

# Minutes of the Executive

15th March 2005

**-: Present :-**

Councillor Harris (Chairman)

Councillors Carter, Charlwood, Jennings and McHugh

(Also in attendance: Councillors Cope, Hytche, Killick, Nicholls, Stocks and Turnbull)

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**576. Apology.** An apology for absence was received from Councillor Lomas.

**577. Minutes.** The Minutes of the meeting of the Executive held on 22nd February 2005 were confirmed as a correct record and signed by the Leader of the Council.

**578. Urgent Items.** The Executive considered the item in Minute 579.7 and not included on the agenda, the Leader being of the opinion that it was urgent by reason of special circumstances i.e. the matter having arisen since the agenda was prepared and it was unreasonable to delay a decision until the next meeting.

**579. 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.

**579.1** Tweenaways Cross Junction Improvements.

**579.2** Private Sector Housing Renewal Strategy 2005-2009.

**579.3** Grants in Lieu of Rent – RNLI Brixham.

**579.4** Carriageway Surface Dressing at Various Locations within Torbay.

**579.5** Devon E-Government Partnership Contribution.

**579.6** Supply of Electricity to Highway Authority Installations.

**579.7** Care Package in Excess of £25,000.

**(Note:** Prior to consideration of the items in Minutes 579.4, 579.5, 579.6 and 579.7 the press and public were formally excluded from the meeting on the grounds that the item involved the likely disclosure of exempt information as defined in paragraphs 3,4 and 8 of Part 1 of Schedule 12A of the Local Government Act 1972.)

Leader of the Council

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## **APPENDIX 1**

**to the Minutes of the meeting of the Executive  
held on 15th March 2005**

### **RECORD OF DECISION**

#### **TWEENAWAY CROSS JUNCTION IMPROVEMENTS**

##### **Decision Taker**

The Executive at its meeting held on 15th March 2005.

##### **Decision**

- (i) That Option 2 (enlarged signalised junction based on the Local Plan Inquiry) be approved as the preferred option for the improvement of the Tweenaway Cross junction;
- (ii) that Pedestrian Option 1 (displaced movements upstream of the junction) be approved, as part of Option 2;
- (iii) that the Tweenaway Cross Junction Improvement be included in the Torbay Local Transport Plan 2 (2006 – 2011), for implementation within 2006/2007, if at all possible; and
- (iv) that the cost of the development works be divided equally between the Council (via Local Transport Plan capital funding) and the private sector (via relevant Section 106 Agreements), but officers should seek to explore and maximise other funding opportunities.

##### **Reason for Decision**

To secure an improvement scheme of sufficient size and design to enable safe and convenient pedestrian crossing movements, whilst at the same time enabling the junction's capacity to accommodate estimated vehicular traffic flows to 2011.

To set an implementation date for 2006/2007 in order to provide a level of certainty for the business community and to set a framework for negotiating Section 106 Agreements to secure contributions from developers of employment sites along the Ring Road.

##### **Information**

Report 49/2005 set out the results of a recent consultation exercise on the options for the improvement of the Tweenaway Cross junction in Paignton and recommended a preferred option. The recommended Option 2 received the most support and was also the cheapest option. This option provided increased vehicular and pedestrian capacity, less congestion, increased accessibility for public transport and a positive impact on the economy.

During the meeting, Councillor Hytche presented a late representation dated 1st March 2005 received from Mr Brewer. Mr Brewer proposed an alternative proposal for Tweenaway Cross that included installing a roundabout with pedestrian subways.

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

Alternative options including Option 1 (do nothing) and Option 3 (large signalised junction).

Mr Brewer's proposal.

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

Yes – Reference Number X37/2004

**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**

18th March 2005

**Implementation**

This decision will come into force and may be implemented on 30th March 2005 unless the call-in procedure is triggered (as set out in Standing Orders in relation to Overview and Scrutiny).

## **APPENDIX 1 (continued)**

### **RECORD OF DECISION**

#### **PRIVATE SECTOR HOUSING RENEWAL STRATEGY 2005-2009**

##### **Decision Taker**

The Executive at its meeting held on 15th March 2005.

##### **Decision**

**That the Torbay Private Sector Housing Renewal Strategy for 2005-2009, as set out at Appendix 1 to Report 50/2005, be adopted.**

##### **Reason for Decision**

To comply with new legislation.

To target resources strategically and improve the Council's performance in relation to BVPI 62 and 64, which are to make properties fit for habitation and to bring long term empty properties back into use.

To assist with the Council's vision that all residents should have the opportunity to live in a decent home, reduce health inequalities and promote independent living.

To increase offered assistance to the proportion of vulnerable households (in receipt of income related or disability benefit) that are living in non-decent private sector accommodation.

##### **Information**

Report 50/2005 sought Members' approval on the Private Sector Housing Renewal Strategy, which set out how the Council would achieve best standards in the private housing sector. The Government had given local authorities increased flexibility in the way they provide financial assistance for private sector housing. The strategy included a new approach to giving financial assistance to home-owners to improve their living conditions (renovation grants), improvements to the quality of private rented sector accommodation and the level of nomination rights for households in housing needs.

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

Not to adopt the Strategy.

