

Minutes of the Overview and Scrutiny Board

11 October 2023

-: Present :-

Councillor Twelves (Chairwoman)

Councillors Brook, Cowell (Vice-Chair), Douglas-Dunbar, Harvey, Hutchings, Law, Barbara Lewis and Maddison

(Also in attendance: Councillors Steve Darling, Chris Lewis, Long, Penny, David Thomas and Tyerman)

21. Apologies

An apology for absence was received from Councillor Tranter, who was represented by Councillor David Thomas.

22. Communications

Further to the meeting of the Overview and Scrutiny Board held on 6 September 2023 Councillor David Thomas gave a formal public apology to Councillor Cowell in connection with incorrect reference to meetings of the Cabinet on Climate Emergency being abandoned which were later confirmed to have been adjourned but concluded.

23. Community and Corporate Plan

As part of the consultation, the Board considered the Cabinet's draft Community and Corporate Plan which was due to be approved at the Council meeting on 7 December 2023. The Leader of the Council, Councillor David Thomas, and the Director of Corporate Services, Matthew Fairclough-Kay attended the meeting to respond to points raised by the Board.

Members noted that a Council Business Plan would sit beneath the Community and Corporate Plan showing how the Council would deliver the priorities of the Community and Corporate Plan. This was due to go to Cabinet on 5 December 2023 and the Board requested consideration of this document prior to approval by the Cabinet.

Resolved (unanimously):

That subject to the following, the Cabinet be recommended to present the draft Community and Corporate Plan to Council for approval:

- Page 4 - to provide a link to the Torbay Story and consider promoting this wider across the Council's website to raise awareness;
- P15 - to strengthen the priority around quality of housing 'Improve the delivery, affordability and quality of housing **(including housing standards)** for residents in Torbay';
- Page 17 - to explore adding another measure of long term private rental compared to short term private rental e.g. Air-B&B;
- to add an extra measure for development in economic growth to increase the proportion of people aged 20 to 40 years staying in Torbay;
- P17 - Raise skill levels, particularly in high value careers **and empower people to upskill through driving training opportunities raising skills across all sectors.**
- P17 - amend 'Proportion of employment in ~~specific~~ **current and emerging** sectors;
- to review the language in the document such as asset based community development approach and people will be allowed to fulfil their potential; and
- to consider engaging with hard to reach groups and minority groups such as LGBTQ+ to ensure that their voices are heard.

24. Capital and Growth Highlight Report on Capital Programme Monitoring

The Board reviewed the submitted report which set out a review of the Council's Capital Projects and outlined the new governance arrangements for the management of the Capital Programme and provided a high level overview of the key strategic projects. Members also considered a briefing note on increased costs to complete the Harbour View Hotel project to enable it to be opened in Spring 2024. Members asked the following questions:

- what was being done to address project delivery teams facing internal resourcing constraints which was affecting the speed in delivering projects and reacting to issues;
- what impact would bringing the TDA back in house have on delivery of the Capital Programme;
- how can the Overview and Scrutiny Board fully consider the performance of delivery against the Capital Programme when the report does not provide details about many of the projects that were showing as amber and red;
- what were the changes to Torquay Harbour Public Realm and what was the reason behind the preferred option;
- what assurance could be given that there would be sufficient public communication and engagement on the preferred option for the Torquay Harbour Public Realm;
- why had the Torquay Town Deal and Paignton Future High Streets not met since the Election;
- how had the Community Board been engaged in the proposals for the Torquay Harbour Public Realm;
- would the additional funding required to complete the Harbour View Hotel project be sufficient to ensure it is completed by Spring 2024; and
- how would the Council ensure that lessons learned from the continued increasing costs for the Harbour View Hotel were taken into account for future projects.

Resolved (unanimously):

1. that future Capital Projects reports include a summary for the projects showing amber and red and risks associated with any slippage and a sample of the layout for this to be provided in advance to Members of the Overview and Scrutiny Board to ensure that the expected information is contained;
2. that the lessons learned report on Harbour View Hotel be presented to a future meeting of the Overview and Scrutiny Board; and
3. that the Overview and Scrutiny Board supports the proposal for the Director of Finance to use his delegated powers to authorise up to £540,000 to meet the additional costs to complete the Harbour View Hotel development and that these costs are met through capital reserves rather than borrowing with the final position reported as part of the revised Capital Investment Programme which will be submitted to Council in January 2024.

25. Torbay Council Investment Portfolio - KPI Dashboard

The Board considered and noted the submitted report which provided an update on the performance of the Council's investment portfolio. The Council had invested £212m between 2017 and 2019 which resulted in around £4m investment to the Council's Revenue Budget each year. Members noted the risks around the Asset Management Reserve closing balance of £3m and the notable events over the next five years which it was projected would require substantial draw down from the Reserve. Members asked the following questions which were responded to by the Cabinet Member for Housing, Finance and Corporate Services, Councillor Tyerman:

- were the figures gross or net;
- what was the breakdown for the £13m gross;
- how would the Council meet any shortfall if the Asset Management Reserve was not sufficient;
- how was risk managed for the investment portfolio;
- what consideration has been given to disposing of assets and what was the impact on the Revenue Budget of such proposals;
- do we have a profile of voids and leases to know when they are due and how long the void periods were;
- was there a matrix of value of properties and rental income; and
- was there an opportunity to sell some of the assets and use the cheaper borrowing to drive economic development in Torbay.

26. Armed Forces Covenant and Military Compensation Call-in of Cabinet Decision

The Board had before it details of a call-in by five Members of the Council of the decision of the Cabinet in respect of the Notice of Motion - Armed Forces Covenant and Military Compensation. The Call-in Promoter, Councillor Steve Darling, explained his reasons for call-in to the Board and the Leader of the Council, Councillor David Thomas responded (on behalf of the Cabinet Member for Adult and Community Services, Public Health and Inequalities).

In his response the Leader of the Council gave assurance that the following wording would be included in the Housing Assistance Policy:

“Due to the unique obligation and sacrifice of danger for serving and veteran military personnel, any lump sum payments received through military compensation as well as military war pension will be disregarded as part of the Disabled Facilities Grant means test.

All other aspects of the means test conditions still apply where a client does not receive a passporting benefit.”

Resolved:

That no further action be taken in respect of the call-in.

27. Prostate Cancer UK Campaign 'Boys need bins' Call-in of Cabinet Decision

The Board had before it details of a call-in by five Members of the Council of the decision of the Cabinet in respect of the Notice of Motion - Prostate Cancer UK Campaign 'Boys need bins'. The Call-in Promoter, Councillor Long, explained his reasons for call-in to the Board and the Leader of the Council, Councillor David Thomas responded (on behalf of the Cabinet Member for Adult and Community Services, Public Health and Inequalities).

Resolved:

That no further action be taken in respect of the call-in.

Chairwoman