

TORBAY COUNCIL

TRANSCRIPT OF PART OF THE EXTRAORDINARY MEETING OF THE COUNCIL COMMENCING AT 5.30 P.M. ON TUESDAY, 7TH FEBRUARY 2006 HELD AT THE BALLROOM, OLDWAY MANSION, PAIGNTON

Chairman of the Council (Councillor Killick) said

Now we are receiving petitions from the public and the Chief Executive is going to tell us about them.

Elizabeth Raikes (Chief Executive) said

The following petitions have been received. A petition has been received from residents of Torre and Tormohun requesting Councillor Harris to resign as a Torre/Tormohun Ward Councillor, approximately 326 signatures.

Councillor Browne said

Point of Order

Mr Chairman, this is a breach of Standing Order 8.12.1(i) in that this is a matter the petition relates to a matter to which the Council has no powers or duties.

Chairman of the Council (Councillor Killick) said

Thank you Councillor Brown for sending me an e-mail warning me that you were going to raise that petition so I have had time to think about it and to get legal advice and we have in fact discussed it in the briefing session. We do not consider that this is a matter that concerns either the Council or the Executive in that no rules have been broken so far. But we are minded at this end to allow the petition to be heard although not with any thought that any action will be taken on it because nothing wrong has been done yet. If the time comes that something wrong is done then action would be taken but that is what we are proposing should be done.

Councillor Faulkner (Mrs J) said

Mr Mayor

Chairman of the Council (Councillor Killick) said

Is that another point of order?

Councillor Faulkner (Mrs J) said

It is a personal explanation 16.13. I consider this to be blackening somebody's name who as you say has not yet done anything wrong. I also would like to point out its not Torre and Tormohun the ward is called Tormohun and its not Torre and Tormohun, and I should leave the chamber whilst this is being discussed because I am absolutely disgusted that this chamber is actually allowing somebody's name to be blackened. Would you please let me know when you have finished discussing it? He is a very hard working councillor and he does a damn sight more than some other councillors for ward work and I think this is an absolute disgrace to allow it to be heard.

Chairman of the Council (Councillor Killick) said

Thank you for your point of view Councillor Faulkner (Mrs J).

The Chief Executive is going to make a statement later on which will take in some of those points.

Mrs Colley to present the petition and I advise you that you have only three minutes to address the Council.

Mrs Colley (Petitioner) said

Mr Chair, Mr Mayor, Councillors, Ladies and Gentlemen

I am here representing the Torre Community Action Group but have been tasked to appeal to you on behalf of the residents of Torre and Tormohun. Under the Local Government Act 1972 and 2000 councillors were provided with financial support which assisted them when they were ill or whose jobs may have prevented them from attending more meetings than they could. Mr Harris as I understand it is abusing his right under these two acts as he is receiving £12,000 approximately for the next 18 months as a Councillor even though he is not living in Devon. The information is as I understand it indicates that he is living in London and he is no longer in Torbay as his address is not published in Torbay View issue December 12th therefore to attend meetings that he is required to be at he would have to commute down to Torbay once every six months. How can the residents of Torre and Tormohun be best served by an absent councillor. How can this deprived area benefit by paying £7,500 per year to a public servant who clearly cannot represent or take up the cudgels on behalf of his constituents. By acting in this way he is bringing politics into disrepute. As there has been a national condemnation of the behaviour of some of the members of the Liberal Democrat Party in the last few weeks I should imagine they can well do without a further furore from his neck of the woods. Torbay has a lot of image building to do and the longer this goes on the worst the situation will become.

Sound of Members of the Council leaving the room at this stage. Voice in background states: "How pathetic, you are elected representatives, grow up".

Chairman of the Council (Councillor Killick) said

Excuse me, excuse me, if anybody wishes to go will they go now quietly please and will people not heckle.

Mrs Colley (Petitioner) said

Torbay has a lot of image building to do and the longer this goes on the worst the situation will become. I ask on behalf of the residents of Torre and Tormohun for Mr Harris's colleagues and his fellow councillors to use every facility to encourage him to apply himself in a manner befitting of his obligations to the Council and the constituents of Torre and Tormohun. As it is Mr Harris, as I understand, is not accessible to the residents of Torre and Tormohun that he represents, therefore how can he possibly be justified in receiving his remuneration. If Mr Harris is not applying himself to his job as a Councillor then the Council should find somebody that would. The party should consist of members who work towards goals and objectives and the members and supporters are entitled to have representatives look after their needs and concerns. Subsequently these members and supporters and constituents are justified to ask for the resignation of those who do not meet this criteria. I sincerely hope that members of the Council have not influenced Mr Harris to remain so that his vote will be instrumental in the outcome of any voting in regard to the budget. Therefore I demand that Mr Harris and the Council apply themselves forthwith to resolve this issue.

Thank you.

Chairman of the Council (Councillor Killick) said

Thank you Mrs Colley. Now the Chief Executive is going to respond.

Elizabeth Raikes (Chief Executive) said

Thank you Chairman.

As the Chairman has explained this is not a matter that is relevant to the Council in terms of the Council's decision-making ability or powers to act. Councillor Harris's attendance at the Torre Action Community Group which I think you have raised is a matter for him. Councillor Harris is not the only councillor for Tormohun. Any constituent may approach other ward or indeed any councillor if they have an issue. Indeed many constituents from all over Torbay write to the Mayor or myself and I am not aware that the constituents of Tormohun have issues which are not being addressed. If that is the case then I would urge them to get in contact with me. Councillor Harris is available and accessible by e-mail if that causes difficulty to his constituents and they are not able to get messages through then I am very happy to pass those on to him. Councillor Harris is acting within the Local Government Act of 1972 which specifically provides for absences of up to six months. It would not be appropriate for me to comment on matters that are party political. Those are the facts.

I would as I am able to do venture an opinion. I think we should put this into perspective. Its not an ideal situation and its not one that is uncommon however. There is no easy solution when a family man loses his job and needs to find another job to support his family. There is no protection of salary or pension as there is for members of parliament who lose their seat. There has been a lot of personal criticism of Councillor Harris which I believe is unnecessary. Rather than condemn Councillor Harris let us look back at his record. Yes, in latter times the Council has scored some spectacular own goals and the Leader, as does the Chief Executive, takes ultimate responsibility. However, with the support of all Councillors that led by Councillor Harris this Council improved substantially from being one of the worst performing Councils in the country and to do this in a short period of time was a remarkable achievement and one that should not be forgotten. Although there is still much to do Mayor Nick and I are grateful for the building blocks being put in place for the future. Part of that future is to build on the work of the Ward Partnerships and action groups like the Torre Action Community Group. This work has initially been led and continues to be led by Councillor Jennings. It's a sad fact that only 70 per cent of the population have any idea at all who their local councillor is. That's something for all of us to tackle and I trust that the constituents of Tormohun will be the first to help us set this right.

Thank you Chairman.

Chairman of the Council (Councillor Killick) said

Thank you Chief Executive, that is the end of this matter.

Councillor Davis would you ask the others to come back.

Chairman of the Council (Councillor Killick) said

Have we all returned? That's everybody back. OK. Now the Chief Executive is to introduce the next petition.