



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

7 December 2017

-: Present :-

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

The Elected Mayor of Torbay (Mayor Oliver)

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

127 Opening of meeting

Members observed a minutes silence as a mark of respect in memory of the late Councillor Roger Stringer who passed away on 18 October 2017. The Chairwoman's Chaplain then opened the meeting with a prayer.

128 Apologies for absence

Apologies for absence were received from Councillors Barnby and Stocks.

129 Minutes

The Minutes of the meeting of the Council held on 19 October 2017 and the Minutes of the Extraordinary meeting of the Council held on 9 November 2017 were confirmed as a correct record and signed by the Chairwoman.

130 Declarations of interests

Councillor Haddock declared a pecuniary interest in respect of Minute 136.

131 Communications

The Chairman invited members to the Civic and Community Christmas Carol Service which was due to be held at the Church of St John the Apostle, Torquay, on 20 December 2017 commencing at 6.15 pm.

The Overview and Scrutiny Co-ordinator:

- a) thanked members for their work on reviewing the Elected Mayor's Budget Proposals at the Priorities and Resources Review Panel meetings. He advised that the Overview and Scrutiny Board was due to meet on 13 December 2017 to finalise recommendations to the Elected Mayor; and
- b) thanked Councillor Stockman for her work on scrutiny and wished her well in her new role as Executive Lead for Health and Wellbeing.

132 Order of Business

In accordance with Standing Order A7.2 in relation to Council meetings, the order of business was varied to enable: Item 11 on the agenda (Application for Designation of Neighbourhood Forums and Areas for Torquay, Paignton and Brixham Peninsula) to be considered after Item 7 (Public question time); and Item 10 on the agenda (Oxen Cove Fish/Shellfish Processing Facility) to be considered after Item 11 on the agenda (Application for Designation of Neighbourhood Forums and Areas for Torquay, Paignton and Brixham Peninsula).

133 Petition - Request for one way system with residents parking in Victoria Road, Torquay

In accordance with Standing Order A12, the Council received a petition requesting the Council to introduce a one way system and residents parking along Victoria Road, Torquay (26 valid signatures).

It was noted that the petition would be referred to the Executive Head for Assets and Business Services for consideration in consultation with the Executive Lead for Community Services.

134 Public question time

In accordance with Standing Order A24, the Council heard from Mr Orme who had submitted a statement and question in relation to the funding for the new infrastructure for Oxen Cove Fish Processing Unit, Brixham. Councillor Amil responded to the statement and question that had been put forward, plus a supplementary question asked by Mr Orme.

The Chairwoman advised that she had permitted late statements and questions in relation to the designation of neighbourhood forums and areas for Torquay, Paignton and Brixham which had been circulated on 6 December 2017. At the invitation of the Chairwoman, the Council heard from Mr Butler, Mr Cowell and Mr Watts. The Deputy Mayor and Executive Lead for Planning responded to the statements and questions that had been put forward, plus a supplementary question asked by Mr Cowell.

135 Application for Designation of Neighbourhood Forums and Areas for Torquay, Paignton and Brixham Peninsula

Members considered the submitted report on applications to re-designate the three Neighbourhood Forums as 'qualifying bodies' and neighbourhood areas as the

current designations expired on 6 December 2017. It was noted the primary function of Neighbourhood Forums was to prepare neighbourhood plans along with being consultees on planning applications in their area.

Councillor Mills proposed and Councillor Darling (S) seconded a motion, which was agreed by the Council (by recorded vote) as set out below:

- (i) that the Council considers the three applications for area and Forum re-designation, in accordance with the specified criteria set out in the Localism Act 2011 (and summarised in the submitted report), whilst recognising that this decision is without prejudice to any representation to, or considerations of, the submitted Plans;**
- (ii) that the Council recognises that the area status does not expire and will still be maintained in accordance with the decision made in December 2012;**
- (iii) that the application in accordance with the Neighbourhood Planning (General) Regulations 2012 (as amended), Regulation 8 for the qualifying body for Torquay be approved, and that the Council publicise this decision in accordance with Regulation 10;**
- (iv) that the application in accordance with the Neighbourhood Planning (General) Regulations 2012 (as amended), Regulation 8 for the qualifying body for Paignton be approved, and that the Council publicise this decision in accordance with Regulation 10;**
- (v) that the application in accordance with the Neighbourhood Planning (General) Regulations 2012 (as amended), Regulation 8 for the qualifying body for Brixham Peninsula be approved, and that the Council publicise this decision in accordance with Regulation 10; and**
- (vi) that the Council convey its thanks and gratitude for the work undertaken by officers and the community on the development of neighbourhood plans for Torbay.**

