

Minutes of the Cabinet

10 January 2023

-: Present :-

Councillors Carter, Cowell, Long and Stockman

(Also in attendance: Councillors Law (virtually), Amil (virtually), Barrand, Bye, Foster, Johns (virtually), Barbara Lewis (virtually), Chris Lewis and David Thomas)

428. Apologies

Apologies for absence were received from Councillors Steve Darling, Law (who observed the meeting remotely) and Morey. Councillor Cowell, Deputy Leader of the Council chaired the meeting in the absence of the Leader of the Council, Councillor Steve Darling.

429. Minutes

The Minutes of the meeting of the Cabinet held on 13 December 2022 were confirmed as a correct record and signed by the Chairman.

430. Matters for Consideration

The Cabinet considered the following matters, full details of which (including the Cabinet's decisions) are set out in the Record of Decisions appended to these Minutes.

431. Public Question

In accordance with Standing Order A24, the Cabinet heard from Ms Julie Adams who had submitted a statement and question in relation to Torbay's carbon output. The Deputy Leader of the Council on behalf, of the Cabinet Member for Infrastructure Environment and Culture, responded to the question (attached to these minutes) that had been put forward and asked the Divisional Director of Planning, Housing and Climate Emergency to respond to a supplementary question asked by Ms Adams.

432. Notice of Motion

The decision in relation to the Notice of Motion is set out in Minute 433 below.

433. Future High Streets Fund - Torbay Road

434. Revenue and Capital Budget 2023/2024 for Consultation

- 435. Torbay and Devon Safeguarding Adult Partnership (TDSAP) Annual Report 2021/2022**
- 436. Torbay Economic Growth Strategy - Action Plan**
- 437. Paignton and Preston Community Seafront Masterplan**
- 438. Disposal of Land at Little Blagdon Farm, Totnes Road, Collaton St Mary**
- 439. Torquay Town Deal - Business Case Assurance**
- 440. Award of Licence for Observation Wheel**
- 441. Award of Contract for Parking Notice and Permit Processing System**
- 442. Five Child Friendly Task and Finish Groups - Report of the Children and Young People's Overview and Scrutiny Sub-Board**

Chairman/woman

Public Question – Cabinet 10 January 2023

<p>Question (1) submitted by Julie Adams to the Cabinet Member for Infrastructure, Environment and Culture (Councillor Morey)</p>	<p>At the Cabinet meeting on 13 December Councillor Mike Morey cited the Devon Carbon Plan as being a scientific, evidence led plan which forms a roadmap for how Devon can achieve net zero carbon by 2050 at the latest. At the same meeting Councillor David Thomas asked the following question ‘the climate emergency was declared by this administration June 2019 and with the target being 2030, that’s 11 years which means we’re 25% of the way into this plan, so looking at zero carbon how much have we achieved in savings?’ In response David Edmondson, Divisional Director for Planning, Housing and Climate Emergency only offered the figure of 40% Carbon reduction for Torbay from 2008 to 2020 adding government figures come out every two years, it will be another two years before we have the figures for this year 2022. That the 40% figure sounds a lot because a lot of that is achieved by the production of more sustainable energy nationally, so that has had a significant impact on Torbay already. The UK only produces 1.03% of the worlds total Carbon output. In light of all of these statements, I have the following questions:</p> <ul style="list-style-type: none"> • What percentage of the UK’s total carbon output is Torbay’s total carbon output, who measures and how is Torbay’s carbon output measured? • Where are the figures/reports for Torbay’s carbon output found? • Are there Trusts and or charities involved? • Who produced/owns the scientific data used to form the Devon Carbon Plan and where can it be obtained? • Torbay declared a climate emergency in 2019 and have the data for 2008 to 2020, what are the figures for 2019 to 2020 and where is that information obtained? • It was stated that government figures come out every two years, waiting for those figures takes Torbay to the end of 2024 and halfway into a plan whilst only just receiving figures. Why is Torbay Council marching head first into a plan without seeing any previous data? • Is the 40% carbon reduction for Torbay, or nationally? • How has 40% reduction in carbon output nationally or locally significantly helped the people of Torbay?
<p>Councillor Cowell provided the answer on behalf of Councillor Morey</p>	<p>UK greenhouse gas emissions in 2020 were 406 million tonnes of CO2 equivalents (Carbon dioxide plus other greenhouse gases i.e. Methane, Nitrous Oxide, Fluorinated gases (please note carbon emissions make up 79% of this figure)). The source of this information is the Department for Business, Energy and Industrial Strategy document 2020 UK final greenhouse gas emissions statistics: one page summary (publishing.service.gov.uk)</p> <p>Torbay’s greenhouse gas emissions in 2020 were 421,200 tonnes of CO2 equivalents. Again the source of this information is the Department for Business, Energy and Industrial Strategy and is set out in a document: UK-local-authority-ghg-emissions-2020.xlsx (live.com)</p>

