



## **Minutes of the Cabinet**

**6 August 2019**

**-: Present :-**

Councillor Steve Darling (Chairman)

Councillors Long, Morey and Cowell

(Also in attendance: Councillors Barrand, Brooks, Doggett, Douglas-Dunbar and David Thomas)

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### **16. Apologies**

Apologies for absence were received from Councillors Carter, Law and Stockman.

### **17. Minutes**

The Minutes of the meeting of the Cabinet held on 23 July 2019 were confirmed as a correct record and signed by the Chairman.

### **18. Communications**

There were no communications.

### **19. 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.

#### **19.1 Notice of Motion - Local Radio Cuts**

#### **19.2 Freehold Disposal of The Monastery, Berry Drive, Paignton, TQ3 3RD**

#### **19.3 Proposed Council Tax Support Scheme 2020/2021**

#### **19.4 Freehold Disposal of Land adjacent to Zion Road, Torre, Torquay**

#### **19.5 Lease Renewal of Hollacombe Community Resource Centre, Paignton**

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Chairman

## Record of Decision

### Notice of Motion - Local Radio Cuts

#### Decision Taker

Cabinet on 06 August 2019

#### Decision

That the Cabinet resolves to ask the Leader of the Council to write to Torbay's Members of Parliament and ask them to back calls for OFCOM to review their decision.

#### Reason for the Decision

To support the Motion in respect of changes being made in the local commercial radio industry.

#### Implementation

This decision will come into force and may be implemented on Monday, 19 August 2019 unless the call-in procedure is triggered (as set out in Standing Orders in relation to Overview and Scrutiny).

#### Information

The Cabinet considered a motion in relation to local radio cuts, notice of which was given in accordance with Standing Order A14.

Councillor Long proposed and Councillor Steve Darling seconded a motion, as set out below which was agreed unanimously by the Cabinet:

Torbay Council expresses its concern at the changes being made in the local commercial radio industry.

This Council believes that the changes in format being allowed by OFCOM will put pressure on local radio content and news which affect the local community.

Torbay Council notes that these changes have been questioned on both social media and in Parliament.

That the Cabinet resolves to ask the Leader of the Council to write to Torbay's Members of Parliament and ask them to back calls for OFCOM to review their decision.

#### 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**

9 August 2019

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

Date: 8 August 2019

## Record of Decision

### Freehold Disposal of The Monastery, Berry Drive, Paignton, TQ3 3RD

#### Decision Taker

Cabinet on 06 August 2019

#### Decision

- (i) that, subject to (ii) below, the Interim Director of Place, in consultation with the Chief Executive, be authorised to dispose of the freehold interest of The Monastery, Berry Drive, Paignton, TQ3 3RD by way of auction, on a date to be agreed, to the highest bidder; and
- (ii) that the community be invited to submit a business case for community use of the Monastery, Berry Drive, Paignton, within four weeks of publication of this decision and that the Interim Director of Place, in consultation with the Cabinet Member for Economic Regeneration, Tourism and Housing, be given delegated authority to determine the viability of such business case and if it should be referred to the Cabinet and/or Council for consideration or to proceed with the disposal agreed in (i) above.

#### Reason for the Decision

The building is surplus to the Council's requirements and the sale will enable the Council to generate a capital receipt to invest in other assets or projects.

#### Implementation

This decision will come into force and may be implemented on Monday, 19 August 2019 unless the call-in procedure is triggered (as set out in Standing Orders in relation to Overview and Scrutiny).

#### Information

The submitted report set out a proposal to dispose of the Monastery, Berry Drive, Paignton by way of auction as the building has been declared surplus to the Council's requirements and has been vacant since November 2017. The building has deteriorated since being left vacant and the Council was liable for its ongoing repairs and maintenance. It was therefore necessary to dispose of the site as soon as possible which would provide a capital receipt to supplement the Council's Capital Programme and reduce future maintenance costs.

A revised officer recommendation was circulated prior to the meeting to enable the community to submit a business case for community use of the Monastery prior to its formal disposal on the open market.

Councillor Long proposed and Councillor Morey seconded a motion which was agreed unanimously by the Cabinet as 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?**

No

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

Yes

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

None

**Published**

9 August 2019

Signed: \_\_\_\_\_ Date: 8 August 2019  
Leader of Torbay Council on behalf of the Cabinet

## Record of Decision

### Proposed Council Tax Support Scheme 2020/2021

#### Decision Taker

Cabinet on 06 August 2019

#### Decision

That a formal 6 week public consultation involving residents, representative groups and other stakeholders be commenced from mid-August, for the proposed introduction of a revised Council Tax Support scheme for working age residents which incorporates a household income banded system to commence from April 2020.

