

**Meeting:** Council

**Date:** 18 October 2018

**Wards Affected:** Roundham with Hyde

**Report Title:** Call-in of Elected Mayor's decision in respect of Paignton Townscape

**Is the decision a key decision?** No

**When does the decision need to be implemented?** as soon as possible

**Executive Lead Contact Details:** Elected Mayor Oliver, Elected Mayor and Executive Lead for Assets, Finance, Governance and Corporate Services, Economic Regeneration and Transformation mayor@torbay.gov.uk

**Supporting Officer Contact Details:** Anne-Marie Bond, Director of Corporate Services, (01803) 207015, anne-marie.bond@torbay.gov.uk

---

## **1. Proposal and Introduction**

1.1 On 3 September 2018 the Elected Mayor took the following decision:

- (i) That the decision taken by the Council to borrow £1.172m from PWLB for the Paignton Townscape scheme is postponed and that alternative sources of funding are explored and a detailed business case is produced before any further work is carried out on this scheme; and
- (ii) that the implementation of the Paignton Townscape scheme is considered as part of the 2019/20 budget setting process.

1.2 The Elected Mayor's decision was called in for scrutiny and considered at the meeting of the Overview and Scrutiny Board held on 26 September 2018. An extract of their Minute is set out below:

### **29. Paignton Townscape Call-In**

The Board had before them details of a call-in by five Members of the Council of the decision of the Elected Mayor to postpone the decision of Council to borrow £1.172m from PWLB for the Paignton Townscape scheme and explore alternative sources of funding and produce a detailed business case before any further work is carried out on this scheme.

The Monitoring Officer outlined the options available to the Board as set out in the submitted report. In the absence of the Elected Mayor or Deputy Mayor and the call-in promoter the Board felt that it was not appropriate to consider the call-in at this meeting.

Resolved:

That the decision of the Elected Mayor in respect of Paignton Townscape be referred to the Council to enable the call-in promoter to present the reasons for the call-in and for the Elected Mayor to be able to hear the debate and concerns raised and respond to them.

1.3 Members are requested to consider this report in their role as overview and scrutiny and have the following options available to them:

- (a) if the Council does not object to the decision, no further action is necessary and the decision will be effective from the date of the Council meeting; or
- (b) provided the decision has been made in accordance with the Policy Framework and the Budget, the Council has no power to amend the decision but may refer any decision to which it objects back to the decision maker (the Elected Mayor) together with the Council's views on that decision.

1.4 If the Council refers the decision back to the Elected Mayor the following will apply:

Within a further ten working days, the decision maker will resolve to either:

- (i) confirm the decision without modification; or
- (ii) confirm the decision with modification; or
- (iii) rescind the decision.

If the decision maker does none of the above within ten working days, the decision shall be deemed to have been rescinded.

## **2. Reason for Proposal and associated financial commitments**

2.1 To consider the call-in of the Elected Mayor's decision in respect of Paignton Townscape referred to Council by the Overview and Scrutiny Board.

2.2 As the Council is acting as overview and scrutiny members are only able to recommend the Elected Mayor to reconsider the decision, the funding of which had previously been approved by Council.

---

## **3. Recommendation(s) / Proposed Decision**

3.1 That the Council considers the contents of this report (including appendices) and determines which of the actions available set out in paragraph 1.3 above it wishes to pursue.

### **Appendices**

Appendix 1: Reasons for call-in – Paignton Townscape Briefing Note

Appendix 2: Record of Decision Paignton Townscape

Appendix 3: Paignton Townscape report to Policy Development and Decision Group (Joint Operations Team)