Therefore, Torbay was responsible for 0.1% of the UK's total emissions (CO2 equivalents) in 2020.

The data set is collated by the Government and combines data from the UK's Greenhouse Gas Inventory with data from a number of other sources, including local energy consumption statistics, to produce a nationally consistent set of greenhouse emissions estimates at local authority level from 2005 to 2020. They show "territorial" emissions, meaning emissions that occur within the UK's borders. The data show emissions allocated on an "end-user" basis where emissions related to energy use are distributed according to the point of energy consumption. Emissions that are not energy related are distributed based on the point of emission, other than emissions from waste management which are distributed based on where the waste was produced.

The figures/reports for Torbay's carbon output can be found at [UK local authority and regional greenhouse gas emissions national statistics, 2005 to 2020 - GOV.UK \(www.gov.uk\)](#) and per authority breakdown at [UK-local-authority-ghg-emissions-2020.xlsx \(live.com\)](#).

Previous reports on Torbay's carbon emissions can also be found at [Net Zero Torbay Report – Devon Climate Emergency](#) (Please note this was based on 2016 data. The University of Exeter is developing an up to date, even more robust greenhouse gas inventory report based on the national data sets above for Torbay up to 2020. In this draft report Torbay's emissions in 2020 are slightly greater at 437,000 tCO₂e (the difference is additional data collated by the University).

With regards to the involvement of trusts and or charities, these organisations have not involved in data collation. However, they have been involved in local climate action.

All studies produced for the Devon Climate Emergency Response Group to form the Devon Carbon Plan are available on Devon Climate Emergency website. Various authors have produced the studies including the University of Exeter.

According to the government data available for Torbay, total emissions in 2019 were 469,100 tonnes of CO₂e. Total emissions in 2020 were 421,200 tonnes of CO₂e. A summary report on Torbay's emissions inventory is also being collated by the University Exeter. This will be available by end of January and published. It too is based on the government's datasets with additional data held by the University.

Whilst government figures come out every two years, we have seen previous data and we understand where Torbay's carbon emissions arise from. The government data sets referred to earlier provides us data up to 2020. The Net Zero Torbay report by the University of Exeter also summarised where Torbay's emissions arise from and makes recommendations for priority, no regret actions (i.e. actions we need to do no matter what and that have lots of co-social/economic outcomes)

to help Torbay work towards carbon neutral by 2030. These priority actions form part of the Torbay Climate Emergency Action Plan (currently out for consultation), alongside a series of action that our residents highlighted as important to take. Even if we could, right now, access 2021 and 2022 data sets for Torbay it is highly likely that it would still show the same priority, no regret actions needed for Torbay i.e. immediate action across all sectors with a priority focus on decarbonising buildings (including homes), transport, power and businesses. If we were to wait for up-to-date data then even more emissions will enter the atmosphere making tackling climate change and meeting local and national/international targets harder. Therefore, Torbay's proposed Torbay Climate Emergency Action Plan is based on a series of no regret actions and/or actions that our community deem important. Many actions will have a number of benefits for Torbay, i.e. economic and social benefits, hence waiting will also prevent these outcomes arising and ultimately will not support Torbay's ambition to thrive.

Given the national data sets do have a 2 year lag, and to ensure we can track progress of the Torbay Climate Emergency Action Plan, a set of interim outcomes and indicators are being established. The University of Exeter is developing these for use in the action plan, and subsequent plans, all the way up to 2030. This will allow us to track progress in between receiving data from the Government or University. Where local progress is lagging the Torbay Climate Partnership will review and explore actions regularly to address this.

