



**Minutes of the Council**  
**(Council decisions shown in bold text)**

**9 January 2020**

**-: Present :-**

**The Worshipful The Mayor of Torbay (Councillor Douglas-Dunbar) (In the Chair)**  
**Deputy Civic Mayor of Torbay (Councillor Manning)**

Councillors Amil, Atiya-Alla, Barrand, Barnby, Brooks, Brown, Bye, Carter, Cowell, Mandy Darling, Steve Darling, Dart, Doggett, Dudley, Foster, Hill, Howgate, Kavanagh, Kennedy, Law, Barbara Lewis, Chris Lewis, Long, Loxton, Mills, Morey, O'Dwyer, Pentney, David Thomas, Jacqueline Thomas and John Thomas

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**80 Opening of meeting**

The meeting was opened with a prayer.

**81 Apologies for absence**

Apologies for absence were received from Councillors Ellery, Stockman and Sykes.

Councillor Hill arrived late to the meeting and during Minute 85.

**82 Minutes**

The Minutes of the meeting of the Council held on 24 October 2019 were confirmed as a correct record and signed by the Worshipful the Mayor of Torbay.

**83 Declarations of interests**

The following non-pecuniary interests were declared:

<b>Councillor</b>	<b>Minute Number</b>	<b>Nature of interest</b>
Councillor Hill (declared by the Leader of the Conservative Group on behalf of Councillor Hill)	95	Non-pecuniary – Director of Riviera International Conference Centre (non-council appointment)
Councillor Loxton	95	Non-pecuniary – Council appointed Director of Riviera International Conference Centre

**84 Communications**

The Worshipful the Mayor of Torbay:

- a) thanked all those that attended the Civic Christmas Carol Service held on 22 December 2019; and
- b) advised that a Holocaust Memorial Service had been arranged for 26 January 2020 at 6.30 pm to be held at St Pauls Church, Paignton and all were invited to attend.

With the agreement of the Worshipful the Mayor of Torbay, the Cabinet Member for Economic Regeneration, Tourism and Housing provided the Council with an update on Crossways, on behalf of the Leader of the Council. The Cabinet Member for Economic Regeneration, Tourism and Housing advised, that following the Council's decision in September 2019 to progress the acquisition of the Crossways Shopping Centre Paignton, either by negotiated purchase or a compulsory purchase order, work has been progressing as expected. It was noted a meeting had taken place with the current owners, solicitors had been appointed and formal elements of compulsory purchase order had commenced. The next steps included obtaining planning permission and defining the Council's aspirations for the site once purchased.

The Overview and Scrutiny Co-ordinator updated members on the progress of the Priorities and Resources Review Panel in reviewing the Cabinet's budget proposals and outlined the details of the next meetings of the Panel.

**85 Members' questions**

Members received a paper detailing questions, notice of which had been given in accordance with Standing Order A13. The paper also contained the answers to the questions which had been prepared by Councillors Carter, Steve Darling, Howgate and Morey, and was circulated prior to the meeting.

Supplementary questions were put and answered by Councillors Carter and Morey, arising from their responses to the questions in respect of questions 4, 5 and 6.

**86 Proposed Council Tax Support Scheme 2020/21**

The Council considered the submitted report on a review of the current local Council Tax Support Scheme for 2020/21 and the recommendations of the Cabinet. Members noted that the Local Government Finance Act 2012 required local authorities to review their local schemes annually. The Council had a statutory duty to provide a local Council Tax Support Scheme for working-age households. In addition, pension age households were subject to statutory provisions determined nationally, which had to be incorporated within the Council's scheme.

Councillor Carter proposed and Councillor Cowell seconded a motion, which was agreed (unanimously) by the Council as set out below:

- (i) that Personal Allowances and Premiums, used to calculate Council Tax Support, are updated from 1 April 2020 in line with the prescribed Pensioner scheme and national working-age benefits, which are both set by the Government; and
- (ii) that the Chief Finance Officer be given delegated authority, in consultation with the Cabinet and the Executive Lead for Customer Services, to make any further adjustments required to the Exceptional Hardship Policy and fund.

#### **87 Council Tax Base 2020/2021**

Members considered the submitted report which set out the Council's tax base for council tax purposes for 2020/21.

Councillor Cowell proposed and Councillor Steve Darling seconded a motion, which was agreed (unanimously) by the Council as set out below:

- (i) to increase the Council Tax (Long Term) Empty Homes Premium for those properties that have been empty for more than 5 years from 100% to 200% from 1<sup>st</sup> April 2020;
- (ii) that the calculation of the Torbay Council Tax Base for the year 2020/21 be approved as shown in Appendix 1 of the submitted report;
- (iii) that the calculation of the Brixham Town Council Tax Base for the year 2020/21 be approved as shown in Appendix 2 of the submitted report;
- (iv) that, in accordance with the Local Authorities (Calculation of Tax base) (England) Regulations 2012, the amount calculated by Torbay Council as its Council Tax base for the year 2020/21 should be 46,274.88; and
- (v) that, in accordance with the Local Authorities (Calculation of Tax base) (England) Regulations 2012, the amount calculated by Torbay Council as the Council Tax base for Brixham Town Council for the year 2020/21 should be 6,261.12.

