

## **Minutes of the Cabinet**

**18 January 2022**

**-: Present :-**

Councillor Cowell (Chairman)

Councillors Carter, Law, Long, Morey and Stockman

(Also in attendance: Councillors Amil, Brooks, Brown, Bye, Foster and David Thomas)

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### **299. Apologies**

An apology for absence was received from the Leader of the Council, Councillor Steve Darling. In the absence of the Leader of the Council, the Deputy Leader of the Council, Councillor Cowell chaired the meeting.

### **300. Communications**

The Cabinet Member for Economic Regeneration, Tourism and Housing, Councillor Long informed Members that voting for the preferred artist for the Agatha Christie artwork had concluded with the winning artist being announced next week.

The Cabinet Member for Infrastructure, Environment and Culture, Councillor Morey provided an update on the waste and recycling services which had been impacted by Covid-19. Councillor Morey thanked the residents of Torbay for their patience during this challenging period.

The Cabinet Member for Children's Services, Councillor Law, thanked Sutton Seeds for donating packets of seeds to Torbay's Looked After Children as part of a project to improve mental health and wellbeing. Councillor Law also thanked Great Western Railway for providing 50 young people with work experience placements.

### **301. 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.

### **302. Listing of the whole of Parkfield as an Asset of Community Value**

### **303. Award of Contract for the Management of the Torbay Lottery**

- 304. Safeguarding Adult Annual Report**
- 305. Fostering Annual Report 2021-22**
- 306. Report of the Overview and Scrutiny Board - Childcare Sufficiency Report**
- 307. Appointment of Member Champion - Queens Platinum Jubilee**

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Chairman/woman

## Record of Decisions

### Listing of the whole of Parkfield as an Asset of Community Value

#### Decision Taker

Cabinet on 18 January 2022.

#### Decision

- i) That the decision of the Cabinet on 16 November 2021, (as set out in Minute 277/11/21) be rescinded; and that the nomination to list the following parts of Parkfield Estate registered under title numbers DN127384 and DN311422 in the Council's list of assets of community value be approved:

- BMX Track
- Skatepark
- MyPlace
- Parkfield House Stable Block
- Parkfield House grounds
- Community Woods

as there is established community use; and

- ii) that the nomination to list the following parts of Parkfield Estate in the Council's list of assets of community value be refused:

- Parkfield House
- Ranger Stores

as there is no established community use.

#### Reason for the Decision

Following receipt of a community nomination for land to be listed as an ACV, a local authority must reach a decision whether or not to list nominated land within eight weeks of receiving the nomination.

#### Implementation

This decision will come into force and may be implemented on 1 February 2022 unless the call-in procedure is triggered (as set out in the Standing Orders in relation to Overview and Scrutiny).

#### Information

Part of Parkfield was listed as an Asset of Community Value on 30 September 2016. That listing did not include Parkfield House and grounds or the Community Woods.

That listing expired on the 29 September 2021. A nomination to relist the whole of Parkfield, including Parkfield House and grounds and the Community Woods, has been received from the Paignton Town Centre and Preston Community Partnership and must be determined in accordance with the requirements of the Localism Act 2011 and the Assets of Community

Value (England) Regulations 2012 and with reference to the supporting information provided within the nomination.

This report and nomination was presented to Cabinet again because the decision made on 16 November 2021, was determined on the basis that the relisting should be the same as that previously approved in 2016. However, having sought clarification from the applicant, they would now like to revise their nomination to include the whole of the site.

In light of the clarification from the applicants, the Council has reviewed the nomination. Each part of Parkfield Estate has been reviewed to determine if the criteria set out in section 88 Localism Act 2011 has been fulfilled.

At the meeting Councillor Carter 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**

Having received a valid nomination, the only other option would be to refuse to list the asset as an Asset of Community Value. However, given the previous partial listing of the property and the continued uses it is recommended that part of the property is listed as an Asset of Community Value.

### **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**

24 January 2022

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

## Record of Decisions

### Award of Contract for the Management of the Torbay Lottery

#### Decision Taker

Cabinet on 18 January 2022.

#### Decision

That the contract for the Management of the Torbay Lottery be awarded to the successful bidder (Gatherwell Limited) from May 2022 for a period of up to six years.

#### Reason for the Decision

To ensure a new contract is in place to enable the Torbay Lottery to continue.

#### Implementation

This decision will come into force and may be implemented on 1 February 2022 unless the call-in procedure is triggered (as set out in the Standing Orders in relation to Overview and Scrutiny).

