

Clerk: June Gurry  
Telephone: 01803 207013  
E-mail address: [governance.support@torbay.gov.uk](mailto:governance.support@torbay.gov.uk)  
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Governance Support  
Town Hall  
Castle Circus  
Torquay  
TQ1 3DR

Dear Member

## **COUNCIL - TUESDAY, 7 MARCH 2023**

I am now able to enclose, for consideration at the Tuesday, 7 March 2023 meeting of the Council, the following reports that were unavailable when the agenda was printed.

<b>Agenda No</b>	<b>Item</b>	<b>Page</b>
9.	<b>Revenue Budget 2023/2024</b>	(Pages 2 - 4)
15.	<b>Housing Strategy 2023 -2030</b>	(Pages 5 - 6)
16.	<b>Domestic Abuse and Sexual Violence Strategy</b>	(Pages 7 - 8)
17.	<b>Application to re-designate a Torquay Neighbourhood Forum</b>	(Pages 9 - 10)
18.	<b>Torbay Council Annual Pay Policy Statement and Review of Pensions Discretions</b>	(Pages 11 - 12)

Yours sincerely

June Gurry  
Clerk

## Record of Decisions

### Revenue and Capital Budget 2023/2024

#### Decision Taker

Cabinet on 23 February 2023.

#### Decision

That Cabinet recommends to Council:

##### Revenue Budget:

1. That for 2023/24 net revenue expenditure of **£131.0m** resulting in a Council Tax requirement of **£82.7m** for 2023/24 (a 4.99% increase in Council Tax, of which 2% is for Adult Social Care) be approved;
2. That the proposed Fees and Charges for 2023/24 be approved;
3. That, in accordance with the requirement of the Local Government Act 2003, the advice given by the Chief Finance Officer with respect to the robustness of the budget estimates and the adequacy of the Council's reserves (as set out in the report) be noted;
4. That it be noted that the Brixham Town Council precept for 2023/24 of £394,372 will be included as part of the Torbay Council budget for Council Tax setting purposes; and
5. That the Chief Executive, in consultation with the Director of Children's Services, Chief Finance Officer, Cabinet Member for Children's Services and Cabinet Member for Finance, be authorised to approve the "safety value" agreement in relation to the Higher Needs Block deficit, subject to an offer of an agreement being made by the Department for Education.

##### Review of Reserves:

1. That, in support of the 2023/24 budget setting process, the Council's reserves position be noted.

##### Capital Strategy:

1. That the Capital Strategy 2023/24 be approved.

##### Capital Plan:

1. that the Capital Plan for 2023/24 as set out in Appendix 1 to the submitted report be approved; and
2. that the Chief Finance Officer, in consultation with the Director of Adult and Community Services, the Cabinet Member for Finance and the Cabinet Member for Economic Regeneration, Tourism and Housing, be authorised to approve the business cases for the use of the Community Affordable Housing loan allocations.

## **Reason for the Decision**

The Council has a statutory obligation to set a budget each financial year and must take account of all factors when setting the budget. The Cabinet's response to the recommendations of the Overview and Scrutiny Board were set out in the submitted report.

## **Implementation**

The recommendations of the Cabinet will be considered at the meeting of Council being held on 7 March 2023.

## **Information**

The Cabinet considered a report that outlined the draft revenue and capital budgets and implications of the draft proposals for service change, income generation and efficiencies. The proposals had been subject to detailed public consultation and examination by the Overview and Scrutiny Board (through its Priorities and Resources Review Panel).

The Cabinet thanked the Overview and Scrutiny Board for their comprehensive review of the Cabinet's proposals for the Council's Revenue Budget for 2022/2023. The report had been compiled in light of the findings and conclusions reached by the Overview and Scrutiny Board. The Board had taken into account the views expressed by members of the public and stakeholder representatives.

The Cabinet also gave consideration to the reports on the Review of Reserves and draft Capital Strategy.

At the meeting, Councillor Cowell proposed and Councillor Steve Darling seconded a motion which was agreed by the Cabinet as set out above.

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

None.

## **Is this a Key Decision?**

Yes

## **Does the call-in procedure apply?**

No

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

Councillor Morey declared a non-pecuniary interest as a Board Member of the Admiral Swimming Centre in Brixham.

