

Minutes of the Executive

17th May 2005

-: Present :-

Councillor Harris (Chairman)

Councillors Carter, Faulkner (Mr A), Jennings, Lomas and McHugh

(Also in attendance: Councillors Bye, Carroll, Cope, Dunn, Faulkner (Mrs J), Hayman, Hurst, McPhail, Stocks and Turnbull)

46. Minute's Silence. The Chairman referred to the tragic loss of Charlotte Lewis, a science teacher at Paignton Community College. All present stood for a minute's silence as a mark of respect.

47. Minutes. The Minutes of the meeting of the Executive held on 26th April 2005 were confirmed as a correct record and signed by the Chairman.

48. Urgent Items. The Executive considered the item in Minute 49.1, and not included on the agenda, the Chairman 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.

49. 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.

49.1 Provision of Affordable Housing

49.2 Review of Primary School Places in Torquay

(Note: Prior to consideration of the item in Minute 49.2 the Chairman declared a personal, prejudicial interest and withdrew from the meeting whereupon the Vice-chairman (Councillor Jennings) took the Chair. Councillor McPhail also declared a personal interest as a Council-appointed Governor of St Margaret's Primary School.)

49.3 Commission for Social Care Inspection of Children's Services in Torbay

49.4 Review of Social Services

49.5 Review of Education Standards and Achievements in Torbay

49.6 Options for Direct Payments

49.7 Homefinder Torbay – Common Assessment Criteria

49.8 Minor Highways Works 2005/2007

Leader of the Council

APPENDIX 1

**to the Minutes of the meeting of the Executive
held on 17th May 2005**

RECORD OF DECISION

PROVISION OF AFFORDABLE HOUSING

Decision Taker

The Executive at its meeting held on 17th May 2005

Decision

1. That the models identified in the briefing paper circulated at the meeting for the provision of accommodation for homeless households be approved in principle.
2. That the Assistant Director (Housing Services) develop the concept further in negotiation with Providers of Accommodation and Support (PAS Ltd) and Charles Terence Estates (CTE Ltd).
3. That the Strategic Director (Community), in consultation with the Leader of the Council and the Executive Member for Housing and Leisure, be authorised to approve and enter into formal agreements with PAS Ltd and CTE Ltd upon completion of negotiations and all appropriate investigations.
4. That up to £500,000 of the approved Capital Programme for social housing be committed to implement the scheme.

Reason for Decision

To reduce the budget spend on temporary accommodation by providing alternatives to bed and breakfast and other high cost temporary accommodation.

To ensure compliance with the six week target for families placed in bed and breakfast.

To provide better quality, more suitable accommodation for families and single people.

To delivery Priority 1 of "The Future of Housing in Torbay" which is to engage the private sector in assisting to meet housing needs.

Information

The Executive considered a briefing note prepared by the Assistant Director (Housing Services) on a new approach to tackling homelessness involving the procurement of accommodation from a private provider that currently manages in excess of 200 units of specialist accommodation. The arrangement would enable the Council to procure nomination rights to better quality, more cost effective temporary accommodation for homeless families and vulnerable single people.

Alternative options considered and rejected at the time of the decision

To note adopt the recommendations.

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

No

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

Friday 20th May 2005

Implementation

This decision will come into force and may be implemented on Monday 30th May 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

REVIEW OF PRIMARY SCHOOL PLACES IN TORQUAY

Decision Taker

The Executive at its meeting held on 17th May 2005

Decision

1. That the responses to the consultation on the options put for changes to the supply of primary school places in Torquay be noted.
2. That the supply of school places in Torquay be reduced by:
 - (i) publishing notices to close Upton St James CE Primary School in July 2006;
 - (ii) reducing the Planned Admission Number at Ellacombe Primary School from 60 to 45 from September 2006;
 - (iii) making no change to the Planned Admission Number at St Margaret's Primary School; and
 - (iv) reducing the Planned Admission Number at Watcombe Primary School from 45 to 30 from September 2006.

Reason for Decision

The Council needed to decide what action it intended to take to manage the present and growing rise in surplus places in primary schools. Vacant places represent a drain on the education budget and can lead to competition for pupils among schools.

The Council had consulted about two options involving Upton St James CE, Ellacombe and St Margaret's Primary Schools. Neither of the options garnered universal support among those consulted. Full details of the consultation were considered by the Executive.

Information

Following consideration of a report at the meeting of the Executive held in January 2005, the Council had held a consultation exercise on the options for changing the supply of school places in Torquay. A decision had previously been taken about the supply of school places in Brixham.

