



## Minutes of the Council

12 February 2015

-: Present :-

**Chairwoman of the Council (Councillor Barnby) (In the Chair)**  
**Vice-Chairman of the Council (Councillor Hill)**

The Mayor of Torbay (Mayor Oliver)

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

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### 147 Apologies for absence

Apologies for absence were received from Councillors Butt, Hernandez and Thomas (J).

### 148 Declarations of interests

At the invitation of the Chairwoman, the Monitoring Officer reminded members of the dispensation granted in respect of members' interests in relation to the setting of the Council Tax and matters relating to Council controlled companies where members were appointed as unpaid directors by the Council.

The following non-pecuniary interests were declared:

<b>Councillor</b>	<b>Minute Number</b>	<b>Nature of interest</b>
Parrott	149	Chairman of the Strategic Advisory Board for Torbay Children's Centres
Tyerman	149	Trustee of Torbay Coast and Countryside Trust

### 149 Revenue Budget 2015/2016

Further to the meeting of the Council held on 5 February 2015, Members considered the recommendations of the Mayor in relation to the Revenue Budget 2015/16, the Capital Strategy and Asset Management Plan, as set out in the submitted report.

In accordance with legislation, the Chairwoman advised recorded votes would be taken on the motion and amendments.

It was proposed by the Mayor and seconded by Councillor Mills:

- (a) That it be recommended to Council:
  - (i) that the revenue budget for 2015/16 (paragraph 4.15 to the submitted report) and the associated fees and charges be approved;
  - (ii) that a contingency of £1.4m be created to mitigate against any unforeseen or emerging budget pressures that may arise within Social Care and other services;
  - (iii) that due to the timing of and deliverability of savings within Adult Social Care, the £1.566m saving for joint working, shared commissioning, new income and efficiencies is deferred for one year and delivered in 2016/17;
  - (iv) in response to the government announcement as to the amount they expect local authorities to receive for Welfare Assistance (Crisis Support Fund) the Council makes budget provision of £0.4m for the continuation of this scheme in 2015/16 and future years;
  - (v) that the final notified Dedicated Schools Grant be used in accordance with the nationally laid down Schools Financial Regulations (paragraph 6.5 to the submitted report) and that the Chief Finance Officer be authorised to make amendments as required when the final figures are confirmed;
  - (vi) that the Members' Allowances Scheme be implemented in 2015/2016 in accordance with the decision of the Council at its meeting on 1 February 2012 in line with the announced annual local government pay percentage increase (paragraph 6.1 (b) to the submitted report);
  - (vii) that the Chief Finance Officer in consultation with the Mayor and Executive Lead Member for Finance be authorised to approve or earmark expenditure from the Comprehensive Spending Review Reserve;
  - (viii) that 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 7 to 9 to the submitted report);

- (ix) that 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 2015/16 if it is in the best interest for the Council;
  - (x) that 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, underspends or other additional income that may be received during the year 2015/16;
  - (xi) that the Chief Finance Officer be authorised to make adjustments to the budgets for any technical changes;
  - (xii) that the Chief Finance Officer prepare the appropriate documentation for the Council to approve the setting of Council Tax at the meeting on 26 February 2015 and all other returns to be made by the appropriate date;
  - (xiii) that Capital Strategy and Asset Management Plan be approved and endorsed as set out at <http://www.torbay.gov.uk/draft-amp.doc> and <http://www.torbay.gov.uk/summarycapitalstrategy.doc>;
  - (xiv) that the latest updated Medium Term Resource Plan be noted, as set out at <http://www.torbay.gov.uk/mtrp-v5.doc>;
  - (xv) that it be noted that Torbay has continued to be part of the Devonwide Pool as part of the Business Rates Retention scheme;
  - (xvi) that the completed NNDR1 form be noted which forms part of the Council's overall income to fund the 2015/16 budget (as set out at <http://www.torbay.gov.uk/signedcopyofnndr1-201516.pdf>);
  - (xvii) the collection fund surplus as set out in section 4 of the submitted report which forms part of the Council's overall income to fund the 2015/16 budget be noted.
  - (xviii) that the additional £0.261m Revenue Support grant announced on 4 February 2015 be allocated to a contingency for social care.
- (b) that due to the size of the reductions required to deliver a balanced budget and their impact, Council accept all the risks in preparing this budget both in terms of the impact upon service delivery and the potential for budget pressures which may require remedial action

during the year. These risks have been identified in detail in this report and associated budget proposals prepared by officers for their respective Business Units.

Members noted that the submitted motion on Grants had been withdrawn.

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

(xviii) that due to the lateness of the announcement of the Local Government Finance Settlement, £19,700 of the additional £0.261m Revenue Support grant announced on 4 February 2015 be allocated back into the Revenue Budget for road safety and the remaining £241,300 be allocated to a contingency for social care.

