

Friday, 28 April 2017

## Annual Meeting of the Council

Dear Member

I am pleased to invite you to attend the annual meeting of Torbay Council which will be held in the **Rosetor Room, Riviera International Conference Centre, Chestnut Avenue, Torquay, TQ2 5LZ** on **Tuesday, 9 May 2017** commencing at **3.30 pm**

The items to be discussed at this meeting are attached.

Yours sincerely,

A handwritten signature in black ink, appearing to read "Steve Parrock".

Steve Parrock  
Chief Executive

(All members are summoned to attend the meeting of the Council in accordance with the requirements of the Local Government Act 1972 and Standing Orders A5.)

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**A prosperous and healthy Torbay**

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For information relating to this meeting or to request a copy in another format or language please contact:

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# Annual Meeting of the Council Agenda

**1. Opening of meeting**

**2. Apologies for absence**

**3. Minutes**

To confirm as a correct record the Minutes of the extraordinary meeting of the Council held on 6 April 2017.

(Pages 3 - 9)

**4. Election of Chairman/woman**

To elect the Chairman/woman of the Council for the Municipal Year 2017 - 2018.

**5. Appointment of Vice-Chairman/woman of the Council**

To elect the Vice-Chairman/woman of the Council for the Municipal Year 2017 - 2018.

**6. Adjournment**

To consider adjourning the meeting until 5.30 p.m. on Wednesday, 10 May 2017 to deal with the remainder of the business set out in the separate agenda.

**Note**

An audio recording of this meeting will normally be available at [www.torbay.gov.uk](http://www.torbay.gov.uk) within 48 hours.



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

**6 April 2017**

**-: Present :-**

**Chairman of the Council (Councillor Hill) (In the Chair)  
Vice-Chairwoman of the Council (Councillor Brooks)**

The Mayor of Torbay (Mayor Oliver)

Councillors Amil, Barnby, Bent, Bye, Carter, Doggett, Ellery, Excell, Haddock, King, Kingscote, Lewis (B), Lewis (C), Manning, Mills, Morey, O'Dwyer, Parrott, Robson, Pentney, Sanders, Stockman, Stringer, Stubley, Sykes, Thomas (D), Thomas (J), Tolchard, Tyerman and Winfield

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### **172 Opening of meeting**

Members observed a minutes silence as a mark of respect in memory of Dennis Greenhill-Tanner, a past Deputy Mayor of Torbay, who had recently passed away. The Chairman's Chaplain then opened the meeting with a prayer.

### **173 Apologies for absence**

Apologies for absence were received from Councillors Darling (M), Darling (S), Morris and Stocks.

### **174 Minutes**

The Minutes of the meeting of the Council held on 23 February 2017 and the Extraordinary meeting of the Council held on 13 March 2017 were confirmed as correct records and signed by the Chairman.

### **175 Declarations of interests**

No interests were declared.

(Note: Prior to the meeting, the Monitoring Officer granted a dispensation to Mayor Oliver and Councillor O'Dwyer in respect of their pecuniary interests in relation to the submitted report under Minute 180.)

**176 Communications**

The Mayor updated members on the launch of the Torbay Lottery good cause event and that 22 groups had signed up so far to become beneficiaries of the Torbay Lottery. These included sports groups, disability and support groups, health organisations and other community groups who would receive 50p for every lottery ticket sold when selected by ticket purchasers. The Mayor encouraged other local community, voluntary and charity organisations to sign up to the lottery as beneficiaries to help them raise vital funds to support Torbay's communities and advised tickets would be available to purchase from 25 April with a top prize of £25,000 for the weekly draw.

**177 Land at Green Park Road - Mayoral Recommendation**

The Council considered the recommendations of the Mayor (as set out in the submitted report) in respect of retention of land at Green Park, Preston, which had been identified as a surplus and recommended by officers for disposal. It was noted the recommendations of the Mayor were outside the Council's Policy Framework (the Corporate Asset Management Plan) and therefore the matter was for the Council to determine.

Mayor Oliver proposed and Councillor Sykes seconded a motion, which was agreed by the Council as set out below:

**that the Council be recommended that the land at Green Park Road, Preston, shown edged red on map number EM2653, remains in the Council's ownership and is not disposed of.**

**178 Mayor's Response to Council's Objection to the Review of Investment Fund Strategy and Investment Committee Terms of Reference**

Further to the Council meeting held on 23 February 2017, members considered the submitted report and record of decision on the Mayor's response to the objections raised by the Council on the review of Investment Fund Strategy and Investment Committee Terms of Reference.

