



Minutes of the Council

13 February 2013

-: Present :-

Chairman of the Council (Councillor Stringer) (In the Chair)
Vice-Chairman of the Council (Councillor Parrott)

The Mayor of Torbay (Mayor Oliver)

Councillors Addis, Amil, Baldrey, Barnby, Bent, Brooksbank, Butt, Cowell, Davies, Darling, Doggett, Ellery, Excell, Faulkner (A), Faulkner (J), Hernandez, Hill, Hytche, James, Kingscote, Lewis, McPhail, Mills, Morey, Pentney, Pountney, Pritchard, Richards, Scouler, Stockman, Stocks, Thomas (D), Thomas (J) and Tyerman

110 Members' Questions

Further to the meeting of the Council held on 6 February 2013, the Mayor responded to question 1 together with a supplementary question.

111 Revenue Budget 2013/14

The Chairman advised that, following publication of the agenda for this meeting, items 13 (Revenue Budget 2013/14) and 14 (Capital Plan Budget 2013/14 to 2016/17) had been combined.

Further to the meeting of the Council held on 6 February 2013, members considered the recommendations of the Mayor in relation to the Revenue Budget 2013/14 and Capital Plan Budget 2013/14 to 2016/17, as set out in the submitted report.

It was proposed by the Mayor and seconded by Councillor Thomas (D):

- (i) That it be recommended to Council that:
 - (a) the revenue budget for 2013/14 (paragraph 6.3 of the submitted report) and the associated fees and charges (appendix 1 of the submitted report), be approved;
 - (b) the final notified Dedicated Schools Grant be used in accordance with the nationally laid down Schools Financial Regulations (paragraph 6.1 (a) of the submitted report) and that the Chief Finance Officer be authorised to make amendments as required when the final figures are confirmed;

- (c) that the Members' Allowances Scheme will be implemented in 2013/2014 in accordance with the decision of the Council at its meeting on 1 February 2012 subject to the annual local government pay percentage increase (paragraph 6.1 (b) of the submitted report); and that Members acknowledge that they are not to be auto enrolled to the Local Government Pension Scheme for the reasons given in the report;
- (d) the Chief Finance Officer in consultation with the Mayor and Executive Lead Member for Finance be authorised to approve expenditure from the Comprehensive Spending Review reserve and Budget Pressures reserve;
- (e) in accordance with the requirement of the Local Government Act 2003, to consider and note the advice given by the Chief Finance Officer with respect to the robustness of the budget estimates and the adequacy of the Council's reserves (sections 8 and 9 of the submitted report);
- (f) the Chief Finance Officer in consultation with the Mayor and Executive Lead Member for Finance be authorised to make adjustments to and introduce new fees and charges within the budget during 2013/14 if it is in the best interest for the Council;
- (g) the Chief Finance Officer, in consultation with the Mayor, Executive Lead Member for Finance and appropriate officers, be authorised to determine the allocation and expenditure of any new grant monies, unallocated grants or other additional income that may be received during the year 2013/14;
- (h) the Chief Finance Officer be authorised to make adjustments to the budgets for any technical changes;
- (i) the Chief Finance Officer prepare the appropriate documentation for the Council to approve the Council Tax setting at the meeting on 28 February 2013 and all other returns to be made by the appropriate date;
- (j) impact assessments as shown in appendix 2 of the submitted report are noted;
- (k) that Council note the Review of Reserves report and approve the transfer of the surplus on a number of individual reserves to the Comprehensive Spending Review Reserve (appendix 3 of the submitted report);
- (l) that Council approve and endorse the Capital Strategy and Asset Management Plan as set out in appendices 4 and 5 of the submitted report;