A recorded vote was taken on the motion. The voting was taken by roll call as follows: For: Elected Mayor Oliver, Councillors Amil, Bent, Bye, Carter, Darling (M), Darling (S), Doggett, Ellery, Excell, Haddock, Hill, King, Kingscote, Lewis (B), Lewis (C), Manning, Mills, Morey, Morris, O'Dwyer, Parrott, Pentney, Robson, Sanders, Stockman, Stubley, Sykes, Thomas (D), Thomas (J), Tolchard, Tyerman and Winfield (33); Abstain: Councillors Brooks (1); and Absent: Councillors Barnby and Stocks (2).

136 Oxen Cove Fish/Shellfish Processing Facility

Further to the decision of the Council on 19 October 2017 for the construction of a new shellfish landing jetty, the Council considered the submitted report on capital funding proposals to carry out design works for an industrial unit at Oxen Cove, Brixham Harbour, to accommodate shellfish processing. It was noted the funding would assist with a grant funding application to the Marine Management Organisation for funding from the European Maritime and Fisheries Fund.

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

- (i) that the proposal to construct a shellfish/fish unit in Oxen Cove is approved as detailed in the business case set out in Appendix 1 to the submitted report, and that the scheme be included in the Council's Capital Plan;**
- (ii) that a budget of £400,000 be authorised so that the Executive Head of Assets and Business Services can commission specialist professional support to undertake the necessary design work and also submit a bid for grant funding from the European Maritime and Fisheries Fund (EMFF), in addition to seeking tenants for the proposed new shellfish/fish unit, via a marketing campaign;**
- (iii) that subject to a successful application(s) for grant funding, a further report is submitted to the Council with the outcome of the RIBA Design Stage 4 work and the marketing campaign for potential tenants. A future report to the Council will, if necessary, request an appropriate level of prudential borrowing in support of a viable scheme; and**
- (iv) that the Executive Head of Assets and Business Services be asked to work with Brixham Town Council and other local stakeholder groups to establish the likely impact on parking capacity in Brixham, should this scheme proceed, and identify appropriate and reasonable mitigating actions that could be implemented, in consultation with the Elected Mayor and all Group Leaders.**

(Note: Prior to consideration of Minute 136, Councillor Haddock declared his pecuniary interest and withdrew from the meeting.)

137 Members' questions

The Chairwoman advised that she had accepted an urgent question submitted by Councillor Darling (M). Members received a paper detailing questions, as set out at Appendix 1 to these minutes, 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 Elected Mayor Oliver and Councillors Excell, King and Mills.

Supplementary questions were put and answered by Elected Mayor Oliver and Councillors Excell and King arising from their responses to the questions in respect of questions 1, 2, 3, 4, 5, 6, 7, 10, 13 and the urgent question.

138 Notice of Motion - Safety of Fishermen (Mayoral Decision)

Members considered a motion in relation to the use of personal floatation devices and locator beacons for the safety of fishermen, notice of which was given in accordance with Standing Order A14.

It was proposed by Councillor Ellery and seconded by Councillor Amil:

This Council notes that the fishing industry is a dangerous industry to work in, with several lives lost across the UK each year. Such a tragic loss of life has a far reaching impact upon the fisherman's family, friends and community. Personal Floatation Devices and Personal Locator Beacons would greatly improve the chances of the fisherman being rescued. Unfortunately not all fishermen can afford this equipment.

Therefore this Council requests the Executive Head of Business Services and Assets to make an application to the Marine Management Organisation for funding through the European Maritime and Fisheries Fund to fully fund the purchase of Personal Floatation Devices equipped with Personal Locator Beacons and to develop a delivery scheme in partnership with the local fishing industry. This would ensure that those local fishermen who would struggle financially to buy one of these potentially lifesaving pieces of equipment can be provided to them at no cost.

This Council also requests the Chief Executive to write to the Local Government Association to request they encourage all other councils with fishing communities to follow suit and support the fishing industry nationally.

In accordance with Standing Order A14.3(a), the motion stood referred to the Elected Mayor.

The Elected Mayor supported the motion and his record of decision is attached to these minutes.

139 Transformation Project - Torbay Libraries - Appointment of Supplier

Members considered the submitted report on the outcome of a review of options for the future of Library Services which would reduce operating costs, provide sustainability across existing service outlets and deliver a more modern and innovative Library service.

