

## **Minutes of the Cabinet**

**15 November 2022**

**-: Present :-**

Councillor Steve Darling (Chairman)

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

(Also in attendance: Councillors Barrand, Brooks (virtually), Bye, Foster and David Thomas (virtually))

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### **407. Minutes**

The Minutes of the meeting of the Cabinet held on 13 and 18 October 2022 were confirmed as a correct record and signed by the Chairman.

### **408. Communications**

Members received a presentation from Angie Manning, Director of Standing Tall. Members were informed that Standing Tall was a partnership of local community groups and organisations that had come together to provide a range of local support to people in Torbay who had experienced domestic abuse or sexual violence. The service aims to provide a range of services that understand domestic abuse and sexual violence and the impact this has on an individual and their family. The service can help individuals and their families find the support an individual knows they want, and the help that an individual might not know they need. The Leader of the Council, Councillor Steve Darling, thanked Ms Manning for her presentation and reiterated Ms Manning's message of educating individuals in respect of healthy relationships.

The Leader of the Council informed Members that he had been appointed the Council's representative on the Great South West Partnership Board which he hoped would drive economic change for the region and Torbay in particular.

The Leader of the Council brought to Members attention this years appeal for Children and Need and encouraged those that could afford to donate to do so.

The Cabinet Member for Corporate and Community Services, Councillor Carter advised Members that during the previous night she had taken part in the annual rough sleepers count. She advised that due to the transient nature of rough sleepers all the authorities in South Devon undertook the annual count on the same night. Councillor Carter was saddened to report that the number of individuals sleeping rough was higher than previous years.

**409. Urgent Items**

The Cabinet considered the item in Minute 411, and not included on the agenda, the Chairman being of the opinion that it was urgent by reason of special circumstances i.e. the matter having arising since the agenda was prepared and it was unreasonable to delay a decision until the next meeting.

**410. 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.

**411. Community Infrastructure Levy Funds - Administration and Governance of Torquay Neighbourhood Proportion**

**412. Torbay Economic Growth Strategy**

**413. Torbay Playing Pitch Strategy**

**414. Healthy Behaviours Service Contract Award Proposal**

**415. Urgent decisions taken by the Chief Executive**

This report was noted.

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Chairman/woman

## Record of Decisions

### Community Infrastructure Levy Funds - Administration and Governance of Neighbourhood Proportion

#### Decision Taker

Cabinet on 15 November 2022.

#### Decision

1. That the following decision made by Cabinet on 11 August 2020 (Cabinet Minute 115d/08/20 refers) be rescinded:
  - 'ii) That a standalone bidding process is introduced to determine what local projects the CIL Neighbourhood proportion should be spent on (as set out in the main body of the report). The establishment of the panel (CiL Spend Board) and its operation will be the responsibility of Torbay Council, but shall include representatives of the Neighbourhood Forums, Community Partnerships, Local Member(s) and the Cabinet Member for Infrastructure, Environment & Culture.'
2. That the following bids to the Torquay Neighbourhood proportion of Community Infrastructure Levy be approved:
  - a) Maidencombe Beach, steps and railings: restoration;
  - b) Replacement of damaged toddler swing, Stoodley Knowle Meadow, Ilsham Road, Wellswood;
  - c) Reinstatement of stone wall on Southwest Coast Path close to Imperial Hotel, Wellswood;

That the following bid to the Torquay Neighbourhood proportion of Community Infrastructure Levy be approved for year 1 costs only:

- d) Clearing a safe, off-road path from Babbacombe Theatre to Babbacombe Beach, land including Glen Sannox at Babbacombe (St Marychurch & District); and
3. That the Divisional Director of Planning, Housing and Climate Emergency be instructed to present to Cabinet on 13 December 2022 a revised and streamlined bidding process to determine what local projects the Community Infrastructure Levy Neighbourhood proportion should be spent on.

#### Reason for the Decision

During the course of the last year, bids have been received by the Torquay Neighbourhood Forum on behalf of Community Organisations that have been discussed by the forum steering group before submission to the Council. However, the administration of the Board originally proposed has proved to be very cumbersome and overly complicated resulting in a number of bids being undetermined. Therefore the Cabinet as the ultimate 'parent' and decision maker in establishing the administration and Board are requested to rescind their previous decision in this regard, determine the bids that have been submitted in order that they can be progressed

and seek to implement a more streamlined process for future applications.

## **Implementation**

This decision will come into force and may be implemented on 28 November 2022 unless the call-in procedure is triggered (as set out in the Standing Orders in relation to Overview and Scrutiny).

## **Information**

At its meeting on 11 August 2020 the Cabinet agreed that a standalone bidding process would be introduced to determine what local projects the CIL Neighbourhood proportion should be spent on. The Cabinet established the CIL Spend Board and its operation would be the responsibility of Torbay Council, but would include representatives of the Neighbourhood Forums, Community Partnerships, Local Member(s) and the Cabinet Member for Infrastructure, Environment and Culture.

During the course of the last year, bids have been received by the Torquay Neighbourhood Forum on behalf of Community Partnerships that have been discussed by the forum steering group before submission to the Council. However, the administration of the Board has proved to be very cumbersome and overly complicated resulting in a number of bids being undetermined. Therefore, the Cabinet as the ultimate 'parent' and decision maker in establishing the administration and Board are requested to rescind their previous decision in this regard, determine the bids that have been submitted in order that they can be progressed and seek to implement a more streamlined process.

