

Monday, 4 April 2022

CABINET

A meeting of **Cabinet** will be held on

Tuesday, 12 April 2022

commencing at **4.00 pm**

The meeting will be held in the Meadfoot Room, Town Hall, Castle Circus,
Torquay, TQ1 3DR

Members of the Committee

Councillor Steve Darling (Chairman)

Councillor Carter

Councillor Long

Councillor Cowell

Councillor Morey

Councillor Law

Councillor Stockman

Together Torbay will thrive

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, Town Hall, Castle Circus, Torquay, TQ1 3DR

Email: governance.support@torbay.gov.uk - www.torbay.gov.uk

CABINET AGENDA

1. **Apologies**

To receive apologies for absence.

2. **Minutes**

To confirm as a correct record the Minutes of the meeting of the Cabinet held on 22 March 2022.

(Pages 4 - 17)

3. **Disclosure of Interests**

(a) To receive declarations of non pecuniary interests in respect of items on this agenda.

For reference: Having declared their non pecuniary interest members may remain in the meeting and speak and, vote on the matter in question. A completed disclosure of interests form should be returned to the Clerk before the conclusion of the meeting.

(b) To receive declarations of disclosable pecuniary interests in respect of items on this agenda.

For reference: Where a Member has a disclosable pecuniary interest he/she must leave the meeting during consideration of the item. However, the Member may remain in the meeting to make representations, answer questions or give evidence if the public have a right to do so, but having done so the Member must then immediately leave the meeting, may not vote and must not improperly seek to influence the outcome of the matter. A completed disclosure of interests form should be returned to the Clerk before the conclusion of the meeting.

(Please Note: If Members and Officers wish to seek advice on any potential interests they may have, they should contact Governance Support or Legal Services prior to the meeting.)

4. **Communications**

To receive any communications or announcements from the Leader of the Council.

5. **Urgent Items**

To consider any other items the Chairman decides are urgent.

6. **Matters for Consideration**

7. **Written Statement of Action following SEND Inspection**

To consider a report that seeks approval of the Written Statement of Action prior to submission to the Department for Education.

(To Follow)

Meeting Attendance

Torbay Council has taken the decision to continue operating in a Covid-19 secure manner in order to protect staff and visitors entering Council buildings and to help reduce the spread of Covid-19 in Torbay. This includes social distancing and other protective measures (e.g. wearing a face covering whilst moving around the building (unless exempt), the face covering can be removed once seated and using hand sanitiser). Our public meetings will continue to operate with social distancing measures in place and as such there are limited numbers that can access our meeting rooms. If you have symptoms, including runny nose, sore throat, fever, new continuous cough and loss of taste and smell please do not come into the office.

If you wish to attend a public meeting, please contact us to confirm arrangements for your attendance.

Minutes of the Cabinet

22 March 2022

-: Present :-

Councillor Steve Darling (Chairman)

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

(Also in attendance: Councillors Barnby, Bye, Douglas-Dunbar, Foster, Chris Lewis and David Thomas)

314. Opening of the Meeting

The meeting was opened with a minute's silence for a serving member of staff, Amanda Coote, who had sadly passed away.

315. Minutes

The Minutes of the meeting of the Cabinet held on 22 February 2022 were confirmed as a correct record and signed by the Chairman.

316. Communications

The Leader of the Council, Councillor Steve Darling advised the meeting that he had attended a meeting in Westminster, with a consortium called Homes for the South West. Their aim was to drive the numbers of affordable rented properties in the South West and to influence Government.

The Deputy Leader of the Council and Cabinet Member for Finance, Councillor Cowell, advised the meeting in respect of the government £150 rebate, however he emphasised that it is not a rebate on Council Tax, rather it is using Council Tax as a method of delivering £150 to those in Council tax bands A-D. Councillor Cowell recognised that any assistance with the cost-of-living crisis was to be welcomed, Councillor Cowell highlighted the logistical challenges in paying this to the 28,000 people in Torbay who do not pay their Council tax by direct debit, who will need to apply for it. Councillor Cowell advised that the payments need to be made by the end of September and it was estimated that the cost of administering the scheme would be in the region of £400,000 to 500,000. Cllr Cowell advised that the Council will be working with organisations to promote the scheme, but he wanted to bring attention to the logistical challenge, as well as the cost of delivering the scheme which is not being funded by Government.

The Leader of the Council, Councillor Steve Darling invited Tom Godwin, Chief Executive of Citizens Advice Exeter and Torbay, to address the meeting as to the work of Citizens Advice.

Mr Godwin advised as to the trends that they were seeing in Torbay, with a real concern as to the impact of the cost-of-living crisis, when 1 in 3 people were already financially living month to month. He stressed the importance of face-to-face debt advice, which had been due to end as a result of a reduction in national funding, however a year extension had just been given. He believed it was essential that this face-to-face debt advice should continue. Councillor Darling thanked Mr Godwin for his attendance and for the services that Citizens Advice provide to the residents of Torbay.

