



## **Minutes of the Policy Development and Decision Group (Joint Operations Team)**

**14 September 2016**

**-: Present :-**

Mayor Oliver and Councillors Excell, Haddock, King and Parrott

(Also in attendance: Councillors Barnby, Brooks, Darling (S), Doggett, Ellery, Lewis, Morey, Robson, Stockman, Thomas (D), Tolchard and Tyerman)

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### **1. Election of Chairman/woman**

Councillor Haddock was elected Chairman of the Policy Development and Decision Group (Joint Operations Team) for the 2016/2017 Municipal Year.

### **2. Apologies**

Apologies for absence were received from Councillors Amil and Mills.

### **3. Appointment of Vice-Chairman/woman**

Councillor King was appointed as Vice-Chairman of the Policy Development and Decision Group (Joint Operations Team) for the ensuing Municipal Year.

### **4. Local Transport Plan Implementation Plan (Policy Framework)**

The Policy Development and Decision Group (Joint Operations Team) made the following recommendations to the Mayor:

- (i) to publish for four week consultation the Torbay Local Transport Implementation Plan 2016-2021 as set out at Appendix 2 to the submitted report; and
- (ii) to note that, following consideration of representations received, the Torbay Local Transport Implementation Plan, with modifications as necessary, will be considered by the Mayor and submitted to Council for final approval on 27 October 2016.

The Mayor considered the recommendation of the Policy Development and Decision Group (Joint Operations Team) set out above at the meeting and the record of his decision, together with further information is attached to these Minutes.

**5. Review of Planning Contributions and Affordable Housing Supplementary Planning Document (Policy Framework)**

The Policy Development and Decision Group (Joint Operations Team) made the following recommendations to the Mayor:

- (i) to publish for six week public consultation the Review of Planning Contributions and Affordable Housing Supplementary Planning Document (SPD) as set out at Appendix 1 to the submitted report; and
- (ii) to note that, following consideration of representations received, the SPD, with modifications as necessary, will be considered by the Mayor and submitted to Council for final approval on 8 December 2016.

The Mayor considered the recommendation of the Policy Development and Decision Group (Joint Operations Team) set out above at the meeting and the record of his decision, together with further information is attached to these Minutes.

**6. Parking Strategy 2016-2021 - Mayor's Final Proposed Strategy (Policy Framework)**

The Policy Development and Decision Group (Joint Operations Team) made the following recommendations to the Mayor:

- (i) that the Torbay Council Parking Strategy 2016-2021, as set out in Appendix 2 to the submitted report, be adopted; and
- (ii) that the Parking Operations Panel and Members involvement in the decision making process be reviewed after one year.

The Mayor considered the recommendation of the Policy Development and Decision Group (Joint Operations Team) set out above at the meeting and the record of his decision, together with further information is attached to these Minutes.

**7. Capital Investment Fund**

The Policy Development and Decision Group (Joint Operations Team) made the following recommendations to the Mayor:

That the Council be recommended:

- (i) that the Investment Fund be increased by £40 million to a total of £50 million to be initially funded by prudential borrowing, with the revenue costs associated with that borrowing (MRP and interest costs) to be funded from the investment returns or higher NNDR income;

- (ii) that the Investment Strategy for the fund as detailed within Appendix 1 be approved;
- (iii) that the governance of fund as detailed within paragraph 7.4 be approved;
- (iv) that the Chief Executive be delegated authority to set up a delivery team including sourcing external support if required, to be funded from the investment returns; and
- (v) that the Chief Executive be delegated authority to make any changes to the Strategy, in consultation with the Mayor, Group Leaders, Section 151 Officer and Executive Head of Business Services.

The Mayor considered the recommendation of the Policy Development and Decision Group (Joint Operations Team) set out above at the meeting and the record of his decision, together with further information is attached to these Minutes.

**8. Disposal of Long Lease - Waterpark, Go-kart Site and Peter Pan Area, Goodrington Sands, Tanners Road, Goodrington, Paignton**

The Policy Development and Decision Group (Joint Operations Team) made the following recommendation to the Mayor:

That the granting of a 25 year Lease with lease break options in favour of the Council (the 1<sup>st</sup> break option at year 10 and intervals thereafter) be approved for the red and the blue area shown on the Plan EM 2663 at Appendix 2 to the submitted report with authority being delegated to the Assistant Director (Corporate and Business Services) in consultation with the Torbay Development Agency's Head of Asset Management to approve the detailed terms of the Lease.