Mayor Oliver proposed and Councillor Mills seconded a motion as set out below:

- (i) that the Council be recommended to approve the revised Torbay Council Investment Fund Strategy set out in Appendix 1 to the submitted report; and
- (ii) that the Council be recommended to approve the revised Terms of Reference of the Investment Committee set out in Appendix 2 to the submitted report.

During the debate Councillor Tyerman proposed and Councillor Carter seconded an amendment to the motion as follows:

- (i) that the Council be recommended to approve the revised Torbay Council Investment Fund Strategy set out in Appendix 1 to the

submitted report, subject to the level of authority to the Investment Committee being increased to £10m; and

- (ii) that the Council be recommended to approve the revised Terms of Reference of the Investment Committee set out in Appendix 2 to the submitted report, subject to the level of authority to the Investment Committee being increased to £10m.

A recorded vote was taken on the amendment. The voting was taken by roll call as follows: For: Councillors Barnby, Bent, Bye, Carter, Doggett, Ellery, Hill, Kingscote, Lewis (B), Lewis (C), Morey, O'Dwyer, Parrott, Pentney, Robson, Sanders, Stockman, Stringer, Stublely, Sykes, Thomas (D), Thomas (J), Tolchard, Tyerman and Winfield (25); Against: Mayor Oliver, Councillors Amil, Excell, Haddock, King, Manning and Mills (7); Abstain: Councillor Brooks (1); and Absent: Councillors Darling (M), Darling (S), Morris and Stocks (4). Therefore, as more than two-thirds of members present and voting had cast their vote in support of the amendment, it was carried.

The amended (substantive) motion was then considered by members.

A recorded vote was taken on the amended (substantive) motion. The voting was taken by roll call as follows: For: Councillors Barnby, Bent, Brooks, Bye, Carter, Doggett, Ellery, Haddock, Hill, Kingscote, Lewis (B), Lewis (C), Morey, Parrott, Pentney, Robson, Sanders, Stringer, Stublely, Sykes, Thomas (D), Thomas (J), Tolchard, Tyerman and Winfield (25); Against: Mayor Oliver, Councillors Amil, Excell, Manning and Mills (5); Abstain: Councillors King, O'Dwyer and Stockman (3); and Absent: Councillors Darling (M), Darling (S), Morris and Stocks (4). Therefore, as more than two-thirds of members present and voting had cast their vote in support of the amended (substantive) motion, it was carried as follows:

- (i) that the Council be recommended to approve the revised Torbay Council Investment Fund Strategy set out in Appendix 1 to the submitted report, subject to the level of authority to the Investment Committee being increased to £10m; and**
- (ii) that the Council be recommended to approve the revised Terms of Reference of the Investment Committee set out in Appendix 2 to the submitted report, subject to the level of authority to the Investment Committee being increased to £10m.**

## **179 Healthy Torbay Supplementary Planning Document**

Members considered the submitted report setting out the Healthy Torbay Supplementary Planning Document (SPD). The Healthy Torbay SPD had been produced to provide spatial planning guidance on the determination of planning applications on a number of matters related to health and wellbeing in Torbay.

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

- (i) that, following consideration of representations made on the Draft Healthy Torbay Supplementary Planning Document (SPD), the SPD be adopted, with minor modifications as set out in Appendix 1 to the submitted report; and
- (ii) that the Executive Head of Business Services and Director of Public Health, in consultation with the Executive Lead for Planning, Transport and Housing and the Executive Lead for Health and Wellbeing and Corporate Services, be given delegated powers to make minor amendments to the Healthy Torbay Supplementary Planning Document to ensure legibility and clarity.

### 180 Transformation Project - Town Centre Regeneration

The Council considered the Transformation Strategy for Torbay's Town Centres (as set out in the submitted report) for inclusion as a Policy Framework document, appended to the Council's Economic Strategy. It was noted the Town Centre Regeneration Strategy had two key objectives, namely:

- to deliver and enable significant and successful regeneration of Torbay's town centres, as a key part of Torbay's overall growth and place making agenda; and
- to generate income to support the Council's budget in order to deliver local services.