Report 111/2005 gave details of the public consultation. The Report included the consultation paper that had been issued and gave full details of the responses received.

The final decision would be made by the Schools Organisation Committee (or if not, by the Schools Adjudicator).

Alternative options considered and rejected at the time of the decision

The Council could decide not to change the supply of school places, accept that the number of surplus places will grow, accept inevitable criticism during inspections and waste scarce resources in maintaining empty places.

The Council could decide to make further changes other than those agreed although this would require a further period of feasibility work and informal and formal consultation before the matter could be brought for a decision.

APPENDIX 1 (continued)

Whilst there is wide scope for making a different set of changes it is unlikely that any permutation of changes would be universally well received. Proposals to reduce the supply of places are rarely popular or straightforward.

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

Yes – Reference X4/2005

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 Harris declared a personal, prejudicial interest in the matter and withdrew from the meeting (whereupon the Deputy Leader took the Chair).

Councillor McPhail (attending under Standing Orders) declared a personal interest as a Council-appointed governor of St Margaret's Primary School. She remained in the meeting during consideration of the item.

Published

Friday 20th May 2005

Implementation

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APPENDIX 1 (continued)

RECORD OF DECISION

COMMISSION FOR SOCIAL CARE INSPECTION OF CHILDREN'S SERVICES

Decision Taker

The Executive at its meeting held on 17th May 2005

Decision

1. That the Lead Inspection and the Inspection Team be thanked and that the findings of the Commission for Social Care Inspection, as set out in its report dated January 2005 (appended to Report 114/2005), regarding Children's Services be accepted.
2. That the Action Plan set out in Appendix 2 to Report 114/2005 be adopted as the Council's formal response to the Inspection Report.
3. That the Commission for Social Care Inspection Report and Action Plan be referred to the Overview and Scrutiny Board for further consideration and monitoring of the implementation of the Action Plan.
4. That the financial implications associated with the Report's recommendations and their implementation be approved.
5. That the short term funding proposals required to meet the costs of implementation in 2005/2006 be approved and that future years funding be considered as part of the budget setting process.

Reason for Decision

The decision will ensure that the Council meets its statutory requirements in relation to the Inspection Report and implement its findings and recommendations.

Information

Report 114/2005 gave details of the Inspection of Torbay Council's Children's Social Care Service that had been held in January 2005. The Executive received a presentation from the Lead Inspector who gave details of the key findings of the Inspection and the areas for development. The overall judgement was that the Council was "serving some people well" with "promising prospects for improvement".

Alternative options considered and rejected at the time of the decision

The Council has a statutory duty to consider the report from the Commission for Social Care Inspection and to publish the report with its recommendations. The Action Plan sets out the most appropriate action required to meet the recommendations within the report.

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

Yes – Reference X11/2005

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

Yes

APPENDIX 1 (continued)

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

None

Published

Friday 20th May 2005

Implementation

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APPENDIX 1 (continued)

RECORD OF DECISION

REVIEW OF SOCIAL SERVICES

Decision Taker

The Executive at its meeting held on 17th May 2005

Decision

1. That the Acting Director of Adult Social Services prepare an action plan for the implementation of each of the recommendations within Report OSB/5/05 that includes SMART targets and financial implications and that the Action Plan be considered at a future meeting of the Executive.
2. That the Director of Social Inclusion ensures that the recommendations within Report OSB/5/05 are properly accounted for in the Children's Services Action Plan in response to the Commission for Social Care Inspection's Report and that all the recommendations are made subject to performance management and SMART objectives.

Reason for Decision

To take account of the findings and recommendations of the Social Services Review Panel.

Information

Report OSB/5/05 set out the findings of the Social Services Review Panel which had been established following concerns by the Overview and Scrutiny Board about the levels of spending within the then Social Services Directorate.

An external specialist had been appointed to assist the Panel in understanding the pressures faced by the Council in relation to social services. In many ways, undertaking the review and turning the spotlight on the service had had a positive impact on budget management and service delivery.

Alternative options considered and rejected at the time of the decision

The recommendations within the Report could have been adopted as written.

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

Friday 20th May 2005

APPENDIX 1 (continued)

Implementation

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APPENDIX 1 (continued)

RECORD OF DECISION

REVIEW OF EDUCATION STANDARDS AND ACHIEVEMENTS IN TORBAY

Decision Taker

The Executive at its meeting held on 17th May 2005

Decision

1. That all schools should set aspirational targets for their pupils to ensure that each and every child and young person within Torbay is encouraged to reach their potential regardless of their background.
2. That Governors should be encouraged to be more closely involved in the target setting process and that Governing Bodies should also be encouraged to put in place effective arrangements for monitoring pupil achievement and challenging headteachers and staff on their procedures for optimising pupil attainment.
3. That the Council undertake a year-on-year study of the targets set by schools to consider the rate at which schools extend their targets and to challenge the assumptions about local performance.