#### **88 Community Governance Review of Torbay - outcome of second stage consultation and final recommendations**

Further to minute 44/7/19, the Council received the outcome of the second phase of consultation on the Community Governance Review of Torbay (as set out in the submitted report) and considered the resulting recommendations of the Cabinet.

Councillor Carter proposed and Councillor Morey seconded a motion, which was agreed (unanimously) by the Council as set out below:

- (i) that the responses received to the second phase consultation on the Community Governance Review of Torbay be noted as set out in Appendix 1 to the submitted report;**
- (ii) that the Cabinet recommendations of the community governance review be accepted, namely that there shall be no change to existing community governance arrangements in Torbay and specifically:**
  - (a) that no new parishes be constituted in the area under review;**
  - (b) that no existing parishes in the area under review be abolished and that the name and area of Brixham parish and the electoral arrangements of Brixham Town Council remain unaltered; and**
  - (c) that unless the community strongly calls for the establishment of further town councils, there shall be no further community governance reviews during this term of office;**
- (iii) that the Director of Corporate Services publish the final recommendations and take steps to secure that persons who may be interested in the review are informed of them; and**
- (iv) that the Council give effect to the final recommendations of the Cabinet as set out at (ii) above.**

## **89 Heart of the South West Joint Committee - Governance Review**

The Council received an update on the Heart of the South West Joint Committee's governance arrangements and budgetary position for 2019/20 and considered amendments to the Committee's arrangements following a governance review (as set out in the submitted report).

Councillor Steve Darling proposed and Councillor Cowell seconded a motion, which was agreed (unanimously) by the Council as set out below:

- (i) that, as a constituent member, the amendments (outlined in red text) to the Heart of the South West Joint Committee's list of functions in the Arrangements document (as set out in Appendix A to the submitted report) be approved and the updated budget position for 2019/20 be noted; and**
- (ii) that, as a constituent member, the recommendation from the Joint Committee on 27 September 2019 to re-appoint Somerset County Council as the Administering Authority for the Joint Committee be approved.**

**90 Heart of the South West Local Enterprise Partnership Joint Scrutiny Committee Revised Terms of Reference**

The Council considered proposed amendments to the Heart of the South West Joint Scrutiny Committee terms of reference following a review of its operation after one year (as set out in the submitted report).

Councillor Steve Darling proposed and Councillor Cowell seconded a motion, which was agreed (unanimously) by the Council as set out below:

**that the revised Terms of Reference for the Heart of the South West Joint Scrutiny Committee, as set out in Appendix 1 to the submitted report be approved.**

**91 Review of Political Balance**

Following the Goodrington with Roselands By Election, the Council considered a review of the political balance to ensure places on Committees and Working Parties were allocated in accordance with the relevant statutory and Constitutional requirements (as set out in the submitted report).

Councillor Steve Darling proposed and Councillor Cowell seconded a motion, which was agreed by the Council as set out below:

- (i) that the overall political balance of the committees as set out at Appendix 1 be approved; and**
- (ii) that, in accordance with the Local Protocol for Working Parties, the overall political balance of working parties as set out in Appendix 2 be approved, subject to:**
  - a) Harbour Asset Working Party consisting of 3 Conservatives, 1 Liberal Democrat and 1 Independent; and**
  - b) Airshow Working Party consisting of 2 Conservatives, 2 Liberal Democrats and 1 Independent**

**92 Statutory Officer Appointment**

Councillor Carter proposed and Councillor Law seconded a motion, which was agreed (unanimously) by the Council as set out below:

**that Nancy Meehan be appointed as the Interim Director of Children's Services from 13 January 2020.**

**93 Standing Order D11 (in relation to Overview and Scrutiny) - Call-in and Urgency**

Members noted the submitted report setting out the exempt executive decision taken (Investment Opportunity 6/1/18 – move to Economic Growth Fund) to which the call-in procedure did not apply.

**94 Exclusion of the Press and Public**

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

**that the press and public be excluded from the meeting prior to consideration of the following item on the agenda on the grounds that exempt information (as defined in paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972 (as amended) is likely to be disclosed.**

Prior to consideration of the items in Minute 95 the press and public were formally excluded from the meeting.

**95 Funding for Torbay Leisure Centre and Riviera International Conference Centre**

The Council considered the recommendations of the Cabinet on funding for Torbay Leisure Centre and the Riviera International Conference Centre, as set out in the submitted exempt report.

The decision of the Council meeting is restricted due to exempt information contained within the decision.

**96 Cabinet Recommendation - Investment Opportunity**

The Worshipful the Mayor of Torbay advised that there were no recommendations from the Cabinet and therefore this item was withdrawn from the agenda.

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The Worshipful The Mayor of Torbay