The Mayor considered the recommendation of the Policy Development and Decision Group (Joint Operations Team) set out above at the meeting and the record of his decision, together with further information is attached to these Minutes.

**9. Torre Valley North Lease**

Robert Loxton made representations on behalf of the Torbay Sports Council. The Policy Development and Decision Group (Joint Operations Team) made the following recommendations to the Mayor:

- (i) that the granting of a 30 year full repairing lease to Torre Valley Sports Group CIC (Community Interest Company) at the appropriate market rent be approved;

- (ii) that authority is delegated to the Assistant Director of Corporate and Business Services, in consultation with the Executive Head of Business Services and the Torbay Development Agency, to approve the detailed terms of the lease; and
- (iii) that, in light of the protracted delays and the revised higher rental figure, the Assistant Director of Corporate and Business Services be authorised to offer a rent free period of 30 months, to allow the Torre Valley Sports Group CIC time to submit an application to the Council for a grant to offset the market rent.

The Mayor considered the recommendation of the Policy Development and Decision Group (Joint Operations Team) set out above at the meeting and the record of his decision, together with further information is attached to these Minutes.

**10. Exclusion of press and public**

Prior to consideration of the item in Minute 11 the press and public were formally excluded from the meeting on the grounds that the item involved the likely disclosure of exempt information as defined in paragraph 7 of Part 1 of Schedule 12A of the Local Government Act 1972 (as amended).

**11. Housing Benefit and Council Tax Support Risk Based Verification Policy**

The Policy Development and Decision Group (Joint Operations Team) made the following recommendations to the Mayor:

That the Risk Based Verification Policy for Housing Benefit and Council Tax Support set out at Exempt Appendix 2 to the submitted report be approved.

The Mayor considered the recommendation of the Policy Development and Decision Group (Joint Operations Team) set out above at the meeting and the record of his decision, together with further information is attached to these Minutes.

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Chairman

## Record of Decision

### Local Transport Plan Implementation Plan

#### Decision Taker

Mayor on 14 September 2016

#### Decision

- (i) to publish for four week consultation the Torbay Local Transport Implementation Plan 2016-2021 as set out at Appendix 2 to the submitted report; and
- (ii) to note that, following consideration of representations received, the Torbay Local Transport Implementation Plan, with modifications as necessary, will be considered by the Mayor and submitted to Council for final approval on 27 October 2016.

#### Reason for the Decision

As the Local Transport Plan forms part of the Council's Policy Framework formal consultation is required before the Plan is submitted to Council for approval.

#### Implementation

This decision will come into force on 14 September 2016, so as to commence the formal four week consultation process on this Policy Framework document.

#### Information

The submitted report set out the draft Torbay Local Transport Implementation Plan 2016-2021, which needed to go out to further public consultation. The Plan provided details on how the Council intended to deliver transport projects over the next five financial years, beginning 2016/17. This Implementation Plan set out a proposal to use Integrated Transport Block Funding (received annually as grant from the Department for Transport) to support a number of committed projects over the next few years. It also supported a process for the development of additional future projects which was based on an evidence based approach, the detailed development of business cases and the delivery of projects which were evaluated in the context of the Council Capital Plan budget and the Council's Capital Plan Prioritisation Matrix. This approach was intended to ensure integrated delivery of transport infrastructure with other Council projects and that they respond holistically to Council priorities.

The Council had previously carried out two rounds of consultation (in November 2015 and in February 2016) regarding a new Implementation Plan. The results of that consultation had helped influence the preparation of the final draft document together with engagement with Council Members and Senior Officers.

The Mayor considered the recommendation of the Policy Development and Decision Group (Joint Operations Team) made on 14 September 2016 and his decision is set out above.

#### Alternative Options considered and rejected at the time of the decision

Alternative options were set out in the submitted report but not discussed at the meeting.

