

Minutes of the Council (Council decisions shown in bold text)

29 July 2021

:- Present :-

**The Worshipful The Mayor of Torbay (Councillor Manning) (In the Chair)
Deputy Civic Mayor of Torbay (Councillor Mandy Darling)**

Councillors Amil, Atiya-Alla, Barrand, Barnby, Brooks, Brown, Bye, Carter, Cowell, Steve Darling, Dart, Douglas-Dunbar, Dudley, Ellery, Foster, Hill, Johns, Kavanagh, Kennedy, Law, Long, Loxton, Morey, Pentney, Stockman, Sykes, David Thomas, Jacqueline Thomas and John Thomas

216 Opening of meeting

During the opening of the meeting, the Worshipful the Mayor of Torbay's Chaplain remembered those who lost their lives during the Srebrenica genocide, which was followed by a minute's silence.

The meeting was then opened with a prayer.

217 Apologies for absence

Apologies for absence were received from Councillors Howgate, Barbara Lewis, Chris Lewis, Mills and O'Dwyer.

218 Minutes

The Worshipful the Mayor of Torbay proposed and Councillor Mandy Darling seconded a motion, which was agreed (unanimously) by the Council as set out below:

that the Minutes of the Annual meeting of the Council held on 28 April 2021 be signed as a correct record by the Worshipful the Mayor of Torbay.

219 Declarations of interests

No interests were declared.

220 Communications

The Worshipful the Mayor of Torbay advised members that he attended the Annual Formal Reception at RAF Brise Norton on 19 July 2021. The event was held to offer thanks to the Council for our ongoing support of RAF Brise Norton.

The Leader of the Council:

- a) advised members that the Tourism Business Improvement District (BID) ballot was successful and provided an exciting opportunity for partnership work between the Tourism BID Company and the Council. The Tourism BID would particularly drive events and environmental responsibility for tourism;
- b) highlighted that Torbay hosted a visit by the Police and Crime Commissioner and Chief Constable of Devon and Cornwall Police. During the visit, the Leader of the Council and the Chief Executive presented Torbay's hopes and challenges and included a walk around Torquay Town Centre, involving the Chamber of Trade, key businesses and Leonard Stocks. He advised that the Council was looking to work with the Police and other agencies to drive improvements in Torbay's town centres, particularly tackling anti-social behaviour, through partnership working; and
- c) was pleased to announce that Torbay had been shortlisted for the Local Government Chronical Awards for positive change in Children's Services. The Leader of the Council thanked the Cabinet Member for Children's Services, the Chief Executive, Director of Children's Services and all councillors for working together for positive change for Children's Services. The winners would be announced at the award ceremony on 4 November 2021.

The Chief Executive led a minute's silence for two serving members of staff, Christine Higgs and Rob Harmes who had sadly passed away.

221 Members' questions

Members received a paper detailing questions, notice of which had been given in accordance with Standing Order A13. The paper also contained the answers to the questions which had been prepared by Councillors Carter, Cowell, Steve Darling, Law, Long, Morey, Stockton, and was circulated prior to the meeting.

Within the 30 minutes timeframe allowed, supplementary questions were put and answered by Councillors Carter, Law, Long and Morey, arising from their responses to the questions in respect of questions 1, 2, 4, 5, 6, 7, 8, 9, 11, 12, 13, 14, 15 and 16. Question 14 was presented by Councillor David Thomas in the absence of Councillor Chris Lewis.

After 30 minutes, the Chief Executive advised that questions for 17 to 33 were deemed as withdrawn.

222 Lease Arrangements for Medical Tuition Service

The Council considered the recommendation of the Cabinet and submitted report which proposed to grant a 25-year peppercorn lease to the Medical Tuition Service for Parkfield, Colin Road, Paignton.

Councillor Law proposed and Councillor Cowell seconded a motion, which was agreed (unanimously) by the Council as set out below:

that the TDA Director of Asset Management, Investment and Housing, in consultation with the Chief Executive, be authorised to grant a 25 year, full repairing and insuring lease to the Medical Tuition Service at a peppercorn rent, ensuring that the lease confirms the availability of the building for community use.

223 Customer Relationship Management System

The Council considered the recommendation of the Cabinet and submitted report that sought to allocate the budget to implement and maintain the new Customer Relationship Management System.

Councillor Carter proposed and Councillor Morey seconded a motion, which was agreed (unanimously) by the Council as set out below:

- 1. that £400,000 from the 2020/21 council underspend is allocated to the project for implementation costs; and**
- 2. that Council notes that the profiling of spend over future years will be confirmed with the supplier once appointed and that the Council's future year budget proposals will need to reflect the additional costs of the new system. This depends on our ability to terminate other contracts and their ability to provide support, both of which require dovetailing. Current cost detail is contained within the relevant sections of business case at Appendix 1 of the submitted report.**

224 Torbay Growth Fund

The Council considered the recommendation of the Cabinet and the submitted report that sought to remove the Investment and Regeneration Fund Strategy from the Policy Framework as this document was no longer relevant or required due to the changes to the Public Works Loans Board.

