

Minutes of the Executive

18th May 2004

-: Present :-

Councillor Harris (Chairman)
Councillors Charlwood, Colborne, James, Lomas and McHugh

(Also in attendance: Councillors Craig, Dunn, Hytche, Killick and Turnbull)

26. Apology. An apology for absence was received from Councillor Stringer.

27. Minutes. The Minutes of the meeting of the Executive held on 27th April 2004 were confirmed as a correct record and signed by the Leader of the Council.

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

28.1 South West Adult Placement Scheme.

28.2 Adult Services Block Contracts.

28.3 Future Car Parking Provision in Brixham.

28.4 Changes to School and College Transport Policy - Consultation.

28.5 Risk Management – Assessment of Risks.

28.6 Appointment of Working Parties.

28.7 Equality and Inclusion Policy and Scheme.

29. Adjournment. The meeting was adjourned to a date and time to be agreed to enable the contracts in relation to children's services and older person's cases to be considered in light of more detailed information.

Leader of the Council

APPENDIX 1

**to the Minutes of the meeting of the Executive
held on 18th May 2004**

RECORD OF DECISION

SOUTH WEST ADULT PLACEMENT SCHEME

Decision Taker

The Executive at its meeting held on 18th May 2004.

Decision

That the placements for persons with learning disabilities be transferred to the South West Adult Placement Scheme and a contract be entered into with the new provider.

Reason for Decision

To achieve savings for the Council.

Information

Report F/37/04 sought approval to transfer the placements for persons with learning disabilities to the South West Adult Placement Scheme.

Alternative options considered and rejected at the time of the decision

Not to enter into a new contract.

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

21st May 2004

Implementation

This decision will come into force and may be implemented on 1st June 2004 unless the call-in procedure is triggered (as set out in Standing Orders in relation to Overview and Scrutiny).

APPENDIX 1 (continued)

RECORD OF DECISION

ADULT SERVICES BLOCK CONTRACTS

Decision Taker

The Executive at its meeting held on 18th May 2004.

Decision

That the existing block contracts for the provision of adult services be extended up to 31st March 2005.

Reason for Decision

To continue to provide the existing level of services for adult clients to meet their appropriate needs.

Information

Report F/37/04 sought approval to extend the existing block contracts (Age Concern – Tor Hill Day Centre, Age Concern – Advice and Information and Brixham Does Care) for the provision of adult services.

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

21st May 2004

Implementation

This decision will come into force and may be implemented on 1st June 2004 unless the call-in procedure is triggered (as set out in Standing Orders in relation to Overview and Scrutiny).

APPENDIX 1 (continued)

RECORD OF DECISION

FUTURE CAR PARKING PROVISION IN BRIXHAM

Decision Taker

The Executive at its meeting held on 18th May 2004.

Decision

- (i) That Council be requested to include provision for the scheme for demolition of Brixham multi-storey car park and the construction of a surface level car park in the Council's Capital Plan with funding to be determined by the Director of Finance, in consultation with the Executive Member for Finance, as outlined in paragraph 5.7.1 of Report Env/22/04;
- (ii) that the Director of Environment Services be requested to prepare a contract and seek tenders for the demolition of the Brixham Central multi-storey car park and the construction of a surface level car park on the site, with the commencement of the works being in early January 2005;
- (iii) that the Director of Environment Services be requested, in collaboration with Brixham 21, to commence consultation with local residents, traders, emergency services and ward Councillors on the proposals to increase on-street parking at the locations described in paragraph 5.8 of Report Env/22/04;
- (iv) that the Director of Environment Services be requested to prepare a detailed scheme for the provision of temporary car parking on Brixham Town Square, to include the introduction of a vehicle weight restriction to prevent any damage to the paved area;
- (v) that the Estates Manager be authorised to enter into immediate discussions with the owner of the land at Torbay Industrial Estate, New Road, regarding its use as a temporary car park;
- (vi) that the Director of Environment Services be requested to identify potential locations for a Park and Ride site within 2 kilometres of Brixham Town Centre; and
- (vii) that the Chief Executive of the Torbay Development Agency and the Director of Environment Services, in consultation with Brixham 21, continue to design and plan for the redevelopment of the site, set the clear brief, undertake the necessary investigative works, seek expressions of interest from developers and set a clear timetable for the redevelopment.

Reason for Decision

To respond to the decision made by the Executive on 11th November 2003, to seek the views of Brixham 21 with respect to its proposals to redevelop the site of the Brixham Central multi-storey car park and to determine options for addressing the loss of parking if the car park was to be demolished at the end of its serviceable life in Easter 2005.

APPENDIX 1 (continued)

Information

Further to the meeting of the Executive held on 11th November 2003 (Minute 245.15/11/03 refers), Members considered Report Env/22/04 setting out the conclusions of the Transportation Working Party in relation to the provision of car parking in Brixham in the light of the proposal to demolish the Brixham multi-storey car park.

Following the meeting of the Executive in November 2003, discussions had taken place with Brixham 21 in an attempt to identify new car parking spaces that could be brought into operation to ameliorate the effect of the loss of spaces resulting from the demolition of the car park. A letter had been received from the Chairman of Brixham 21 outlining a plan to continue to work with the Council, through the Torbay Development Agency, in order to minimise the impact of the demolition of the car park on local businesses.