**Is this a Key Decision?**

Yes – Reference Number: I022170

**Does the call-in procedure apply?**

No

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

None

**Published**

19 September 2016

Signed: \_\_\_\_\_  
Mayor of Torbay

Date: 19 September 2016

## Record of Decision

### Planning Contributions and Affordable Housing Supplementary Planning Document

#### Decision Taker

Mayor on 14 September 2016

#### Decision

- (i) to publish for six week public consultation the Review of Planning Contributions and Affordable Housing Supplementary Planning Document (SPD) as set out at Appendix 1 to the submitted report; and
- (ii) to note that, following consideration of representations received, the SPD, with modifications as necessary, will be considered by the Mayor and submitted to Council for final approval on 8 December 2016.

#### Reason for the Decision

As the Planning Contributions and Affordable Housing Supplementary Planning Document forms part of the Council's Policy Framework formal consultation is required before the Plan is submitted to Council for approval.

#### Implementation

This decision will come into force on 14 September 2016, so as to commence the formal six week consultation process on this Policy Framework document.

#### Information

Following adoption of the Torbay Local Plan 2012-30 and submission of Community Infrastructure Levy (CIL), the Council needed to review its Planning Contributions and Affordable housing Supplementary Planning Guidance (SPD) and conduct public consultation on the revised document. The existing SPD was adopted in 2008 and has been updated several times (most recently in 2011). It is therefore in need of refreshing to reflect the priorities of the Corporate Plan and Local Plan.

It was proposed to prioritise Section 106 Obligations into three bands which retained the broad approach of the existing SPD. These are:

- Priority 1: site acceptable matters;
- Priority 2: affordable housing, employment and health infrastructure; and
- Priority 3: sustainable development infrastructure from larger developments.

A number of observations and comments were made by Members at the meeting which would be picked up by officers as part of the consultation process.

The Mayor considered the recommendation of the Policy Development and Decision Group (Joint Operations Team) made on 14 September 2016 and his decision is set out above.

**Alternative Options considered and rejected at the time of the decision**

Alternative options were set out in the submitted report but not discussed at the meeting.

**Is this a Key Decision?**

Yes – Reference Number: I024914

**Does the call-in procedure apply?**

No

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

None

**Published**

19 September 2016

Signed: \_\_\_\_\_  
Mayor of Torbay

Date: 19 September 2016

## Record of Decision Parking Strategy 2016-2021

### Decision Taker

Mayor on 14 September 2016

### Decision

- (i) that the Torbay Council Parking Strategy 2016-2021, as set out in Appendix 2 to the submitted report, be adopted; and
- (ii) that the Parking Operations Panel and Members involvement in the decision making process be reviewed after one year.

### Reason for the Decision

To respond to the consultation on the draft Parking Strategy 2016-2021 and recommend the final document to the Council.

### Implementation

The recommendations of the Mayor will be considered at the Council meeting on 22 September 2016.

### Information

The Council's Parking Strategy had been reviewed following the Review of Parking in Torbay, which was completed in March 2016.

The Strategy presented a way forward to provide the fairest and most consistent approach to parking management and provision in Torbay. It set out the Vision, Values and Aims that underpin the Council's approach to parking. It also set out the key work areas that the Council will focus on to take parking services forward over the next five years.

The submitted report also included an officer recommendation regarding use of mobile enforcement cameras which was not supported by the Mayor.

The Mayor considered the recommendation of the Policy Development and Decision Group (Joint Operations Team) made on 14 September 2016 and his decision is set out above.

### Alternative Options considered and rejected at the time of the decision

Alternative options were set out in the submitted report but not discussed at the meeting.

### Is this a Key Decision?

Yes – Reference Number: I023562

### Does the call-in procedure apply?

No

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

None

**Published**

19 September 2016

Signed: \_\_\_\_\_  
Mayor of Torbay

Date: 19 September 2016

## Record of Decision

### Capital Investment Fund

#### Decision Taker

Mayor on 14 September 2016

#### Decision

That the Council be recommended:

- (i) that the Investment Fund be increased by £40 million to a total of £50 million to be initially funded by prudential borrowing, with the revenue costs associated with that borrowing (MRP and interest costs) to be funded from the investment returns or higher NNDR income;
- (ii) that the Investment Strategy for the fund as detailed within Appendix 1 be approved;
- (iii) that, subject to the deletion of 7.4(a) so as to require all decisions on allocations from the Investment Fund to be approved by the Council, the governance of fund as detailed within paragraph 7.4 be approved; and
- (iv) that the Chief Executive be delegated authority to set up a delivery team including sourcing external support if required, to be funded from the investment returns.