- (m) that Council notes the latest position on the 4 year Capital Investment Plan as set out in Appendix 11 of the submitted report;
- (n) that Council approve and endorse the Treasury Management Strategy and the recommendations in the report as set out in appendix 6 of the submitted report;
- (o) that Council note the updated Medium Term Resource Plan as set out in appendix 7 of the submitted report;
- (p) that Council note commissioning agreements from Economic Development Company, Torbay Coast and Countryside Trust and English Riviera Tourism Company as set out in appendix 8 of the submitted report;
- (q) that the Council note that Torbay has joined a Devonwide Pool as part of the Business rates Retention scheme - the agreement and arrangements for the pool are shown in appendix 9 of the submitted report;
- (r) that Council approve a premium of 50% on the full Council Tax charge to be applied to all properties that have been empty and unfurnished in excess of two years - see paragraph 5.21 to 5.22 of the submitted report; and
- (s) that Council note the completed NNDR1 form as set out in appendix 10 of the submitted report, which forms part of the Council's overall income to fund the 2013/14 budget – paragraph 10.10 to 10.12 of the submitted report; and
- (ii) Due to the size of the reductions required to deliver a balanced budget and their impact, Council accept the risks in preparing this budget. These risks have been identified in detail in this report and associated budget proposals prepared by officers for their respective Business Units.

In accordance with Standing Order A14.4, an amendment was proposed by Councillor Davies and seconded by Councillor Pountney:

This Council notes that there is likely to be a significant increase in demand for the services from the Citizens Advice Bureau in Torbay due to benefits reform. In light of this, this Council should ensure stability for this service by guaranteeing the current funding for a three year period.

On being put to the vote, the motion (to refer the objection to the Mayor) was declared lost.

In accordance with Standing Order A14.4, an amendment was proposed by Councillor Darling and seconded by Councillor Doggett:

This Council notes the findings of the 2012 Experian report into poverty that found 37 percent of Torbay households are at risk of falling into poverty, this equates to 22,000 homes. In light of this the Council has grave concerns regarding the withdrawal of discretionary school and further education bus passes. It is particularly perverse that South Devon College is an out of town campus and hence remote from our deprived communities in Torquay. This cut should be withdrawn.

On being put to the vote, the motion (to refer the objection to the Mayor) was declared lost.

In accordance with Standing Order A14.4, an amendment was proposed by Councillor Pentney and seconded by Councillor Baldrey:

This Council notes with concern that the ongoing cost of the Riviera International Conference Centre (RICC) since opening has now topped £20,000,000. With the massive cuts to Council finance this Council requires a business plan for the RICC, as previously promised, that would demonstrate significant reductions to the grant passed to the RICC.

In accordance with Standing Order A19.4, a recorded vote was taken on the amendment. The voting was taken by roll call as follows: For: Councillors Baldrey, Cowell, Darling, Davies, Doggett, Ellery, Faulkner (A), Faulkner (J), James, Morey, Parrott, Pentney, Pountney, Stocks, Stockman and Stringer (16); Against: The Mayor, Councillors Addis, Amil, Barnby, Bent, Brooksbank, Butt, Excell, Hernandez, Hill, Hytche, Kingscote, Lewis, McPhail, Mills, Pritchard, Richards, Scouler, Thomas (D), Thomas (J) and Tyerman (21). Therefore, the motion (to refer the objection to the Mayor) was declared lost.

In accordance with Standing Order A14.4, an amendment was proposed by Councillor Pountney and seconded by Councillor Faulkner (A):

This Council objects to the new proposed policy on the allocation of Community Alarms and the budget reduction, which has not been fully thought through. In particular, no consideration has been given to the effects that this proposal will have on elderly people who live on their own and have an accident.

Both the ensuing costs of additional care and the fact that their lives may potential be at risk, will far outweigh the proposed savings of £30,000. In addition this will become a service only for the better off and this is socially unacceptable.

On being put to the vote, the motion (to refer the objection to the Mayor) was declared lost.

In accordance with Standing Order A14.4, an amendment was proposed by Councillor Baldrey and seconded by Councillor Faulkner (A):

This Council objects to the removal of funding for beach staffing as this will have the regrettable effect of the loss of the Blue Flags. While the English Riviera Tourism Company is working very hard and is achieving positive results even on a reduced budget it can only be a negative step for us to lose these 'tokens of high beach-worthiness'.

On being put to the vote, the motion (to refer the objection to the Mayor) was declared lost.

