



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

**20 September 2018**

**-: Present :-**

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

The Elected Mayor of Torbay (Mayor Oliver)

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

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**69 Opening of meeting**

The meeting was opened with a prayer.

**70 Apologies for absence**

Apologies for absence were received from Councillors Bent, King, Long, Parrott and Winfield.

Councillor Kingscote arrived late to the meeting and during consideration of Minute 80.

**71 Minutes**

The Minutes of the meeting of the Council held on 19 July 2018 were confirmed as a correct record and signed by the Chairman.

**72 Declarations of interests**

Councillor Hill declared a non-pecuniary interest in respect of Minute 80 as he was a Director of the RICC.

**73 Communications**

The Chairman:

- a) invited members to the Annual Civic Church Service which was due to be held at Palace Avenue Methodist Church, Paignton, on Sunday 30 September 2018 at 3.00 pm;
- b) advised that he attended the service of thanksgiving and rededication to commemorate the Battle Of Britain and the centenary of the formation of the RAF held at the Parish Church of St Luke, Torquay, on Sunday 16 September 2018; and
- c) informed members that, on 17 September 2018, he attended the inauguration of a new Parish Minister at Upton St. Mary Magdalene, where Reverend Samuel Leach became the Rector of the Church. The Right Reverend Robert Atwell, Bishop of Exeter was also present.

The Overview and Scrutiny Co-ordinator thanked those Members who took part in the Task and Finish Group, which was called at short notice to review the recommendations before this Council meeting on the Transformation Project for the Future of ICT Services.

#### **74 Order of Business**

In accordance with Standing Order A7.2 in relation to Council meetings, the order of business was varied to enable agenda Item 11 (Transformation Project – Future of ICT Services) to be considered before Item 17 (Exclusion of the Press and Public).

#### **75 Public question time - withdraw charges for registered charities**

In accordance with Standing Order A24, the Council heard from Mr Colhoun who had submitted a statement and question in relation to the Council charging registered charities for the use of public open space in Torbay. The Elected Mayor responded to the statement and question that had been put forward, plus a supplementary question asked by Mr Colhoun.

#### **76 Petition - Traffic Calming Devices along Eden Park Road and outside Eden Park Primary School**

In accordance with Standing Order A12, the Chairman reported that the Council had received a petition requesting the Council to install traffic calming devices along Eden Park Road and outside Eden Park Primary School, Brixham (approximately 102 valid signatures).

It was noted that the petition would be referred to the Assistant Director of Business Services for consideration in consultation with the Executive Lead for Community Services.

#### **77 Members' questions**

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, Mills, Parrott and Stocks.

Supplementary questions were put and answered by Elected Mayor Oliver and Councillors Excell, Mills and Stocks, arising from their responses to the questions in respect of questions 1, 2, 3, 4, 5, 6, 8 and 9.

#### **78 Notice of Motion - Brexit Negotiations (Mayoral Decision)**

Members considered a motion in relation to the Brexit negotiations, notice of which was given in accordance with Standing Order A14.

Councillor Ellery proposed and Councillor Haddock seconded the motion, as set out below:

This Council notes the decision of the people of Torbay by a majority to support leaving the European Union and requests the Chief Executive of Torbay Council write to our Members of Parliament calling upon them to support the major democratic decision of the people of Torbay and that they support proposals that reflect that view in all negotiations nationally by the Government with the European Union.

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.

#### **79 Notice of Motion - Clinical Commissioning Group - Overview and Scrutiny (Overview and Scrutiny Decision)**

Members considered a motion in relation to the proposed merger of the governing bodies of the Clinical Commissioning Groups within Devon, notice of which was given in accordance with Standing Order A14. In the absence of Councillor Long, the Chairman permitted Councillor Sanders to propose the motion.

Councillor Sanders proposed and Councillor Darling (S) seconded the motion, as set out below:

Torbay Council notes that the Governing Bodies of the Clinical Commissioning Groups in Devon have submitted an 'expression of interest' to merge.

This Council further notes that the following concerns have been raised at meetings of the Overview and Scrutiny Board:

- The lack of any positive outcomes in terms of improved services for local residents;
- The lack of clarity on how a new merged body would be accountable to local people;

- Concerns about Torbay's influence in a larger body being watered down;
- Concerns that this decision could be made behind closed doors without public consultation; and
- Questions over whether funds currently earmarked for Torbay might be subsumed into a wider body.