The 40% reduction in carbon for Torbay does come with a number of co-benefits on a local and national scale:

- Addressing the climate emergency is an opportunity to create a fairer, healthier, more resilient and thriving society. It is about creating nice places to live and work now and in the future.
- Encouraging everyone to be more active by walking and cycling; improving air quality through the electrification of vehicles; insulating our homes to make them warmer; and eating more balanced diets will all improve public health and reduce pressures on the NHS.
- There is considerable potential for the transition to clean technologies to create new jobs and skills, improve energy security and increase economic prosperity. Retrofitting energy efficiency measures into housing will reduce fuel poverty and illnesses associated with cold homes and create local jobs.
- Enhancing the ability of habitats to store carbon offers opportunities to reverse the decline of biodiversity and restore the benefits healthy ecosystems provide. These include reduced flood risk, improved water and air quality, nutritious food, timber and fuel, and accessible greenspace.

	<p>To ensure we can track progress of the Torbay Climate Emergency Action Plan, a set of interim outcomes and indicators are being established. The University of Exeter is developing these for use in this plan, and subsequent plans, all the way up to 2030. This will allow us to track progress (including a set of local co-benefits) in between receiving data from Government or University. A Final set will feature in the Torbay Climate Emergency Action Plan which is seeking approval by the Torbay Climate Partnership and Cabinet in April 2023.</p>
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Record of Decisions

Future High Streets - Torbay Road and Notice of Motion to Re-open Torbay Road and Restore Hyde Road to Two Lane Traffic

Decision Taker

Cabinet on 10 January 2023.

Decision

That the Divisional Director Economy, Environment & Infrastructure be instructed to revise the trial of the Torbay Road Future High Street Fund project to allow for a partial pedestrianisation of Torbay Road between Queens Road and Station Square, Paignton.

Reason for the Decision

To allow for a trial of limited pedestrianisation of Torbay Road which supported the views expressed in the spring 2022 consultation and continued to be provided through the Your Say feedback. The revised trial also respects the feedback received from traders and limits any further redesign and delay to the implementation of the Station Square public realm improvements. To also respond to the submitted Notice of Motion which was rejected by the Cabinet as the consultation responses were mixed and it was considered a trial of a partial pedestrianisation was an appropriate and balanced response to mixed views of the whole community.

Implementation

This decision will come into force and may be implemented on 23 January 2023 unless the call-in procedure is triggered (as set out in the Standing Orders in relation to Overview and Scrutiny).

Information

The Council was successfully awarded a grant under the Future High Street Fund (FHSF) programme, which is intended to bring about infrastructure improvements, increase town centre living and an enhanced cultural offer in Paignton. To implement the grant the Council has taken forward the development of projects and, working with partners at Paignton Picture House Trust, commenced delivery the first Future High Street Fund project for Torbay Road, Paignton.

The FHSF bid identified improvements to the street scene on Torbay Road which were expected to include signage, lighting, seating and other more general improvements. Feedback from community representatives was that Torbay Road should be pedestrianised. In spring 2022 two consultations were led jointly by the Paignton and Preston Community Partnership and the Council, which indicated that there was broad support for pedestrianisation.

Following the consultation, the project team revised the plans which were being developed to incorporate pedestrianisation. It was intended to deliver a trial of the pedestrianisation in the summer 2022, however a variety of challenges prevented this from taking place. The trial could not easily have been delayed until the summer 2023 without a potentially significant impact to the overall FHSF programme. This is because the FHSF grant is expected to be spent by the summer of 2024 and delaying the trial till 2023 with the consequential impacts on design and

procurement for the Torbay Road project and the linked Station Square project meant that the decision was made to trial pedestrianisation from October 2022.

The Council committed to continually reviewing the feedback on the trial, intended to run until the end of March 2023, to allow for the impact of the pedestrianisation to be considered. The comments to date show a mixed view with some commenting very clearly that the trial was working and encouraging its continuance. Others were vehemently against the trial and believed that it will result in the street failing.

The pedestrianisation trial has required an experimental traffic order. There is a legal/statutory requirement of a 6-month consultation period where, as the concept of an experimental order was that the outcome was unknown, the scheme must be in place for a minimum six-month period to allow members of the public to submit comments, suggestions, or objections in relation to it.

There are conditions which allow for an order to be modified under Section 10(2) of the "Road Traffic Regulation Act 1984" which confirms that experimental orders may be modified, only after consulting with the police, to preserve or improve the amenities of the area through which any road affected by the order runs.