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

- (i) that Council approve the proposal to enter into a Service delivery contract with an external Library Service Provider to deliver and manage Torbay Libraries;**
- (ii) that the Director of Corporate Services and Operations be given delegated authority to enter into a five year contract (with an option to extend for a further five years) to be awarded to the preferred bidder, 'Libraries Unlimited', with the contract to commence in April 2018; and**
- (iii) that Council note that the upfront costs of entering into this contract of £107,000 for Library ICT and estimated to be between £294,000 and £354,000 for staff transition costs, both of which will be funded from the Comprehensive Spending Review Reserve.**

140 Transformation Project - Review of Public Toilets

Members considered the submitted report on a review of public toilet provision to identify a long term solution to reduce costs whilst retaining and improving public toilets within Torbay. The report detailed the outcome of a procurement exercise seeking a commercial partner to deliver Torbay's public toilet provision.

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

- (i) that Council approve the proposal to enter into a service delivery contract with an external Provider to deliver and manage the sixteen toilet facilities as detailed within their tender;**
- (ii) that the Executive Head of Assets and Business Services be given delegated authority in consultation with the Elected Mayor, to enter into a 15 year contract (with an option to extend for a further 5 years) to be awarded to the preferred bidder, 'Healthmatic', with the contract to commence in 1st April 2018 in respect of the sixteen toilets detailed in their tender, on the basis that any charges implemented for use of the public toilets will be between 20p – 30p, dependent on location;**
- (iii) that Council authorise prudential borrowing of £1.032m to make capital investment in the modernisation of the Council's toilets facilities referenced in (i) above;**
- (iv) that the Council notes that the transitional costs of delivering (i) to (iii) of up to £150,000 in 2018/19 is to be funded from the Comprehensive Spending Review (CSR) Reserve; and**
- (v) that the Executive Head of Assets and Business Services be given delegated authority to award a contract which ensures that**

all remaining public toilets remain open and be maintained at current levels, meaning that no toilets are proposed to close.

(During consideration of Minute 140 Councillor Stubbley left the meeting.)

141 Draft recommendations on the new electoral arrangements for Torbay Council - Electoral Review - Submission by Torbay Council

Following the decision of the Council meeting on 8 August 2017, members received the submitted report on the recommendations of the Constitution Working Party on the Council's response to the Local Government Boundary Commission for England (LGBCE) proposals for new electoral arrangements for Torbay Council. It was noted the LGBCE proposals included 16 wards comprising a variety of two, three and one members.

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

that the Proposed Changes to Warding Patterns – Submission by Torbay Council set out in Appendix 1 to the submitted report be approved for submission by the Director of Corporate Services and Operations to the Local Government Boundary Commission for England.

142 Proposed Council Tax Support Scheme 2018/19

The Council considered the submitted report on a review of the current local Council Tax Support Scheme for 2018/19. The Scheme provided a discount to help low income households (including looked after children and care leavers) with their Council Tax payments. Members noted that for each financial year the Council must approve its current scheme by 31 January even if no changes were proposed and where changes were proposed a consultation exercise must be carried out.

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

- (i) that Personal Allowances and Premiums for Council Tax Support are uprated from 1 April 2018 in line with the prescribed pensioner scheme and national working-age benefits, which are both set by the Government;**
- (ii) that the Exceptional Hardship Fund of £80,000, which is used to top up Council Tax Support awards in appropriate cases, be continued;**
- (iii) that the Chief Accountant be given delegated authority, in consultation with the Elected Mayor and Executive Lead for IT, Libraries and Waste, to make any further adjustments required to the Exceptional Hardship Policy and Fund and the Vulnerable policy;**

- (iv) that the scheme be updated to include “we may use DWP notifications to update Council Tax Support”;**
- (v) that the scheme be updated to include “For the avoidance of doubt, the authority will decide what constitutes a claim for Council Tax Support. In the case of applicants who have applied for Universal Credit, the authority shall decide on a case by case basis when a claim is required from the applicant and by what method the claim is made. The authority may accept information received (in whatever format) from the DWP (Secretary of State for Work and Pensions) as a claim for Council Tax Support.”;**
and
- (vi) that members note that Council Tax Support for working age households will be restricted to a Band D property and maximum entitlement will reduce from 72.5 % to 70%, from April 2018, as agreed by Council in December 2016.**

143 Council Tax Base 2018/2019

Members considered the submitted report which set out the Council’s tax base for council tax purposes for 2018/19. The Chairwoman reported that a revised officer recommendation had been circulated prior to the meeting.