At the meeting Councillor Morey proposed and Councillor Steve Darling 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 alternative option would be to further delay the consideration of the bids until a new bidding process has been determined. However, given the length of time that some of the bids have been waiting this option was deemed unacceptable.

## **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**

18 November 2022

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

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

## Record of Decisions

### Torbay Economic Strategy 2022-2030

#### Decision Taker

Cabinet on 15 November 2022.

#### Decision

That the Cabinet recommends to Council

- 1 That the Torbay Economic Growth Strategy be approved; and
- 2 That subject to 1 above the Torbay Economic Growth Strategy Action Plan be presented to a subsequent Cabinet meeting for approval.

#### Reason for the Decision

The Torbay Economic Growth Strategy underpins the Council's focus on delivering its corporate priorities and better outcomes for the community with a longer-term plan to address key issues and opportunities and build upon recent successes.

#### Implementation

The recommendation of the Cabinet will be considered at the Council meeting on 8 December 2022.

#### Information

The Torbay Economic Growth Strategy 2022 - 2030 provides strategic direction for Torbay Council and its partners responsible for championing Torbay and delivering, with its communities, the economic development of the place.

At the meeting, Councillor Long 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

An alternative option would have been to continue with the existing strategy, this is no longer appropriate as it was developed as a response to the Covid-19 Pandemic.

#### 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)

None.

**Published**

18 November 2022

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

## Record of Decisions

### Torbay Playing Pitch Strategy

#### Decision Taker

Cabinet on 15 November 2022

#### Decision

That subject to, the following action being removed from Appendix 3 Torbay Playing Pitch Strategy Action Plan, Section D List of Sites – Broadsands, Churston & Galmpton Neighbourhood Plan Area:

D BROADSANDS, CHURSTON & GALMPTON SITE REF	SITE	SPORT; PITCHES; QUALITY RATING	SUMMARY OF KEY ACTION POINTS IN 2014 PPS	SPORT FACILITY AND ACTIVITY SUMMARY FROM SITE AUDITS AND CLUB SURVEY	OPTIONS AND RECOMMENDED ACTIONS (STAGES C AND D)	Priority Site/ Projects	Partners to deliver action	Funding
	Churston – Brokenbury Quarry (Policy SC2.6 in Local Plan)	General	Protect site for playing field/sports use	<ul style="list-style-type: none"> <li>Currently under consideration as a solar park</li> </ul>	<b>PROTECT:</b> <ul style="list-style-type: none"> <li>Protect site for playing field/sports use</li> </ul>			

the Playing Pitch Strategy be launched for consultation in order that it can inform the emerging Sports Strategy.

#### Reason for the Decision

The Torbay Playing Pitch Strategy plays a vital role in encouraging increased sporting activity and promoting health and wellbeing in Torbay by helping to ensure that there is a good supply of high-quality playing pitch facilities to meet the current and future needs of the area's residents.

#### Implementation

This decision will be implemented immediately.

#### Information

The Torbay Playing Pitch Strategy underpins Torbay on the Move and supports healthy and physically active lives for all, by improving existing provision and providing new sports facilities that enable increased sporting participation, encouraging people to become more active, and promoting health and wellbeing in Torbay.

The Torbay Playing Pitch Strategy has been designed to ensure that there is a good supply of high-quality playing pitch facilities to meet the current and future needs of the area's residents and visitors. To improve Torbay's supply of these facilities the strategy is intended to inform and influence investment decisions of regional and national sporting partners including Sport England and intended to guide local investment decisions, primarily relating to Section 106 funding and

inform the Planning provision.

At the meeting Councillor Morey proposed and Councillor Steve Darling 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 alternative option would be to do nothing, this option was discounted as facilities would deteriorate and therefore it was likely participation rates in Torbay would not improve and may even drop. Sport Clubs would continue to move out of Torbay to better facilities. Overall health and wellbeing would not be supported by improvements in our population's participation in sport and physical activity.

**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.

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Leader of Torbay Council on behalf of the Cabinet

## Record of Decisions

### Healthy Behaviour Services Contract Award Proposal

#### Decision Taker

Cabinet on 15 November 2022.

#### Decision

That the preferred supplier be awarded the Healthy Behaviour Services contract for a period of 3 years, plus a 1-year optional extension, commencing on 1 April 2023, as set out in Exempt Appendix 2.

#### Reason for the Decision

Torbay Council has statutory responsibility under the Health and Social Care Act 2012 for improving the health of their local population and for provision of public health services.

#### Implementation

This decision will come into force and may be implemented on 28 November 2022 unless the call-in procedure is triggered (as set out in the Standing Orders in relation to Overview and Scrutiny).

#### Information

In Torbay, the Torbay Healthy Behaviours (Lifestyles) contract had been a commissioned service since 2012. The contract comprises delivery of adult weight management, health coaching including delivery of very brief advice on alcohol consumption, physical activity, emotional health and wellbeing and oral health, and delivery of Making Every Contact Count (MECC) and Connect 5 training.

In accordance with the Public Contract Regulations 2015 the Council had undertaken an open market procurement for the new Healthy Behaviours Service contract which commences on 1 April 2023 when the current contract ends. Following a tender evaluation, the highest scoring bidder was the preferred provider to deliver the new contract.

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

Prior to progressing with an open market procurement, an options appraisal was conducted. It was determined through this that decommissioning the services would be detrimental to the health of Torbay residents and that in-housing the services would not make best use of resources and expertise within the market. Therefore, a procurement process was pursued.

#### 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.

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Leader of Torbay Council on behalf of the Cabinet