#### Reason for the Decision

To make investments in property (within and outside Torbay) and increase revenue from National Non-Domestic Rates (NNDR) in order to increase revenue streams.

#### Implementation

The recommendations of the Mayor will be considered at the Council meeting on 22 September 2016.

#### Information

The Council approved a £10m investment fund in February 2016. The Council has reviewed this fund and how it can help deliver the Council's Efficiency Plan and Transformation Programme and proposed to expand the fund by £40m. The submitted report set out criteria for both the investments made by the fund and details the proposed governance arrangements around the management of the investment fund. In addition the report proposed investment to increase future National Non-Domestic Rates (NNDR) revenues within Torbay.

Examples of good practice used by other local authorities with similar funds had been incorporated into the proposals.

Following the Policy Development and Decision Group (Joint Operations Team) the Mayor attended the Overview and Scrutiny Board meeting where further discussion took place in respect of the Investment Fund. The Mayor reviewed his original proposed decision stated at the meeting to support the recommendations of the Policy Development and Decision Group as he felt that all Members should be involved in decisions to allocate money from the Investment

Fund and his final decision is set out above.

**Alternative Options considered and rejected at the time of the decision**

Alternative options were set out in the submitted report but not discussed at the meeting.

**Is this a Key Decision?**

Yes – Reference Number: I025893

**Does the call-in procedure apply?**

No

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

None

**Published**

19 September 2016

Signed: \_\_\_\_\_  
Mayor of Torbay

Date: 19 September 2016

## Record of Decision

### **Disposal of Long Lease - Waterpark, Go-kart Site and Peter Pan Area, Goodrington Sands, Tanners Road, Goodrington, Paignton**

#### **Decision Taker**

Mayor on 14 September 2016

#### **Decision**

That the granting of a 25 year Lease with lease break options in favour of the Council (the 1<sup>st</sup> break option at year 10 and intervals thereafter) be approved for the red and the blue area shown on the Plan EM 2663 at Appendix 2 to the submitted report with authority being delegated to the Assistant Director (Corporate and Business Services) in consultation with the Torbay Development Agency's Head of Asset Management to approve the detailed terms of the Lease.

#### **Reason for the Decision**

To secure the future for the Waterpark, Go-kart Site and Peter Pan Area, Goodrington Sands, Tanners Road, Goodrington, Paignton.

#### **Implementation**

This decision will come into force and may be implemented on Tuesday, 27 September 2016 unless the call-in procedure is triggered (as set out in the Standing Orders in relation to Overview and Scrutiny).

#### **Information**

Due to the ending of the non-renewable lease for the Waterpark, Goodrington in November 2016, a tender process was undertaken for the granting of a new long lease for the area of the existing Waterpark, go-kart area and Peter Pan area at Goodrington Sands, Tanners Road, Paignton. Only one bid was received and it was proposed that a 25 year non renewable lease be granted to the bidder at £35,000 per annum, with lease break options in favour of the Council at certain intervals.

As part of the tender the bidder set out a series of investment proposals in the facility which would enhance the site and be beneficial to residents, visitors and the Council. Granting a 25 year Lease gives the bidder sufficient security to allow this investment to happen but does limit the Council's options on the waterpark site for the next 10 years.

The Mayor considered the recommendation of the Policy Development and Decision Group (Joint Operations Team) made on 14 September 2016 and his decision is set out above.

#### **Alternative Options considered and rejected at the time of the decision**

Alternative options were set out in the submitted report but not discussed at the meeting.

#### **Is this a Key Decision?**

Yes – Reference Number: I023108

**Does the call-in procedure apply?**

Yes

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

None

**Published**

19 September 2016

Signed: \_\_\_\_\_  
Mayor of Torbay

Date: 19 September 2016

## Record of Decision

### Torre Valley North Sports Lease

#### Decision Taker

Mayor on 14 September 2016

#### Decision

- (i) that the granting of a 30 year full repairing lease to Torre Valley Sports Group CIC (Community Interest Company) at the appropriate market rent be approved;
- (ii) that authority is delegated to the Assistant Director of Corporate and Business Services, in consultation with the Executive Head of Business Services and the Torbay Development Agency, to approve the detailed terms of the lease; and
- (iii) that, in light of the protracted delays and the revised higher rental figure, the Assistant Director of Corporate and Business Services be authorised to offer a rent free period of 30 months, to allow the Torre Valley Sports Group CIC time to submit an application to the Council for a grant to offset the market rent.