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

- (i) that the calculation of the Council Tax Base for the year 2018/19 be approved as shown in Appendix 1 to the submitted report;**
- (ii) that the calculation of the Brixham Town Council Tax Base for the year 2018/19 be approved as shown in Appendix 2 to the submitted report;**
- (iii) that the creation of an additional class of local discretionary council tax discount of up to 100% for care leavers, (that were in the care of Torbay Council), up to 25 years of age with effect from 1 April 2018 be approved; and that the policy for the eligibility criteria for the scheme is delegated to Head of Finance, in consultation with the Elected Mayor;**
- (iv) that the Head of Finance, in consultation with the Elected Mayor, be given delegated authority to approve an increase in empty homes premium from 50% to 100% (subject to legislation being passed) with effect from 1 April 2018;**
- (v) 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 2018/19 should be 44,865.89;

- (vi) 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 2018/19 should be 6,004.42;**
- (vii) that the Head of Finance and Director of Children's Services be given delegated authority, in consultation with the Elected Mayor and Executive Lead for Children's Services to create a Policy (with associated eligibility criteria), whereby Torbay Council care leavers up to 25 years of age, who live outside of the area, can apply for grants to assist them with their Council Tax. The cost implications of this Policy to be included within the budget setting process.**

(Note: During consideration of Minute 143 Councillor King left the meeting.)

144 Appointment of Heart of the South West Joint Committee

Following the decision of the Council meeting in February 2017 to establish 'in principle' a Heart of the South West Joint Committee, the Council considered the submitted report providing documentation to enable the Joint Committee to be formally established.

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

- (i) that the recommendation of the Heart of the South West's Leaders (meeting as a shadow Joint Committee) to form a Joint Committee for the Heart of the South West be approved;
- (ii) that the Arrangements and Inter-Authority Agreement documents set out in appendices 1 and 2 to the submitted report for the establishment of the Joint Committee with the commencement date of Monday 22 January 2018 be approved;
- (iii) that the Elected Mayor (Gordon Oliver) and the Leader of the Conservative Group (Councillor David Thomas) be appointed as Torbay Council's named representative and substitute named representative on the Joint Committee;
- (iv) that Somerset County Council be appointed as the Administering Authority for the Joint Committee for a 2 year period commencing 22 January 2018;
- (v) that the transfer of the remaining joint devolution budget to meet the support costs of the Joint Committee for the remainder of 2017/18

financial year subject to approval of any expenditure by the Administering Authority be approved;

- (vi) that an initial contribution of £4000 for 2018/19 to fund the administration and the work programme of the Joint Committee, noting that any expenditure will be subject to the approval of the Administering Authority, be approved;
- (vii) that it be agreed that the key function of the Joint Committee is to approve the Productivity Strategy;
- (viii) that the initial work programme of the Joint Committee aimed at the successful delivery of the Productivity Strategy be authorised; and
- (ix) that the proposed meeting arrangements for the Joint Committee including the timetable of meetings for the Joint Committee as proposed in section 1 of the Background Information set out in the submitted report be agreed.

During the debate Councillor Thomas (J) proposed and Councillor Robson seconded an amendment to the motion as follows:

- (iii) that the Leader of the majority party (currently Councillor David Thomas) ~~Elected Mayor (Gordon Oliver)~~ and the Deputy Leader of the majority party (currently Councillor Alan Tyerman) ~~Deputy Mayor (Councillor Derek Mills)~~ be appointed as Torbay Council's named representative and substitute named representative on the Joint Committee;

A recorded vote was taken on the amendment. The voting was taken by roll call as follows: For: Councillors Bent, Bye, Hill, Kingscote, Lewis (B), Lewis (C), Manning, Morey, Morris, O'Dwyer, Robson, Sykes, Thomas (D), Thomas (J), Tolchard, Tyerman and Winfield (17); Against: Elected Mayor Oliver, Councillors Amil, Carter, Darling (M), Darling (S), Doggett, Ellery, Excell, Mills, Parrott, Pentney, Sanders and Stockman (13); Abstain: Councillors Brooks and Haddock (2); and Absent: Councillors Barnby, King, Stocks and Stubbley (4). Therefore, the amendment was declared carried.

During the debate Councillor Mills proposed and Councillor Parrott seconded a further amendment to the motion as follows:

- (iii) that the Elected Mayor (Gordon Oliver) and Leader of the majority party (currently Councillor David Thomas) ~~and the Deputy Leader of the majority party (currently Councillor Alan Tyerman)~~ be appointed as Torbay Council's jointly named representatives and alternate their attendance at the meetings ~~and substitute named representative on the Joint Committee;~~

A recorded vote was taken on the amendment. The voting was taken by roll call as follows: For: Elected Mayor Oliver, Councillors Amil, Excell, Mills, Parrott and

Stockman (6); Against: Councillors Bent, Bye, Hill, Kingscote, Lewis (B), Lewis (C), Manning, Morris, O'Dwyer, Robson, Sykes, Thomas (D), Thomas (J), Tolchard, Tyerman and Winfield (16); Abstain: Councillors Brooks, Carter, Darling (M), Darling (S), Doggett, Ellery, Haddock, Morey Pentney and Sanders (10); and Absent: Councillors Barnby, King, Stocks and Stubbley (4). Therefore, the amendment was declared lost.