## **Published**

28 February 2023

Signed: \_\_\_\_\_ Date: \_\_\_\_\_  
Leader of Torbay Council on behalf of the Cabinet

## Record of Decisions

### Torbay Housing Strategy

#### Decision Taker

Cabinet on 23 February 2023.

#### Decision

That the Cabinet recommends to Council:

1. that the Torbay Housing Strategy 2023-2030, as set out in Appendix 1 to the submitted report, be approved; and
2. subject to 1. above, the Cabinet approves the Housing Strategy Project Plan 2023-2024, with any minor amendments to the Housing Strategy Project Plan 2023-2024 being made by the Director of Pride in Place in consultation with Cabinet Member for Economic Regeneration, Tourism and Housing.

#### Reason for the Decision

The current Housing Strategy runs to April 2025, it was adopted prior to the Council declaring a Housing and Climate emergency in 2021, and before the Covid19 Pandemic in 2020. As a result the Council has refreshed the aims and objectives of the Housing Strategy accordingly. The refreshed Housing Strategy sets out what the Council, and its partners, will be doing to improve the housing situation for Torbay's current and future residents.

#### Implementation

The recommendations of the Cabinet will be considered at the Council meeting on 7 March 2023.

#### Information

The Housing Strategy (Policy Framework document) is the over-arching strategic document that pulls together all aspects of the Council's strategic housing function. The Housing Strategy sets out the approach the Council will take with all of its partners to work towards the vision set out in the Strategy. The priorities reflect the broad range of work that the Council and its partners do to meet local housing need, including developing affordable housing, maintaining housing standards, and helping people to stay independent in their own homes, whilst preventing homelessness. Within each theme, key aims of the Council have been identified, which are considered to directly contribute to the overall sense of community, health and wellbeing in the Bay.

At the meeting, Councillor Long proposed and Councillor Cowell seconded a motion that was agreed unanimously by the Cabinet, as set out above.

#### Alternative Options considered and rejected at the time of the decision

None.

**Is this a Key Decision?**

Yes

**Does the call-in procedure apply?**

No

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

None.

**Published**

28 February 2023

Signed: \_\_\_\_\_ Date: \_\_\_\_\_  
Leader of Torbay Council on behalf of the Cabinet

## Record of Decisions

### Domestic Abuse and Sexual Violence Strategy

#### Decision Taker

Cabinet on 23 February 2023.

#### Decision

That Cabinet recommends to Council:

That the Domestic Abuse and Sexual Violence Strategy as set out in Appendix 1 to the submitted report, be approved.

#### Reason for the Decision

The previous Domestic Abuse and Sexual Violence Strategy was due to end in early 2023.

#### Implementation

The recommendations of the Cabinet will be considered at the Council meeting on 7 March 2023.

#### Information

The current Domestic Abuse and Sexual Violence Strategy (Policy Framework document) ends in March 2023. In preparation a strategic review of the domestic abuse response in Torbay was undertaken in 2021. The review incorporated a review of the Multi Agency Risk Assessment Conference, the Safe Accommodation Needs Assessment as required by the Domestic Abuse Act 2021 and a lived experience listening exercise. All the recommendations and findings have informed the direction and focus of the new Domestic Abuse and Sexual Violence Strategy.

At the meeting Councillor Carter proposed and Councillor Stockman seconded a motion which was agreed unanimously by the Cabinet, as set out above.

#### Alternative Options considered and rejected at the time of the decision

An alternative option would be to do nothing. However, this was discounted as the current policy was set to expire this year and would not take account of the information gathered from the review and the high profile nature of domestic abuse and sexual violence in Torbay.

A further option would have been to have two individual strategies for domestic violence and abuse, and sexual violence this was discounted by the Domestic Abuse and Sexual Violence Executive Group (DASVEG) as this would fragment the strategic response, create areas of overlap and duplication and ineffective use of resources.

#### Is this a Key Decision?

Yes

**Does the call-in procedure apply?**

No

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

None.

**Published**

28 February 2023

Signed: \_\_\_\_\_ Date: \_\_\_\_\_  
Leader of Torbay Council on behalf of the Cabinet



## Record of Decisions

### Application to re-designate a Torquay Neighbourhood Forum (TNF)

#### Decision Taker

Cabinet on 23 February 2023.