It is understood that similar issues have been raised at meetings of Devon County Council's Overview and Scrutiny Board.

This Council understands that this issue will be discussed at a meeting of Torbay's Overview and Scrutiny Board in October, and recommends that a written report is presented from the local Clinical Commissioning Group responding to the above concerns at that meeting.

In accordance with Standing Order A14.3(a), the motion stood referred to the Overview and Scrutiny Board.

#### **80 Transformation project : The future development of the RICC site**

Following the Council's decision in February 2018, Members considered the submitted report on proposals for a market brief and procurement exercise to establish development opportunities for the future of the Riviera International Conference Centre (RICC) site and the surrounding area.

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

- (i) that Council approve the 'Riviera International Conference Centre Market Brief', as shown in Appendix 1 to the submitted report, and note that on this basis the Council will commence a procurement exercise to identify a Strategic Delivery Partner to establish development opportunities and solutions for the RICC; and**
  
- (ii) that following the procurement exercise the decision to award the 'preferred bidder' to become the Council's Strategic Delivery Partner is presented to Council for approval in May 2019.**

(Note 1: Councillor Hill declared his non-pecuniary interest during consideration of this item.)

(Note 2: Councillor Kingscote joined the meeting during consideration of this item.)

#### **81 Elected Mayor's Response to Objection to Investment and Regeneration Fund Strategy**

Further to the Council meeting held on 19 July 2018, Members considered the submitted report on the Elected Mayor's response to the objections raised by the

Council on the Investment and Regeneration Fund Strategy, along with the recommendations of the Investment and Regeneration Committee to update the Strategy. Members received the Elected Mayor's revised Record of Decision prior to the meeting.

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

- (i) that the revised Investment and Regeneration Fund Strategy set out at Appendix 2 to the submitted report be approved; and
- (ii) that the following decisions be rescinded:

Minute 180/4/17 (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;

Minute 119/10/17 (ii) - that any income (revenue or capital) from the projects within Phase 1 of the TCR Programme, in excess of the amount required to cover the prudential borrowing costs for the £25 million and sustain service delivery (including any increased service costs/forecast income), be re-invested into the delivery of the Town Centre Regeneration Programme;

Minute 119/10/17 (iii) - that the Town Centres Regeneration Programme Board must submit for approval by the Chief Executive, in consultation with the Elected Mayor and Group Leaders, an initial 5 year Town Centres Regeneration Business Plan, including delivery timescales and interdependencies between the projects demonstrating how the prudential borrowing will be used. The Business Plan needs to be regularly reviewed, with the Board submitting amendments for approval. The Overview and Scrutiny Board will periodically review progress against the business plan;

Minute 40/6/18 (ii) - that any income (revenue or capital) from the projects within Phase 1 of the TCR Programme, in excess of the amount required to cover the prudential borrowing costs for the £25 million and sustain service delivery (including any increased service costs/forecast income), be re-invested into the delivery of the Town Centre Regeneration Programme;

Minute 40/6/18 (iii) - that the Town Centres Regeneration Programme Board must submit for approval by the Chief Executive, in consultation with the Elected Mayor and Group Leaders, an initial 5 year Town Centres Regeneration Business Plan, including delivery timescales and interdependencies

between the projects demonstrating how the prudential borrowing will be used. The Business Plan needs to be regularly reviewed, with the Board submitting amendments for approval. The Overview and Scrutiny Board will periodically review progress against the business plan; and

Minute 40/6/18 (v) that, if necessary, the £25 million Town Centre Regeneration Programme Fund can be used to make strategic acquisitions of property, with the revenue and/or capital income from such purchases being reinvested into the delivery of the TCR Programme. The authority to make such acquisitions is delegated to the Executive Head of Business Services, in consultation with the Chief Finance Officer and the Town Centres Regeneration Programme Board, following assessment of a clear business case. The drawdown of the Prudential Borrowing to be approved in accordance with (i) above. Any purchase of property in excess of £5 million will need full Council approval.