A recorded vote was taken on the amendment. The voting was taken by roll call as follows: For: Councillors Addis, Amil, Baldrey, Barnby, Bent, Brooksbank, Cowell, Darling, Davies, Doggett, Ellery, Excell, Faulkner (A), Faulkner (J), Hill, Hytche, James, Kingscote, Lewis, McPhail, Mills, Morey, Parrott, Pentney, Pountney, Pritchard, Scouler, Stockman, Stocks, Stringer, Thomas (D) and Tyerman and the Mayor (33); and Absent: Councillors Butt, Hernandez and Thomas (J) (3). Therefore the amendment was declared carried unanimous.

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

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

The supporting people budget saw massive cuts to support given to the elderly, learning disabled, homeless and substance dependent. At this time last year partners from both the health service and Police shared grave concerns about the impact of these cuts. We are concerned that there is a lack of a contingency fund if their predictions come true.

The Council therefore proposes the following amendment:

(xviii) that due to the lateness of the announcement of the Local Government Finance Settlement, £100,000 of the additional £0.261m Revenue Support grant announced on 4 February 2015 be allocated to a contingency fund to be used for impacts arising from the reduction in funding to the supporting people budget and the remaining £161,000 be allocated to a contingency for social care.

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, Stockman, Stocks, Stringer (16); Against: Councillors Addis, Amil, Barnby, Bent, Brooksbank,

Excell, Hill, Hytche, Kingscote, Lewis, McPhail, Mills, Pritchard, Scouler, Thomas (D) and Tyerman and the Mayor (17); and Absent: Councillors Butt, Hernandez and Thomas (J) (3). Therefore the amendment was declared lost.

At this juncture Councillor Faulkner (A) left the meeting.

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

This Council objects to the Mayor's budget and is concerned that:

- (i) the Chief Finance Officer has had to issue a statement where he can only give a qualified opinion that the 2015/16 budget is robust and that;
- (ii) little or no progress has been made in respect of developing options for the Library Service, Connections Service and CCTV resulting in a sustainable financial future for these services; and
- (iii) to ensure the future sustainability of Torbay Council a Commission be established, led by Overview and Scrutiny, to include key partners and ensuring cross party representation. Such a Commission to consider, amongst other things:
  - Opportunities for local government reorganisation;
  - Merger with other public sector services;
  - Reduction in the number of Councillors to 24; and
  - Changing the current mayoral system of governance.

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 (J), James, Morey, Pentney, Pountney, Stockman, Stocks, Stringer (14); Against: Councillors Addis, Amil, Barnby, Bent, Brooksbank, Excell, Hill, Hytche, Kingscote, Lewis, McPhail, Mills, Pritchard, Scouler, Thomas (D) and Tyerman and the Mayor (17); Abstain: Councillor Parrott (1); and Absent: Councillors Butt, Faulkner (A), Hernandez and Thomas (J) (4). Therefore the amendment was declared lost.

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

This Council objects to the continued high level of grants to the Riviera International Conference Centre (RICC).

Council recognises the work of the unpaid board of Directors in stemming costs and notes that the required subsidy has fallen.

However, the Council now recognises that the ongoing high subsidies in excess of £500,000 are not sustainable in view of even further cuts to come

in the next financial year (£13.8m forecast by the Executive Director in 2016/17 alone).

Therefore the Council urges the Mayor to request that the Chief Executive of the Torbay Development Agency (TDA), in conjunction with the RICC Board and whoever the Chief Executive of the TDA feels appropriate, undertake a thorough appraisal of options for the future of the facility and present the findings by September 2015 to inform the next budget cycle.

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 (J), James, Morey, Pentney, Pountney, Stockman, Stocks, Stringer (14); Against: Councillors Addis, Amil, Barnby, Bent, Brooksbank, Excell, Hill, Hytche, Kingscote, Lewis, McPhail, Mills, Pritchard, Scouler, Thomas (D) and Tyerman and the Mayor (17); Abstain: Councillor Parrott (1); and Absent: Councillors Butt, Faulkner (A), Hernandez and Thomas (J) (4). Therefore the amendment was declared lost.

The substantive motion (the original motion with the accepted change to (xviii) in respect of road safety) was then before Members for consideration and then put to the vote. The voting was taken by roll call as follows: For: Councillors Addis, Amil, Barnby, Bent, Brooksbank, Excell, Hill, Hytche, Kingscote, Lewis, McPhail, Mills, Pritchard, Scouler, Thomas (D) and Tyerman and the Mayor (17); Against: Councillors Baldrey, Cowell, Darling, Davies, Doggett, Ellery, Faulkner (J), James, Morey, Parrott, Pentney, Pountney, Stockman, Stocks, Stringer (15); and Absent: Councillors Butt, Faulkner (A), Hernandez and Thomas (J) (4). Therefore the substantive motion was declared carried.

(Note: prior to consideration of Minute 149, Councillors Parrott and Tyerman declared their non-pecuniary interests.)

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Chairwoman