

Minutes of the Cabinet

14 June 2022

-: Present :-

Councillor Steve Darling (Chairman)

Councillors Cowell, Law, Long and Morey

(Also in attendance: Councillors Amil, Barnby, Brown and Chris Lewis (virtually))

352. Apologies

Apologies for absence were received from Councillors Carter and Stockman.

353. Minutes

The Minutes of the meeting of the Cabinet held on 24 May 2022 were confirmed as a correct record and signed by the Chairman.

354. Communications

The Leader of the Council, Councillor Steve Darling, thanked the Events Team, SWISCo, wider Council staff and the voluntary sector for their contribution and hard work that ensured all the events held over the Jubilee Weekend were a success.

The Cabinet Member for Children's Services, Councillor Law welcomed the news that the statutory direction on Children's Services has been lifted following the recent 'Good' Ofsted rating.

355. Matters for Consideration

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

356. Notice of Motion - Cost of Living Crisis

357. Levelling Up Fund Round 2 and UK Shared Prosperity Fund

358. Youth Offer and Torbay Youth Trust (Youth Work and Young Carers Services)

359. Torbay Youth Justice Plan 2022-23

360. Community Safety Case Management System Contract Approval

Chairman/woman

Record of Decisions

Notice of Motion - Cost of Living Crisis

Decision Taker

Cabinet on 14 June 2022.

Decision

That the Cabinet declares a 'Cost of Living Emergency' and instructs the Leader and Deputy Leader of the Council to write to Chancellor of the Exchequer to:

- Welcome the imposition of the 'Windfall Tax' on the super profits of oil and gas companies and question whether this has gone far enough.
- Immediately reduce the standard rate of VAT from 20% to 17.5% for one year, saving the average family £600.
- Immediately re-introduce the pensions triple lock to support Torbay's pensioners.
- Extend free school meals to all those families on universal credit.

Reason for the Decision

To support the Motion in respect of the financial challenges being faced by Torbay residents as a result of the cost of living crisis.

Implementation

This decision will come into force and may be implemented on 27 June 2022 unless the call-in procedure is triggered (as set out in Standing Orders in relation to Overview and Scrutiny).

Information

The Cabinet considered a motion in relation to the current cost of living crisis, notice of which was given in accordance with Standing Order A14.

Councillor Steve Darling proposed and Councillor Cowell seconded a motion, as set out below which was agreed unanimously by the Cabinet:

It is shocking and extremely worrying for many local residents in Torbay on limited incomes, that Ofgem announced that the energy price cap could rise to £2,800 in October 2022.

Earlier this year on 1 April 2022, Ofgem increased the energy price cap by 54 per cent.

Over the coming summer months, Torbay residents who in the main are already financially challenged, face the average standard tariff energy bill increasing by £693 per year. The average pre-pay meter energy bill increasing by £708 per year (Ofgem, 2022)

On 6 April 2022, the Government increased National Insurance by 1.25 percentage points, which is projected to cost the average Torbay family an additional £108 per year.

The Government has suspended the pensions 'triple lock' for 2022/23, meaning that Torbay's 37,143 pensioners will see a rise of 3.1 per cent this year (instead of 8.3 per cent under the triple lock formula). This year, this will cost a Torbay resident on the full new state pension an average of £487, and a Torbay resident on the full basic state pension an average of £373 (TUC, 2022)

Torbay has opened a Household Support Fund upon which there has been phenomenal demand, demonstrating a significant unmet need.

This Council therefore declares a 'Cost of Living Emergency' and instructs the Leader and Deputy Leader of the Council to write to Chancellor of the Exchequer to:

- Welcome the imposition of the 'Windfall Tax' on the super profits of oil and gas companies and question whether this has gone far enough.
- Immediately reduce the standard rate of VAT from 20% to 17.5% for one year, saving the average family £600.
- Immediately re-introduce the pensions triple lock to support Torbay's pensioners.
- Extend free school meals to all those families on universal credit.