In accordance with Standing Order A14.4, an amendment was proposed by Councillor Darling and seconded by Councillor Pentney:

This Council notes that 30% of the Government indicative grant for roads maintenance equating to £1.5 million has been used elsewhere in the capital budget. As £1 million of this money has been spent on capital projects through the Employment Scheme on the Riviera International Conference Centre, the balance of £0.5 million should be reallocated to the Structural Repairs and Integrated Transport Capital Project (roads maintenance).

In accordance with Standing Order A19.4, a recorded vote was taken on the amendment. The voting was taken by roll call as follows: For: Councillors Baldrey, Cowell, Darling, Davies, Doggett, Ellery, Faulkner (A), Faulkner (J), James, Morey, Parrott, Pentney, Pountney, Stocks and Stockman (15); Against: The Mayor, Councillors Addis, Amil, Barnby, Bent, Brooksbank, Butt, Excell, Hernandez, Hill, Hytche, Kingscote, Lewis, McPhail, Mills, Pritchard, Richards, Scouler, Thomas (D), Thomas (J) and Tyerman (21); Abstain: Councillor Stringer (1). Therefore, the motion (to refer the amendment to the Mayor) was declared lost.

In accordance with Standing Order A14.4, an amendment was proposed by Councillor Darling and seconded by Councillor Faulkner (J):

This Council notes that adults services has a projected overspend of approx. £700,000 and Children's Services has a projected overspend of approx. £2,900,000 in the current financial year. In light of the planned £1,400,000 cuts to some of the areas of children's services and £2,000,000 cuts to some of the areas of Adult Social Care, this Council has fears that the Council's abilities to protect those most vulnerable in our community will be significantly reduced.

In accordance with Standing Order A19.4, a recorded vote was taken on the amendment. The voting was taken by roll call as follows: For: Councillors Baldrey, Cowell, Darling, Davies, Doggett, Ellery, Faulkner (A), Faulkner (J), James, Morey, Pentney, Pountney, Stocks and Stockman (14); Against: The Mayor, Councillors Addis, Amil, Barnby, Bent, Brooksbank, Butt, Excell, Hernandez, Hill, Hytche, Kingscote, Lewis, McPhail, Mills, Pritchard, Richards, Scouler, Thomas (D), Thomas (J) and Tyerman (21); Abstain: Councillors Parrott and Stringer (2). Therefore, the motion (to refer the objection to the Mayor) was declared lost.

In accordance with Standing Order A14.4, an amendment was proposed by Councillor Cowell and seconded by Councillor Parrott:

- (i) that £45,000 is re-allocated to Safer Communities and that this money re-instates the deleted posts of two Street Wardens in recognition of the positive 'invest to save' contribution these posts make to safeguard our communities and reduce levels of anti-social behaviour; and
- (ii) that £45,000 be reduced from the grant to the Riviera International Conference Centre to support (i) above.

In accordance with Standing Order A19.4, a recorded vote was taken on the amendment. The voting was taken by roll call as follows: For: Councillors Baldrey, Cowell, Darling, Davies, Doggett, Ellery, Faulkner (A), Faulkner (J), James, Morey, Parrott, Pentney, Pountney, Stocks and Stockman (15); Against: The Mayor, Councillors Addis, Amil, Barnby, Bent, Brooksbank, Butt, Excell, Hernandez, Hill, Hytche, Kingscote, Lewis, McPhail, Mills, Pritchard, Richards, Scouler, Stringer, Thomas (D), Thomas (J) and Tyerman (22); Therefore, the motion (to refer the amendment to the Mayor) was declared lost.

In accordance with Standing Order A14.4, an amendment was proposed by Councillor Cowell and seconded by Councillor Ellery:

- (i) that £20,000 is granted to assist the emerging Torbay Community Development Trust to establish itself as a vehicle to provide services that Torbay Council will be forced to reduce as a result of the 30% cut in local government finance imposed by central government; and
- (ii) that £20,000 be reduced from the grant to the Riviera International Conference Centre to support (i) above.

On being put to the vote, the motion (to refer the amendment to the Mayor) was declared lost.

