bears the same proportion to the total of all the seats on the ordinary committees of that authority as is borne by the number of Members of that group to the membership of the authority; and</p> <p>(d) subject to paragraphs (a) to (c) above, that the number of seats on the body which are allocated to each political group bears the same proportion to the number of all the seats on that body as is borne by the number of Members of that group to the membership of the authority.</p> <p>The Council is required to determine the number of seats on each committee and the allocation of those seats to the political groups. Applying the principles of the Local Government and Housing Act 1989 and the supporting Regulations, the option for distribution would be proportional as set out at Appendix 1 (the Elected Mayor is not included in the calculation for proportionality purposes).</p> <p>Once the Political Groups have been allocated the seats that they are due under the calculation and in line with the four principles above then any seats remaining are allocated the ungrouped Independents and UKIP member. It is proposed that the allocations set out in Appendices 1 and 2 are designated by the Governance Support Manager in consultation with the ungrouped Independents. Where consensus cannot be reached with the ungrouped Independents, and where the seats are not designated to a specific Executive Lead, it is recommended the Governance Support Manager shall draw lots to determine the allocations.</p> <p>The allocation of seats includes a statutory bar on members of the Executive on the Overview and Scrutiny Board and a Council decision to exclude the Executive on the Audit Committee.</p> <p>Political balance requirements may be dis-applied under Section 17, Local</p>

	<p>Government and Housing Act 1989 and Regulation 20, Local Government (Committees and Political Groups) Regulations 1990. This would allow the relevant seats to be allocated to another group and/or ungrouped Independent/UKIP members. Any decision to dis-apply would require a unanimous vote of full Council.</p> <p>In respect of Working Parties, the Council's Constitution states that Working Parties considering non-executive functions will be appointed in accordance with the principles of political balance.</p> <p><b>Finance:</b> None.</p>
6.	<p><b>What are the risks?</b></p> <p>There is a statutory requirement to undertake a review of political balance following a change in the political composition of the Council. This review has been completed. Therefore there are no risks unless members fail to determine the matter.</p>
7.	<p><b>Public Services Value (Social Value) Act 2012</b></p> <p>Not applicable.</p>
8.	<p><b>What consultation you have carried out?</b></p> <p>The Group Leaders have been consulted on the political balance calculations set out at Appendix 1 and Appendix 2.</p>

### Political Balance of Committees

Conservative Group	20 seats	= 55.56%
Liberal Democrat Group	8 seats	= 22.22%
Independent Group	3 seats	= 8.33%
Independent	1 seat	= 2.78%
Independent	1 seat	= 2.78%
Independent	1 seat	= 2.78%
Independent	1 seat	= 2.78%
Independent (UKIP)	1 seat	= 2.78%

Committee	Conservative Group	Liberal Democrat Group	Independent Group	Independent	Independent	Independent	Independent	Independent	Total
Appeals Committee (School Transport)	4	1	1	1	0	0	0	0	7
Audit Committee (excluding Executive)	4	2	1	0	0	0	0	0	7
Civic Committee	4	2	0	0	1	0	0	0	7
Development Management Committee (excluding Executive Lead with responsibility for Planning)	5	2	1	0	0	1	0	0	9
Employment Committee (to include Executive member)	3	1	0	0	0	0	1	0	5
Harbour Committee	5	2	1	0	0	0	0	1	9

<b>Committee</b>	<b>Conservative Group</b>	<b>Liberal Democrat Group</b>	<b>Independent Group</b>	<b>Independent</b>	<b>Independent</b>	<b>Independent</b>	<b>Independent</b>	<b>Independent</b>	<b>Total</b>
Housing Rental Company Committee (to include Executive Lead with responsibility for Housing)	4	1	1	1	0	0	0	0	7
Investment Committee	4	2	0	0	1	0	0	0	7
Licensing Committee (excluding Executive Lead with responsibility for Licensing)	8	3	1	0	0	1	1	1	15
Overview and Scrutiny Board (excluding Executive)	5	2	1	0	0	0	0	0	8
Standards Committee	4	2	0 1	0	0	0	0	0	7
	50	20	8	2	2	2	2	2	88



Political Balance of Non-Executive Working Parties

Working Party	Conservative Group	Liberal Democrat Group	Independent Group	Independent	Independent	Independent	Independent	Independent	Total
Adult Services and Public Health Monitoring Working Party	3	1	0	1	0	0	0	0	5
Airshow Working Party	3	1	0	0	0	0	0	1	5
Children's Services Monitoring Working Party	3	1	0	0	0	1	0	0	5
Community Asset Transfer Panel (including Executive Lead for Planning, Transport and Housing)	3	1	0	0	0	0	1	0	5
Constitution Working Party	3	1	1	0	0	0	0	0	5
Consultation, Communication and Engagement Working Party	3	1	1	0	0	0	0	0	5