Councillor Long proposed and Councillor Cowell seconded a motion, which was agreed by the Council as set out below:

- 1. that the Investment and Regeneration Fund Strategy be removed from the Policy Framework; and**

2. **that the outstanding balance from the £25 million allocated to town centre regeneration be moved to the newly re-named 'Torbay Growth Fund' (former Torbay Economic Growth Fund).**

225 Treasury Management Outturn 2020/21

Members noted the submitted report in respect of the Treasury Management Outturn for 2020/2021.

226 Budget Monitoring 2020/21 - Quarter Four - Outturn

The Council considered the recommendation of the Cabinet and the submitted report which provided a high-level budget summary of the Council's final revenue and capital position for the financial year 2020/21.

Councillor Cowell proposed and Councillor Steve Darling seconded a motion, as set out below:

1. that Council notes that the following revenue outturn actions were agreed as a part of the February 2021 budget decisions:
 - a) Establishing a £1.6m Covid-19 Reserve to deal with the continuing impacts of the Covid-19 pandemic;
 - b) Allocating £3.5m to fund the Collection Fund Deficit;
 - c) Increasing the General Fund Reserve by £0.5m which moves the Council closer to having a General Fund of 5% of its net revenue budget;
 - d) Additional £0.5m funding to support SWISCo; and
 - e) An allocation of £1.0m toward Community and Corporate plan priorities;
2. that the Council approves the additional carry forward of £2.8m being used as follows;
 - a) A further £1.0m towards Community and Corporate plan priorities as set out in Appendix 2 to the submitted report;
 - b) £1.7m towards earmarked service specific reserves to support transformation and improvement work for digital improvements for the Council's services including the contact centre and further support for SWISCo;
 - c) £0.1m towards the General Fund Reserve; and

- d) Allocate an underspend of £0.960m on Concessionary Fares on travel/road related matters as set out in Appendix 3 to the submitted report; and
3. that the Council approves the use of £0.9m of the profiled capital receipt for the disposal of land at Collaton St Mary as set out in Appendix 4 to the submitted report.

During the debate Councillor Barrand proposed and Councillor Foster seconded an amendment to the motion as follows:

- 2.c) **£0.1m ~~towards the General Fund Reserve~~ being allocated to reinstate the Harbour Reserve Fund (this builds on the recommendation of the Overview and Scrutiny Board made at its meeting on 14 July 2021 to be presented to the Cabinet on 24 August 2021);**

During the debate, Councillor Cowell and Councillor Steve Darling accepted the amendment with further changes, which were then incorporated in the original motion and agreed by the Council (unanimously) as set out below:

1. **that Council notes that the following revenue outturn actions were agreed as a part of the February 2021 budget decisions:**
 - a) **Establishing a £1.6m Covid-19 Reserve to deal with the continuing impacts of the Covid-19 pandemic;**
 - b) **Allocating £3.5m to fund the Collection Fund Deficit;**
 - c) **Increasing the General Fund Reserve by £0.5m which moves the Council closer to having a General Fund of 5% of its net revenue budget;**
 - d) **Additional £0.5m funding to support SWISCo; and**
 - e) **An allocation of £1.0m toward Community and Corporate plan priorities;**
2. **that the Council approves the additional carry forward of £2.8m being used as follows;**
 - a) **A further £1.0m towards Community and Corporate plan priorities as set out in Appendix 2 to the submitted report;**
 - b) **£1.7m towards earmarked service specific reserves to support transformation and improvement work for digital improvements for the Council's services including the contact centre and further support for SWISCo;**

- c) **£0.1m being allocated to reinstate the Harbour Reserve Fund, with the Cabinet requested to review in Autumn 2021 the adequate resourcing of the Harbour function; and**
 - d) **Allocate an underspend of £0.960m on Concessionary Fares on travel/road related matters as set out in Appendix 3 to the submitted report; and**
3. **that the Council approves the use of £0.9m of the profiled capital receipt for the disposal of land at Collaton St Mary as set out in Appendix 4 to the submitted report.**

(Note: During the debate a recorded vote on the amendment was requested, but subsequently withdrawn.)

227 Standing Order D11 (in relation to Overview and Scrutiny) - Call-in and Urgency

Members noted the submitted report setting out the executive decision taken (Sexual Health Prevention Service) to which the call-in procedure did not apply.

The Worshipful The Mayor of Torbay