In accordance with Standing Order A14.4, an amendment was proposed by Councillor Stockman and seconded by Councillor Parrott:

- (i) that £30,000 be re-allocated to the budget of Torbay and Southern Devon Health & Care NHS Trust and that this money reinstate the community alarms service thereby safeguarding some of the Bay's most vulnerable adults through continued public funding of the service; and
- (ii) that £30,000 be removed from the grant to the Riviera International Conference Centre to support of the above service.

In accordance with Standing Order A19.4, a recorded vote was taken on the amendment. The voting was taken by roll call as follows: For: Councillors Baldrey, Cowell, Darling, Davies, Doggett, Ellery, Faulkner (A), Faulkner (J), James, Morey, Parrott, Pentney, Pountney, Stocks, Stockman and Stringer (16); Against: The Mayor, Councillors Addis, Amil, Barnby, Bent, Brooksbank, Butt, Excell, Hernandez,

Hill, Hytche, Kingscote, Lewis, McPhail, Mills, Pritchard, Richards, Scouler, Thomas (D), Thomas (J) and Tyerman (21); Therefore, the motion (to refer the amendment to the Mayor) was declared lost.

In accordance with Standing Order A14.4, an amendment was proposed by Councillor James and seconded by Councillor Cowell:

To add at 2.3:

That the Council will aim to deliver a rolling three year Business Plan as recommended by the Priority and Resources Review and supported by the Mayor in 5.9 (a) of the Revenue Budget Proposals 2013/14 report.

Council recognises the constraints on detail due to the spending plans announced by central government, but nonetheless recognises that a strategic direction can be established.

On being put to the vote, the motion (to refer the amendment to the Mayor) was declared lost.

In accordance with Standing Order A14.4, an amendment was proposed by Councillor James and seconded by Councillor Ellery:

That in the event external funding is not found for opening the Park and Ride at Churston in time for 2013 tourist season, £30,000 be taken from the RICC Reserve Fund and reallocated to the facility for that purpose for 2013.

On being put to the vote, the motion (to refer the amendment to the Mayor) was declared lost.

In accordance with Standing Order A14.4, an amendment was proposed by Councillor James and seconded by Councillor Morey:

In the event that current negotiations with outside bodies looking to take over the management of Shoalstone Pool are unsuccessful, £25,000 per annum is taken from the Comprehensive Spending Review Reserve Fund for each of the next four financial years (2013/2014, 2014/2015, 2015/2016 and 2016/2017 equating to £100,000) and used to fund this vital tourist and resident facility.

On being put to the vote, the motion (to refer the amendment to the Mayor) was declared lost.

In accordance with Standing Order A14.4, an amendment was proposed by Councillor Tyerman and seconded by Councillor Pritchard:

That the revenue budget for 2013/14 be amended to reduce the grant allocated to the Riviera International Conference Centre by £46,000 to a sum of £599,000.

That the reduction in expenditure of £46,000 be added to the contingency held to cover unforeseen demands on the Council's budget in 2013/14.

On being put to the vote, the motion (to refer the amendment to the Mayor) was declared carried.

At the invitation of the Chairman, the Mayor informed the Council that he would accept the amendment (as set out above). Therefore, as the Mayor accepted the amendment the matter could be dealt with at this Council meeting.

The substantive motion (the original motion with the addition of the amendment) was then before members for consideration and on being put to the vote, the substantive motion was declared carried.

Chairman

Minute Item 110

Meeting of the adjourned Council

Wednesday, 13 February 2013

Questions Under Standing Order A13

Question (1) by Councillor Faulkner (J) to the Mayor – Mayor Oliver	How have the Council taken Account of Child poverty during the budget setting process for 2013/14?
Mayor Oliver	<p>As part of our Equality Impact Assessments (EIAs) we have now included a section on Socio-economic impacts (including child poverty) under question 8 (Positive and Negative Equality Impacts) of the EIAs. Officers completing EIAs will need to outline what impacts their proposals will have on socio-economic issues i.e. deprivation and child poverty issues, both positive and negative. This is new addition to the EIAs and will be built upon over the coming year.</p> <p>This process will develop as the Child Poverty Commission develops its work. I welcome the creation of the Commission and the value of the contribution from the Independent Chair and hope that we can all work together to develop a positive set of actions to tackle this most serious of issues.</p>

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