It was noted that the Capital Plan did not include provision for the demolition of the car park and the construction of a surface level car park. The cost of the works amounted to £137,000 and a number of possible sources of funding were identified in the submitted report.

Alternative options considered and rejected at the time of the decision

The alternative options for the provision of parking in Brixham, as a result of the inevitable demolition of Brixham Central multi-storey car park, were identified in Report Env/129/03 presented to the Executive at its meeting on 11th November 2003. Report Env/22/04 (paragraph 5.8) set out further details of the options for introducing interim measures to provide additional car parking provision in Brixham.

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

Yes – Reference Number X61/2003

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

21st May 2004

Implementation

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APPENDIX 1 (continued)

RECORD OF DECISION

CHANGES TO SCHOOL AND COLLEGE TRANSPORT POLICY - CONSULTATION

Decision Taker

The Executive at its meeting held on 18th May 2004.

Decision

- (i) That the suggested policy changes, as set out in Report LCS/21/04, which could reduce expenditure on transport, be noted; and
- (ii) that the consultation exercise be undertaken in relation to the suggested policy changes.

Reason for Decision

To enable the major areas of discretionary spending to be examined.

Information

Further to the meeting of the Executive held on 30th March 2004 (Minute 497.23/3/04 refers), Members considered Report LCS/21/04 proposing that interested parties be consulted on possible policy changes that would lead to a reduction in expenditure on school and college transport.

Alternative options considered and rejected at the time of the decision

Not to examine the scope for reducing net expenditure on school transport.

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

No

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

Yes

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

None

Published

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Implementation

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APPENDIX 1 (continued)

RECORD OF DECISION

RISK MANAGEMENT – ASSESSMENT OF RISKS

Decision Taker

The Executive at its meeting held on 18th May 2004.

Decision

- (i) That the following statement be approved as the Council's corporate "Risk Appetite":

"Torbay Council believes that risk taking is an inherent part of being a progressive organisation. The Council embraces the taking of risks in an effectively managed way where this is justified by the potential benefits to the community. Where risk-taking has been managed appropriately but results in adverse consequences, the Council will use this as an opportunity to learn and improve;"

- (ii) that the Risk Assessment Methodology, as set out at Appendix 1 to Report MD/12/04 be approved; and

- (iv) that the Assistant Managing Director be authorised to amend the Council's Risk Management Policy, Strategy and Implementation Plan in the light of (i) and (ii) above.

Reason for Decision

To develop the Council's work in effectively managing risks by defining a corporate "risk appetite" and a consistent methodology for assessing risks.

Information

Report MD/12/04 set out a suggested statement identifying a corporate "Risk Appetite" and a Corporate Risk Assessment Methodology for inclusion in the Risk Management Policy, Strategy and Implementation Plan.

Alternative options considered and rejected at the time of the decision

To amend the recommended "Risk Appetite" and Risk Assessment Methodology.

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

21st May 2004

APPENDIX 1 (continued)

Implementation

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APPENDIX 1 (continued)

RECORD OF DECISION

APPOINTMENT OF WORKING PARTIES

Decision Taker

The Executive at its meeting held on 18th May 2004.

Decision

That consideration of the establishment of the Working Parties be deferred to a future meeting of the Executive.

Reason for Decision

To enable:

- (i) the proportionality of the working parties to be reviewed; and
- (ii) consideration to be given to the appropriateness of extending the overview and scrutiny arrangements to include the work of some or all of the working parties.

Information

Report CG/15/04 proposed the establishment of the Executive side working parties for the 2004/2005 Municipal Year.

Alternative options considered and rejected at the time of the decision

To appoint the working parties.

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

21st May 2004

Implementation

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APPENDIX 1 (continued)

RECORD OF DECISION

EQUALITY AND INCLUSION POLICY SCHEME

Decision Taker

The Executive at its meeting held on 18th May 2004.

Decision

- (i) That the Equality and Inclusion Policy and Scheme, as set out at Appendix 1 to Report SS/12/04, be approved and adopted;
- (ii) that an Equality Group, lead by the Director of Social Services, be established with the following terms of reference:-
 - (a) to monitor the impact and effectiveness of the Equality and Inclusion Policy and Scheme;
 - (b) to provide recommendations for improvements, including the need to work towards 'Community Cohesion' through further consultation with the community, including working with the Local Strategic Partnership, 'hard to reach' groups and those who have been subject to discriminatory (racist etc) incidents in Torbay;
 - (c) to monitor progress of the action plan and the Council's position in relation to the 'Expected Outcomes';
 - (d) to accord with feedback from the consultation exercise; and
- (iii) that a Member for Equality be nominated and becomes a member of the Equality Group.

Reason for Decision

To comply with the legal requirements, particularly in connection with the Race Relations Amendment Act.

To improve the Council's Comprehensive Performance Assessment rating.

To streamline existing equality policies and schemes providing a clear, comprehensive and workable document that would help make equality a central part of business planning and service delivery.

Information

Report SS/12/04 requested Members to consider the adoption of a new Equality and Inclusion Policy and Scheme in the light of the outcome of a recent consultation exercise.

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 X3/2004

APPENDIX 1 (continued)

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

21st May 2004

Implementation

This decision will come into force and may be implemented on 1st June 2004 unless the call-in procedure is triggered (as set out in Standing Orders in relation to Overview and Scrutiny).