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

June 2022

Signed: _____ Date: _____
Leader of Torbay Council on behalf of the Cabinet

Record of Decisions

Levelling Up Fund Round 2 and UK Shared Prosperity Fund

Decision Taker

Cabinet on 14 June 2022.

Decision

1. That, Cabinet accept the Harbour Committee's recommendation to invest in port infrastructure at Brixham Harbour, as set out in appendix 1 and that the Divisional Director of Economy, Environment and Infrastructure instructs TDA to develop a revised application for Levelling Up Fund Round 2.
2. That £125,000 capacity funding be utilised to procure services in support of the development of the Levelling Up Fund Round 2 application.
3. That the Divisional Director of Economy, Environment and Infrastructure instructs TDA to develop the UK Shared Prosperity Fund Investment Plans using, principally but not exclusively, the emerging Economic Strategy as the foundation for this Plans.
4. That the £20,000 UK Shared Prosperity Fund capacity funding be utilised to develop the UK Shared Prosperity Fund Investment Plans
5. That, in order to meet the deadlines for the funding bids, the Director of Finance, in consultation with the Leader of the Council, be requested to exercise his delegated authority (under paragraph 5.5 of Financial Regulations) to approve the revised application for Round 2 Levelling Up Fund and the Divisional Director of Economy, Environment and Infrastructure be given delegated authority, in consultation with Cabinet Member for Regeneration, Tourism and Housing and the Section 151 Officer, to approve the UK Shared Prosperity Fund Investment Plans.

Reason for the Decision

Both the Levelling Up Fund and UK Shared Prosperity Fund are designed to level up opportunity and prosperity, develop places and communities. These focus on infrastructure that will drive regeneration, build pride in place, create high quality skills training, support pay, employment and productivity growth.

Implementation

The decision in respect of the Levelling Up Fund and UK Shared Prosperity Fund will come into force immediately as the decision maker has decided that any delay likely to be caused by the call-in process would prejudice the Public' and Council's interest. The Overview and Scrutiny Co-ordinator was consulted on 31 May 2022.

Information

Government has recently announced Round 2 of Levelling Up Fund and UK Shared Prosperity Fund

The Levelling Up Fund is a £4.8Bn UK wide fund which will be allocated over 4 years and is

designed to drive growth and regeneration in places that Government has assessed need it most to reduce economic inequality. Funding proposals are to be led by Local Authorities with support and endorsement from stakeholders, particularly MPs.

Government has also released guidance on UK Shared Prosperity Fund. Torbay has been allocated £1.76M under the core UK Shared Prosperity Fund programme with an additional allocation of £614,000 for the Multiply element focusing on adult numeracy.

The Cabinet's approval was sought to develop and submit bids and investment plans to both the Round 2 Levelling Up Fund and the UK Shared Prosperity Fund. At the meeting Councillor Long proposed and Councillor Morey seconded a motion that agreed unanimously by the Cabinet, as set out above.

Alternative Options considered and rejected at the time of the decision

An alternative option would be to commission an external provider to develop the bids on behalf of Torbay Council however they will not have the local knowledge or partnership links needed. Furthermore, the procurement process will further delay progress. Therefore this option was discounted.

Is this a Key Decision?

No

Does the call-in procedure apply?

No

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

None.

Published

17 June 2022

Signed: _____
Leader of Torbay Council on behalf of the Cabinet

Date: _____

Record of Decisions

Youth Offer and Torbay Youth Trust (Youth Work and Young Carers Services)

Decision Taker

Cabinet on 14 June 2022.

Decision

1. That authority be delegated to the Director Children's Services to commission an independent review and future option appraisal, including an appraisal of a collaborative approach with key partners, of Torbay's youth offer and young carers service, and
2. That an extension to the existing contract with Torbay Youth Trust on a 6 month + 6 month basis be approved.

Reason for the Decision

The Council has a statutory duty under section 507B of the Education Act 1996 (by virtue of section 6 of the Education and Inspections Act 2006) to secure, as far as is reasonably practicable, positive educational and recreational leisure time activities for young people aged 13 to 19, and to those with SEND up to the age of 25, in its area that is sufficient to meet local needs and improve well-being and personal and social development.