#### Reason for the Decision

To meet the requirements for a six week consultation with residents, representative groups and other stakeholders prior to any revisions to the scheme being approved by the Council in December.

#### Implementation

This decision will come into force immediately so as to commence the formal consultation.

#### Information

The submitted report provided details in respect of proposed consultation on revisions to the Council Tax Support Scheme for 2020/2021, which would align with the approach being taken by all other local authorities throughout Devon from 1 April 2020. This would introduce a four band system which will help families to plan their Council Tax payments and reduce the need to reissue bills to them on a regular basis. It was noted that the Council would work closely with all families affected by the changes and sign post them to other support available for example the Council Tax Hardship Fund.

The Council was required to review their local scheme for Council Tax Support (for working age customers) annually and must undertake a formal six week public consultation on the proposals.

Councillor Cowell proposed and Councillor Steve Darling seconded a motion which was agreed unanimously by the Cabinet as 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?

No

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

No

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

None

**Published**

9 August 2019

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

Date: 8 August 2019

## Record of Decision

### Freehold Disposal of Land adjacent to Zion Road, Torre, Torquay

#### Decision Taker

Cabinet on 06 August 2019

#### Decision

That the Interim Director of Place, in consultation with the Chief Executive, be authorised to dispose of the freehold interest of land area 175 sq. m (1884 sq. ft.) adjacent to Zion Road, Torre, Torquay, as shown in Plan EM2901 attached at Appendix 1 to the submitted report.

#### Reason for the Decision

The proposed purchaser was considered a special purchaser due to his freehold ownership of the land adjacent. The agreed purchase price reflects this, coupled with the anticipated redevelopment of the site, and consequently terms of disposal for this land in isolation are unlikely to be bettered by an advertising campaign on the open market.

#### Implementation

This decision will come into force and may be implemented on Monday, 19 August 2019 unless the call-in procedure is triggered (as set out in Standing Orders in relation to Overview and Scrutiny).

#### Information

The submitted report set out a proposal to dispose of the freehold in respect of land adjacent to Zion road and adjacent to the adopted public highway which had been used in recent years by Parking Services for off-street parking bays, as shown on the submitted Plan EM2901.

The landowner of the adjoining former Zion Road Chapel has obtained planning consent to redevelop the site to form 6 new apartments and now wishes to acquire the identified land for parking and garden/ amenity land in support of the proposed development.

Councillor Long proposed and Councillor Cowell seconded a motion which was agreed unanimously by the Cabinet as 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?

No

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

Yes

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

None

**Published**

9 August 2019

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Leader of Torbay Council on behalf of the Cabinet

Date: 8 August 2019

## Record of Decision

### Lease Renewal of Hollacombe Community Resource Centre, Paignton

#### Decision Taker

Cabinet on 06 August 2019

#### Decision

That the Interim Director of Place, in consultation with the Chief Executive, be authorised to grant an excluded lease for a term of 2 years for Hollacombe Community Resource Centre (CRC), as shown on Plan EM2639 set out at Appendix 1 to the submitted report, from 1 December 2019 to Torbay and South Devon NHS Foundation Trust.

#### Reason for the Decision

The renewal of the lease of Hollacombe CRC, Paignton to the Torbay and South Devon NHS Foundation Trust will enable the continuation of service delivery on the site.

#### Implementation

This decision will come into force and may be implemented on Monday, 19 August 2019 unless the call-in procedure is triggered (as set out in Standing Orders in relation to Overview and Scrutiny).

#### Information

Torbay and South Devon NHS Foundation Trust (the Trust) was granted a two year lease of Hollacombe Community Resource Centre (CRC) commencing 1 December 2017. The lease will expire on 30 November 2019.

The lease granted was excluded from the security of tenure provisions of the Landlord and Tenant Act 1954 and therefore the Trust have no statutory rights to renew the lease. However, it is deemed in the best interests of the Council to renew this lease to enable continued service provision on the site. The new lease needs to be agreed prior to the expiry of the current arrangement or the Trust will need to vacate at the end of the contractual term.

Councillor Long proposed and Councillor Steve Darling seconded a motion which was agreed unanimously by the Council as 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?

No

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

Yes

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

None

**Published**

9 August 2019

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Leader of Torbay Council on behalf of the Cabinet