



## **Minutes of the Policy Development and Decision Group (Joint Operations Team)**

**18 January 2017**

**-: Present :-**

Councillor King (Vice-Chairman)

Mayor Oliver and Councillors Amil, Excell, Mills and Parrott

(Also in attendance: Councillors Brooks, Darling (S), Doggett, Ellery, Lewis and Morey)

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### **21. Apologies**

Apologies for absence were received from the Chairman (Councillor Haddock) and Councillor Manning.

Vice-Chair in the Chair.

### **22. Minutes**

The Minutes of the meeting of the Policy Development and Decision Group (Joint Operations Team) held on 23 November 2016 were confirmed as a correct record and signed by the Chairman.

### **23. Communications**

The Mayor confirmed that he had withdrawn his original decision in respect of consultation on Bylaws, homeless people and begging in light of the successful £400,000 grant from the Government to support rough sleepers over the next two years which had enabled him to rethink the direction of travel on this matter.

The Mayor thanked the churches, voluntary groups and volunteers for all the work they were doing to help homeless people in Torbay but agreed that there needed to be a co-ordinated and joined up approach working in partnership with all groups concerned to achieve the best outcomes. He announced that he would be taking a further decision on this issue next week.

### **24. Notice of Motion - King George V Memorial Playing Fields - Fields in Trust**

At the Council Meeting on 27 October 2016 the Mayor referred a motion regarding King George V Playing Fields being registered with Fields in Trust to the Policy Development and Decision Group (Joint Operations) for consideration with public consultation (to include Torbay Sports Council and Torquay Golf Club). Members heard oral representations from Tim Aggett from Torquay Golf Club (in support of protecting the fields for use for sport) and Robert Loxton from SPORT TORBAY

(formerly known as Torbay Sports Council), Tracey Dawson and David Ward (members of the public) against the proposal to take no action at this time to register the fields as a Field in Trust.

The Policy Development and Decision Group (Joint Operations Team) made the following (unanimous) recommendation to the Mayor:

That the Council should not, at this time, pursue a Deed of Dedication with the Fields in Trust to protect the King George V Playing Fields from development as it would be contrary to existing Council policy (namely the Corporate Asset Management Plan) by restricting and/or reducing the current or future value of the asset.

The Mayor considered the recommendation of the Policy Development and Decision Group (Joint Operations Team) set out above at the meeting and the record of his decision, together with further information is attached to these Minutes.

## **25. Transformation Project - Trading Standards Shared Service**

The Policy Development and Decision Group (Joint Operations Team) made the following (unanimous) recommendation to the Mayor:

- (i) that the Trading Standards Service be transferred to Devon County Council from the 1 April 2017 (or as soon as practicable afterwards) with the Assistant Director (Community and Customer Services) being given delegated authority to give effect to the transfer; and
- (ii) that the Chief Executive be recommended to appoint the Assistant Director (Community and Customer Services) and the Executive Lead for Environment as the Council's representatives on the Devon and Somerset Trading Standards Partnership Board in accordance with paragraph 1.21 of the Officer Scheme of Delegation.

The Mayor considered the recommendations of the Policy Development and Decision Group (Joint Operations Team) set out above at the meeting and the record of his decision, together with further information is attached to these Minutes.

## **26. Transformation Project - Building Control Shared Service**

The Policy Development and Decision Group (Joint Operations Team) made the following (unanimous) recommendation to the Mayor:

- (i) that Torbay Council's Building Control Service join and become part of the Devon Building Control Partnership with staff TUPE transferred to the host Authority, Teignbridge District Council from the 1 April 2017; and

- (ii) that the Assistant Director (Communities and Customer Services), in consultation with the Executive Lead for Planning, Transport and Housing, be give delegated authority to finalise the arrangements of the transfer of the Building Control Service.

The Mayor considered the recommendations of the Policy Development and Decision Group (Joint Operations Team) set out above at the meeting and the record of his decision, together with further information is attached to these Minutes.

Chairman

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## Record of Decision

### Notice of Motion - King George V Memorial Playing Fields - Fields in Trust

#### Decision Taker

Mayor on 18 January 2017

#### Decision

That the Council should not, at this time, pursue a Deed of Dedication with the Fields in Trust to protect the King George V Playing Fields from development as it would be contrary to existing Council policy (namely the Corporate Asset Management Plan) by restricting and/or reducing the current or future value of the asset.

#### Reason for the Decision

Placing a Deed of Dedication on King George V Playing Fields, Watcombe with a Fields in Trust would be contrary to the Council's Policy Framework i.e. the Corporate Asset Management Plan 2015-2019 which states that the Council will not restrict or reduce the current or future value of its assets through the use of contractual restrictions, covenants or peppercorn rents.

#### Implementation

This decision will come into force and may be implemented on Tuesday, 31 January 2017 unless the call-in procedure is triggered (as set out in the Standing Orders in relation to Overview and Scrutiny).

#### Information

The submitted report provided background information in respect of a notice of motion submitted to the Council on 27 October 2016 asking the Mayor to instruct officers to investigate the logistics and process to undertake a Deed of Dedication with the Fields in Trust to protect the King George V Playing Fields in Watcombe. The Mayor had referred the motion to the Policy Development and Decision Group (Joint Operations Team) for consideration with public consultation (to include Torbay Sports Council and Torquay Golf Club).