The amended (substantive) motion was then considered by members, which was agreed by the Council as follows:

- (i) that the recommendation of the Heart of the South West's Leaders (meeting as a shadow Joint Committee) to form a Joint Committee for the Heart of the South West be approved;**
- (ii) that the Arrangements and Inter-Authority Agreement documents set out in appendices 1 and 2 to the submitted report for the establishment of the Joint Committee with the commencement date of Monday 22 January 2018 be approved;**
- (iii) that the Leader of the majority party (currently Councillor David Thomas) and the Deputy Leader of the majority party (currently Councillor Alan Tyerman) be appointed as Torbay Council's named representative and substitute named representative on the Joint Committee;**
- (iv) that Somerset County Council be appointed as the Administering Authority for the Joint Committee for a 2 year period commencing 22 January 2018;**
- (v) that the transfer of the remaining joint devolution budget to meet the support costs of the Joint Committee for the remainder of 2017/18 financial year subject to approval of any expenditure by the Administering Authority be approved;**
- (vi) that an initial contribution of £4000 for 2018/19 to fund the administration and the work programme of the Joint Committee, noting that any expenditure will be subject to the approval of the Administering Authority, be approved;**
- (vii) that it be agreed that the key function of the Joint Committee is to approve the Productivity Strategy;**
- (viii) that the initial work programme of the Joint Committee aimed at the successful delivery of the Productivity Strategy be authorised; and**
- (ix) that the proposed meeting arrangements for the Joint Committee including the timetable of meetings for the Joint Committee as**

proposed in section 1 of the Background Information set out in the submitted report be agreed.

145 Review of Political Balance

The Council considered a review of political balance on committees and working parties following the creation of the Mayor's Non-Political Executive Group as set out in the submitted report. The Chairwoman reported that the revised officer recommendation had been circulated.

Elected Mayor Oliver proposed and Councillor Thomas (D) 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 to the submitted report be approved;**
- (ii) that the following Working Parties be disbanded as their work has concluded:**
 - LGA Corporate Peer Challenge Action Plan Working**
 - Strategic Partnership Forum Working Party**
 - Housing Working Group for Officers and Members; and**
- (iii) that, in accordance with the Local Protocol for Working Parties, the overall political balance of working parties as set out in revised Appendix 2 be approved, subject to the Airshow Working Party membership being reduced to 5 members (comprising 3 Conservative, 1 Liberal Democrat and 1 Mayor's Non-Political Executive Group).**

146 Budget Monitoring 2017/2018 - Quarter 2

The Council received the submitted report on the high level budget summary of the Council's revenue and capital income and expenditure for quarter 2 of 2017/18 financial year. It was noted the revenue budget was predicting an overspend of £1.9 million primarily as a result of expenditure pressures in Children's Services. Members also noted the Capital Plan budget totalled £191.8 million for the 4 year programme, with £104 million scheduled to be spent in 2017/18, including £68 million on Investment Fund opportunities, £7 million on major transport schemes and £15 million on regeneration projects.

The submitted report including proposals for lending to Torquay Academy for expansion to meet demand for secondary school places.

Elected Mayor Oliver proposed and Councillor Darling (M) seconded a motion, which was agreed (unanimously) by the Council as set out below:

- (i) that the Council notes the current position; and**

- (ii) that the Council approves a loan to Torquay Academy of £0.225m to be repaid over seven years to fund additional teaching space at Torquay Academy.

147 Provisional Calendar of Meetings for 2018/2019

The Council considered the submitted report setting out the proposed calendar of meetings for 2018/2019.

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

- (i) that, subject to the start time for the meetings of the Policy Development and Decision Group (Joint Commissioning Team) (PDDG JCT) being amended to 2.00 p.m. and the meetings of the Policy Development and Decision Group (Joint Operations Team) being amended to 3.00 p.m. (or at the rising of the PDDG JCT), the provisional calendar of meetings for 2018/2019, set out in Appendix 1 to the submitted report, be approved for final ratification at the Annual Council Meeting; and
- (ii) that meetings of the Employment Committee and Civic Committee be held on an ad-hoc basis, to be determined by the Governance Support Manager in consultation with the relevant Chairman/woman.

