

## **Minutes of the Cabinet**

**20 April 2021**

**-: Present :-**

Councillor Steve Darling (Chairman)

Councillors Carter, Cowell, Law, Long, Morey and Stockman

(Also in attendance: Councillors Barnby, Barrand, Brooks, Brown, Bye, Mandy Darling, Douglas-Dunbar, Foster, Hill, Barbara Lewis, Chris Lewis, Loxton, Manning, David Thomas and Jacqueline Thomas)

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### **183. Minutes**

The Minutes of the meetings of the Cabinet held on 20 February, 19 May, 16 June, 14 July, 11 August, 22 September, 29 September, 20 October, 17 November, 15 December 2020, 19 January, 18 February, 1 March and 23 March 2021 were confirmed as a correct record and signed by the Chairman.

### **184. Disclosure of Interests**

Councillor Steve Darling declared a non-pecuniary interest in Minute 192 – Proposal for a peppercorn rent lease for Burton Academy for land at South Parks, as he is Acting Chairman of Governors for Burton Academy.

### **185. Communications**

The Leader of Council, Councillor Steve Darling informed Members that work was being undertaken to ensure that the Council was prepared for the summer season. Members were advised that there would be 'Safe, Clean and Green Ambassadors' in the form of additional SWISCo operatives working from May to end of September, working on a 7 day rotational function, working 2pm to 10pm with option to extend hours on Friday and Saturday nights. There will also be additional Park Rangers to increase coverage to 7 days a week, working alongside Ambassadors, providing eyes and ears on the ground to respond to issues, including illegal camping, gatherings and unauthorised events.

Councillor Darling advised that funding for these additional roles would be allocated from the Contain Outbreak Management Fund (COMF), any elements that did not meet the criteria would be funded through the Covid reserve that was created as part of the budget setting process.

The Cabinet Member for Children's Services, Councillor Law advised Members that last week was the national allocation for primary school places, there were just over

1,200 primary school places allocated, with 97.2% of children being allocated their first choice preference. Councillor Law reminded parents who had not applied that the deadline for late admission was 3 May 2021.

Councillor Law also informed Members that the Council had received notification from the Under Secretary of State for Children and Families, Vicky Ford MP regarding Torbay stepping down from having a Commissioner to the next phase in our improvement which was a 'partner in practice'. The minister was encouraged by the Council's commitment and hard work to improve the quality of children services in Torbay and its focus on improvement work was recognised despite the challenges that Covid had presented over the last year. She was reassured by the Commissioners assessment in his final report and pleased that Torbay would be getting additional support from Leeds City Council the Council's 'partner in practice' to help with improving the quality of social care practice. The letter from the minister concluded by confirming the next non-commissioner phase of the Council's improvement journey needed to be a period of determined consolidation and a relentless focus on impact and outcomes

The Cabinet Member for Finance, Councilor Cowell, requested Members to remind businesses in Torbay that are eligible, to apply for the Re-Start Grants. Applications were live, with 1,200 applications having been received so far with around a third having been processed and approved for payment. Resulting in money going out into the economy to support businesses as they start to reopen.

#### **186. Matters for Consideration**

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

#### **187. Torbay Local Transport Action Plan and the Torbay Local Cycling and Walking Infrastructure Plan**

#### **188. Resource and Waste Management Strategy Action Plan**

#### **189. Torbay Suicide Prevention - updates on action plan, audit and alliance**

#### **190. Adult Social Care Market Position Statement and Market Transformation Blueprint**

#### **191. Adult Social Care Front Door Redesign**

#### **192. Proposal for a peppercorn rent Lease for Burton Academy for land at South Parks**

#### **193. Overview and Scrutiny Board - Review of the Youth Offending Team**

#### **194. Overview and Scrutiny Board - Review of the Planning Service**

Chairman

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## Record of Decisions

### **Torbay Local Transport Action Plan (LTAP) and the Torbay Local Cycling and Walking Infrastructure Plan (LCWIP)**

#### **Decision Taker**

Cabinet on 20 April 2021.