Councillor Haddock proposed and Councillor King seconded a motion, which was agreed by the Council as set out below:

- (i) that the "Transformation Strategy for Torbay's Town Centres", which includes the actions to deliver Phase 1 of the Town Centres Regeneration Programme, including direct delivery of development by the Council, and is set out in Appendix 1 to the submitted report, be agreed and adopted as a Policy Framework document as an Appendix to the Council's Economic Strategy;
- (ii) that, in accordance with the Transformation Strategy for Torbay's Town Centres, the Town Centres Regeneration Programme Board be requested to pursue a range of actions as described within the Strategy, including the development of full business cases, for the following priority projects on Council-owned land:
  - (a) Harbour View – between The Terrace and Museum Road, Torquay;
  - (b) Paignton Harbour;
  - (c) Upton Place (behind the Town Hall), Torquay;
  - (d) Victoria Centre, Paignton;

- (e) Lower Union Lane and the linkage to Union Street, Torquay; and
    - (f) Brixham Town Centre;
- (iii) that the Town Centres Regeneration Programme Board be requested to continue to work with the owner of Crossways, Paignton and potential investors to secure an appropriate and accelerated redevelopment of the site in support of regeneration in accordance with the Strategy;
- (iv) that the Town Centres Regeneration Programme Board be requested to continue to work with Network Rail and Stagecoach, other land owners, Great Western Railway and investors to secure delivery of a new Paignton Civic Hub, focused around the bus/rail stations and the library in Paignton, in accordance with the Strategy;
- (v) that, having developed a full business case for each Town Centre regeneration site, including but not limited to those identified in (ii), (iii) and (iv) above, the Town Centres Regeneration Programme Board should seek a decision from the Council to proceed as and when appropriate;
- (vi) that the Council supports, in principle, the following priority public realm projects and requests that the Town Centres Regeneration Programme Board develop full business cases for projects and present them to Council for a decision to proceed as and when appropriate:
  - (a) Castle Circus, Torquay;
  - (b) GPO roundabout, Torquay;
  - (c) Cary Parade/The Strand, Torquay;
  - (d) Market Street junction with Union Street, Torquay;
  - (e) Between the former BHS store and Union Square, Torquay;
  - (f) Station Square, Paignton;
  - (g) Between Victoria Street/Torbay Road, Paignton; and
  - (h) Junction of Palace Avenue, Totnes Road and Victoria Street, Paignton;
- (vii) that an allocation from the Council's overarching 2016/2017 Transformation Budget (and any agreed rolled over to 2017/2018) be earmarked for Town Centre Regeneration to be determined by the Chief Executive to support up to four additional FTEs and to meet professional and other costs associated with delivering the town centre regeneration programme at pace and scale;
- (viii) that the Chief Executive, in consultation with the Chief Financial Officer and the Executive Head of Business Services, consider

reprioritising existing regeneration resources in order to prioritise town centre regeneration;

- (ix) that any revenue surplus generated from the Town Centres Regeneration Programme be earmarked to fund a Town Centre Investment Fund with any capital receipts from the Programme being allocated by the Council in accordance with the Budget and Policy Framework; and
- (x) that the Policy Framework be amended to reflect that any disposal of assets required to facilitate the Town Centre Regeneration Programme will be a Council function.

(Note: In accordance with Standing Order A19.6, Councillor Mills requested his abstention from voting on the motion to be recorded.)

#### **181 Transformation Project - Housing Policy Framework Document**

This item was deferred from the meeting following the urgent decision of the Assistant Director of Business and Corporate Services for it to be considered at the Adjourned Annual Council meeting on 10 May 2017.

#### **182 International Holocaust Remembrance Alliance Working Definition of Anti-Semitism**

Members considered the submitted report on the Government's International Holocaust Remembrance Alliance Working Definition of Anti-Semitism which was an important tool for public bodies to understand how anti-Semitism manifests itself in the 21<sup>st</sup> century. It was noted the Government was encouraging local authorities to formally adopt the definition and it was proposed the Council adopt it within its Equalities Objectives to support the Council's Public Sector Equality Duty.

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

**that the following be incorporated into the introduction of the Council's Equality Objectives:**

**"Subsequent to these equalities objectives being agreed and published the Government has adopted International Holocaust Remembrance Alliance Working Definition of Anti-Semitism and has requested the Council to consider adopting this and how it could be applied by the Council.**

**The Council has agreed to adopt the following working definition of Anti-Semitism:**

**"Anti-Semitism is a certain perception of Jews, which may be expressed as hatred toward Jews. Rhetorical and physical manifestations of antisemitism are directed**



**toward Jewish or non-Jewish individuals and/or their property, toward Jewish community institutions and religious facilities.”**

**However, the Council actively supports and promotes the aims of the Public Sector Equality Duty in relation to all communities living in Torbay regardless of their faith.”**

**183 Exclusion of the Press and Public**

Councillor Thomas (D) proposed and Councillor Ellery 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 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 184 and 185 the press and public were formally excluded from the meeting.

**184 Torbay Coast and Countryside Trust Leases**

The Chairman announced that, following the publication of the agenda, this item had been withdrawn.

(Note: Prior to this item Councillors Bye and Parrott left the meeting.)

**185 Transformation Project - Update on the Riviera International Conference Centre**

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

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Chairman