148 Composition and Constitution of the Executive and Delegation of Executive Functions

Members noted the submitted report which provided details of changes made by the Elected Mayor to his Executive.

Chairwoman

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Questions Under Standing Order A13

A member may only submit three questions for consideration at each Council Meeting. Each member will present their first question in turn, when all the first questions have been dealt with the second and third questions may be asked in turn. The time for member's questions will be limited to a total of 30 minutes.

<p>Question (1) by Councillor Darling (S) to the Executive Lead for Community Services (Councillor Excell)</p>	<p>Torbay Council plans to close Watcombe Beach Car Park, due to anti-social behaviour, were met with horror by many members of the local community. Whilst the stay of execution for the car park is welcome, what action has the local authority taken to tackle the anti-social activities that led to the plans to close this popular car park?</p>
<p>Councillor Excell</p>	<p>There are limited viable options to address the issues at the car park (which include anti-social behaviour), due to the resource implications this places upon the Council and partners. However, the Council along with external agencies are considering the actions which may be taken to tackle the anti-social activities which have been reported in this car park.</p>
<p>Question (2) by Councillor Darling (M) to the Executive Lead for Community Services (Councillor Excell)</p>	<p>A number of residents in Magdalene Road, Torquay have complained to me about the double yellow lines being unenforceable on this highway. Despite numerous requests I understand that Tor2 have not been able to provide a date when work can be undertaken to bring these lines up to an enforceable standard. I would be grateful if you could advise me what action you intend to take to get this matter resolved?</p>
<p>Councillor Excell</p>	<p>We are currently working with our contractors to carry out marking works to Magdalene Road. There has been difficulty in moving parked cars and there has been consultation with residents. We are looking to impose a parking suspension in order to progress these works, however we are awaiting a proposed date from our contractor in order that we arrange the suspension for the appropriate time.</p>
<p>Question (3) by Councillor Sanders to The Elected Mayor and Executive Lead for Finance, Regeneration and Corporate Services (Mayor Oliver)</p>	<p>Will the Elected Mayor a) circulate to elected members and b) post on Torbay Council's website the agreement Torbay Council has signed to participate in a joint committee with the other local authorities in Devon & Somerset?</p>
<p>Mayor Oliver</p>	<p>The proposal for a Joint Committee is on the agenda for this Council meeting, and it is for Council to agree this. As such there is no agreement that has been signed.</p> <p>Given it is on the agenda, the proposals are already available on the Council's website.</p>
<p>Question (4) by Councillor Kingscote to The Elected Mayor and Executive Lead for Finance, Regeneration and</p>	<p>Could The Elected Mayor please advise the Council, how much money (gross and net) the Investment Strategy fund will bring into this authority from 1st April 2018.</p>

Corporate Services (Mayor Oliver)	
Mayor Oliver	<p>Based on the four purchases to date costing £87m – gross rent is £5.5m with an estimated surplus to Council of £1.8m As at 01/12/17 external debt is £273m. Could rise to over £437m if all borrowing approved in principal, such as investment fund, housing company and town centre regeneration all progress.</p> <p>On the £118m spent on 5 investment properties, one is in Torbay (£21m) and four outside the area (£97m). All other capital spend is in Torbay or closely related such as South Devon Highway.</p>
Question (5) by Councillor Lewis to The Elected Mayor and Executive Lead for Finance, Regeneration and Corporate Services (Mayor Oliver)	Taking Torbay Leisure Centre as a recent example of Council offering its buildings on a long term lease free of income in order to keep services both offered and running. Is this a principle that the Mayor now supports and is looking at being one of the solutions in helping to close the ongoing financial gap this Council is experiencing?
Mayor Oliver	Each case to be taken on its merits. I'm told that the working party asked for feedback on the recent open day for interested parties. No recommendations that I'm aware of.
Question (6) by Councillor Pentney to the Executive Lead for IT, Libraries and Waste (Councillor King)	<p>I note that Cllr Stringer put the following question in on the 5 February 2015.</p> <p>“In recent weeks Devon County Council have stopped Torbay residents from using the Recycling Centre at Brunel Industrial Estate Newton Abbot. What representations have you made to try to ensure that our residents continue to have use of this valued facility.”</p> <p>There is no record of the Councils response. What progress have the Council made in the last two years for Torbay residents to gain access to this facility?</p>
Councillor King	<p>Devon County Council are actively stopping Torbay residents from using Brunel Road, Newton Abbot recycling centre. This was as a result of budget negotiations back in October 2014 as Devon County Council wanted a contribution of about £190k p.a. to allow Torbay residents to continue to use this facility. The then Deputy Mayor Dave Thomas after negotiations with Councillor Croad of Devon County Council decided that this contribution was not possible so the restriction on Torbay residents accessing their site was put in place and still continues.</p> <p>This will not change unless Torbay Council wishes to contribute to the running of their site and with the current financial climate and a budget reduction needed in waste of £500k I do not believe funds are available to reverse this decision.</p>