#### **Decision**

- (i) That the Torbay Local Transport Action Plan 2021-2026 (set out in Appendix 1) be approved with authority delegated to the Assistant Director of Planning, Housing and Climate Emergency to undertake any minor amendments to the document, before publishing on the Council's website.
- (ii) That the Torbay Local Cycling and Walking Infrastructure Plan (set out in Appendix 2) be approved with authority delegated to the Assistant Director of Planning, Housing and Climate Emergency to undertake any minor amendments to the document, before publishing on the Council's website.
- (iii) That the Cabinet supports a partnership approach with local bus operators and asks the Assistant Director of Planning, Housing and Climate Emergency in consultation with the Cabinet Member for Infrastructure, Environment and Culture, to begin the process of an Enhanced Partnership as set out under the Bus Services Act 2017, initially with informal discussions to be held with operators with further reports presented to cabinet throughout the process.

#### **Reason for the Decision**

To ensure that the LTAP and LCWIP delivery plans were up-to-date (the current Local Transport Implementation Plan had expired) and that both the LTAP and the LCWIP can together form an effective mechanism to deliver the ambitions of the Council and the community.

#### **Implementation**

This decision will come into force and may be implemented on 4 May 2021 unless the call-in procedure is triggered (as set out in the Standing Orders in relation to Overview and Scrutiny).

#### **Information**

The Council has a duty to produce a document (commonly referred to as an implementation or action plan) detailing how its Local Transport Plan will be delivered. The Local Transport Plan was adopted by full Council in 2011 and is a 15 year plan (until 2026). The current Local Transport Implementation Plan 2016-2021 was out of date. It was proposed that this new plan constitutes the proposed Torbay Local Transport Action Plan 2021-2026.

The purpose of the Action Plan was to set out the planned investments and commitment of the transport capital grant received from Government, alongside other funding the Council had or is able to achieve. The Action Plan proposes the delivery of transport schemes across 7 key areas, including:

- Healthy Mobility (Active Travel)
- Public Transport (including Edginswell Station)
- Road Safety, 20mph areas and Minor Works
- Electric Vehicle Charging
- Signal Replacements
- Completing Major Schemes
- Other Key Investment Areas

A key aspect of the proposed Action Plan was to substantially enhance the Council's delivery of active travel infrastructure in Torbay, recognising its role in supporting healthy lives, a thriving economy and tackling the climate emergency.

The Government had underlined its support for significantly enhancing active travel infrastructure nationally. This included a number of funding opportunities available for local authorities. The Government was particularly supportive of the creation of Local Cycling and Walking Infrastructure Plans as a means to provide a strategic and joined-up approach to delivering a long-term whole-network approach to improve active travel infrastructure. Torbay Council identified value in producing its own plan in order to achieve this and had undertaken this work in conjunction with WSP consultants.

During the course of the consultation on the LTAP and LCWIP, the Government published the National Bus Strategy, 'Bus Back Better'. The strategy makes it clear that funding would be made available to Local Authorities who pursue this vision and seek to make the improvements to their services and network. This had clear direct benefits to the Council, not least in respect of accessibility for the community and supporting the carbon neutrality aims. The LTAP has been updated to reflect the National Bus Strategy and support an Enhanced Partnership approach.

Councillor Morey 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**

An implementation or action plan to cover the remaining 5 year period of the Local Transport Plan Strategy was required in order to update an expired plan. An alternative option would be not to develop a replacement plan but this would carry risks in terms of funding availability via grants and other sources and would lead to less co-ordinated transport project delivery and higher potential for projects to not meet local needs or aspirations.

### **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 April 2021

Signed: \_\_\_\_\_ Date: \_\_\_\_\_  
Leader of Torbay Council on behalf of the Cabinet

## Record of Decisions

### Resource and Waste Management Strategy Action Plan

#### Decision Taker

Cabinet on 20 April 2021.

#### Decision

That the Resource and Waste Management Strategy Action Plan be approved.

#### Reason for the Decision

To enable Torbay Council to achieve its Climate Change targets the Council needs to help residents to use less virgin resources and recycle more materials from their households, so that the Council can move closer to its 50% recycling target.

#### Implementation

This decision will come into force and may be implemented on 4 May 2021 unless the call-in procedure is triggered (as set out in the Standing Orders in relation to Overview and Scrutiny).

#### Information

The Council, at its meeting on 28 February 2021, approved the Resource and Waste Management Strategy which set a target of at least 50% recycling. Subsequently an action plan has been developed to assist the Council to achieve this target.

Councillor Morey proposed and Councillor Steve Darling seconded a motion that was agreed unanimously, 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

23 April 2021

Signed: \_\_\_\_\_  
Leader of Torbay Council on behalf of the Cabinet

Date: \_\_\_\_\_

## Record of Decisions

### Torbay Suicide Prevention - updates on action plan, audit and alliance

#### Decision Taker

Cabinet on 20 April 2021.