During the debate Councillor Darling (S) proposed and Councillor Pentney seconded an amendment to the motion as follows:

That the Investment and Regeneration Fund Strategy be amended so that investments shall primarily be in within the Torbay local authority area, with the ability, on occasion, to allow for investments within approximately a radius of 60 kilometres of Torbay (to include Plymouth and Exeter), and the Director of Corporate Services be instructed to amend the strategy accordingly.

The amendment was put to the vote. Less than two-thirds of members present and voting cast their vote in support of the amendment and it was declared lost.

Elected Mayor Oliver's and Councillor Mills' original motion was then considered by the Council which was agreed, as set out below:

- (i) that the revised Investment and Regeneration Fund Strategy set out at Appendix 2 to the submitted report be approved; and**
- (ii) that the following decisions be rescinded:**

**Minute 180/4/17 (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;**

**Minute 119/10/17 (ii) - that any income (revenue or capital) from the projects within Phase 1 of the TCR Programme, in excess of the amount required to cover the prudential**

**borrowing costs for the £25 million and sustain service delivery (including any increased service costs/forecast income), be re-invested into the delivery of the Town Centre Regeneration Programme;**

**Minute 119/10/17 (iii) - that the Town Centres Regeneration Programme Board must submit for approval by the Chief Executive, in consultation with the Elected Mayor and Group Leaders, an initial 5 year Town Centres Regeneration Business Plan, including delivery timescales and interdependencies between the projects demonstrating how the prudential borrowing will be used. The Business Plan needs to be regularly reviewed, with the Board submitting amendments for approval. The Overview and Scrutiny Board will periodically review progress against the business plan;**

**Minute 40/6/18 (ii) - that any income (revenue or capital) from the projects within Phase 1 of the TCR Programme, in excess of the amount required to cover the prudential borrowing costs for the £25 million and sustain service delivery (including any increased service costs/forecast income), be re-invested into the delivery of the Town Centre Regeneration Programme;**

**Minute 40/6/18 (iii) - that the Town Centres Regeneration Programme Board must submit for approval by the Chief Executive, in consultation with the Elected Mayor and Group Leaders, an initial 5 year Town Centres Regeneration Business Plan, including delivery timescales and interdependencies between the projects demonstrating how the prudential borrowing will be used. The Business Plan needs to be regularly reviewed, with the Board submitting amendments for approval. The Overview and Scrutiny Board will periodically review progress against the business plan; and**

**Minute 40/6/18 (v) that, if necessary, the £25 million Town Centre Regeneration Programme Fund can be used to make strategic acquisitions of property, with the revenue and/or capital income from such purchases being reinvested into the delivery of the TCR Programme. The authority to make such acquisitions is delegated to the Executive Head of Business Services, in consultation with the Chief Finance Officer and the Town Centres Regeneration Programme Board, following assessment of a clear business case. The drawdown of the Prudential Borrowing to be approved in accordance with (i) above. Any purchase of property in excess of £5 million will need full Council approval.**

**82 Delivery and implementation of the Housing Strategy**

Further to the request of the Council on 19 July 2018 for a review of the delivery and implementation of the Housing Strategy, Members received the submitted report on the outcome of the review and current position. It was noted the Assistant Director of Business Services had been delegated Council's instructions for delivery of affordable housing schemes by the Chief Executive to avoid any conflict of interest in relation to the TDA or other senior officers' involvement with the Council's Housing Company.

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

- (i) that, the Director of Adults and Housing be instructed to amend, consolidate and refresh Torbay Council's existing Housing Strategy and associated documents so that they align with the Council's current approach to policy framework documents, encompass the changes to the National Planning Policy Framework (NPPF), following a period of development and consultation, the revised Housing Strategy for Torbay to be presented to Council for approval as soon as possible after the local elections in May 2019;
- (ii) that, the Housing Committee be asked to consider the benefits and/or disadvantages of merging the Housing Rental Company (RentCo) into the TDA, or a subsidiary of the TDA to enable relevant schemes to be delivered at pace, and report back to Council with an appropriate recommendation;
- (iii) that, the Assistant Director of Business Services, be requested to identify additional potential sites for affordable housing and report on this to Council in October 2018; and
- (iv) that, following the Prime Minister's announcement on 19 September 2018 for £2 billion of government funding to build new homes, the Director of Adult Services and Housing be instructed to pursue this funding for Torbay.

