

Clerk: June Gurry
Telephone: 01803 207013
E-mail address: governance.support@torbay.gov.uk
Date: Friday, 16 February 2024

Governance Support
Town Hall
Castle Circus
Torquay
TQ1 3DR

Dear Member

COUNCIL - THURSDAY, 22 FEBRUARY 2024

I am now able to enclose, for consideration at the Thursday, 22 February 2024 meeting of the Council, the following reports that were unavailable when the agenda was printed.

Agenda No	Item	Page
9.	Redevelopment of St. Kilda's, Brixham	(Pages 2 - 4)
10.	Revenue and Capital Budget 2024/2025	(Pages 5 - 6)
12.	Budget Monitoring 2023/24 - April to December 2023 Revenue and Capital Outturn Forecast	(Pages 7 - 8)
14.	Draft Community and Corporate Plan	(Pages 9 - 10)
15.	Torbay Council Annual Pay Policy Statement and Review of Pensions Discretions	(Pages 11 - 12)

Yours sincerely

June Gurry
Clerk

Record of Decisions

Business Case for the redevelopment of the site known as St. Kilda's, Brixham

Decision Taker

Cabinet on 13 February 2024.

Decision

That Council be recommended to:

1. Approve the inclusion of the full St. Kilda's scheme (including the addition of demolition of the former Care Home and the construction of 23 no. new age-restricted flats for social housing) in Torbay Council's Capital Programme.
2. Increase the capital programme for the St Kilda's scheme to a total sum of £5,683,164 to include costs already incurred and the costs of demolition and construction as set out in Exempt Appendix 1.
3. Approve up to £2,667,058 of prudential borrowing funded from rent receipts, net of the costs of maintenance and management of the completed scheme.

That subject to 1 to 3 above the Cabinet:

4. In accordance with Financial Regulations, the Director of Finance be instructed to bid for (and accept) any applicable affordable housing grant from Homes England to support the scheme, subject to securing at least the Minimum Grant Level as set out in Exempt Appendix 1 for the scheme to proceed.
5. Delegate authority to the Director of Pride in Place to award a suitable contract for construction to Bidder A for the Total Contract Sum(s) identified in Exempt Appendix 1 (including any Stage 1 contract for demolition/site clearance and Stage 2 contract for main works, as necessary), along with all necessary external support services required for successful delivery of the scheme following completion of successful procurement exercises (and associated due diligence). Subject to any Stage 2 contract/contract for main Works not to be signed until Homes England have confirmed that the Minimum Grant Level set out in Exempt Appendix 1 has been secured, and a Grant Agreement signed accordingly.
6. Delegate authority to the Director of Pride in Place, in consultation with the Head of Legal Services, to enter a Building License with TorVista Homes, to enable demolition to take place prior to formal transfer of the asset back to the Council (if necessary).
7. Authorise the Director of Pride in Place to enable all management provisions required for successful operation of the scheme, in accordance with the planning consent and requirements of the Regulator or Social Housing.

Reason for the Decision

The Council has committed to delivering homes that meet the priority need of specific often-disenfranchised groups within our communities that both struggle to access suitable accommodation and have a disproportionate effect on both Council revenue outlay and capital

expenditure. As such, development of St. Kilda's is a key priority for the Council – it will help older people live independently in our communities for the long-term, in a home that is genuinely suitable to meet their needs.

Implementation

Recommendations one to three of the Cabinet will be considered at the Council meeting on 22 February 2024.

Decisions four to seven will come into force and may be implemented on 26 February 2024 unless the call-in procedure is triggered (as set out in the Standing Orders in relation to Overview and Scrutiny).

Information

The site known as St. Kilda's is a former care home that has been identified for redevelopment for some time. Plans for its regeneration were worked up by Torbay Development Agency (TDA) and Tor Vista Homes (TVH), which proposed the demolition of existing structures and the construction of 23 flats, specifically for clients aged 55+, all for social rent. The scheme includes areas of communal space, lifts, and parking in a landscaped setting, within a wider attractive residential area.

A business case has been developed for St. Kilda's, based on the planning approved scheme. The business case includes a comprehensive appraisal of all key scheme elements, and considers the long-term financial implications for the Authority, in respect of its borrowing and the need for Homes England grant support.

At the meeting Councillor Tyerman proposed and Councillor Chris Lewis 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

The following options were considered:

- 1) Do not proceed – cease all work, and either mothball the site or dispose on the open market;
- 2) Adopt Financial Model A, and:
 - a) Award a contract to Bidder A (subject to completion of necessary due diligence); or,
 - b) Re-tender for an alternative form of procurement;
- 3) Adopt the Financial Model B, and:
 - a) Award a contract to Bidder A (subject to completion of necessary due diligence); or,
 - b) Re-tender for an alternative form of procurement.