<b>Working Party</b>	<b>Conservative Group</b>	<b>Liberal Democrat Group</b>	<b>Independent Group</b>	<b>Independent</b>	<b>Independent</b>	<b>Independent</b>	<b>Independent</b>	<b>Independent</b>	<b>Total</b>
Corporate Parent Members Group (including Executive Lead for Children)	3	1	0	0	1	0	0	0	5
Devolution Working Party	3	1	1	0	0	0	0	0	5
Financial Future Working Party (plus Elected Mayor)	4	1	1	0	0	0	0	0	6
Harbour Asset Working Party (plus external advisors)	3	2	0	0	0	0	0	0	5
Harbour Budget Working Party (plus external advisors)	3	2	0	0	0	0	0	0	5
Oldway Mansion and Estate Working Party	3	1	1	0	0	0	0	0	5
Town Centre Regeneration Programme Board (plus Elected Mayor, partners and officers)	4	1	1	0	0	0	0	0	6
	41	15	6	1	1	1	1	1	67

## Schedule 5 - Scheme of Delegation of Executive Functions to the Executive, Committees of the Executive and Officers

This report is presented to the meeting of Council on 1 February 2018 in accordance with Standing Order C4.2(a) for inclusion in the Council’s Scheme of Delegation (Schedule 5 of Part 3) of the Constitution of Torbay Council.

1. The names, addresses and wards of the people appointed to the Executive by the elected Mayor are set out below:

Name	Address	Electoral Ward
Deputy Mayor and Executive Lead Planning - Councillor Derek Mills	5 Bascombe Close Churston Brixham TQ5 0JR  (01803) 843412 or 07769369651	Churston with Galmpton
Executive Lead for Tourism, Culture and Harbours - Councillor Amil	c/o Town Hall Castle Circus Torquay TQ1 3DR  07815561301	Cockington with Chelston
Executive Lead for Environment – Councillor Vic Ellery	3 Alma Road Brixham TQ5 8QR  (01803) 854928	Berry Head with Furzeham
Executive Lead for Community Services - Councillor Robert Excell	Excell Studio 203 Union Street Torre Torquay TQ1 4BY  (01803) 212377 07811965194	Tormohun
Executive Lead IT, Libraries and Waste – Councillor Mark King	50 Oldway Road Paignton TQ3 2TF  (01803) 207114	Cockington with Chelston
Executive Lead for Customer Services and Town Centre Regeneration – Councillor Richard Haddock	Churston Farm Shop Dartmouth Road Brixham TQ5 0LL  (01803) 845837 07836 584944	St Marys with Summercombe

<b>Name</b>	<b>Address</b>	<b>Electoral Ward</b>
Executive Lead for Adults and Children – Councillor Julien Parrott	51 Princes Road Torquay TQ1 1NW  (01803) 389624	Ellacombe
Executive Lead for Health and Wellbeing – Councillor Jackie Stockman	Winsome Higher Furzeham Road Brixham TQ5 8QP  (01803) 851255	Berry Head with Furzeham

2. The elected Mayor is responsible for the discharge of all executive functions (except as specified in paragraph 3. below). Executive Leads will have an advisory role in relation to the areas of responsibility set out below.

Executive Lead	Portfolio/Service Area:	Main Director/Assistant Director/Executive Head/Lead Officer
<p>Elected Mayor Gordon Oliver</p> <p>Executive Lead for Assets, Finance, Governance and Corporate Services, Economic Regeneration and Transformation</p>	<p><b>Transformation:</b> Programme Management Project Management</p> <p><b>Economic Regeneration:</b> TDA Commissioning</p> <p><b>Assets:</b> Asset Management</p> <p><b>Business Services:</b> Events</p> <p><b>Finance:</b> Financial Services – Martin Phillips Creditors Debtors Payments Internal Audit Cashiers Procurement Systems Accountancy</p> <p><b>Governance and Corporate Services:</b> Communications Coroner Governance Support (Democratic and Electoral Services) Registrars Human Resources &amp; Payroll</p>	<ul style="list-style-type: none"> <li><input type="checkbox"/> Chief Executive/Chief Executive TDA</li> <li><input type="checkbox"/> Director of Corporate Services and Operations</li> <li><input type="checkbox"/> Director of Commercial and Transformation</li> <li><input type="checkbox"/> Head of Financial Services</li> <li><input type="checkbox"/> Executive Head Assets and Business Services</li> </ul>

