

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

21 May 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, Ellery, Foster, Hill, Howgate, Kavanagh, Kennedy, Law, Barbara Lewis, Chris Lewis, Long, Loxton, Mills, Morey, O'Dwyer, Pentney, Stockman, Sykes, David Thomas, Jacqueline Thomas and John Thomas

129 Opening of meeting

The Worshipful the Mayor of Torbay advised that, as the meeting was being held remotely via Zoom during the Corona Virus pandemic, the meeting would follow the Remote Meeting Standing Orders with all voting being taken by roll call throughout the meeting.

The meeting was then opened with a prayer.

130 Members' questions

Members received a paper detailing questions, notice of which had been given in accordance with Standing Order A13. The answer to question 5 contained exempt information and was circulated separately.

Supplementary questions were put and answered by Councillors Cowell, Law, Long, Morey and, Stockman, arising from their responses to the questions in respect of questions 1, 2, 3, 4, 5, 6, 7, 9, 14, 16 and 21.

131 Calendar of Meetings for 2020/2023

The Council considered the submitted report setting out the proposed calendar of meetings for 2020/2023.

Councillor Carter proposed and Councillor Brown seconded a motion which was agreed (unanimously), as set out below:

- (i) that the calendar of meetings for 2020 to 2023, set out in Appendix 1 to the submitted report, be approved;**

- (ii) that the meetings scheduled for 2020 to 2021 be held in accordance with the Standing Orders for Remote Meetings; and
- (iii) that meetings of the Employment Committee and Civic Committee be held on an ad-hoc basis, to be determined by the Head of Governance in consultation with the relevant Chairman/woman.

132 Torquay Gateway Highways Improvement - Shiphay Lane Junction to Lowes Bridge Junction- Acquisition of Additional Land - Compulsory Purchase Order

The Council considered the submitted report for the making of a Compulsory Purchase Order (CPO) (land forming part of 89-95 Newton Road, Torquay) for the delivery of major highway improvements for Torquay Gateway Improvements, at Shiphay Lane and Lowes Bridge junction. It was noted the CPO was required to enable the land to be acquired if agreement could not be reached by negotiation with the land owner.

Councillor Morey proposed and Councillor Mandy Darling seconded a motion which was agreed (unanimously), as set out below:

- (i) that negotiations with the landowner of 89-95 Newton Road, Torquay, for acquisition of the land required for the Torquay Gateway Highways Improvement – Shiphay Lane Junction to Lowes Bridge Junction Scheme be continued to completion and to acquisition by agreement where possible;
- (ii) that authority be delegated to the Director of Corporate Services to make a Compulsory Purchase Order for the land required for the Torquay Gateway Improvement Scheme affecting land adjacent to the A3022 Newton Road in in the following terms:-
- (iii) that Torbay Council makes a Compulsory Purchase Order under sections 239, 240, 249, 250 and 260 of the Highways Act 1980 for the acquisition of all interests in the land (except those already owned by the Council) and new rights within areas shown (shaded pink for areas of land in respect of which all interests are to be acquired and shaded blue for the areas over which new rights are to be acquired) on plan number 8/6/11/3_143A, attached as Appendix 1 to the submitted report for the purpose of highway improvement;
- (iv) Subject to approval of (ii) above that the Director of Corporate Services and Operations be authorised to:-
 - a) Take all necessary steps to secure the making, confirmation and implementation of the Compulsory Purchase Order including the publication and service of all notices and the presentation of the Council's case at any Public Inquiry;

- b) **To acquire interests in land and new rights within the Compulsory Purchase Order either by agreement or compulsorily; and**
- c) **Approve agreements with the landowner setting out terms for the withdrawal of objections to the Order, including where appropriate seeking exclusion of land or new rights from the Order.**

133 Exclusion of the Press and Public

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

that the press and public be excluded from the meeting prior to consideration of the following items 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 Minutes 134 and 135 the press and public were formally excluded from the meeting.

134 Economic Regeneration Investment Opportunity 11/05/20

The Council considered matters relating to an existing economic regeneration investment opportunity. Members received details of the proposals as set out in the exempt report circulated prior to the meeting.

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

135 SWISCo Guarantees

The Council considered the submitted exempt report which provided details of guarantees in connection with the new SWISCo company.

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

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Record of Decision

Economic Regeneration Opportunity 11/05/20

Decision Taker

Cabinet on 21 May 2020

Decision

That the Economic Growth Fund Opportunity 11/5/20, as set out in the Exempt Council Minute 134/5/20, be approved.

(Note: the decision in respect of Economic Growth Fund Opportunity 11/05/20 is restricted due to exempt information contained within the decision.)

Reason for the Decision

To enable the Council to enter into a contract to support economic development in Torquay.

Implementation

This decision will come into force and may be implemented on 4 June 2020 unless the call-in procedure is triggered (as set out in the Standing Orders in relation to Overview and Scrutiny).

Information

The Cabinet considered the recommendation of the Council in respect of the submitted exempt report on a proposal to enter into a contract for land in Torquay which it has previously purchased. The proposal would support economic regeneration in Torbay and was in line with the Council's approved Economic Growth Fund Criteria.

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

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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27 May 2020

Signed: _____ Date: 27 May 2020
Leader of Torbay Council on behalf of the Cabinet