317. 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.

318. Torbay Young Carers Under 25 Strategy

319. Devon, Plymouth and Torbay County Deal - Current position and appointment of Advisory Board

320. Carbon Neutral Council Programme

321. Draft Torbay Joint Health and Wellbeing Strategy 2022-26

322. Review of Torbay's Housing Crisis - Report of the Overview and Scrutiny Board

323. Empty Homes Policy

324. Budget Monitoring 2021/22 - Period 10 (April - January) Revenue Outturn Forecast and Quarter 3 (Period 9, to December) Capital Outturn Forecast

Members noted the submitted report which had been discussed at length at the meeting of the Overview and Scrutiny Board on 9 March 2022.

Chairman/woman

Record of Decisions

Torbay Young Carers Under 25 Strategy

Decision Taker

Cabinet on 22 March 2022.

Decision

That the Torbay's Young Carers under 25 Strategy 2022-2025 as set out at Appendix 1 to the submitted report be approved.

Reason for the Decision

The strategy formalises various partners' commitments to supporting Young Carers under 25. It builds on existing 2014 legislation and more recent national developments such as Department of Health and Social Care Guidance for Young Carers Transitioning to Adulthood (2018), the NHS Long-term Plan (2019), GP Carers' Quality Markers (2019) and NICE Guidance for Adult Carers (2020). It also delivers the Devon Integrated Care System's 'Commitment to Carers' (2019).

Implementation

This decision will come into force and may be implemented on 4 April 2022 unless the call-in procedure is triggered (as set out in the Standing Orders in relation to Overview and Scrutiny).

Information

In 2012, Torbay launched its first combined Strategy for Young Carers under 25, bringing together plans for Young Carers (under 18) and Young Adult Carers (aged 16-25). The recent iteration of the strategy provided a flexible and effective mechanism that confirmed the common intent to find the most effective ways of supporting Young Carers under 25 and their families. The associated action plan sets out the goals, expectations and responsibilities for the next three years.

At the meeting Councillor Law proposed and Councillor Stockman 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

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

25 March 2022

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

Record of Decisions

Devon, Plymouth and Torbay County Deal - Current position and appointment of Advisory Board

Decision Taker

Cabinet on 22 March 2022.

Decision

- 1) That a County Deal Advisory Board be established in accordance with the terms of reference as set out at Appendix 1 to the submitted report; and
- 2) That the Chief Executive and Divisional Director – Environment, Economy and Infrastructure provide regular updates as negotiations progress with the Government towards a County Deal with any final decision being subject to formal agreement by lead authorities later in 2022/2023.

Reason for the Decision

To ensure that all members are kept informed and have an opportunity to influence the Torbay Council position within the County Deal discussions and negotiations.

Implementation

The decision in respect of the Devon, Plymouth and Torbay County Deal – Current position and appointment of Advisory Board 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 9 March 2022.

Information

The Levelling Up White Paper identified the Devon, Plymouth and Torbay area as one of the Government's 10 proposed 'County Deal' pilots. As a pilot area, there was the opportunity to negotiate a new style County Deal with Government over the next few months. The deal would focus upon agreeing devolution of a range of new powers and funding opportunities in return for the establishment of strengthened governance between the local authority partners involved.

Initial discussions with Government suggested it was seeking to advance negotiations with the intention that the first round of County Deal pilots would be in place by late 2022/early 2023.

For its part, Government was keen to establish a joint work programme with pilot areas and move forward County Deal arrangements at pace. This included bringing together local authority and Government colleagues around core themes, with a preference to have the first outline deals completed by early summer if possible.

At the meeting Councillor Steve Darling 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

The alternative options were considered and discounted:

- The discussions and negotiations could continue with the Leader of the Council continuing to hold discussions with the Leaders of Devon County and Plymouth City Councils. However, it is felt that the establishment of an Advisory Board provides a framework to ensure that all members of Torbay Council are able to provide advice and guidance throughout the negotiations. This formal framework will also be used to keep all members briefed.
- Ultimately, Torbay Council could determine to not be involved in the negotiations around a Devon, Plymouth and Torbay County Deal but this would have significant risks to the organisation, not least the ability to secure additional powers, flexibilities and funding to assist in meeting our ambitions as well as the reputational damage.

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

25 March 2022

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

Record of Decisions

Carbon Neutral Council Programme

Decision Taker

Cabinet on 22 March 2022.

Decision

1. That the Environment and Carbon Neutral Policy, as set out in Appendix 1 to the submitted report, be approved; and
2. That the initial Carbon Neutral Council Action Plan, as set out in Appendix 3 to the submitted report, be approved and that authority be delegated to the Divisional Director Planning, Housing and Climate Emergency in consultation with the Cabinet Member for Infrastructure, Environment and Culture, to review, amend and refresh the Action Plan as required.