The Council also has a statutory duty to undertake young carers needs assessment. A young carer is someone aged 18 and under who cares for a friend or family member who, due to illness, disability, a mental health problem or an addiction, cannot cope without their support.

Implementation

This decision will come into force and may be implemented on 27 June 2022, unless the call-in procedure is triggered (as set out in the Standing Orders in relation to Overview and Scrutiny).

Information

The contract with Torbay Youth Trust for the targeted youth and young carers services is due to expire on 31 January 2023. It was recognised that these services needed to align with the Council and wider stake holding partners offer to our children and young people, including a Torbay wide youth offer and also young carers. Therefore, a review and options appraisal would be undertaken and informed by the voice of children and young people.

At the meeting 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

Several options 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

17 June 2022

Signed: _____ Date: _____
Leader of Torbay Council on behalf of the Cabinet

Record of Decisions

Torbay Youth Justice Plan 2022-23

Decision Taker

Cabinet on 14 June 2022.

Decision

That Cabinet recommends approval of the Torbay Youth Justice Plan 2022-23 to the Youth Justice Board.

Reason for the Decision

Torbay Council has a statutory duty to submit its Youth Justice Plan to the Youth Justice Board by 30 June 2022. Failure to do so may result in Youth Justice Board funding being withheld or delayed which would impact the ability to provide the service specified within the plan.

Implementation

The decision in respect of the Torbay Youth Justice Plan 2022-23 will come into force immediately as the decision maker has decided that any delay likely to be caused by the call-in process would prejudice the Public' and Council's interest. The Overview and Scrutiny Co-ordinator was consulted on 31 May 2022.

Information

Torbay Council is required by the Crime and Disorder Act 1998 to approve an annual Youth Justice Plan that has been prepared in consultation with its partner agencies, staff and service users. The plan addresses the functions assigned to the youth justice service, and includes how services will prevent offending behaviour and reduce reoffending.

At the meeting, Members were advised that the Children and Young People Overview and Scrutiny Sub-Board had, earlier in the day, endorsed the Torbay Youth Justice Plan 2022-23 and recommended its approval.

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

There were no other options considered as there was a legal requirement to deliver the Youth Justice Service and produce the Youth Justice Plan.

Is this a Key Decision?

No

Does the call-in procedure apply?

No

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

None.

Published

17 June 2022

Signed: _____ Date: _____
Leader of Torbay Council on behalf of the Cabinet

Record of Decisions

Community Safety Case Management System Contract Approval

Decision Taker

Cabinet on 14 June 2022.

Decision

1. That a 2+1 year contract for a Community Safety Case Management System be approved as set out in Exempt Appendix 3.
2. Cabinet to note that this will be funded from existing budgets.

Reason for the Decision

It is essential to procure this contract for Community Safety services to continue business as usual while the procurement and implementation of an alternative cloud-based system takes place.

Implementation

The decision in respect of the award of contract for the Community Safety Case Management System will come into force immediately as the decision maker has decided that any delay likely to be caused by the call-in process would prejudice the Public' and Council's interest. The Overview and Scrutiny Co-ordinator was consulted on 31 May 2022.

Information

The current contract for the case management system in Community Safety and Customer Services is due for renewal. The current system, whilst performing key functions and tasks, is not fit for the purpose of hybrid or remote working conditions. Initial research through the publishing of an Expression of Interest (EOI) have shown that there are multiple alternative cloud-based solutions to replace both the current system and another application for licensing that is also used in day-to-day business. Therefore the proposal is for the rebuy of licenses for two years and two months with the option to extend a further one year, if required at that time, enabling the procurement of an alternative case management system to take place.

At the meeting Councillor Cowell proposed and Councillor Morey 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

Alternative options were set out in the exempt appendix to the submitted report.

Is this a Key Decision?

No

Does the call-in procedure apply?

No

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

None.

Published

17 June 2022

Signed: _____ Date: _____
Leader of Torbay Council on behalf of the Cabinet