A Notice of Motion was also submitted by Councillors David Thomas and Chris Lewis which sought to revert all pedestrianisation and re-open Torbay Road and was presented at the Cabinet meeting on 10 January 2023. The Cabinet rejected the motion for the reasons set out above.

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

There were four options set out in the submitted report:

1) Revert to the original (open Torbay Road):

This option was that requested by the Notice of Motion, whilst the Council could revert the entire scheme back to its original state with no regulatory requirements needed. This would require placing an advert to revoke the order. There would also be abortive costs and disruption of putting the scheme back to its original form and removing the street furniture etc. There would also be a requirement to revise the Station Square public realm scheme which would increase costs and delay that work starting.

This option was likely to be favoured by some traders but community representatives and some respondents to the survey make clear that this would be seen as the wrong move.

2) Partial Pedestrianisation (Queens Road to Level Crossing):

This was the preferred option. Partial pedestrianisation would allow traffic onto Torbay Road from the Esplanade and provide options to turn at the Queens Road/Garfield Road junction. The option appears to have support from more traders and some community representatives. If the Council wanted to amend parts of the scheme, then this would constitute a modification to the experimental traffic order and may restart the clock on the minimum period of six months consultation.

3) One-way traffic west bound:

This would allow one way traffic onto Torbay Road from the Esplanade along the full length of Torbay Road. It would require a redesign of the Station Square scheme which was predicated on some form of pedestrianisation in that space. Similar comments to the option 2 would apply in respect on the traffic order.

4) Maintenance of the trial until March 2023;

Maintenance of the trial 'as is' would allow for the experimental traffic order six month period originally envisaged to conclude and for fuller information to be collected but was more likely to prolong and intensify the public debate on this issue.

Is this a Key Decision?

No

Does the call-in procedure apply?

Yes

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

None.

Published

January 2023

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

Record of Decisions

Revenue and Capital Budget 2023/2024

Decision Taker

Cabinet on 10 January 2023.

Decision

- (i) That all Members and the Overview and Scrutiny Board consider the draft revenue and capital budgets and implications of the draft proposals for investment in services, efficiencies and income generation. The Overview and Scrutiny Board (through its Priorities and Resources Review Panel) will consider certain specific issues arising from these savings proposals and publish its recommendations by 9 February 2023 on the outcomes of its deliberations and stakeholder representations for the Cabinet to consider;
- (ii) The draft proposals for investment in services, efficiencies and income generation are based upon the provisional Local Government Finance settlement as announced by central government on 19 December 2022;
- (iii) That public consultation be undertaken on the proposals. (The results from this consultation will be considered by the Cabinet with the Cabinet's final proposals being published on 23 February 2023.);
- (iv) That the Chief Finance Officer be given authority to amend these budget proposals for any technical adjustments necessary between services and within the overall envelope of funding in agreement with the Leader of the Council; and
- (v) That the Chief Finance Officer report to the meeting of the Cabinet on 23 January 2023 on the implications for 2023/2024 as a result of these proposals currently being considered and in light of the final settlement which is expected by early February 2023.

Reason for the Decision

To enable the consultation process on the proposed Revenue Budget and Capital Plan for 2023/2024 to begin.

Implementation

This decision to publish the draft revenue budget and the savings proposals will come into force immediately, so as to commence the formal consultation process on the budget.

Information

The Leader of the Council on behalf of the Cabinet has announced their provisional revenue and capital budget including proposals for service change, income generation and efficiencies for 2023/2024 (as available at [Budget 2023/24 - Torbay Council](#)) to enable the consultation process to start. The proposals for investment in services, efficiencies and income generation and development of the budget will support the Council in delivering its ambitions as set out in the Community and Corporate Plan.

Additional supporting financial information will be supplied in due course to help inform consultation and scrutiny of the proposals. Information will be placed on the Council 2023/2024 Budget webpage at [Budget 2023/24 - Torbay Council](#).

The Cabinet wishes to hear the views of all Members of the Council, the Overview and Scrutiny Board and external stakeholders together with specific service users on their proposals before finally recommending a budget to the Council in March 2023.

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

Alternative Options considered and rejected at the time of the decision

Alternative options were not considered.

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

11 January 2023

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

Record of Decisions

Torbay and Devon Safeguarding Adult Partnership (TDSAP) Annual Report 2021/2022

Decision Taker

Cabinet on 10 January 2023.

Decision

That the content and the requirement for the Torbay and Devon Safeguarding Adult Partnership to publish the Annual report be noted.