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

Yes – Reference Number X53/2004

##### **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

## **APPENDIX 1 (continued)**

### **Published**

18th March 2005

### **Implementation**

This decision will come into force and may be implemented on 30th March 2005 unless the call-in procedure is triggered (as set out in Standing Orders in relation to Overview and Scrutiny).

## **APPENDIX 1 (continued)**

### **RECORD OF DECISION**

#### **GRANTS IN LIEU OF RENT – ROYAL NATIONAL LIFEBOAT INSTITUTION (RNLI) BRIXHAM**

##### **Decision Taker**

The Executive at its meeting held on 15th March 2005.

##### **Decision**

That grant support of £3,000 per annum be made for the market rents, which would otherwise be payable for a period of five years, from the commencement date of the lease with a reconsideration thereof to take place on each fifth anniversary of the term, to reflect the rent review pattern of the lease, but with the intent that the grant shall not be less than £3,000 per annum.

##### **Reason for Decision**

To provide grant support to help ensure that the monies raised by the RNLI can continue to be channelled into service provision.

##### **Information**

Report 51/2005 set out an application for a grant in lieu of rent from the RNLI in respect of a proposed lease to facilitate the installation of a berthing pontoon in the vicinity of the existing lifeboat station at Brixham.

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

Not to provide any assistance.

To provide 100% assistance.

##### **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)

Councillor Jennings declared a personal prejudicial interest in this item and withdrew from the meeting.

##### **Published**

18th March 2005

##### **Implementation**

This decision will come into force and may be implemented on 30th March 2005 unless the call-in procedure is triggered (as set out in Standing Orders in relation to Overview and Scrutiny).

## **APPENDIX 1 (continued)**

### **RECORD OF DECISION**

#### **CARRIAGEWAY SURFACE DRESSING AT VARIOUS LOCATIONS WITHIN TORBAY**

##### **Decision Taker**

The Executive at its meeting held on 15th March 2005.

##### **Decision**

**That the Assistant Director (Highways and Engineering) be authorised to accept the most economically advantageous tender for carriageway surface dressing at various locations in Torbay.**

##### **Reason for Decision**

To improve the skid resistance of the carriageways and seal the roads from the ingress of water.

##### **Information**

Appendix 1 to Report 52/2005 sought authority to let a contract for carriageway surface dressing at various locations in Torbay.

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

To upgrade the condition of the road by asphalt reconstruction, which would cost approximately £600,000 and cause increased traffic disruption.

##### **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**

18th March 2005

##### **Implementation**

This decision will come into force and may be implemented on 30th March 2005 unless the call-in procedure is triggered (as set out in Standing Orders in relation to Overview and Scrutiny).

## **APPENDIX 1 (continued)**

### **RECORD OF DECISION**

#### **DEVON E-GOVERNMENT PARTNERSHIP CONTRIBUTION**

##### **Decision Taker**

The Executive at its meeting held on 15th March 2005.

##### **Decision**

**That the Council continues to support the work of the Devon E-Partnership and associated E-Government projects up to March 2006.**

##### **Reason for Decision**

To continue partnership working on E-Government projects through the Devon E-Partnership group.

##### **Information**

Appendix 2 to Report 52/2005 set out a request for Members to approve the continued contribution towards the Devon E-Partnership. The Devon E-Partnership included all local authorities in Devon and each authority contributed £35,000 per annum to support and further develop the numerous Devon E-Government projects e.g. Devon Portal (content creation and support of portal infrastructure), Devon E-Tendering, E-Procurement and Authentication project.

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

To not be part of the Devon E-Partnership Group.

##### **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**

18th March 2005

##### **Implementation**

This decision will come into force and may be implemented on 30th March 2005 unless the call-in procedure is triggered (as set out in Standing Orders in relation to Overview and Scrutiny).



## **APPENDIX 1 (continued)**

### **RECORD OF DECISION**

#### **SUPPLY OF ELECTRICITY TO HIGHWAY AUTHORITY INSTALLATIONS**

##### **Decision Taker**

The Executive at its meeting held on 15th March 2005.

##### **Decision**

**That the Assistant Director (Highways and Engineering) be authorised to accept the most economically advantageous tender for supply of electricity to Highway Authority installations within Torbay.**

##### **Reason for Decision**

To continue to illuminate the highway which contributes towards road safety and reducing the fear of crime.

##### **Information**

Appendix 3 to Report 52/2005 sought authority to let a contract for the supply of electricity for street lighting and illuminated signs.

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

To not progress the 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**

18th March 2005

##### **Implementation**

This decision will come into force and may be implemented on 30th March 2005 unless the call-in procedure is triggered (as set out in Standing Orders in relation to Overview and Scrutiny).

## **APPENDIX 1 (continued)**

### **RECORD OF DECISION**

#### **ADULT CARE PACKAGES IN EXCESS OF £25,000**

##### **Decision Taker**

The Executive at its meeting held on 15th March 2005.

##### **Decision**

That funding of a nursing home placement in respect of case 04/03/2005 be approved.

##### **Reason for Decision**

As set out in Report 79/2005 (exempt).

##### **Information**

Report 79/2005 (exempt) requested that consideration be given to an adult care placement (case 04/03/2005) which would involve expenditure in excess of £25,000.

##### **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**

18th March 2005

##### **Implementation**

This decision will come into force and may be implemented on 30th March 2005 unless the call-in procedure is triggered (as set out in Standing Orders in relation to Overview and Scrutiny).