

Minutes of the Executive

3rd August 2004

-: Present :-

Councillor Harris (Chairman)

Councillors Charlwood, James, Lomas, McHugh and Stringer

(Also in attendance: Councillors Dunn, Faulkner (Mr A), Jennings, Killick, Stocks and Turnbull)

189. Apologies. An apology for absence was received from Councillor Colborne.

190. 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.

190.1 Revenue Budget 2004/2005.

190.2 Footway Reconstruction 2004.

190.3 Footway Slurry Sealing 2004.

190.4 Contract for the Printing of the Council's Adopted Local Plan.

190.5 Electricity Supply to Various Council Sites.

Leader of the Council



APPENDIX 1

**to the Minutes of the meeting of the Executive
held on 3rd August 2004**

RECORD OF DECISION

REVENUE BUDGET 2004/2005

Decision Taker

The Executive at its meeting held on 3rd August 2004.

Decision

Recommendation to Council

- (i) That it be noted with disappointment the decision of the First Secretary of State to cap Torbay Council in the current financial year;
- (ii) that, in order to conform with the capping order, the Council set a revised budget of £138.815m for the financial year 2004-2005;
- (iii) that services be not reduced in the current financial year to meet the shortfall in funding of £614,000;
- (iv) that, subject to any in-year savings being identified, the shortfall in funding for the current approved budget and the cost of rebilling be met from earmarked reserves; and
- (v) that the Director of Finance, in consultation with the Executive Member for Finance, be authorised to determine the precise call and allocation from reserves as part of the 2004-2005 closing process.

Decision of Executive

That each Director, in consultation with the relevant Executive Member, be requested to continue to make every effort to identify savings within their services in order to reduce the likelihood of Council Tax payers being penalised in future years.

Reason for Decision

The Council was required to set a revised budget following the “designation” of the Council by the First Secretary of State.

Information

At its meeting held on 4th March 2004, the Council set an original net budget of £139,429m for 2004/2005 representing a Council Tax rise (Torbay Council element) of 9.9%.

On 29th April 2004, the Council received a letter from the First Secretary of State indicating that he had “formed the opinion” that the budget was excessive and was therefore “designating” Torbay. This meant, in effect, that the authority would be capped. The Secretary of State had determined that the Council should reduce its planned expenditure by £614,000, which would have the impact of reducing the Council Tax increase from 9.9% to 8.5%. As a consequence, the Council needed to identify a net expenditure reduction of £614,000 and to budget for the additional costs of rebilling, which were estimated to be in the region of £100,000.

Report F/54/04 set out the options that had been considered for meeting the new requirement. These included:-

APPENDIX 1 (continued)

- A percentage reduction against all services;
- Reductions in non-statutory or lower priority areas;
- Use of the general balance;
- Use of earmarked reserves; and
- Combinations of the above.

The report provided an assessment of each of the options and recommended that the shortfall in funding arising from the capping decision and the consequential costs of rebilling should be met from earmarked reserves. It was further recommended that the funding should be repaid back into the reserves in equal amounts over the following two financial years.

In considering the report, Members noted that the Overview and Scrutiny Board had recommended to the Executive that each Director should be requested to continue to make every effort to identify savings within their services in order to reduce the likelihood of Council Tax payers being penalised in future years.

Alternative options considered and rejected at the time of the decision

The Council has no option but to agree a maximum revised budget at the revised level of £138.815m if it wishes to operate legally. Alternative approaches to identifying the net expenditure reductions of £614,000 and funding the costs of rebilling, estimated at £100,000, are set out in paragraph 6 of Report F/54/04.

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

Yes – General Exception

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

The call-in procedure does not apply to the recommendations to Council. It does, however, apply to the decision of the Executive.

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

None

Published

6th August 2004

Implementation

- (i) The decisions in (i) to (v) above are recommendations to Council; and
- (ii) the decision made by the Executive will come into force and may be implemented on 16th August 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
FOOTWAY RECONSTRUCTION

Decision Taker

The Executive at its meeting held on 3rd August 2004.

Decision

- (i) That invitations be sought to tender for the Footway Reconstruction 2004 contract; and
- (ii) that the Assistant Director (Highways and Street Services) be authorised to accept the most economically advantageous tender relating to footway reconstruction.

Reason for Decision

To enable necessary repair works to be carried out to defective footway areas.

Information

Report F/56/04 sought authority to invite tenders for the Footway Construction contract and to authorise the Assistant Director (Highways and Street Services) to accept the most economically advantageous tender.

Alternative options considered and rejected at the time of the decision

None

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

Yes – General exception

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

6th August 2004

Implementation

This decision will come into force and may be implemented on 16th August 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
FOOTWAY SLURRY SEALING

Decision Taker

The Executive at its meeting held on 3rd August 2004.

Decision

- (i) That invitations be sought to tender for the Footway Slurry Sealing 2004 contract; and
- (ii) that the Assistant Director (Highways and Street Services) be authorised to accept the most economically advantageous tender relating to footway slurry reconstruction.

Reason for Decision

To enable necessary preventative maintenance to be carried out to defective footway areas.

Information

Report F/56/04 sought authority to invite tenders for the Footway Slurry Sealing contract and to authorise the Assistant Director (Highways and Street Services) to accept the most economically advantageous tender.

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

6th August 2004

Implementation

This decision will come into force and may be implemented on 16th August 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

CONTRACT FOR THE PRINTING OF THE COUNCIL'S ADOPTED LOCAL PLAN

Decision Taker

The Executive at its meeting held on 3rd August 2004.

Decision

- (i) That the contract for the printing of the Council's Adopted Local Plan be awarded to Lovell Johns Limited; and
- (ii) that a contract with Lovell Johns Ltd. be prepared by the Service Manager (Strategic Planning) as soon as possible.

Reason for Decision

To comply with the requirement to provide a hard and electronic copy of the Local Plan.

Information

Report F/56/04 sought authority to enter into a contract for the printing of the Council's Adopted Local Plan.

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

6th August 2004

Implementation

This decision will come into force and may be implemented on 16th August 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

ELECTRICITY SUPPLY TO VARIOUS COUNCIL SITES

Decision Taker

The Executive at its meeting held on 3rd August 2004.

Decision

That invitations be sought to tender for the supply of electricity (100kW) to the following sites:-

- (i) Torquay Town Hall;
- (ii) Goodrington Beach Buildings;
- (iii) New Fish Quay;
- (iv) Torbay Transfer Station;
- (v) St Cuthbert Mayne School;
- (vi) Paignton Community College;
- (vii) Torquay Boys Grammar School; and
- (viii) Torquay Community College.

Reason for Decision

To secure the supply of electricity from 1st September 2004.

Information

Report F/56/04 sought to invite tenders for the supply of electricity (100kW) to various Council sites.

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

6th August 2004

Implementation

This decision will come into force and may be implemented on 16th August 2004 unless the call-in procedure is triggered (as set out in Standing Orders in relation to Overview and Scrutiny).