Second Round

Question (7) by Councillor Darling	I understand from the Community Development Trust and officers of Torbay Council that plans are progressing for a replacement bus service
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(S) to the Executive Lead for Community Services (Councillor Excell)	for the 65/64 bus service. Many of my residents remain stranded with no buses. Will this service be introduced in time for Christmas 2017?										
Councillor Excell	Whilst not confirmed, I would not expect the service to be introduced before Christmas. Council agreed a capital funding contribution towards a bus to operate on this service but the CDT will be responsible for the set up and operation. Council officers are currently considering the CDT's submission and a business case will be presented to the Executive Head and Executive Lead for agreement as soon as possible. Once this is agreed the CDT can make the necessary arrangements to set up the service.										
Question (8) by Councillor Sanders to The Elected Mayor and the Executive Lead for Finance, Regeneration and Corporate Services (Mayor Oliver)	What is the current level of Council borrowing so far in this financial year and what were the levels of Council borrowing in each of the last four completed financial years?										
Mayor Oliver	<table border="0"> <tr> <td>14/15</td> <td>£138m</td> </tr> <tr> <td>15/16</td> <td>£138m</td> </tr> <tr> <td>16/17</td> <td>£138m</td> </tr> <tr> <td>17/18</td> <td>£153m</td> </tr> <tr> <td>As at 24/11/17</td> <td>£273m</td> </tr> </table>	14/15	£138m	15/16	£138m	16/17	£138m	17/18	£153m	As at 24/11/17	£273m
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As at 24/11/17	£273m										
Question (9) by Councillor Darling (M) to the Deputy Mayor and Executive Lead for Planning (Councillor Mills)	<p>Both residents and tourists continue to complain about the blot on the landscape caused by the lack of progress on the Torwood Street development.</p> <p>Would you agree with me that this situation has gone on long enough and it is time that Torbay Council started to move towards a compulsory purchase order so as to bring things to a satisfactory conclusion?</p>										
Councillor Mills	The Mayor and his executive colleagues share the desire of residents, tourists and the local business community to see progress on this important development for Torquay. With a private developer committed to the site, as well as the town it would not be appropriate at this time to propose a compulsory purchase of the site. However, I would like to reassure Councillor Darling that every effort is being made by the Council to bring the project forward so that the investment comes into the town, jobs are created and momentum is generated for the long term town centre regeneration programme, which we are all committed to see delivered.										
Question (10) by Councillor Pentney to The Elected Mayor and Executive Lead for Finance, Regeneration and Corporate Services (Mayor Oliver)	What is the current number of families in Torbay bidding for social housing?										

Mayor Oliver	There are 993 households currently registered with Torbay who can bid on Devon Home Choice. Of these, 641 households (65%) have actually placed at least 1 bid.
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Third Round

Question (11) by Councillor Darling (S) to the Executive Lead for Community Services (Councillor Excell)	I understand that following the loss of the 32 bus services officers are exploring the 34 bus service to be extended to Torbay hospital. Can you give us an update on progress in improving this service and particularly when any such changes may be implemented?										
Councillor Excell	As part of the discussions following notification by Stagecoach of amendments to the Service 32, an option was tabled to consider a revision to the route for the Service 34. In the short time period during those discussions and implementation of the amendments to the Service 32, it was not possible to agree a funding package which would provide the opportunity to improve the Service 34 and sufficiently increase the passenger demand to make the business case. Council officers are still considering other options to improve the link between Torbay Hospital and The Willows, however, that solution may not include the Service 34 and there is not implementation plan currently.										
Question (12) by Councillor Darling (M) to the Executive Lead for Community Services (Councillor Excell)	Some time ago residents raised the issue of the bollards outside 2 Plantation Way, Torquay. These bollards were originally sited incorrectly. The bollards were then re-sited but constructed with inappropriate material. Following this the bollards were removed and to date have not been replaced in the correct location. Please could you advise when these bollards will be put back in situ?										
Councillor Excell	The bollards placed in Plantation Way were installed by the developers at their expense to ensure that the existing grass verge was protected from overrunning from large vehicles accessing the adjacent construction site. The bollards were instructed to be removed as they were not the correct specification for use on the highway and were a potential hazard. Since their removal however, inspectors have monitored the area and as there has been little evidence of damage being caused, highways have therefore agreed that these bollards are not replaced, however may request installation if the situation changes or damage is recorded.										
Question (13) by Councillor Sanders to The Elected Mayor and Executive Lead for Finance, Regeneration and Corporate Services (Mayor Oliver)	How many units of regulated rent secure tenancy (social housing) have been constructed in Torbay in each of the past 5 years for which figures are available?										
Mayor Oliver	From 2012/13 to 2016/17 (5 years) 430 units were constructed.										
	<table border="1"> <thead> <tr> <th>Year</th> <th>Social Rent</th> <th>Affordable Rent</th> <th>Shared Ownership</th> <th>Totals</th> </tr> </thead> <tbody> <tr> <td>2007/08</td> <td>77</td> <td>0</td> <td>70</td> <td>149</td> </tr> </tbody> </table>	Year	Social Rent	Affordable Rent	Shared Ownership	Totals	2007/08	77	0	70	149
Year	Social Rent	Affordable Rent	Shared Ownership	Totals							
2007/08	77	0	70	149							