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

- ~~(iii) That, the Assistant Director of Business Services, be requested to identify additional potential sites for affordable housing and report on this to Council in October 2018.~~
- (iii) that, in accordance with Minute 67 of 19 July 2018, Council re-emphasises its requirement for the housing schemes at Redwell Lane, Totnes Road and St Kilda's to be progressed as a matter of urgency, but notes that no decision has yet been taken in this respect. It is further noted that the Chief Executive has delegated this decision



to be implemented by the Assistant Director of Business Services. In light of this further delegation, that the Assistant Director of Business Services be instructed, as a matter of urgency, to make a decision regarding the delivery of the schemes, as per Minute 67, and to utilise the £20,000 previously identified to continue the ongoing design, planning and procurement work required to secure delivery of these affordable housing schemes at the earliest opportunity.

The amendment was put to the vote and declared carried.

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

- (i) that, the Director of Adults and Housing be instructed to amend, consolidate and refresh Torbay Council's existing Housing Strategy and associated documents so that they align with the Council's current approach to policy framework documents, encompass the changes to the National Planning Policy Framework (NPPF), following a period of development and consultation, the revised Housing Strategy for Torbay to be presented to Council for approval as soon as possible after the local elections in May 2019;**
- (ii) that, the Housing Committee be asked to consider the benefits and/or disadvantages of merging the Housing Rental Company (RentCo) into the TDA, or a subsidiary of the TDA to enable relevant schemes to be delivered at pace, and report back to Council with an appropriate recommendation;**
- (iii) that, in accordance with Minute 67 of 19 July 2018, Council re-emphasises its requirement for the housing schemes at Redwell Lane, Totnes Road and St Kilda's to be progressed as a matter of urgency, but notes that no decision has yet been taken in this respect. It is further noted that the Chief Executive has delegated this decision to be implemented by the Assistant Director of Business Services. In light of this further delegation, that the Assistant Director of Business Services be instructed, as a matter of urgency, to make a decision regarding the delivery of the schemes, as per Minute 67, and to utilise the £20,000 previously identified to continue the ongoing design, planning and procurement work required to secure delivery of these affordable housing schemes at the earliest opportunity; and**
- (iv) that, following the Prime Minister's announcement on 19 September 2018 for £2 billion of government funding to build new homes, the Director of Adult Services and Housing be instructed to pursue this funding for Torbay.**

**83 Local Government Reorganisation Options**

Further to the Council's decision on 21 June 2018, Members considered the submitted report on the outcome of the Chief Executive's review of local government reorganisation options. It was noted the Chief Executive obtained the views of relevant authorities across Devon as to their position in respect of any proposed local government re-organisation and that there was no desire from those authorities for any form of reorganisation either currently or in the foreseeable future. Therefore, the Chief Executive had undertaken a review of the business cases undertaken by Local Partnerships in 2017 and recommended the Council consider the possible creation of Town Councils to raise revenue in light of the Council's financial position.

Elected Mayor Oliver proposed and Councillor Mills seconded a motion, which was determined by recorded vote. The voting was taken by roll call as follows: For: Elected Mayor Oliver, Councillors Amil, Carter, Darling (M), Darling (S), Doggett, Ellery, Excell, Haddock, Manning, Mills, Morey, Pentney, Sanders, Stockman and Stocks (16); Against: Councillors Barnby, Brooks, Bye, Hill, Kingscote, Lewis (B), Lewis (C), Morris, O'Dwyer, Robson, Stubbley, Sykes, Thomas (D), Thomas (J), Tolchard and Tyerman (16); and Absent: Councillors Bent, King, Long, Parrot and Winfield (5). Therefore, in accordance with Standing Order A19.2, the Chairman used his casting vote, voted for the motion and declared it carried, as set out below:

- (i) that Council instructs the Director of Corporate Services to undertake a Community Governance Review with a view to considering the principle of three Town Councils across the entirety of Torbay;**
- (ii) that the cost of additional resources to undertake the community governance review of £50,000, be funded from the Council's Revenue Contingency Budget;**
- (iii) that a Community Governance Review Working Party be established, with the terms of reference to oversee impartially and objectively the implementation of the Community Governance Review and to report back to Full Council with recommendations based on the responses to the consultation. The Working Party to be created with the following membership: the Elected Mayor, and 8 additional members, to be politically balanced (5 Conservative, 2 Liberal Democrat and 1 Independent Group);**
- (iv) that Council notes that it needs to continue to deliver and expand its current Transformation programme at pace, recognising that significant savings are required and that future change is inevitable. That Council reflects upon the severe ramifications of not achieving sufficient savings and works together to review options for raising additional income through Council Tax, above that envisaged within the current Medium**

