



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

31 January 2019

-: 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, Bent, Brooks, Bye, Carter, Darling (M), Darling (S), Ellery, Excell, Haddock, Hill, Kingscote, Lewis (B), Lewis (C), Long, Manning, Mills, O'Dwyer, Parrott, Robson, Sanders, Stockman, Stocks, Thomas (D), Thomas (J), Tolchard and Tyerman

145 Opening of meeting

The meeting was opened with a prayer.

146 Apologies for absence

Apologies for absence were received from Councillors King, Morey, Morris, Pentney, Stubley, Sykes and Winfield.

147 Minutes

The Minutes of the meeting of the Council held on 5 December 2018 and the Extraordinary meeting of the Council held on 18 December 2018 were confirmed as a correct record and signed by the Chairman.

148 Declarations of pecuniary and non-pecuniary interests

No interests were declared.

149 Communications

No communications or announcements were made at the meeting.

150 Order of Business

In accordance with Standing Order A7.2 in relation to Council meetings, the order of business was varied to enable Item 10 on the agenda (Capital Investment at Paignton Community and Sports Academy (PCSA) to provide Additional Secondary School Places) to be considered after Item 7 (Members' Questions).

151 Public question time

In accordance with Standing Order A24, the Council heard from Ms Sally Baglin who had submitted two statements and questions.

Ms Baglin's first question related to wildlife protection in Edginswell, Torquay. The Executive Lead for Environment, Councillor Ellery, responded to the statement and question that had been put forward and advised that he would provide a response in writing.

Ms Baglin's second question related to listed buildings within Edginswell, Torquay. The Deputy Mayor and Executive Lead for Planning and Waste, Councillor Mills, responded to the statement and question that had been put forward, plus a supplementary question asked by Ms Baglin.

152 Members' questions

Members received a paper detailing questions, notice of which had been given in accordance with Standing Order A13. The paper also contained the answers to the questions which had been prepared by Elected Mayor Oliver and Councillors Amil, Excell, Mills and Parrott and was circulated prior to the meeting.

The Chairman advised that he had accepted an urgent question from Councillor Darling (M) and in accordance with Standing Order A13.2(ii).

Supplementary questions were put and answered by Elected Mayor Oliver and Councillors Amil, Excell and Mills, arising from their responses to the questions in respect of questions 2, 4, 5, 6, 7, 9 and the urgent question.

153 Capital Investment at Paignton Community and Sports Academy (PCSA) to provide Additional Secondary School Places

Members received the submitted report on a proposal for capital investment at Paignton Community and Sports Academy (PCSA) which would provide additional secondary school places. It was noted the proposal would assist in addressing the forecasted shortfall in secondary school places in Paignton.

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

that the Director of Children's Services, in consultation with the Executive Lead for Children and Housing, be given delegated authority to allocate up to £1.84 million from the 2020/21 and future Basic Need Allocations and Children's Services Schools Condition allocations to support the provision of additional accommodation at Paignton Community and Sports Academy to provide additional secondary school places.

154 Notice of motion - Objection to Corporate Plan

Members considered a motion in relation to an objection to the current Corporate Plan, notice of which was given in accordance with Standing Order A14. In accordance with Standing Order A14.3(b), the motion was dealt with by this meeting.

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

That the Council formally objects to the current Corporate Plan as the targeted actions set out in the Plan do not truly reflect or meet the needs those who are most vulnerable in Torbay. The Corporate Plan targeted actions should therefore be updated and amended to reflect the following:

Torbay Council's ambition is for Torbay's residents to be informed, prosperous and healthy. This will be achieved through the following targeted actions:

~~Protecting and supporting all children and vulnerable adults giving them the best start in life;~~
Giving all children the best start in life;
Working towards the eradication of poverty and a more prosperous Torbay;
Promoting healthy lifestyles across Torbay; and
Ensuring Torbay remains an attractive and safe place to live, ~~and visit;~~
work and play through the adoption of sustainable policies that protect and enhance our natural environment, promote life long-learning and encourage public engagement in decision making.
~~Protecting and supporting vulnerable adults.~~

In accordance with the Constitution at F4.9, the Council therefore requires the Mayor to consider this objection by 11 February 2019:

- a) submit a revision of the Corporate Plan with the reasons for any amendments to the Council for its consideration; or
- b) inform the Council of any disagreement that the Executive has with any of the Council's objections and the Executive's reasons for any such disagreement.

The motion was put to the vote and declared lost.

155 Members Allowances Scheme - Recommendations from the Independent Remuneration Panel

The Council considered the Independent Remuneration Panel's recommendations arising from its review of the Members' Allowances Scheme (as set out in the submitted report). It was noted the recommendations included the changes

required to the Scheme following the introduction of the Leader and Cabinet system of governance in May 2019.

A Cross Party amendment was published prior to the meeting which was incorporated by the Elected Mayor in his motion below.

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

- (i) that the Independent Remuneration Panel be thanked for their eighth report on the review of the Council's Members' Allowances Scheme;**
- (ii) that consideration of the Independent Remuneration Panel's report be deferred until after the Local Elections in May 2019 to enable the new Council to consider its governance structure and for a further review of the Members' Allowances Scheme to be undertaken if required;**
- (iii) that the current Members' Allowances Scheme to apply after 5 May 2019 (with the exclusion of the Elected Mayor's and Deputy Mayor's allowance) and until the new Council determines the new Members' Allowances Scheme; and**
- (iv) that the new Members' Allowances Scheme is kept within the allocated budget.**

156 Local Government Association Finance Peer Challenge of Torbay Council and resulting action plan

The Council received the Local Government Association's (LGA) Peer Review report on the Council's financial position, along with a resulting action plan (as set out in the submitted report).

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

- (i) that the Local Government Association Finance Peer Challenge Report (as set out at Appendix 1 to the submitted report) and the resulting action plan (as set out at Appendix 2 to the submitted report) be endorsed; and**
- (ii) that the Audit Committee be requested to monitor the implementation of the action plan.**

157 Budget Monitoring 2018/2019 - Quarter Three

The Council noted the forecast position for Revenue Budget for 2018/19 based on quarter three information, as set out in the submitted report.

158 Civic Mayor and Deputy Civic Mayor Select

In accordance with the Council's Standing Orders A9.1, the Council was required to consider selecting, by elimination ballot, the Civic Mayor-Elect and Deputy Civic Mayor-Elect for the next Municipal Year 2019/20.

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

That no action be taken to select a Civic Mayor-Elect or Deputy Mayor-Elect until the start of the 2019/20 Municipal Year.

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

Members noted the submitted report setting out two executive decisions taken (namely extension to Healthwatch Contract and Alliance Contract around Housing First/Rough Sleeping) to which the call-in procedure did not apply.

160 Investment and Regeneration Committee Recommendation - Investment Opportunity

The Chairman advised that there were no recommendations from the Investment and Regeneration Committee and therefore this item was withdrawn from the agenda.

161 Adjournment

The Chairman advised that in accordance with Standing Orders F2.13 and F3.12 in relation to the Budget and Policy Framework the remaining items on the agenda were referred to an adjourned meeting of Council to be held on 7 February 2019 to enable full consideration to be given to the implications of the proposals set out in the reports and documentation circulated on 25 January 2019.

Chairman