Reason for Decision

To take account of the findings and recommendations of the Education Standards Review Panel.

Information

Report OSB/3/05 gave details of the key findings and recommendations of the Education Standards Review Panel which had been established to consider the issues relating to the achievements of pupils within Torbay's schools and how the Council could influence the continued rise in the attainment of pupils.

Alternative options considered and rejected at the time of the decision

To not adopt the recommendations of the Education Standards Review Panel.

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

Friday 20th May 2005

APPENDIX 1 (continued)

Implementation

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APPENDIX 1 (continued)

RECORD OF DECISION

OPTIONS FOR DIRECT PAYMENTS

Decision Taker

The Executive at its meeting held on 17th May 2005

Decision

1. That an hourly rate, including on-costs, for domiciliary care be adopted as follows:

Between 7.00 a.m. and 11.00 p.m.:	£12.40 per hour
Between 11.00 p.m. and 7.00 a.m. (night sleeping rate):	£65.18 per night
2. That it be noted that exceptional circumstances may apply and these be determined on an individual basis by the Lead Officer (Direct Payments).
3. That the long term development of a Direct Payment Advisory/Support Team (to include a Development Officer, a Direct Payment Advocate, a Direct Payment Payroll Support Worker, an Administrator and a Finance Advisor), affiliated to the Financial Advice and Benefits Team, be supported and that working relationships be developed with independent organisations in Torbay i.e. Vocal and Age Concern.

Reason for Decision

To provide a less cumbersome administrative process in relation to Direct Payments.

To ensure a fit for purpose support service is in place to deal with Direct Payments.

Information

Report 109/2005 gave details of proposals relating to changes to the system and process surrounding Direct Payments. The recommendations within the report had been prepared taking account of the findings of the Review of Direct Payments undertaken on behalf of the Overview and Scrutiny Board and the Green Paper "Independence, Wellbeing and Choice".

Alternative options considered and rejected at the time of the decision

The introduction of an hourly rate would enable the client to know what they could receive immediately following a financial assessment rather than having to wait for an average of providers to be sourced.

The Direct Payment team could be kept completely within statutory services. However, this would allow no independence for clients.

The Team could be seconded to an independent organisation which would ensure independence of statutory services with the benefit of experience of running support groups for the client. However, this option would incur additional management costs and needs time to develop.

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

No

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

Yes

APPENDIX 1 (continued)

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

None

Published

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APPENDIX 1 (continued)

RECORD OF DECISION

HOMEFINDER TORBAY – COMMON ASSESSMENT CRITERIA

Decision Taker

The Executive at its meeting held on 17th May 2005

Decision

That the Homefinder Torbay – Common Assessment Criteria, for the operation of the choice based letting scheme with effect from June 2005, set out at Appendix 1 to Report 110/2005 be approved.

Reason for Decision

To help ensure that the Council meets targets set by the Office of the Deputy Prime Minister.

Information

Report 110/2005 gave details of Homefinder Torbay which would provide a new way of allocating social housing properties. The approach moved away from matching applicants to properties. Instead applicants would choose the property in which they want to live. However, the system would still be based on housing those people who have been waiting the longest and are in the most need.

The proposals had been developed in consultation with the Torbay Housing Partnership and the Housing Strategy Working Party.

Alternative options considered and rejected at the time of the decision

To maintain existing systems is not an option the Torbay Housing Partnership would countenance.

To explore other choice based lettings systems which would incur further cost and delay.

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

Yes - Reference X10/2005

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

MINOR HIGHWAYS WORKS 2005/2007

Decision Taker

The Executive at its meeting held on 17th May 2005

Decision

That, subject to further consultation with the Executive Member for Environmental Services, the Assistant Director (Highways and Engineering) be authorised to accept the most economically advantageous tender for Minor Highways Works for 2005/2007.

Reason for Decision

To ensure that the Council has adequate resources to implement its planned highways maintenance and improvement programmes for 2005/2006 and 2006/2007.

Information

Appendix 1 to Report 112/2005 gave details of the proposed contract for minor highways works.

Alternative options considered and rejected at the time of the decision

Individual works could be individually tendered incurring substantial additional staff costs.

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

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