**term Resource Plan, irrespective of whether it decides to carry out a Community Governance Review.**

During the debate, a procedural motion (in accordance with Standing Order A16.11(a)(iv)) to move to the vote was proposed by Councillor Tyerman and seconded by Councillor Thomas (D). The Chairman overruled the motion as the debate was drawing to a close.

#### **84 Budget Monitoring 2018/2019 Quarter 1**

The Council noted the forecast position for Revenue Budget for 2018/2019 based on quarter one information, as set out in the submitted report.

#### **85 Urgent Council Decision Taken by the Chief Executive**

Members noted the submitted report on an urgent Council decision taken by the Chief Executive (appropriation of land at the former Cockington Primary School site at 10 Old Mill Road, Torquay for planning purposes).

#### **86 Transformation Project - Future of ICT Services**

Members considered a proposal for the future delivery and ownership of the Council's ICT Services Department, as set out in the submitted report. It was noted that, as a result of austerity measures faced by the Council, the ICT budget had been reduced whilst demand had increased, resulting in the service becoming unsustainable with a high risk of service failure.

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

- (i) that the Chief Executive be given delegated authority to purchase shares in DELT Shared Services LTD subject to the relevant due diligence taking place;**
- (ii) that the Chief Executive be given delegated authority to enter into a 10 year contract with DELT Shared Services LTD for the provision of ICT services to the Council, in accordance with the terms set out in exempt Appendix 2 to the submitted report;**
- (iii) that in order to fund the costs of the contract with DELT Shared Services LTD the Council approves the ICT budget (currently £2.2 million) from 2019 onwards to £2.5 million (representing an increase to the current budget of £0.3 million) – this covers the Core Fee to DELT Shared Services LTD and the Council client side costs; and**
- (iv) that Council delegate to the Chief Finance Officer the authority to identify the source of funding for the £200,000 transition costs for DELT Shared Services LTD from earmarked reserves.**

**87 Exclusion of the Press and Public**

Councillor Mills proposed and Councillor Thomas (D) 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 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 88 the press and public were formally excluded from the meeting.

**88 Proposal for TDA Pension Scheme**

The Council considered the submitted exempt report on proposals in respect of the pension arrangements for the TDA.

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

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Chairman

# Minute Item 77

Meeting of the Council, Thursday, 20 September 2018

## 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><b>Question (1) by Councillor Sanders to the Executive Lead for Children and Housing (Councillor Stocks)</b></p>	<p><b>How many meetings of the South West Councils' Children's Services Portfolio Holders Group have been held in the past three years and how many have you attended?</b></p>
<p>Councillor Stocks</p>	<p>As the Executive Lead for Children's Services since the beginning of August this year there have been no South West Councils Children's Services meetings for me to attend. I have been unable to establish how many meetings there have been in the last 3 years through the website but I am sure that as the Liberal Democrat top up representative on the South West Councils Councillor Sanders can access this information himself.</p>
<p><b>Question (2) by Councillor Carter to the Executive Lead for Community Services (Councillor Excell)</b></p>	<p><b>In previous years the Paignton seafront road has been closed to traffic and parking from May to September, and in those years the green was not invaded by travellers. However this year, as part of the seafront was open during the summer season, we have had at least three encampments by travellers, the latest one appearing to cause the local residents to retaliate by also parking on the green for free. Can you tell me why the seafront has been partially open, and if this is a good idea given the events that have happened and health and safety issues, also what permanent action is in place to stop any reoccurrences of encampments in future on the seafront.</b></p>
<p>Councillor Excell</p>	<p>Parking restrictions were amended in December 2014 so that that the northern arm of the Eastern Esplanade was only closed for the period of 21st July to 7th September, each year, with the southern arm still remaining closed for the longer period from May to September. These closure periods have been in operation for the summer periods during 2015, 2016, 2017, and 2018. There are no plans to re-instate the gate at the entrance to Pier Approach as resources to control permitted access are not available.</p> <p>There are no immediate plans to protect the green further as it is a fine balance between user access, event use and grounds maintenance efficiency. Furthermore, there is currently no budget available to progress any works. Officers are investigating the opportunity to reinstate bollards either side of Pier Approach and sea defence work in future years will hopefully prevent vehicular access to the Green from the seaward perimeter.</p> <p>The Council has received more attention from travellers this year on our seafront public open spaces, as surrounding sites within Torbay are now better protected and such measures have caused this activity to be displaced.</p>