#### Decision

- (i) that the Torbay Suicide and Self-harm Prevention Plan 2021-22 be approved as set out in Appendix 1 to the submitted report; and
- (ii) that the Cabinet supports the establishment of the Torbay Mental Health and Suicide Prevention Alliance.

#### Reason for the Decision

Suicide is a major public health issue: it is the leading cause of death in men under 50 years, young people and new mothers. Torbay's suicide rate has, in general, increased year on year since 2010 and now sits as one of the highest suicide rates amongst local authorities in England.

#### Implementation

This decision will come into force and may be implemented on 4 May 2021 unless the call-in procedure is triggered (as set out in the Standing Orders in relation to Overview and Scrutiny).

#### Information

Local Authorities were recommended to coordinate and implement work on suicide prevention under their local public health and health improvement responsibilities. The main thrust of this is through the development and delivery of a local multi-agency suicide prevention plan. The Torbay Suicide and Self-harm Prevention Plan has been endorsed by the Health and Wellbeing Board and demonstrates the multi-agency approach to tackling suicide in 2021-22.

Councillor Stockman proposed and Councillor Law seconded a motion which 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**

23 April 2021

Signed: \_\_\_\_\_ Date: \_\_\_\_\_  
Leader of Torbay Council on behalf of the Cabinet

## Record of Decisions

### Adult Social Care Market Position Statement and Market Transformation Blueprint

#### Decision Taker

Cabinet on 20 April 2021.

#### Decision

- (i) that the Adult Social Care Market Position Statement as set out in appendix 2 to the submitted report be approved.
- (ii) that the strategic commissioning approach to the Torbay adult social care market as set out in Appendix 2 to the submitted report be approved.

#### Reason for the Decision

The Adult Social Care Market Position Statement and Market Transformation Blueprint would ensure the Council and its NHS partners have the necessary strategic commissioning framework in place to inform and guide all stakeholders within the Torbay adult care market. The way in which care and support was delivered was changing and as a result, the Council's partnerships with care providers needed to change too. The need to work together at different times in a person's care and support journey, recognising that people's needs change and that they need a responsive and agile network of support combining their own resources with NHS, social care, local communities and the independent sector. At the same time we need to ensure this care and support was timely, sustainable and does not weaken natural support by promoting dependence on state-funded care until it's really needed.

#### Implementation

This decision will come into force and may be implemented on 4 May 2021 unless the call-in procedure is triggered (as set out in the Standing Orders in relation to Overview and Scrutiny).

#### Information

The Adult Social Care Market Position Statement sets out how the Council planned to support an effective social care market for all eligible adults with disabilities or ill health in Torbay. The market needed to be able to provide the right care, in the right environment, at the right time, at a sustainable cost and at the right quality, responding to demand now and in the future.

The Council's draft Blueprint for Market Transformation, supported by the revised Market Position Statement, sets out an overview of the key drivers for change impacting on adult services in Torbay, alongside the desired changes the Council expected to deliver in the market in order to meet demographic growth, different user expectations and increasing complexity.

At the meeting Councillor Stockman 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

A number of options to deliver the planned outputs and expected outcomes for the adult social care market shaping programme of work over the next three years in Torbay were set out in the

submitted report.

**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 April 2021

Signed: \_\_\_\_\_ Date: \_\_\_\_\_  
Leader of Torbay Council on behalf of the Cabinet

## Record of Decisions

### Adult Social Care Front Door Redesign

#### Decision Taker

Cabinet on 20 April 2021.

#### Decision

- (i) That the proposed community-based Adult Social Care and Community Front Door model be approved; and
- (ii) That the creation of a Torbay and South Devon Foundation Trust virtual assessment team to allow performance and data to be measured consistently, streamlined and rationalise processes in the newly formed bay-wide integrated team followed by a co-located bay-wide Assessment Team be approved.

#### Reason for the Decision

There are inconsistencies across the front door, and some good practice across the services. Performance data is not currently readily available in a way that allows for comparison across the adult social care zones in Torbay. The multiple front doors do not systematically promote independence for residents, and there are further opportunities to prevent, reduce and delay the demand on adult social care which are not being realised. By connecting to local community based support, residents could remain independent for longer, reducing their need for formally provided statutory adult social services.