Executive Lead	Portfolio/Service Area:	Main Director/Assistant Director/Executive Head/Lead Officer
<p>Page 62</p>	<p>Corporate Support (Freedom of Information and Performance)                      Legal Services                      Policy and Overview &amp; Scrutiny                      Senior Leadership Team Strategic Support</p> <p><b>Business Development and Administration:</b>                      JOT administrative &amp; Technical Support                      JOT Contract Management:                      Leisure contracts                      Crematorium                      Waste Disposal                      Building Control                      Homes Improvement Agency                      Concessionary Fares                      Analysts</p>	
<p>Deputy Mayor and Executive Lead for Planning</p> <p>Councillor Derek Mills</p>	<p><b>Planning and Transport:</b>                      Planning Applications, Appeals &amp; Enforcements</p> <p><input type="checkbox"/> (Twinning)</p> <p><i>Delegated Decisions: Executive functions in absence of Mayor (see paragraph 3(iv) below.</i></p>	<p><input type="checkbox"/> Director of Corporate and Services and Operations</p> <p><input type="checkbox"/> Executive Head of Assets and Business Services</p>

Executive Lead	Portfolio/Service Area:	Main Director/Assistant Director/Executive Head/Lead Officer
Executive Lead for IT, Libraries and Waste  Councillor Mark King	<p><b>Customer Services:</b>                      ICT                      Library Services</p> <p><b>Business Services:</b>                      TOR2 (Commissioning) &amp; Service Delivery</p>	<ul style="list-style-type: none"> <li><input type="checkbox"/> Director of Corporate and Services and Operations</li> <li><input type="checkbox"/> Executive Head of Customer Services</li> <li><input type="checkbox"/> Executive Head of Assets and Business Services</li> </ul>
Executive Lead for Tourism, Culture and Harbours  Councillor Nicole Amil	<p><b>Business Services:</b>                      Harbour Authority                      Resort Services (Beaches)                      Theatres Arts &amp; Museums                      Culture</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> (Armed Forces Champion)</li> <li><input type="checkbox"/> (Heritage Champion)</li> </ul> <p><b>Delegated Decision:</b> <i>Tourism</i></p>	<ul style="list-style-type: none"> <li><input type="checkbox"/> Director of Corporate Services and Operations</li> <li><input type="checkbox"/> Executive Head of Assets and Business Services</li> </ul>

Executive Lead	Portfolio/Service Area:	Main Director/Assistant Director/Executive Head/Lead Officer
<p>Executive Lead for Community Services</p> <p>Councillor Robert Excell</p>	<p><b>Community Safety:</b>                      Corporate Health &amp; Safety                      Emergency Planning                      Anti-Social Behaviour and Vulnerability (excluding town centres)                      Safer Communities (excluding town centres)                      CCTV &amp; Security</p> <p><b>Business Services:</b>                      Parking Services                      Sports Development</p> <p><b>Transport:</b>                      Local Transport &amp; Strategic Transport                      Highways &amp; Street scene</p>	<ul style="list-style-type: none"> <li><input type="checkbox"/> Director of Corporate Services and Operations</li> <li><input type="checkbox"/> Executive Head of Assets and Business Services</li> <li><input type="checkbox"/> Executive Head of Community Safety</li> </ul>
<p>Executive Lead for Adults and Children</p> <p>Councillor Julien Parrott</p>	<p><b>Children’s Safeguarding:</b>                      Early Help                      Targeted Support Services                      Multi Agency Safeguarding Hub                      Single Assessment                      Children in Need/Child Protection                      Children Looked After/Care Leavers                      Children with Disabilities                      Fostering                      Adoption                      Independent Reviewing                      Youth Offending Services                      Integrated Youth Support Services                      Quality Assurance                      Professional Support to Torbay Safeguarding Children Board</p>	<ul style="list-style-type: none"> <li><input type="checkbox"/> Director of Adult and Housing</li> <li><input type="checkbox"/> Director of Children’s Services</li> <li><input type="checkbox"/> Assistant Director of Children’s Safeguarding</li> <li><input type="checkbox"/> Assistant Director Adults Services (NHS Trust Provider)</li> <li><input type="checkbox"/> Director of Public Health</li> </ul>



Executive Lead	Portfolio/Service Area:	Main Director/Assistant Director/Executive Head/Lead Officer
<p style="writing-mode: vertical-rl; transform: rotate(180deg);">Page 65</p>	<p><b>Education Learning and Skills:</b>                      Early Years and Childcare                      Pupil Place Planning                      Special Education Needs &amp; Disability                      School Admissions                      School Improvement and Commissioning                      School Transport                      Virtual School                      Children’s Centres</p> <p><b>Adult Services (NHS Trust Provider):</b>                      Adult Mental Health                      Adult Safeguarding                      Care Homes                      Commissioning &amp; Management                      Community Alarms                      Community Equipment                      Domiciliary &amp; Day Care</p> <p><b>Adult Social Care Commissioning:</b>                      Community Engagement                      Healthwatch                      Housing Strategy &amp; Development                      NHS Advisory Service                      Performance Management</p> <p><b>Public Health:</b>                      Domestic Abuse</p>	