Is this a Key Decision?

Yes

Does the call-in procedure apply?

Yes

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

None.

Published

16 February 2024

Signed: _____ Date: _____
Leader of Torbay Council on behalf of the Cabinet

Record of Decisions

Revenue and Capital Budget 2024/2025

Decision Taker

Cabinet on 13 February 2024.

Decision

1. That for 2024/25 net revenue expenditure of £139.2m resulting in a Council Tax requirement of £88.4m for 2024/25 (a 4.75% increase in Council Tax, of which 2% is for Adult Social Care) be approved.
2. That the proposed Fees and Charges for 2024/25, Capital Strategy 2024/25, Capital Investment Plan 2024/25 and Treasury Management Strategy (including the Prudential Indicators 2024/25; and Annual Minimum Revenue Provision Policy Statement for 2024/25 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 2024/25 of £473,471 will be included as part of the Torbay Council budget for Council Tax setting purposes.

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 22 February 2024.

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 Cabinet were also in receipt of a Notice of Motion, which sought the allocation of £100,000 to £150,000 towards 20 MPH Neighbourhoods. Councillor Fox and Councillor Virdee, the promoter and supporter of the motion advised that following the meeting of the Transport and Parking Working Party and the Cabinet's response to the Overview and Scrutiny Board's recommendation, they had in accordance with Council Standing Order A15.9 withdrawn the motion.

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 2024/2025. 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 Revenue Reserves Policy and Capital Strategy. At the meeting, Councillor Tyerman proposed and Councillor David Thomas 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)

None

Published

16 February 2024

Signed: _____ Date: _____
Leader of Torbay Council on behalf of the Cabinet

Record of Decisions

Budget Monitoring 2023/24 - April to December 2023 Revenue and Capital Outturn Forecast

Decision Taker

Cabinet on 13 February 2024.

Decision

That the Cabinet notes the forecasted revenue outturn position and recommends that Council approves:

The revised Capital Investment Plan (as detailed in Appendix 2).

Reason for the Decision

To ensure the Council operates in a prudent manner and works to maintain a balanced budget.

Implementation

The recommendation of the Cabinet will be considered at the Council meeting on 22 February 2024.

Information

The Budget Monitoring 2023/24 report set out a high-level budget summary of the Council's revenue and capital position for the financial year 2023/24, comparing budgets with year-end forecasts. The forecasts were based on the levels of spend and financial information at the end of quarter 3 (up to 31 December 2023).

At the meeting, Councillor Tyerman proposed and Councillor David Thomas 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

There were no alternative options considered.

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)

None.

Published

16 February 2024

Signed: _____ Date: _____
Leader of Torbay Council on behalf of the Cabinet

Record of Decisions

Community and Corporate Plan

Decision Taker

Cabinet on 13 February 2024.

Decision

That the Council be recommended to approve the Community and Corporate Plan 2023-2043.

Reason for the Decision

The Community and Corporate Plan is the overarching document within the Council's Policy Framework setting out the Council's vision and priorities for the next twenty years. Having considered the feedback received during the consultation and further feedback from the Council's political groups the Cabinet is recommending that the Council approves the Community and Corporate Plan.

Implementation

The recommendations of the Cabinet will be considered at the meeting of Council being held on 22 February 2024.

Information

The Community and Corporate Plan sets out the vision of a healthy, happy and prosperous Torbay. The Plan outlines the priorities of the Council for the next twenty years and the approach the Council will take in delivering against the vision.

The draft Community and Corporate Plan was subject to consultation between 21 September and 29 October 2023. The Plan had been updated to take account of that feedback. The Plan also incorporates cross party feedback received from Group Leaders following the Council's non-determination of the Plan when presented to the Council meeting on 7 December 2023.

At the meeting Councillor David Thomas proposed and Councillor Chris Lewis 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

The draft Plan which was presented for consideration has been developed based on the evidence in the Torbay Profile, the results of the Residents Satisfaction Survey and the feedback received both during the consultation period and from Group Leaders.

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

16 February 2024

Signed: _____ Date: _____
Leader of Torbay Council on behalf of the Cabinet

Record of Decisions

Torbay Council Annual Pay Policy Statement and Review of Pensions Discretions

Decision Taker

Cabinet on 13 February 2024.

Decision

That Council be recommended:

- 1) the Torbay Council Annual Pay Policy Statement 2024/25 as set out in Appendix 1 to the submitted report be approved for publication.
- 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 22 February 2024.

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 Jackie Thomas proposed and Councillor Tranter 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

16 February 2024

Signed: _____ Date: _____
Leader of Torbay Council on behalf of the Cabinet