	<p>During the recent encampment on Paignton seafront, Torbay Council followed due process and the legislative requirements associated with the removal of any unauthorised encampments.</p>
<p><b>Question (3) by Councillor Darling (M) to the Deputy Mayor and Executive Lead for Planning and Waste (Councillor Mills)</b></p>	<p><b>With the development of the Pavilion in limbo, are you confident that MDL Ltd are maintaining the building in accordance with the terms of the lease?</b></p>
<p>Councillor Mills</p>	<p>There is a major planning application for comprehensive redevelopment of the Pavilion and adjacent marina car park pending, which is still “live” and waiting for additional information from the developer before it can be considered by the council as Local Planning Authority. If approved and implemented this would see the Pavilion extensively repaired as part of the redevelopment.</p> <p>In the interim, the Council continues to monitor the condition of the building regularly, and only recently carried out another inspection. I can confirm therefore that MDL are carrying out routine maintenance and we are keeping a close eye on its condition.</p> <p>If no deliverable redevelopment is approved and implemented then the Council has a number of remedies and actions it can take if necessary in consultation with the tenant to bring the property back up to a standard to the satisfaction of the Council.</p>
<p><b>Question (4) by Councillor Darling (S) to the Deputy Mayor and Executive Lead for Planning and Waste (Councillor Mills)</b></p>	<p><b>I understand that the developers have up to six months to respond to the legal proceedings that found the planning decision in respect of the Pavilion deficient. What encouragement is the Council bringing to bear on the developer to either provide the relevant method statement or come up with alternative proposals to develop this sadly neglected Torquay treasure?</b></p>
<p>Councillor Mills</p>	<p>See answer to question 3 above.</p>

## Second Round

<p><b>Question (5) by Councillor Sanders to the Deputy Mayor and Executive Lead for Planning and Waste (Councillor Mills)</b></p>	<p><b>Why was no substitute sent to attend in his place at either of the two South West Councils’ meetings this year that he has missed.</b></p>
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Councillor Mills	I attended the March meeting and intend to be present at the October meeting. The Chief Executive attended the July meeting and an officer from Human Resources attends some meetings. I am fully briefed if I miss a meeting.
<b>Question (6) by Councillor Darling (M) to the Executive Lead for Community Services (Councillor Excell)</b>	<b>At a community meeting held on 3<sup>rd</sup> September 2018 you informed those present that Torbay Council received monies for re-settling former prisoners in Torbay. Can you please explain this?</b>
Councillor Excell	Torbay Council does not receive any direct payments for resettling former prisoners. It has however been successful in receiving government grant funding and additional support from the OPPC, through the Community Safety Partnership (CSP) in funding for a Prison Link work. They work directly with the prison to assist prisoners that are due to return to Torbay to gain accommodation prior to their release to reduce homelessness and hence assist with reducing reoffending. This is provided through direct grant funding.
<b>Question (7) by Councillor Darling (S) to the Executive Lead for Adults (Councillor Parrott)</b>	<b>I understand that almost 1,000 older people a day are needlessly admitted to hospital amid social care crisis. A pensioner is readmitted to their local hospital every 90 seconds, with emergency admissions to hospital more than doubling in the last 13 years, according to new research by Age UK. The report also said the rate of avoidable admissions had increased by 63 per cent since 2003, citing that pensioners living alone are at greatest risk and that the care system fails to help an ageing population. Cllr Ian Hudspeth, Chairman of the LGA's Community Wellbeing Board, said: "With people living longer, increases in costs and decreases in funding, the system is at breaking point and is ramping up pressures on unpaid carers who are the backbone of the care system'. With Torbay's higher than average numbers of older people what assurance can you give around how Torbay Council are managing this crisis?</b>
Councillor Mills (on behalf of Councillor Parrott)	<p>During the eight year period between 2009/10 and 2017/18 an increase in emergency admissions of 25% for the over 65 population was experienced, 13.4% across all age groups. The over 65 population in the catchment area increased by 18.8% in the same period. After adjusting for the increasing number over 65 in the population emergency admissions increased by 6.2%.</p> <p>It is not clear from the question if the Age UK analysis took population growth into account.</p> <p>The local model of care continues to supporting people at home and avoiding admission where appropriate and possible, however all NHS and social care services are under significant pressure.</p> <p>We have continued to support our services for carers: We believe that all carers are important. We want to actively support and work in partnership with carers, to get the best outcomes for both them and the</p>