Executive Lead	Portfolio/Service Area:	Main Director/Assistant Director/Executive Head/Lead Officer
<p>Executive Lead for Customer Services and Town Centre Regeneration</p> <p>Councillor Richard Haddock</p>	<p><b>Business Services:</b> Town Centres</p> <p><b>Customer Services:</b> Customer Services &amp; Connections Revenue &amp; Benefits Print &amp; post Room Website Support</p> <p><b>Community Safety:</b> Anti-Social Behaviour and Vulnerability (town centres only) Safer Communities (town centres only)</p> <p><i><b>Delegated Decision:</b> Regeneration of the Castle Circus area of Torquay</i></p> <p><i><b>Delegated Decision:</b> contract for housing pathway for single vulnerable adults</i></p>	<ul style="list-style-type: none"> <li><input type="checkbox"/> Director of Corporate Services and Operations</li> <li><input type="checkbox"/> Executive Head of Customer Services</li> <li><input type="checkbox"/> Executive Head of Community Safety</li> <li><input type="checkbox"/> Executive Head Assets and Business Services</li> </ul>
<p>Executive Lead for Health and Wellbeing</p> <p>Councillor Jackie Stockman</p>	<p><b>Public Health:</b> Health Improvement Strategy and Policy Intelligence</p> <p><b>Housing (shared with Councillor Ellery):</b> Housing Strategy &amp; Development Housing Options Housing Standards</p>	<ul style="list-style-type: none"> <li><input type="checkbox"/> Director of Public Health</li> <li><input type="checkbox"/> Executive Head of Community Safety</li> <li><input type="checkbox"/> Director of Adults Services and Housing</li> </ul>

Executive Lead	Portfolio/Service Area:	Main Director/Assistant Director/Executive Head/Lead Officer
Executive Lead for Environment  Councillor Vic Ellery	<p><b>Business Services:</b>                      Flood Risk Management (client side)                      Natural Environment and Parks &amp; Open Spaces</p> <p><b>Community Safety:</b>                      Food &amp; Safety                      Licensing &amp; Public Protection                      Trading standards (DCC)</p> <p><b>Housing (shared with Councillor Stockman):</b>                      Housing Strategy &amp; Development                      Housing Options                      Housing Standards</p>	<ul style="list-style-type: none"> <li><input type="checkbox"/> Executive Head of Assets and Business Services</li> <li><input type="checkbox"/> Executive Head of Community Safety</li> <li><input type="checkbox"/> Director of Adults Services and Housing</li> </ul>

3.
  - (i) The Executive Lead for Customer Services and Town Centre Regeneration (Councillor Richard Haddock) will be responsible for the discharge of all executive functions relating to the regeneration of the Castle Circus area of Torquay as the elected Mayor owns properties in this area and has a pecuniary interest.
  - (ii) The Executive Lead for Customer Services and Town Centre Regeneration (Councillor Richard Haddock) will be responsible for the discharge of all executive functions relating to the contract for housing pathway for single vulnerable adults.
  - (iii) The Executive Lead for Tourism, Culture and Harbours will be responsible for the discharge of all executive functions relating to tourism due to the perceived concerns of the public in respect of the elected Mayor's interests in the tourism sector.
  - (iv) The Deputy Mayor will be responsible for the discharge of executive functions if the elected Mayor:
    - (a) is absent (e.g. on holiday) for a period of time or in cases of urgency where the Chief Executive is satisfied that the elected Mayor cannot be reasonably contacted;
    - (b) is incapacitated through illness; or
    - (c) has a pecuniary interest in any matter requiring determination.
  - (v) If the elected Mayor or the Deputy Mayor (Councillor Derek Mills) are unable to act on a matter requiring a decision then the Chief Executive shall have the power to determine any matter requiring a decision.
4. The elected Mayor has established two Executive Committees namely the Policy Development and Decision Group (Joint Operations Team) and the Policy Development Group (Joint Commissioning Team) which meet in public on a monthly basis in accordance with the Standing Orders – Executive, Committees, Access to Information and Budget and Policy Framework. Their membership and Terms of Reference are included in Schedule 4 – Terms of Reference of the Constitution.
5. No executive functions have been delegated to area committees, any other authority or any joint arrangements at the present time.
6. The elected Mayor has also (so far as lawful) delegated to officers the discharge of those functions that are referred to in Schedule 7 and are executive functions in the manner set out in that Schedule, in accordance with (and subject to) the Council's Standing Orders in relation to the Executive.
7. So far as the Constitution requires officers to consult with "the relevant member", the areas of responsibility of the Executive Leads are as set out paragraph 2 above.