Reason for the Decision

The proposals would enable the Council to lead by example and accelerate action to tackle climate change locally, focussing on things the Council can directly control or influence. The proposals would also create a range of economic, health, social and wider environmental benefits locally and help Torbay thrive.

Implementation

This decision will come into force and may be implemented on, 4 April 2022 unless the call-in procedure is triggered (as set out in the Standing Orders in relation to Overview and Scrutiny).

Information

The Council declared a Climate Emergency in June 2019. A range of actions have already been undertaken but there was the need to accelerate actions to work towards tackling the Climate Emergency and Torbay becoming carbon neutral by 2030.

On 23 March 2021 Cabinet approved the Carbon Neutral Torbay Approach (2021-2022) and Initial Action Plan. This included the Council developing plans to reduce carbon emissions across its operations, estate, fleet, and other services. As such approval was sought for the:

- Environment and Carbon Neutral Corporate Policy
- Carbon Neutral Council Action Plan

At the meeting Councillor Morey proposed and Councillor Carter 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 not approve the proposed Policy and Action Plan and instead adopt an ad-hoc, not fully coordinated approach to tackling the Climate Emergency and meeting the Community and Corporate Plan's carbon neutral ambitions. This option was

discounted as it would result in actions developed on ad-hoc basis. Due to the uncoordinated nature of this option, there would be no overall plan with prioritised actions capable of making significant progress towards 2030 target and Community and Corporate Plan's carbon neutral ambitions.

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

25 March 2022

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

Record of Decisions

Joint Health and Wellbeing Strategy 2022 - 2026

Decision Taker

Cabinet on 22 March 2022.

Decision

That the draft Joint Health and Wellbeing Strategy 2022 – 2026, be approved for public consultation.

Reason for the Decision

Local Authorities have a duty to produce, through the Health and Wellbeing Board, a Joint Health and Wellbeing Strategy setting out priorities to address the needs of the population.

Implementation

This decision will be implemented immediately.

Information

Torbay's Joint Strategic Needs Assessment sets out the health needs of the population of Torbay, together with an analysis of the drivers of health and wellbeing: Joint Strategic Needs Assessment for Torbay 2020-2021.

Everyone in our community should have the right to good health and wellbeing. To increase the health and wellbeing of the people in Torbay we need to work across all sectors and organisations to address the factors that influence these. This Joint Health and Wellbeing Strategy sets out our focus areas and key actions to improve lives in Torbay over the next four years.

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

The Joint Health and Wellbeing Strategy was a partnership document setting out priorities for strategic activity and no alternative options were considered.

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

25 March 2022

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

Record of Decisions

Review of Torbay's Housing Crisis - Report of the Overview and Scrutiny Board

Decision Taker

Cabinet on 22 March 2022.

Decision

That the Cabinet's response to the Review of Torbay's Housing Crisis – Report of the Overview and Scrutiny Board be approved, as published.

Reason for the Decision

The Cabinet was required to respond to the findings of the review undertaken by the Overview and Scrutiny Board.

Implementation

This decision will come into force and may be implemented on 4 April 2022 unless the call-in procedure is triggered (as set out in the Standing Orders in relation to Overview and Scrutiny).

Information

The Cabinet received the report of the Overview and Scrutiny Board on the Review of Torbay's Housing Crisis. In accordance with section D7 of Standing Orders in relation to Overview and Scrutiny as set out in the Constitution, the Cabinet was required to respond to the recommendations of the Overview and Scrutiny Board within two months.

Subsequently the Cabinet prepared a response to the recommendations of the Overview and Scrutiny Board which was proposed by Councillor Long and seconded by Councillor Cowell and agreed unanimously by the Cabinet, as set out above.

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

25 March 2022

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

Record of Decisions

Empty Homes Policy

Decision Taker

Cabinet on 22 March 2022.

Decision

That the Empty Homes Policy, as set out in Appendix 1 to the submitted report be approved.

Reason for the Decision

To reduce the number of empty homes in Torbay in order to maximise much needed housing stock.

Implementation

This decision will come into force and may be implemented on 4 April 2022 unless the call-in procedure is triggered (as set out in the Standing Orders in relation to Overview and Scrutiny).

Information

The purpose of the Empty Homes Policy was to reduce empty homes through a range of measures, including support and enforcement. It complements the Council's Housing Strategy 2020-2025 by supporting objectives, such as meeting housing need, improving housing conditions and preventing homelessness.

At the meeting Councillor Long proposed and Councillor Morey seconded a motion that was unanimously agreed by the Cabinet, as set out above.

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

25 March 2022

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

Date: _____