



## **Minutes of the Overview and Scrutiny Board**

**24 April 2012**

**-: Present :-**

Councillor Thomas (J) (Chairman)

Councillors Addis, Darling (Vice-Chair), Faulkner (J), Hill, Kingscote, McPhail, Parrott and Pentney

(Also in attendance: Councillors Cowell and Davies)

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### **646. Apologies**

In accordance with the wishes of the Conservative and Liberal Democrat Groups, the membership of the Board had been amended for this meeting by including Councillors Addis, McPhail and Faulkner (J) instead of Councillor Bent, Barnby and Pountney respectively.

### **647. Minutes**

The Minutes of the meetings of the Board held on 12 December 2011 and 15 February 2012 were confirmed as a correct record and signed by the Chairman.

### **648. Urgent Items**

The Board considered the item in Minute 649, and not included on the agenda, the Chairman being of the opinion that it was urgent by reason of special circumstances i.e. the matter having arisen since the agenda was prepared and it was unreasonable to delay a decision until the next meeting.

### **649. Hi-Flyer Balloon**

The Executive Head – Residents and Visitors Services attended the meeting to answer the Board's questions in relation to the Hi-Flyer Balloon at Torre Abbey Meadows in Torquay.

It was reported that the operator of the Balloon had not paid any rent since 1 April 2009 when the operator's dispute with the Council arose. A copy of all payments made by the operator (excluding in relation to National Non Domestic Rates) since 15 February 2008 was made available to the Board.

It was noted that there were two break clauses in the lease: the Council could give six months notice to the tenant; and the tenant could give three months notice. It was reported that the lease was a ten year lease however, it was noted that planning permission had been granted for five years up until July 2012.

The Vice-Chairman brought to the Board's attention that two previous questions had been asked at meetings of the Council on the amount of rent received from the operator of the Balloon; the second question being asked in May 2009.

Questions were raised by the Board about whether the then-Mayor was aware that rent had not been received and whether, given the ongoing pressures on Council budgets, councillors should have subsequently been made aware of that projected income had not yet been realised.

**(Note 1:** Prior to consideration of the item in Minute 649 Councillor McPhail declared a personal prejudicial interest in the matter and withdrew from the meeting.)

**(Note 2:** During consideration of the item in Minute 649 the press and public were formally excluded from the meeting on the grounds that further detailed discussion of the item involved the likely disclosure of exempt information as defined in paragraphs 3 and 5 of Part 1 of Schedule 12A of the Local Government Act 1972 (as amended).)

#### **650. Anti-social Behaviour and Public Rented Housing Sector**

The Board considered the report of the recently completed Review of Anti-Social Behaviour and the Private Rented Housing Sector.

The Review Panel had found that there were some excellent examples of partnership work ongoing in Torbay to minimise the impact of anti-social behaviour and to tackle poor quality accommodation.

The Panel had considered several options for the future and had prepared a Business Case for a different way of working within the Private Sector Housing Team to enable targeted enforcement activity.

**Resolved:** (i) that, subject to the inclusion of the following wording in paragraph 4.16 of the report:

“Out of the 334 Community Safety Partnerships in England and Wales, Torbay was 207th in terms of the rate per 1000 population at 39 per 1000. The England and Wales average was 41 per 1000. Of the eight Community Safety Partnerships in the Devon and Cornwall peninsula, Torbay was 7th.”

the report be adopted and submitted to the Mayor for his consideration; and

(ii) that the Overview and Scrutiny Board give consideration to undertaking a similar review in relation to social housing when determining its Work Programme for the coming year.

**(Note:** During consideration of the item in Minute 650, Councillor Thomas (J) declared a personal interest as Chairman of Shekinah Mission.)

**651. Overview and Scrutiny Annual Report**

The Board considered the draft Annual Report of the Overview and Scrutiny Board which provided a snapshot of the work of the Board over the past year.

**Resolved:** (i) that, subject to all members of the Board being listed, the Overview and Scrutiny Annual Report 2011/2012 be approved and forwarded to the Council; and

(ii) that the Annual Report be published on the Council's website.

Chairman

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