#### Information

The current contract for the management of the Torbay Lottery ends in May 2022. Following a successful procurement process the Council needs to award a new contract which will run from May 2022 for a period of four years, with the potential to extend for a further two years. As the total value of the contract will be over £50,000 for the life of the contract it requires formal Cabinet approval.

At the meeting Councillor Carter 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

Not to award the contract. This option was not recommended as without appointing a new supplier from May 2022 the Council would be unable to continue to operate the Torbay Lottery.

#### 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**

24 January 2022

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Deputy Leader of Torbay Council on behalf of the Cabinet

## Record of Decisions

### Safeguarding Adult Annual Report

#### Decision Taker

Cabinet on 18 January 2022.

#### Decision

That the Safeguarding Adult Annual Report as set out in Appendix 1 to the submitted report be noted and published in accordance with Council's requirements.

#### Reason for the Decision

It is a statutory requirement of the Care Act 2014, for each Safeguarding Adults Board to produce and publish an Annual Report and present this to Health and Wellbeing Board(s), however given the importance of the work of the Safeguarding Adults Board wider political oversight was sought.

#### Implementation

This decision will come into force and may be implemented on 1 February 2022 unless the call-in procedure is triggered (as set out in the Standing Orders in relation to Overview and Scrutiny).

#### Information

The Safeguarding Adult Annual Report sets out what has been achieved for local people in relation to the Safeguarding Adult statutory requirements and indicates the commitment to future service delivery.

At the meeting Councillors 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

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.

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Deputy Leader of Torbay Council on behalf of the Cabinet

## Record of Decisions

### Fostering Annual Report 2021-22

#### Decision Taker

Cabinet on 18 January 2022.

#### Decision

That the Fostering Annual Report 2021-22 as set out in Appendix 1 to the submitted report be noted and published in accordance with the Council's requirements.

#### Reason for the Decision

The National Minimum Standards for Fostering required each Local Authority to produce and publish a Fostering Annual Report. The Annual Report should be considered in conjunction with the Fostering Service Statement of Purpose, required under the Fostering Services (England) Regulations 2011. Given the importance of the work of the Fostering Service in the wider context of Children's Services and the sufficiency strategy, wider political oversight was sought.

#### Implementation

This decision will come into force and may be implemented on 1 February 2022 unless the call-in procedure is triggered (as set out in the Standing Orders in relation to Overview and Scrutiny).

#### Information

The Fostering Annual Report sets out Torbay's vision for the Fostering Service, its core principles, its key aims, main priorities and actions, the role of the Fostering Service and its various functions, the Fostering Service organisational structure, recruitment performance information, an outline of the fostering recruitment and marketing strategy and campaign, improvements in terms of foster carer support and retention, information relating to the Special Guardianship support team and next steps.

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**

24 January 2022

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Deputy Leader of Torbay Council on behalf of the Cabinet

## Record of Decisions

### Report of the Overview and Scrutiny Board - Childcare Sufficiency Report

#### Decision Taker

Cabinet on 18 January 2022.

#### Decision

That the Cabinet's response to the Overview and Scrutiny Board – Childcare Sufficiency Report 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 Tuesday, 1 February 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 Childcare Sufficiency Report. 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 Law 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**

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Deputy Leader of Torbay Council on behalf of the Cabinet

## Record of Decisions

### Appointment of Member Champion - Queens Platinum Jubilee

#### Decision Taker

Cabinet on 18 January 2022.

#### Decision

That Councillor Amil be appointed Member Champion for the Queen's Platinum Jubilee; assisting in the co-ordination of arrangements in Torbay to celebrate this great occasion.

#### Reason for the Decision

To enable Member input into the arrangements for events celebrating the Queens Platinum Jubilee in Torbay.

#### Implementation

This decision will come into force and may be implemented on 1 February 2022 unless the call-in procedure is triggered (as set out in the Standing Orders in relation to Overview and Scrutiny).

#### Information

Member champions are elected members who act as an advocate or spokesperson for a specific area of the Council's business. The main responsibility of each member champion is to encourage communication and positive action over the issue they represent.

The Queens Platinum Jubilee is an historically important occasion with several community events programmed locally and nationally. The appointment of a Member Champion for the Queens Platinum Jubilee will enhance the work already being carried out by and recognises the importance of the Queen's Platinum Jubilee to the Council.

At the meeting Councillor Cowell proposed and Councillor Carter seconded a motion that was agreed unanimously, 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.

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Deputy Leader of Torbay Council on behalf of the Cabinet