	<p>person for whom they care. Our commitment to this is in our carers' policy, and in our action plan which will help us to achieve this.</p> <p>We have a carers' register; the carers' emergency card; free education courses; a quarterly newsletter; discounts in local shops and free hospital parking. Carers are offered support, and assessment, by Carers Support Workers who are based in GP surgeries. They are also supported by locality teams, who support them by offering assessments and support jointly with the person they care for. This support includes direct payments and access to replacement care.</p> <p>The estimate is there are 17,000 Carers in Torbay at present (16,107 in 2011 Census plus increase for population size and allowance for an ageing population) compared to the 4,282 on the Carers Register currently. This means we have identified just above 25% of Carers we believe to be active in Torbay. We continue to work on supporting more people to join the register. Carer Support Workers are also aware of 6,269 Carers who are registered as such at GP practices within Torbay (37% of the Carers in Torbay).</p> <p>Torbay is managing relatively well compared to some areas and via the LGA recent green paper and via ADASS we will lobby to support the continuation of IBCF scheme to ensure more money is available for adults social care, and that long term government solutions are agreed- as adult social care needs some national agreement to support it in a sustainable way given the national demographic pressures we are all familiar with.</p>
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### Third Round

<p><b>Question (8) by Councillor Darling (M) to the Executive Lead for Community Services (Councillor Excell)</b></p>	<p><b>Over recent months I have noted increasing anger from constituents over the failure of adequate resourcing of the Police in Torquay Town Centre. Earlier this summer, at a meeting with the Overview and Scrutiny board, the Conservative Police and Crime commissioner for Devon &amp; Cornwall and Chief Constable gave the clear impression that after an 80% decrease in PCSOs in Torquay local residents could expect an increase in numbers. When will this happen?</b></p>
<p>Councillor Excell</p>	<p>The Police have undertaken a review of PCSO numbers and the allocation per area. This has also included the changes recently implemented of the formation of new BCU incorporating Torbay. The exact allocation has yet to be announced. A couple of PCSO however have voluntary moved to Torbay as any permanent arrangements require contractual discussions.</p>
<p><b>Question (9) by Councillor Darling (S) to the Mayor and Executive Lead for Assets, Finance, Governance and Corporate Services, Economic Regeneration and</b></p>	<p><b>On the 1<sup>st</sup> of August 2018, due to the severe financial pressure that the Council faces, Torbay Council introduced a moratorium on non-essential spending for all parts of the Local Authority. Since then what meetings have you held with the two MPs who represent Torbay to put pressure on the Government to adequately fund the Council?</b></p>



<b>Transformation (Mayor Oliver)</b>	
Elected Mayor Oliver	I contacted both MPs to request a meeting to discuss Torbay's finances as a matter of urgency. I met with Sarah Wollaston MP on 30 August 2018, however, Kevin Foster MP has declined to meet with me.

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## Record of Decisions

### Notice of Motion - Brexit Negotiations

#### **Decision Taker**

Elected Mayor on 20 September 2018

#### **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 Wednesday 3 October 2018 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 20 September 2018, members received a motion, as set out below, notice of which had been given in accordance with Standing Order A14 by Councillors Ellery and Haddock:

This Council notes the decision of the people of Torbay by a majority to support leaving the European Union and requests the Chief Executive of Torbay Council write to our Members of Parliament calling upon them to support the major democratic decision of the people of Torbay and that they support proposals that reflect that view in all negotiations nationally by the Government with the European Union.

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**

25 September 2018

Signed: \_\_\_\_\_  
The Elected Mayor of Torbay

Date: 25 September 2018