



# RECORD OF DECISIONS

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**Decisions made in week  
Commencing 26th April 2004**

**Issue 07/04**



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## RECORD OF DECISION

### PROJECT AND RISK MANAGEMENT OF FUTURE COUNCIL PROJECTS

#### Decision Taker

The Executive at its meeting held on 27th April 2004.

#### Decision

- (i) That the risk associated with projects where the Council is a minor funder be recognised and appropriate steps be taken to secure effective project and risk management; and
- (ii) that adequate provision be made for advance design and feasibility assessment to minimise risk before the Council is contractually committed to projects.

#### Reason for Decision

To ensure that the Council learns from issues that arose during the management of the Torquay Waterfront project and applies this knowledge to future projects.

#### Information

At the meeting of the Overview and Scrutiny Board held on 17th March 2004, the Director of Strategic Services presented Exempt Report TDA/3/04 on the overall cost of the Torquay Waterfront Project.

The Director gave feedback to the Board on the additional costs incurred and the reasons for the variations. In response to the Board's questions, he also explained the lessons that had been learnt in undertaking the project and how these would be applied to future projects such as the restoration of Torre Abbey.

The Overview and Scrutiny Board resolved to recommend the above decision to the Executive.

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

None

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

No

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

Yes

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

None

#### Published

30th April 2004

#### Implementation

This decision will come into force and may be implemented on 11th May 2004 unless the call-in procedure is triggered (as set out in Standing Orders in relation to Overview and Scrutiny).

**RECORD OF DECISION**  
**REVENUE BUDGET MONITORING**

**Decision Taker**

The Executive at its meeting held on 27th April 2004.

**Decision**

**That the projected out-turn position be noted.**

**Reason for Decision**

To indicate the budgetary position for a range of services and to enable appropriate action to be taken to ensure the Council contains expenditure within its overall budget.

**Information**

Report F/33/04 provided Members of the Executive with a summary of the projections of income and expenditure for the year compared with the approved budgets for Torbay Council for 2003/04.

The revenue monitoring statement set out the actual expenditure as at the end of February 2004 and the projected out-turn position was based upon the latest information available at the time the report was published.

**Alternative options considered and rejected at the time of the decision**

None

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

No

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

Yes

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

None

**Published**

30th April 2004

**Implementation**

This decision will come into force and may be implemented on 11th May 2004 unless the call-in procedure is triggered (as set out in Standing Orders in relation to Overview and Scrutiny).

## RECORD OF DECISION

### FORMER TOILETS AND LAND AT REAR OF TORBAY LEISURE CENTRE CAR PARK, PAIGNTON

#### Decision Taker

The Executive at its meeting held on 27th April 2004.

#### Decision

- (i) That an area of land at the rear of the Torbay Leisure Centre car park be declared surplus to Council requirements to enable the construction of a "Healthy Living Centre" surgery and clinic with associated leisure development of a gymnasium facility on the site; and
- (ii) that the Director of Finance, in consultation with the Assistant Managing Director, be authorised to agree terms for the disposal of the land required.

#### Reason for Decision

Through the Local Strategic Partnership, the Primary Care Trust was supporting the development of new healthcare facilities for Paignton for which no suitable site has been identified other than Council owned land.

#### Information

Joint Report MD/10/04 and LCS/20/04 sought Members' approval to declare as surplus and dispose of the former toilets and land at the rear of Torbay Leisure Centre, Paignton for a leisure development, a "Healthy Living Centre" clinic and surgery premises.

Members noted that the former toilets had been closed for 16 years and that the proposal would include a requirement to rebuild the existing Clennon Valley changing rooms. It was further noted that it was intended that the proposed gymnasium would be leased to the Paignton Gymnastics Club, which was currently occupying unsatisfactory temporary premises in the Rotunda at Oldway, which would free up the Rotunda for potential other uses.

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

A number of other sites in Council ownership had been considered and either ruled out as unsuitable by the doctors or could not be recommended as being suitable by officers for the required purpose.

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

No

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

Yes

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

Prior to consideration of this matter, Councillors James and Nicholls declared personal and prejudicial interests and withdrew from the meeting.

#### Published

30th April 2004

#### Implementation

This decision will come into force and may be implemented on 11th May 2004 unless the call-in procedure is triggered (as set out in Standing Orders in relation to Overview and Scrutiny).

## RECORD OF DECISION

### TRAINING SUPPORT PROGRAMME GRANT, NATIONAL TRAINING STRATEGY GRANT AND HUMAN RESOURCES DEVELOPMENT STRATEGY GRANT 2004/2005

#### Decision Taker

The Executive at its meeting held on 27th April 2004.

#### Decision

**That the spending plans for the Training Support Programme Grant, the National Training Strategy Grant and Human Resources Development Grant, as set out in Appendix 1 to Report SS/10/04, be approved.**

#### Reason for Decision

To meet statutory and mandatory requirements relating to the spending of the Training Support Programme, National Training Strategy and Human Resources Development Grants for 2004/5. The Plans were in line with Local Authority Circular (2003) 24 and Local Authorities Social Services letter (2003) 8.

#### Information

Report SS/10/04 informed the Executive of the summary conditions and purpose of the grants referred to above and the proposed spending plans for these grants.