#### Decision

That Cabinet recommends to Council:

1. following consideration of all representations received at the close of consultation on 23rd January 2023 and that a refreshed Torquay Neighbourhood Forum (TNF) Constitution has been received (22 February 2023); that the Torquay Neighbourhood Forum be designated as the Neighbourhood Planning body ("Qualifying Body") for the existing/previously approved Torquay Neighbourhood Area, subject to:
  - i) evidence, presented prior to Council on 7 March 2023, that the Forum meets the minimum Forum requirements (section 61F(5) & (7) of the Town and Country Planning Act 1990 as applied to neighbourhood plans by section 38A of the Planning and Compulsory Purchase Act 2004) (this documentation should demonstrate that the criteria are met (the criteria are set out in more detail in para 1.7 of the Supporting Information to the submitted Report)).
2. and that the following amendments are made to the proposed Neighbourhood Forum's Constitution to support the transparency of the forum in response to the concerns raised during the consultation:
  - i) to fulfil Sections 6.4, 7.3 and 7.4 of the Constitution: The Forum provide an undertaking to publish on a website, appropriate and timely manner: meeting agendas, minutes and associated documents (where appropriate) within a reasonable period;
  - ii) in Section 3.6 to modify wording to "other areas of Torbay" instead of reference to Paignton and Brixham only; and
  - iii) in Section 4.1 to modify wording to "automatically eligible as members", including eligible, to reflect that membership is voluntary as set out in Section 4.2.

#### Reason for the Decision

To give the residents of Torquay a greater say in planning proposals in their area by re-designating a Neighbourhood Forum body.

#### Implementation

The recommendations of the Cabinet will be considered at the Council meeting on 7 March 2023.

#### Information

An application was submitted to Torbay Council as the Local Planning Authority, to re-

designate a Torquay Neighbourhood Forum for the existing Neighbourhood Area, comprising the Wards of Barton with Watcombe, Cockington with Chelston, Ellacombe, St. Marychurch, Tormohun and Wellswood. Re-designation of the Torquay Neighbourhood Forum would be for a period of five years, covering the Torquay Community Partnership Areas listed in the application and Torquay Wards listed above.

At the meeting, Councillor Morey proposed and Councillor Long seconded a motion that was agreed unanimously by the Cabinet, as set out above.

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

An alternative option would be to refuse to agree to the re-designation of the Forum, in the light of Government Guidance which indicates that Forums should be 'local' with electoral ward level (5,500 residents), being a possible starting point, this may also provide a more sustainable group size and manageable workload. This was relevant consideration of the recent demise of the Paignton Neighbourhood Forum and the division of the original Brixham Peninsula Neighbourhood Forum, into the Brixham Town Council and the approval of the Breadsands Churston and Galmpton Forum. However, Torbay Council was committed to empowering the community through Neighbourhood Planning and there was a strongly supported wish for the Torquay community to form a Forum, therefore the option to refuse the re-designation was discounted.

### **Is this a Key Decision?**

No

### **Does the call-in procedure apply?**

No

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

Councillors Cowell and Steve Darling declared a non-pecuniary interest as members of the Torquay Neighbourhood Forum.

### **Published**

28 February 2023

Signed: \_\_\_\_\_ Date: \_\_\_\_\_  
Leader of Torbay Council on behalf of the Cabinet

## Record of Decisions

### Annual Pay Policy including Gender Pay Gap Report

#### Decision Taker

Cabinet on 23 February 2023.

#### Decision

That Council be recommended that:

1. the Torbay Council Annual Pay Policy Statement 2023/24 as set out in Appendix 1 to the submitted report be approved for publication; and
2. the Employers Pensions Discretions set out in Appendix 2 to the submitted report be approved for publication.

#### Reason for the Decision

To meet the statutory requirements to review these reports and policies.

#### Implementation

The recommendations of the Cabinet will be considered at the Council meeting on 7 March 2023.

#### Information

The submitted report set out the Council's Annual Pay Policy Statement, as required under Section 38 (1) of the Localism Act 2011. It was noted that the pay policy statement drew together the Council's overarching policies on pay and conditions and would be published on the Council's Website. The report also set out the annual review of pensions discretions as required by the Local Government Pension Scheme Regulations.

At the meeting Councillor Carter proposed and Councillor Cowell seconded a motion that was agreed unanimously by the Cabinet, as set out above.

#### Alternative Options considered and rejected at the time of the decision

None.

#### Is this a Key Decision?

Yes

#### Does the call-in procedure apply?

No

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

None.

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28 February 2023

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Leader of Torbay Council on behalf of the Cabinet