Reason for the Decision

It is a statutory requirement of the Care Act 2014, for each Safeguarding Adults Board to produce and publish an Annual Report and given the importance of the work of the Safeguarding Adults Board political oversight was sought.

Implementation

This decision will come into force and may be implemented on 23 January 2023 unless the call-in procedure is triggered (as set out in the Standing Orders in relation to Overview and Scrutiny).

Information

The Safeguarding Adult Annual Report sets out the purpose, structure, scope of membership, key data summaries and summarises the current strategic priorities.

At the meeting Councillor Stockman proposed and Councillor Long seconded a motion that was unanimously 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?

No

Does the call-in procedure apply?

Yes

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

None.

Published

13 January 2023

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

Record of Decisions

Torbay Economic Growth Strategy - Action Plan

Decision Taker

Cabinet on 10 January 2023.

Decision

That the Torbay Economic Growth Strategy Action Plan be approved as set out in Appendix 1 to submitted report.

Reason for the Decision

The Economic Growth Strategy Action Plan is fundamental to delivery of the thriving economy theme of the Community and Corporate Plan. The action plan will contribute towards the Council's place shaping ambitions recognising that economic success is a key determinant of a number of other outcomes.

Implementation

This decision will come into force and may be implemented on 23 January 2023 unless the call-in procedure is triggered (as set out in the Standing Orders in relation to Overview and Scrutiny).

Information

At its meeting on 8 December 2022, the Council approved the Torbay Economic Growth Strategy 2030. Consequently, an action plan has been developed which sets out the key actions that would deliver the priorities within the Torbay Economic Growth Strategy 2030.

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

There were no alternative options considered.

Is this a Key Decision?

No

Does the call-in procedure apply?

Yes

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

None.

Published

13 January 2023

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

Record of Decisions

Paignton and Preston Community Seafront Masterplan

Decision Taker

Cabinet on 10 January 2023.

Decision

1. That the Paignton and Preston Community Seafront Masterplan, as set out in Appendix 2 to the submitted report, be approved.
2. That further design work be commissioned, in line with RIBA stage 3, so that a full planning application can be submitted later, in 2023.
3. That the Director of Place, in consultation with the Cabinet Member for Infrastructure, Environment and Culture, be requested to submit appropriate planning applications for the phased works set out in the Paignton and Preston Community Seafront Masterplan.
4. That, subject to gaining the appropriate planning consent, the Director of Place, in consultation with the Cabinet Member for Infrastructure, Environment and Culture, be requested to implement the phased works set out in the Paignton and Preston Community Seafront Masterplan.
5. That, given the current availability of capital funding, the coastal defence works at Paignton Seafront should be prioritised as flood modelling has shown that residents, businesses and critical infrastructure are more at risk from coastal flooding in this area than at Preston Seafront.
6. That officers continue to monitor and proactively seek funding opportunities for the delivery of all the schemes set out in the Masterplan.

Reason for the Decision

As our climate is changing, sea levels are rising and more storms are hitting Torbay, the Environment Agency and the Council commissioned an assessment of the Bay's existing coastal defences. This assessment has shown that the sea defences we currently have on the seafronts at Paignton and Preston will only provide protection from flooding from storms for up to another 10 years. A community backed scheme was therefore required to address this challenge.

Masterplans set the vision and implementation strategy for a development or scheme. They are therefore, by nature, high-level strategic documents and although they indicate the intended arrangement of buildings, infrastructure and the public realm, they have a limited level of detail. Masterplans often apply to schemes that could be developed over a longer timeframe and so may need to be reviewed from time to time and be flexible to adapt to changing circumstances. Due to the current funding constraints this was likely to be the case with this Masterplan.

Implementation

This decision will come into force and may be implemented on 28 December 2022 unless the call-in procedure is triggered (as set out in the Standing Orders in relation to Overview and Scrutiny).

Information

Whenever Torbay experience storms like Storm Emma in 2018, a number of residential and commercial properties are at risk of flooding. The Torbay Coastal Defences report estimates that, with another 50 years of climate change, the total number of properties at risk of flooding would be 352. By acting now, we can rapidly reduce this risk to properties.

In February 2022 the Council commissioned an independent design consultancy, they were tasked to undertake a collaborative public consultation process and involve as many people as possible in the co-design of a new Paignton and Preston Seafront Masterplan, which would incorporate the appropriate sea defence infrastructure, along with improvements to the wider public realm.