	2008/09	92	0	27	119
	2009/10	57	0	60	117
	2010/11	110	0	17	127
	2011/12	27	0	8	35
	2012/13	14	0	21	35
	2013/14	179	0	16	195
	2014/15	89	8	16	113
	2015/16	32	12	2	46
	2016/17	23	11	8	41

Urgent Question

<p>Question (14) by Councillor Darling (M) to the Executive Lead for Community Services (Councillor Excell)</p>	<p>I understand that on Sunday 26th November there was a fatal accident at the junction of Belgrave Road and Lucius Street. I have previously raised concerns about the lack of pedestrian facilities at this junction but been advised that it was not in the Council's capital programme of improvement. In light of this fatality can I request that this be urgently considered that pedestrian facilities installed at this junction?</p>
<p>Councillor Excell</p>	<p>Torbay Council are deeply saddened to hear of this fatal collision on one of our roads and our sympathies go out to the relatives and friends on the gentleman involved.</p> <p>At this stage we are unable to comment on the specific details of this collision as this remains subject to a Police investigation, however once we receive the report we will consider the implications as part of our next collision site review across the Torbay Network in 2018, which will set the next priority sites for road safety engineering intervention.</p> <p>It should be noted that this particular site was not identified as a particular concern from the most recent site review, the priorities of which were recently considered and supported by the Transport Working Party, and at the present time I am unable to comment as to whether this junction will be identified as one of our priorities for next year until we have all the information available. I would comment however that the junction concerned has been identified as a location that may be considered for pedestrian improvements as part of any future upgrade of the signal apparatus, subject to available budget and design constraints.</p>

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Record of Decisions

Notice of Motion - Safety of Fishermen

Decision Taker

Elected Mayor on 7 December 2017

Decision

That the motion be supported.

Reason for the Decision

To respond to the motion.

Implementation

This decision will come into force and may be implemented on Tuesday, 19 December 2017 unless the call-in procedure is triggered (as set out in the Standing Orders in relation to Overview and Scrutiny).

Information

At the Meeting of the Council held on 7 December 2017, members received a motion, as set out below, notice of which had been given in accordance with Standing Order A14 by Councillors Ellery and Amil:

This Council notes that the fishing industry is a dangerous industry to work in, with several lives lost across the UK each year. Such a tragic loss of life has a far reaching impact upon the fisherman's family, friends and community. Personal Floatation Devices and Personal Locator Beacons would greatly improve the chances of the fisherman being rescued. Unfortunately not all fishermen can afford this equipment.

Therefore this Council requests the Executive Head of Business Services and Assets to make an application to the Marine Management Organisation for funding through the European Maritime and Fisheries Fund to fully fund the purchase of Personal Floatation Devices equipped with Personal Locator Beacons and to develop a delivery scheme in partnership with the local fishing industry. This would ensure that those local fishermen who would struggle financially to buy one of these potentially lifesaving pieces of equipment can be provided to them at no cost.

This Council also requests the Chief Executive to write to the Local Government Association to request they encourage all other councils with fishing communities to follow suit and support the fishing industry nationally.

The Elected Mayor considered the motion at the Meeting of the Council and his decision is set out above.

Alternative Options considered and rejected at the time of the decision

Not to support the motion.

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

11 December 2017

Signed: _____
Deputy Mayor on behalf of
The Elected Mayor of Torbay

Date: 11 December 2017