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Dear Member

COUNCIL - THURSDAY, 7 DECEMBER 2017

I am now able to enclose, for consideration at the Thursday, 7 December 2017 meeting of the Council, the following reports that were unavailable when the agenda was printed.

Agenda No	Item	Page
7.	Public question time	(Pages 259 - 263)
11.	Application for Designation of Neighbourhood Forums and Areas for Torquay, Paignton and Brixham Peninsula	(Page 264)
16.	Council Tax Base 2018/2019	(Page 265)
18.	Review of Political Balance	(Pages 266 - 268)

Yours sincerely

June Gurry
Clerk

Council Meeting 7 December 2017

Public Questions

Question 1 from Mr Leon Butler to the Deputy Mayor and Executive Lead for Planning (Councillor Mills)

I sense that re-designating the Forums may well be a watershed moment, a time when change happens, a Torbay Spring perhaps? It's an odd thing being empowered to do an important job, not unlike your first love, it's overwhelming, you have a nibble and you want more. Our communities have tasted Localism at work and we want the plate full, not some divvied out scrap that officers grudgingly want you to throw us.

The question for you is do you ride this wave, work with our communities to make Neighbourhood Planning a success, in deed to embrace community involvement – it could well be scary, you may feel threatened, but it could be the catalyst for a new way forward, to get us all working together for the good of Torbay.

Our Forums haven't got everything right, we could have done things better, we could have been more adventurous but we were frankly constrained by understanding, knowledge and our own misgivings. We wanted to succeed, we want Torbay to succeed but when we started out we didn't know what that meant.

But now we do, we have a submitted a Plan – it's a good Plan, it's not a perfect Plan but neither is our Local Plan but if you take the time to read it you will surely agree that it has merit, it gives our communities' vision within the constraints of the Local Plan; it gives its full support for economic growth, it protects our environment and delivers more than our allocated housing sites; it protects and adds sites for employment space. And yes, unashamedly, we protect our allotments, our play parks, our special green spaces.

I'll tell you what I find really offensive about the various iterations of this officer report, it's not the lies, bias, half-truths, careful omissions or misinformation it's saying on Page 141 Paragraph 2.18 'Approval by Council to re-designate would give the Forums the opportunity to submit representations as a qualifying body, until December 2022. Experience to date has shown that this has had a significant impact on Council resources day to day'. So in other words the community are a damned nuisance because democracy boils down to how much cash it costs the Council – can you really support that?

	<p>But the report by officers does quite clearly state the law, the basis of your decision – Page 142 paragraph 2.21 ‘The issues relating to the content of Neighbourhood Plans will be considered separately and by an Independent Examiner, this is not a matter for this report’. You might care to consider why it is then that officers deemed it appropriate that almost all the supporting evidence against re-designation in Appendix 1 references the content of the submitted Plans?</p> <p>So summing up it’s really down to whether we are properly constituted to comply with the law for designation – do we meet the criteria or not? Well there are no objective arguments against and we have evidenced that we do, as the report clearly acknowledges, so the case for re-designation is overwhelming, not unlike the results of the consultation.</p> <p>Summing up, we have a role to play in making Torbay successful; we want Torbay to be successful and we want to finish the job we started - support your communities and vote yes to re-designation.</p>
<p>Question 2 from Mr David Watts, Chairman Paignton Neighbourhood Plan Forum to the Deputy Mayor and Executive Lead for Planning (Councillor Mills)</p>	<p>See Appendix 1.</p>
<p>Question 3 from Mr Darren Cowell, Chairman of Torbay Community Partnership Company to the Deputy Mayor and Executive Lead for Planning (Councillor Mills)</p>	<p>Would you agree with me that there has been an enormous amount of voluntary effort invested in to the development of our three neighbourhood plans and that it is necessary for the three Forum responsible to be allowed to complete the task set out to them in December 2012?</p> <p>In addition, given the strained relationships between some officers and the Forums as a result of an original recommendation to not renew the Forum status, what efforts will be undertaken to rebuild bridges?</p>

My name is David Watts. I live in Paignton and I'm the elected Chairman of the Paignton Neighbourhood Forum.

Thank you for allowing me to speak on the Forum's behalf.

Paragraph 2.19 of the report refers to the Committee meeting (PDDG) that took place on 6 November 2017 in the Town Hall. What the report does not say is how unusual the meeting was. We are extremely grateful to all those Councillors from across the political spectrum who were able to attend the meeting, some we know at very short notice. Councillors heard from all 3 Forum Chairs our deep concern over the content and 'negativity' of the officer report presented for information at that meeting.

Councillors heard first hand the reasons for our concern and made it very clear how they valued the Forums, even when views we express are not always in agreement with the Council. Quite rightly, this was seen to be at the heart of democracy. As the report at paragraph 2.19 says, the meeting supported renewal of the Forums in all 3 areas.

Because of the specific concerns raised, each Forum was asked to provide a statement saying why the renewals should be approved. All 3 Forum Chairs have presented this as a Joint Statement which now forms Appendix 2 to the report. This is in addition to the applications submitted. In answer to our concerns about the report presented, we were given the opportunity to make comment on the final report being considered at the meeting this evening.

We received the draft on 22 November and returned it with our comments on time. We were asked to comment on the 'tone and accuracy' of the report. We responded with amendments to two thirds of the covering report and further amendments to the background information in Appendix 1. The offer we received is referred to in paragraph 2.4 of the report now before you.

What it does not tell you is what the changes were and how they have been treated. Some involve important information regarding membership details referred to in paragraph 2.17 or correction of statements made.