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

None

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

Yes – Reference Number X4/2004.

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

Yes

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

None

#### Published

30th April 2004

#### Implementation

This decision will come into force and may be implemented on 11th May 2004 unless the call-in procedure is triggered (as set out in Standing Orders in relation to Overview and Scrutiny).

## RECORD OF DECISION

### NOTICE OF MOTION – FAIR TRADE TORBAY

#### Decision Taker

The Executive at its meeting held on 27th April 2004.

#### Decision

- (i) that coffee and tea bearing the Fairtrade mark should be served at the Council's meetings and in its offices and canteens;
- (ii) that the Council promotes the selling and serving of products bearing the Fairtrade mark within the shops, supermarkets, cafes and restaurants of Torbay;
- (iii) that the Council promotes the use of products bearing the Fairtrade mark among the workplaces, schools, community organisations and churches of Torbay;
- (iv) that the Council arranges a Fairtrade Torbay launch, seeks media coverage of the event and endeavours to keep the issue in the local press, radio and television from time to time; and
- (v) that a Steering Group be set up to develop a Fairtrade strategy and actively promote Fairtrade within the Borough, such group to comprise councillors, officers and representatives from partner organisations and other bodies.

#### Reason for Decision

To respond to the issues raised in the Notice of Motion.

#### Information

The following Notice of Motion was presented to the Council at its meeting on 5th April 2004 in accordance with Standing Order 14.2 (b) in relation to Council and Committee Meetings and was referred to the Executive for consideration:

#### ***Fairtrade Torbay***

*The Council aims to be recognised by residents, the business community and tourists of Torbay as a Council that supports and promotes the concept of Fairtrade: ensuring that producers from developing countries get a fair price for their goods and labour.*

*To demonstrate its commitment to Fairtrade, this Council resolves:*

- (i) *that coffee and tea bearing the Fairtrade mark should be served at our meetings and in our offices and canteens;*
- (ii) *to promote the selling and serving of products bearing the Fairtrade mark within the shops, supermarkets, cafes and restaurants of Torbay;*
- (iii) *to promote the use of products bearing the Fairtrade mark among the workplaces, schools, community organisations and churches of Torbay;*
- (iv) *to arrange a Fairtrade Torbay launch, seeking media coverage of the event, and to endeavour to keep the issue in the local press, radio and television from time to time; and*
- (v) *to set up a Steering Group to develop a Fairtrade strategy and actively to promote Fairtrade within the Borough, such group to comprise Councillors, officers and representatives from partner organisations and other bodies.*

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

To not adopt the motion.

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

No

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

Yes

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

None

**Published**

30th April 2004

**Implementation**

This decision will come into force and may be implemented on 11th May 2004 unless the call-in procedure is triggered (as set out in Standing Orders in relation to Overview and Scrutiny).

**RECORD OF DECISION**  
**LEARNING DISABILITY CASES**

**Decision Taker**

The Executive at its meeting held on 27th April 2004.

**Decision**

- (i) That the ongoing provision of services to seven adults with learning disabilities and complex needs be supported; and
- (ii) that the Managing Director be requested to write to Torbay's Members of Parliament to raise the problems that the Council has with providing a needs-led service within a set budget and request that they ask the Government to provide sufficient funding to the Council to provide such services.

**Reason for Decision**

- (i) To comply with the Council's statutory responsibilities; and
- (ii) To highlight the problems that the Council has in funding its responsibilities.

**Information**

Exempt Appendix 1 to Report F/34/03 set out the individual needs of seven adults with learning disabilities and complex needs.

Members noted that the cases referred to required the Council to provide a level of care to these adults which would require funding of between approximately £28,000 and £100,000 for each case.

**Alternative options considered and rejected at the time of the decision**

The individuals' needs had been assessed under "Fair Access to Care" and it was considered that failure to provide a service to these adults would create significant risks.

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

No

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

Yes

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

None

**Published**

30th April 2004

**Implementation**

This decision will come into force and may be implemented on 11th May 2004 unless the call-in procedure is triggered (as set out in Standing Orders in relation to Overview and Scrutiny).

## RECORD OF DECISION

### DETERMINATION OF SCHOOL TERM AND HOLIDAY DATES 2005/6

#### **Decision Taker**

The Director of Learning and Cultural Services in consultation with the Executive Member for Learning and Cultural Services.

#### **Decision**

**That the school term and holiday dates for the 2005/6 school year, as shown in Appendix 2 of Report LCS/19/04, be approved.**

#### **Reason for Decision**

The determination of school term and holiday dates is a statutory function and the approved dates ensure commonality of school term and holiday dates with Devon County Council as this benefits families with children and members working in both Torbay and Devon schools.

#### **Information**

Report LCS/19/04 provided background information and details of the consultation undertaken during the Autumn Term 2003.

#### **Alternative options considered and rejected at the time of the decision**

No alternative options were considered as this is a statutory function.

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

Yes – Reference Number X60/2003

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

Yes

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

None

#### **Published**

30th April 2004

#### **Implementation**

This decision will come into force and may be implemented on 11th May 2004, unless the call-in procedure is triggered (as set out in Standing Orders in relation to Overview and Scrutiny).

Signed:

Dated: 26 April 2004

Director of Learning and Cultural Services