

# Minutes of the Executive

12th July 2005

-: Present :-

Councillor Harris (Chairman)

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

(Also in attendance: Councillors Faulkner (Mrs J), Stocks and Turnbull)

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

**297. Minutes.** The Minutes of the meeting of the Executive held on 14th June 2005 were confirmed as a correct record and signed by the Leader of the Council.

**298. Urgent Items.** The Executive considered the items in Minutes 299.1 and 299.2, and not included on the agenda, the Leader being of the opinion that they were urgent by reason of special circumstances i.e. the matters having arisen since the agenda was prepared and it was unreasonable to delay a decision until the next meeting.

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

**299.1** Care Package - Case 07/07/05.

**299.2** Care Package - Case 08/07/05.

*(Note: Prior to consideration of the items in Minutes 299.1 and 299.2 the press and public were formally excluded from the meeting on the grounds that the items involved the likely disclosure of exempt information as defined in paragraphs 8 and 9 of Part 1 of Schedule 12A of the Local Government Act 1972.)*

**299.3** Revision to Fraud Sanction Policy.

**299.4** Budget Monitoring - Revenue Budget 2005/2006.

**299.5** Acquisition of Five Road Sweeping Vehicles.

**299.6** Acquisition of 13 Car Derived Vans.

**299.7** Our Time, Our Space, Our Choice – Torbay's Play Strategy.

Leader of the Council

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## **APPENDIX 1**

**to the Minutes of the meeting of the Executive  
held on 12th July 2005**

### **RECORD OF DECISION**

#### **CARE PACKAGE – CASE 07/07/05**

##### **Decision Taker**

The Executive at its meeting held on 12th July 2005.

##### **Decision**

- (i) That the unique circumstances and needs in respect of Case 07/07/05 be noted; and**
- (ii) that the care package outlined in Appendix 1 to Report 180/2005 be approved.**

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

To provide consistent care for the client and support for his family to avoid a breakdown and reactive planning.

##### **Information**

Appendix 1 to Report 180/2005 (exempt) sought approval for a care package in respect of Case 07/07/05 which would involve expenditure in excess of £50,000.

##### **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**

15th July 2005

##### **Implementation**

This decision will come into force and may be implemented on Monday, 25th July 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**  
**CARE PACKAGE – CASE 08/07/05**

**Decision Taker**

The Executive at its meeting held on 12th July 2005.

**Decision**

- (i) That the unique circumstances and needs in respect of Case 08/07/05 be noted; and
- (ii) that the care package outlined in Appendix 2 to Report 180/2005 be approved.

**Reason for Decision**

The allocated school can offer the client the most consistent and holistic package of education and care appropriate to her needs.

**Information**

Appendix 2 to Report 180/2005 (exempt) sought approval for a care package in respect of Case 08/07/05 which would involve expenditure in excess of £50,000.

**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**

15th July 2005

**Implementation**

This decision will come into force and may be implemented on Monday, 25th July 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**  
**REVISION TO FRAUD SANCTION POLICY**

**Decision Taker**

The Executive at its meeting held on 12th July 2005.

**Decision**

**That the revised Fraud Sanction Policy set out in Appendix 1 to Report OSB/9/05 be approved.**

**Reason for Decision**

To bring the Council's Fraud Sanction Policy in line with Government guidelines.

**Information**

Report OSB/9/05 set out the recommendations of the Overview and Scrutiny Board in relation to the revised Fraud Sanction Policy, which had been prepared following the publication of the Department for Work and Pensions' monetary guidelines regarding administration penalties and cautions.

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

Not to approve the revised Fraud Sanction Policy.

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

**Published**

15th July 2005

**Implementation**

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## **APPENDIX 1 Continued**

### **RECORD OF DECISION**

#### **BUDGET MONITORING - REVENUE BUDGET 2005/2006**

##### **Decision Taker**

The Executive at its meeting held on 12th July 2005.

##### **Decision**

- (i) That the projected out-turn position be noted; and
- (ii) that the management actions identified in Report 176/2006 be endorsed.

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

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

##### **Information**

Report 176/2005 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 2005/2006.

The revenue monitoring statement set out the actual expenditure, as at the end of June 2005, and the projected out-turn position 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**

15th July 2005

##### **Implementation**

This decision will come into force and may be implemented on Monday, 25th July 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**

#### **ACQUISITION OF FIVE ROAD SWEEPING VEHICLES**

##### **Decision Taker**

The Executive at its meeting held on 12th July 2005.

##### **Decision**

**That the Strategic Director for Environment, in consultation with the Executive Member for Environmental Services, be authorised to accept the quotation that is identified as the most economically advantageous.**

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

To secure vehicles that are efficient in operation and maintain reliability.

##### **Information**

Appendix 1 to Report 175/2005 gave details of a proposed contract for the supply of five road sweeping vehicles.

##### **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**

15th July 2005

##### **Implementation**

This decision will come into force and may be implemented on Monday, 25th July 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**

#### **ACQUISITION OF 13 CAR DERIVED VANS**

##### **Decision Taker**

The Executive at its meeting held on 12th July 2005.

##### **Decision**

**That the Strategic Director for Environment, in consultation with the Executive Member for Environmental Services, be authorised to accept the quotation that is identified as the most economically advantageous.**

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

To secure vehicles that are efficient in operation and to maintain reliability.

##### **Information**

Appendix 2 to Report 175/2005 gave details of a proposed contract for the supply of 13 car derived vans.

##### **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**

15th July 2005

##### **Implementation**

This decision will come into force and may be implemented on Monday, 25th July 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**

#### **OUR TIME, OUR SPACE, OUR CHOICE – TORBAY’S PLAY STRATEGY**

##### **Decision Taker**

The Executive at its meeting held on 12th July 2005.

##### **Decision**

**That Torbay’s Play Strategy “Our Time, Our Space, Our Choice”, as set out in Appendix 1 to Report 174/2005, be approved.**

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

The Play Strategy has been developed by Torbay Council and other key children’s and youth agencies in response to the Government’s recently published Play Review. The document provides a strategic approach to play development and an associated statement of principals and values in accordance with the requirements of Best Value Performance Indicator (BVPI) 115.

##### **Information**

Report 174/2005 proposed the adoption of Torbay’s Play Strategy for 2005-2010 “Our Time, Our Space, Our Choice.” The need for a Play Strategy had been identified as part of the Torbay Community Plan Action Plan and the Cultural Strategy. These Plans identified the need for good quality accessible play provision in Torbay.

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

Not to adopt Torbay’s Play Strategy.

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

Yes – Reference Number X14/2005

##### **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**

15th July 2005

##### **Implementation**

This decision will come into force and may be implemented on Monday, 25th July 2005 unless the call-in procedure is triggered (as set out in Standing Orders in relation to Overview and Scrutiny).