#### Reason for the Decision

To enable the lease to be finalised for Torre Valley North and to allow the Torre Valley Sports Group Community Interest Company (CIC) time to submit an application to the Council for a grant to offset the market rent.

#### Implementation

This decision will come into force and may be implemented on Tuesday, 27 September 2016 unless the call-in procedure is triggered (as set out in the Standing Orders in relation to Overview and Scrutiny).

#### Information

The Council has been in negotiations with Torre Valley Sports Group CIC (Community Interest Company) for a number of years regarding the lease terms for Torre Valley North. The Council is now in a position to sign the lease taking into account the revised Corporate Asset Management Plan 2015-2019 which was updated in February 2016.

It was proposed that the lease be granted at the appropriate market rent with a 30 month rent free period being offered so that the average rent over the first five years was equivalent to the originally agreed rent of £2,000 per annum. This proposal also recognised the change in the Council's policy, which had occurred during the protracted period of lease negotiations and which had resulted in a higher rent position. The previous discussions had been in principle and were always subject to contract.

Mr Robert Loxton made representations to the meeting on behalf of the Torbay Sports Council.

The Mayor considered the recommendation of the Policy Development and Decision Group (Joint Operations Team) made on 14 September 2016 and his decision is set out above.

**Alternative Options considered and rejected at the time of the decision**

Alternative options were set out in the submitted report but not discussed at the meeting.

**Is this a Key Decision?**

Yes – Reference Number: I024068

**Does the call-in procedure apply?**

Yes

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

None

**Published**

19 September 2016

Signed: \_\_\_\_\_  
Mayor of Torbay

Date: 19 September 2016

## Record of Decision

### Housing Benefit and Council Tax Support Risk Based Verification Policy

#### Decision Taker

Mayor on 14 September 2016

#### Decision

That the Risk Based Verification Policy for Housing Benefit and Council Tax Support set out at Exempt Appendix 2 to the submitted report be approved.

#### Reason for the Decision

Implementing Risk Based Verification will reduce the necessity for customers to contact the Council through more expensive methods such as face to face, and decrease the need to produce original documents to support their claim resulting in a reduction in the number of customer contacts, lower volumes of scanning and indexing and less information requests. It will also:

- Introduce a more efficient administration process that will result in a reduction in officer time. This will allow resources to be deployed more effectively and result in a reduction in administration costs.
- Significantly reduce the claim verification process for customers, which will improve processing times.
- Support the cross-skilling of customer service advisors as the administration process is simplified for low risk cases.
- Improve customer satisfaction as on average Housing Benefit and Council Tax Support will be paid much quicker, duplication reduced and fewer avoidable calls.
- Identify potentially fraudulent cases and taking the appropriate action.

#### Implementation

This decision will come into force and may be implemented on Tuesday, 27 September 2016 unless the call-in procedure is triggered (as set out in the Standing Orders in relation to Overview and Scrutiny).

#### Information

The Council has been given the opportunity to implement Risk Based Verification into its Housing Benefit and Council Tax Support assessment processes by the Department of Work and Pensions (DWP).

Currently when a resident applies for these benefits they must provide a substantial amount of original evidence. The same level of verification is applied to all customers, irrespective of their circumstances and this is both costly and inefficient.

Risk Based Verification assesses the information provided on the application form and allocates the case to a risk category. If someone is in a low-risk category they may only be required to submit basic identification and National Insurance Number information. This targeted approach has shown to be more effective at identifying fraud and error, whilst also reducing costs and improving the customer journey. It was anticipated that this approach could save the Council approximately £70,000 per annum.

The Mayor considered the recommendation of the Policy Development and Decision Group (Joint Operations Team) made on 14 September 2016 and his decision is set out above.

(Note: Prior to consideration of this item the press and public were formally excluded from the meeting on the grounds that the item involved the likely disclosure of exempt information as defined in paragraph 7 of Part 1 of Schedule 12A of the Local Government Act 1972 (as amended).)

### **Alternative Options considered and rejected at the time of the decision**

Alternative options were set out in the submitted report but not discussed at the meeting.

### **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**

19 September 2016

Signed: \_\_\_\_\_  
Mayor of Torbay

Date: 19 September 2016