The Notice of Motion set out that in 1936 land was purchased adjoining Easterfield Lane with funds from the Department of Health amounting to £19,000. At the time the King George V (KGV) Foundation was set up, the Council decided to set aside two of the purchased acres specifically as part of the Torquay National Memorial to his late Majesty King George V. It was the intention the land was to be adopted and that the two fields in question be allocated and dedicated for ever as playing fields for young children and organised games.

The land in question is not currently protected by the Fields in Trust charity and was therefore never properly "allocated and dedicated for ever as playing fields for young children and organised games".

On 25 February 2016 the Council approved the Corporate Asset Management Plan for 2015 ~ 2019 which set out a number of 'Asset Management Principles' that ensures the Council will manage its assets strategically, look to continuously maintain and improve assets, release value and minimise cost and provide accurate data for informed decision making.

The Corporate Asset Management Plan is explicit and states that due to the current financial challenges facing the Council that unless there is specific approval at Full Council to the contrary, the Council will not restrict or reduce the current or future value of its assets through the use of contractual restrictions, covenants or peppercorn rents.

Oral representations were heard from Tim Aggett from Torquay Golf Club (in support of protecting the fields for use for sport) and Robert Loxton from SPORT TORBAY (formerly known as Torbay Sports Council), Tracey Dawson and David Ward (members of the public) against the proposal to take no action at this time to register the fields as a Field in Trust.

The Mayor considered the oral representations made at the meeting and the recommendation of the Policy Development and Decision Group (Joint Operations Team) made on 18 January 2017 and his decision is 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**

23 January 2017

Signed: \_\_\_\_\_  
Mayor of Torbay

Date: 23 January 2017



## Record of Decision

### Transformation Project - Transfer of Trading Standards to Devon

#### Decision Taker

Mayor on 18 January 2017

#### Decision

- (i) that the Trading Standards Service be transferred to Devon County Council from the 1 April 2017 (or as soon as practicable afterwards) with the Assistant Director (Community and Customer Services) being given delegated authority to give effect to the transfer; and
- (ii) that the Chief Executive be recommended to appoint the Assistant Director (Community and Customer Services) and the Executive Lead for Environment as the Council's representatives on the Devon and Somerset Trading Standards Partnership Board in accordance with paragraph 1.21 of the Officer Scheme of Delegation.

#### Reason for the Decision

Transferring the Trading Standards Service to Devon County Council will give the Service resilience and consistency and will provide the residents of Torbay with better and future proofed services.

The current size of the Devon and Somerset Trading Standards Partnership allows innovation and prevention to form part of their work, so in time reducing the demands on the service. It should also raise additional income for the Council.

#### Implementation

This decision will come into force and may be implemented on Tuesday, 31 January 2017 unless the call-in procedure is triggered (as set out in the Standing Orders in relation to Overview and Scrutiny).

#### Information

The submitted report set out a proposal to transfer the current Torbay Council Trading Standards Service to Devon County Council to join the existing Devon and Somerset Trading Standards Partnership, run by Devon County Council. There was no resilience with the current team and therefore it was becoming increasingly difficult for the Service to meet Torbay Council's statutory obligations and a long term solution was required.

The Mayor considered the recommendations of the Policy Development and Decision Group (Joint Operations Team) made on 18 January 2017 and his decision is set out above.

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

Alternative options were set out in the submitted report but were not discussed at the meeting.

**Is this a Key Decision?**

Yes – Reference Number: I027562

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

Yes

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

None

**Published**

23 January 2017

Signed: \_\_\_\_\_  
Mayor of Torbay

Date: 23 January 2017



## Record of Decision

### Transformation Project - Building Control Shared Service

#### Decision Taker

Mayor on 18 January 2017

#### Decision

- (i) that Torbay Council's Building Control Service join and become part of the Devon Building Control Partnership with staff TUPE transferred to the host Authority, Teignbridge District Council from the 1 April 2017; and
- (ii) that the Assistant Director (Communities and Customer Services), in consultation with the Executive Lead for Planning, Transport and Housing, be give delegated authority to finalise the arrangements of the transfer of the Building Control Service.

#### Reason for the Decision

The joining and transfer of the Building Control Service to the Devon Building Control Partnership, will provide the Council with a sustainable and resilient service for the residents of Torbay.

#### Implementation

This decision will come into force and may be implemented on Tuesday, 31 January 2017 unless the call-in procedure is triggered (as set out in the Standing Orders in relation to Overview and Scrutiny).

#### Information

The submitted report set out a proposal for the Council's Building Control Service to join and form part of an existing shared Building Control Service known as the Devon Building Control Partnership with neighbouring local Authorities. The overarching aim of the proposal was to maintain effective and efficient Building Control Services meeting statutory requirements whilst satisfying customers' needs.

The Mayor considered the recommendations of the Policy Development and Decision Group (Joint Operations Team) made on 18 January 2017 and his decision is set out above.

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

Alternative options were set out in the submitted report but were not discussed at the meeting.

#### Is this a Key Decision?

Yes – Reference Number: I027222

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

Yes

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

None

**Published**

23 January 2017

Signed: \_\_\_\_\_  
Mayor of Torbay

Date: 23 January 2017