The Paignton and Preston Community Seafront Masterplan, charts the design and engagement process, culminating in a community-led Seafront Masterplan that has overwhelming public support. It presents a bold vision to deliver long term transformational change, acknowledging it was likely to need additional funding to the monies already identified and would need to be a phased process.

At the meeting Councillor Cowell proposed and Councillor Carter 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?

Yes

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

None.

Published

13 January 2023

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

Record of Decisions

Disposal of Land at Little Blagdon Farm, Totnes Road, Collaton St Mary

Decision Taker

Cabinet on 10 January 2023.

Decision

1. That the decision of the Council on 8 October 2020 as set out in minute 159/10/20 (iv) be replaced with the following and in accordance with the current Policy Framework which gives Cabinet the power to make this decision;
2. That the disposal of the freehold interest of the land at Collaton St Mary, as set out in Appendix 1, be transferred, to TorVista Homes or a company wholly owned by the Council, be approved; and
3. That the Chief Executive be given delegated authority in consultation with the Cabinet Member for Finance to determine the appropriate point at which to value the land, as set out in Appendix 1, ensuring best value and compliance with the General Disposal Consent Order and agree and finalise any detailed disposal terms with the Cabinet Member for Economic Regeneration, Economy and Tourism and the Director of Finance.

Reason for the Decision

To ensure the conditions of the Land Release Fund (LRF) grant are met. The LRF grant terms, as subsequently revised with the approval of the Department for Levelling Up, Housing and Communities (formerly known as MHCLG) requires that the site is released/transferred by February 2023.

Implementation

The decision in respect of the disposal of land at Little Blagdon Farm, Totnes Road, Collaton St Mary will come into force immediately as the decision maker has decided that any delay likely to be caused by the call-in process would prejudice the public's and Council's interest. The Overview and Scrutiny Co-ordinator was consulted on 6 January 2023.

Information

Approval was sought to dispose of the Council's freehold interest in land at Little Blagdon Farm, Totnes Road, Collaton St Mary, by way of transfer to a company wholly owned, or partly owned by the local authority. The intended outcome would ensure the conditions of the Land Release Fund (LRF) were met by transferring the land to a Council company, namely TorVista Homes.

The proposed disposal route would ensure that the Council was still in control of the outputs required for the site, in line with the LRF conditions linked to residential development.

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?

No

Does the call-in procedure apply?

Yes

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

None.

Published

13 January 2023

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

Record of Decisions

Torquay Town Deal - Business Case Assurance

Decision Taker

Cabinet on 10 January 2023.

Decision

1. That Cabinet notes the endorsement of the Torquay Town Board in respect of the business cases for the projects set out at Paragraph 1.2 of the submitted report; and
2. that the business case as set out in Appendix 1 to the submitted report be submitted to the Department for Levelling Up, Housing and Communities with any required amendments delegated to the Director of Pride in Place in consultation with the Cabinet Member for Regeneration, Tourism and Housing and the Director of Finance.

Reason for the Decision

To allow delivery of the Town Investment Plan project which would demonstrate to the local community, investors and government the progress of the Town Deal. Submission of the business case and the subsequent funding through the Town Deal provides investment which would create employment, attract additional investment and support residents in accessing support to help them gain work and deepen their skills in key sectors thereby in time contributing to a more resilient local economy.

Implementation

This decision will come into force and may be implemented on 23 January 2023 unless the call-in procedure is triggered (as set out in the Standing Orders in relation to Overview and Scrutiny).

Information

In July 2020 the Council submitted a Town Investment Plan seeking funding to support the economic regeneration of Torquay from the Government's Town Deal programme administered by the then Ministry of Housing, Communities and Local Government (MHCLG) now Department for Levelling Up Housing & Communities (DLUHC).

The Council was advised that the Investment Plan would be supported by £21.9M of Town Deal grant subject to business cases. Business cases for all projects, with the exception of one, had been submitted and approved by DLUHC. The outstanding business case was for a site-specific town centre regeneration proposal.

Submitting these business cases, to the Department for Levelling Up, Housing and Communities (DLUHC), and their anticipated approval would allow for this project to join those already agreed and to proceed through the next stage of their development and delivery over the period to the second quarter of 2024 and beyond where appropriate.