#### Implementation

This decision will come into force and may be implemented on 3 May 2021 unless the call-in procedure is triggered (as set out in the Standing Orders in relation to Overview and Scrutiny).

#### Information

The Cabinet considered a report that set out the proposal of the *Adult Social Care Improvement Plan – Future Front Door* project. The proposals would create a single route of referral for all adult social care requests, have one clear picture of demand and capacity for commissioned services, enabling statutory bodies to make often difficult, but well-informed decisions around where to prioritise our commissioned services, have a deeper connection to our community and further support the established integrated approach of health and social care.

Councillor Stockman 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

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 April 2021

Signed: \_\_\_\_\_ Date: \_\_\_\_\_  
Leader of Torbay Council on behalf of the Cabinet

## Record of Decisions

### Lease arrangements for Burton Academy

#### Decision Taker

Cabinet on 20 April 2021.

#### Decision

That Cabinet recommends to Council:

That the TDA Director of Asset Management, Investment & Housing, in consultation with the Chief Executive of Torbay Council, be authorised to:

- a) Grant a 15 year lease at a peppercorn rent with an option to break in the 10<sup>th</sup> year.

#### Reason for the Decision

The proposal supported the Council's ambitions for ensuring that young people had the opportunity to succeed. The Academy worked with some of the most vulnerable young people in the area, ensuring they had the necessary support to achieve their potential. The proposal also supported the Council as corporate parent and tackled the inequalities arising from deprivation and vulnerability.

#### Implementation

The recommendations of the Cabinet will be considered at the Council meeting on 28 April 2021.

#### Information

The Council's approval was sought for a 15 year peppercorn rent lease to Burton Academy as part of the Catch 22 Multi-Academies Trust for land at South Parks Road, Torquay.

Councillor Law 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

As a result of the approval and subsequent building of an extension at Burton Academy there were no alternative options.

#### 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)

Councillor Steve Darling declared a non-pecuniary interest as Acting Chairman of Governors of Burton Academy.

**Published**

23 April 2021

Signed: \_\_\_\_\_ Date: \_\_\_\_\_  
Leader of Torbay Council on behalf of the Cabinet

## Record of Decisions

### Overview and Scrutiny Board - Review of the Youth Offending Team

#### Decision Taker

Cabinet on 20 April 2021.

#### Decision

That the Cabinet's response to the Overview and Scrutiny Board – Review of the Youth Offending Team report be approved, as published.

#### Reason for the Decision

The Cabinet was required to respond to the findings of the review undertaken by the Overview and Scrutiny Board.

#### Implementation

This decision will come into force and may be implemented on 3 May 2021 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 report of the Overview and Scrutiny Board on the review of the Youth Offending Team. In accordance with section D7 of Standing Orders – Overview and Scrutiny as set out in the Constitution, the Cabinet was required to respond to the recommendations of the Overview and Scrutiny Board within two months.

Subsequently the Cabinet prepared a response to the recommendations of the Overview and Scrutiny Board which was proposed by Councillor Law and seconded by Councillor Stockman and agreed unanimously by the Cabinet, as set out above.

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

No alternative options were 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**

23 April 2021

Signed: \_\_\_\_\_ Date: \_\_\_\_\_  
Leader of Torbay Council on behalf of the Cabinet

## Record of Decisions

### Overview and Scrutiny Board - Review of the Planning Service

#### Decision Taker

Cabinet on 20 April 2021.

#### Decision

That the Cabinet's response to the Overview and Scrutiny – Review of the Planning Service report be approved, as published.

#### Reason for the Decision

The Cabinet was required to respond to the findings of the review undertaken by the Overview and Scrutiny Board.

#### Implementation

This decision will come into force and may be implemented on 4 May 2021 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 report of the Overview and Scrutiny Board on the review of the Planning Service. In accordance with section D7 of Standing Orders – Overview and Scrutiny as set out in the Constitution, the Cabinet was required to respond to the recommendations of the Overview and Scrutiny Board within two months.

Subsequently the Cabinet prepared a response to the Overview and Scrutiny Board's recommendations, which was proposed by Councillor Morey and seconded by Councillor Steve Darling and agreed unanimously by the Cabinet, as set out above.

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

No alternative options were 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**

23 April 2021

Signed: \_\_\_\_\_ Date: \_\_\_\_\_  
Leader of Torbay Council on behalf of the Cabinet