Comparison of the two versions shows that some of our changes have resulted in amendments to Appendix 1, but not to the covering report. We recognise that brevity and style may be the reason. However some of the points involve ensuring completeness and accuracy of information being given. This is important because the decision being made is open to legal challenge as conformed in Appendix 1 to the report.

Despite meeting the request for membership information, the detail we provided was completely excluded. This is important because the Paignton Forum in particular, is accused of being unrepresentative. This is totally wrong. More than 400 local residents are registered members of the Forum covering every part of Paignton. It has the largest membership of any Forum in the Country and clearly shows how important the community see planning in our area to be.

The second problem is the view that continues to be perpetuated, incorrectly, that the Paignton Forum is against development. Again this is totally wrong. We have supported a number of key developments. Anyone who takes the time to read the Neighbourhood Plan will see it shows in very great detail how it supports the effort being made to encourage net job growth and how the housing trajectory of the Local Plan is being met in full. Yet the report you have still attempts to imply that this is not so. It is simply not correct.

Fortunately paragraph 2.21 of the report correctly states that any remaining concern about this is for the Independent Assessor to look at. It is not a matter for this report.

Literally thousands of working hours have been given on a voluntary and unpaid basis by Paignton residents to produce the Neighbourhood Plan. It has given confidence in the planning of the town and renewal of the Forum

status will help this to grow. We have reached the next stage in helping to secure sustainable development in our community; we have not reached the end of the process, as implied in the report.

We therefore ask you to approve the renewals as proposed in the recommendations of the report.

Thank you for listening

Agenda Item 11 – Application for Designation of Neighbourhood Forums and Areas for Torquay, Paignton and Brixham Peninsula

Note of Additional Information

In Paragraph 2.17 of the report there is reference of a request, made to the forums, for more information regarding their membership. That information has since been received and is summarised below:

Torquay – Each of the Community Partnership Chairs and Ward Councillors are given automatic membership, with the membership also open to anyone who lives or works in Torquay. The forum recognised the scale of the area and established a Steering Group which consists of a representative from each Community Partnership, the three main political groups and other stakeholders. The steering group has 19 members. An additional 5 members also attend the steering group meetings. Other groups have also existed on a task and finish basis. All meetings are open to the public.

Paignton - Each of the Community Partnership Chairs, vice-chairs and Ward Councillors are given automatic membership. Four elected executive committee members come from geographically different parts of the forum area. All meetings are open to the public. There are currently 410 members who range across those who live and work in the area. The distribution of membership by Community Partnership Area is shown below

- Blatchcombe CP area: 117
- Clifton and Maidenway CP area: 41
- Preston CP area: 66
- Paignton Town CP area: 141
- Goodrington, Roselands and Hookhills CP area: 31
- Representatives of other organisations in the Forum area: 14

Brixham – The Forum is a sub-committee of Brixham Town Council which is a result of joint working between the Town Council and the Churston, Galmpton and Broadsands Community Partnership. The chair and vice-chair are from different parts of the area. All meetings are open to the public. There are currently 164 registered members, including all 12 elected members of the Town Council and the seven elected members of Torbay Council who have wards in the Forum area. There is a geographic split of membership across the Town Council and of the two partnership areas.

The information provided demonstrates that membership is open to all of the public across Torbay, both those living and working in the area. The Forums membership is also available to elected members.

Agenda Item 16, Council Tax Base 2018/2019

Officer Revised Recommendation

Council Meeting

7 December 2017

(Revisions shown in bold text)

Revised Recommendation:

Council Tax Base:

- 2.1 That the calculation of the Council Tax Base for the year 2018/19 be approved as shown in Appendix 1 to the submitted report.
- 2.2 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.
- 2.2 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** ~~in the~~ Torbay **Council**~~area~~), 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.
- 2.3 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.
- 2.4 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. (Dependant on approval of 2.1).
- 2.5 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. (Dependant on approval of 2.2).

Care Leavers:

- 2.6 **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.**

Council Meeting

7 December 2017

(Revisions shown in bold text)

Revised Recommendation:

- 3.1 That the overall political balance of the committees as set out at Appendix 1 be approved.
- 3.2 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**
- 3.3 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.

Political Balance of Non-Executive Working Parties Revised 6 December 2017

Working Party	Conservative Group	Liberal Democrat Group	Mayor's Non-Political Executive Group	Independent Group	Total
Adult Services and Public Health Monitoring Working Party	3	1	1	0	5
Airshow Working Party	4	1	1	1	7
Children's Services Monitoring Working Party	3	1	1	0	5
Community Asset Transfer Panel (including Executive Lead for Planning, Transport and Housing)	3	1	1	0	5
Constitution Working Party	4	1	1	1	7
Consultation, Communication and Engagement Working Party	3	1	1	0	5
Corporate Parent Members Group (including Executive Lead for Children)	3	1	1	0	5
Devolution Working Party	3	2	0	0	5
Financial Future Working Party (plus Elected Mayor)	5	1	0	1	7
Harbour Asset Working Party (plus external advisors)	3	2	0	0	5
Harbour Budget Working Party (plus external advisors)	3	2	0	0	5

Working Party	Conservative Group	Liberal Democrat Group	Mayor's Non-Political Executive Group	Independent Group	Total
Oldway Mansion and Estate Working Party	3	1	1	0	5
Town Centre Regeneration Programme Board (plus Elected Mayor, partners and officers)	4	1	0	1	6
	44	16	8	4	72