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

An alternative option would have been to do nothing. This option was discounted as without the submission of the business case then the Towns Fund grant would not be released and the anticipated benefits from the scheme would not be accrued. There would be significant disadvantages which could include the loss of grant, lack of achievement of economic benefits and reputational harm with Government and local partners.

Is this a Key Decision?

No

Does the call-in procedure apply?

Yes

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

None.

Published

13 January 2023

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

Record of Decisions

Award of Licence for Observation Wheel

Decision Taker

Cabinet on 10 January 2023.

Decision

That the licence to occupy the site, edged red on the site plan as set out in Appendix 1 to the submitted report, be awarded to the preferred bidder as set out in exempt appendix 2 to the submitted report.

Reason for the Decision

The implementation of an observation wheel will support the implementation of the Events Strategy and Destination Management Plan.

Implementation

This decision will come into force and may be implemented on 23 January 2023 unless the call-in procedure is triggered (as set out in the Standing Orders in relation to Overview and Scrutiny).

Information

The Observation Wheel, hosted annually in Torquay, comes to the end of its current licence in October 2023. The opportunity had therefore been re-procured through a tender process for the 2024 season for 5 years with the option to extend for up to a further 3 years in 12 month increments and approval was sought to award the licence to the preferred bidder.

At the meeting Councillor Cowell 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 have been to not re-procure an Observation Wheel at the end of the current contract. However it was a popular attraction for visitors and residents and generated income for Torbay Council and contributes to the upkeep of heritage assets in Princess Gardens therefore this option was discounted.

Is this a Key Decision?

No

Does the call-in procedure apply?

Yes

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

None.

Published

13 January 2023

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

Record of Decisions

Award of Contract for Parking Notice and Permit Processing System

Decision Taker

Cabinet on 10 January 2023.

Decision

That a direct award for a new contract with the current supplier Taranto from the 1 April 2023 for one year with the option to extend for a further year be approved.

Reason for the Decision

To ensure the most cost effective way to re-procure a parking notice processing and permit system via a Direct Award to the current provider for up to two years to allow full market engagement to ensure new and emerging products for these types of systems were included in the procurement process.

Implementation

This decision will come into force and may be implemented on 23 January 2023 unless the call-in procedure is triggered (as set out in the Standing Orders in relation to Overview and Scrutiny).

Information

To award a contract to the current supplier, for a period of up to two years, to enable the Council to issue parking penalty charge notices and permits. This system ensures parking penalty charge notices are issued to vehicles parking in contravention, an appeals service and recovery of unpaid penalty charge notices in line with legislation. The system also provided a permit module to issue all parking permits to park in either car parks or on street.

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

Issuing a tender opportunity to the market is not an option at the present time due to the resources required to conduct market testing, procure, test, set up, implement a new system and migrate data within the timescale

With agreement for up to a further two years this would provide time to ensure resources were available to support a procurement project which would include setting up a Project Board and market testing. Market testing would ensure that the best solution for the Council was procured to include systems which were new to the market.

Is this a Key Decision?

No

Does the call-in procedure apply?

Yes

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

None.

Published

13 January 2023

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

Record of Decisions

Five Child Friendly Task and Finish Groups - Report of the Children and Young People's Overview and Scrutiny Sub-Board

Decision Taker

Cabinet on 10 January 2023.

Decision

That the Cabinet's response to the Five Child Friendly Task and Finish Groups – Report of the Children and Young People's Overview and Scrutiny Sub-Board be approved as published.

Reason for the Decision

The Cabinet was required to respond to the findings of the review undertaken by the Children Young People's Overview and Scrutiny Sub-Board.

Implementation

This decision will come into force and may be implemented on 23 January 2023 unless the call-in procedure is triggered (as set out in the Standing Orders in relation to Overview and Scrutiny).

Information

The Cabinet received the Five Child Friendly Task and Finish Groups – Report of the Children and Young People's Overview and Scrutiny Sub-Board. In accordance with section D7 of Standing Orders in relation to Overview and Scrutiny as set out in the Constitution, the Cabinet was required to respond to the recommendations of the Children and Young People's Overview and Scrutiny Sub-Board within two months. Subsequently the Cabinet prepared a response to the recommendations of the Children and Young People's Overview and Scrutiny Sub-Board which was proposed by Councillor Stockman and seconded by Councillor Carter and 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?

No

Does the call-in procedure apply?

Yes

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

None.

Published

13 January 2023

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