

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

24 September 2020

-: Present :-

The Worshipful The Mayor of Torbay (Councillor Douglas-Dunbar) (In the Chair)
Deputy Civic Mayor of Torbay (Councillor Manning)

Councillors Amil, Atiya-Alla, Barrand, Barnby, Brooks, Brown, Bye, Carter, Cowell, Mandy Darling, Steve Darling, Dart, Dudley, Ellery, Foster, Hill, Howgate, Kavanagh, Kennedy, Law, Barbara Lewis, Chris Lewis, Long, Loxton, Mills, Morey, O'Dwyer, Pentney, Stockman, Sykes, David Thomas, Jacqueline Thomas and John Thomas

148 Opening of meeting

The Worshipful the Mayor of Torbay advised that, as the meeting was being held remotely via Zoom during the Corona Virus pandemic, the meeting would follow the Remote Meeting Standing Orders with all voting being taken by roll call throughout the meeting.

The meeting was then opened with a prayer.

149 Apologies for absence

An apology for absence were received from Councillor Doggett.

Councillor John Thomas had indicated he would be leaving the meeting early.

150 Communications

The Worshipful the Mayor of Torbay welcomed Sarah O'Connor from the Torbay Food Alliance to the meeting. Members then received a presentation on the support and assistance that had been provided by the Food Alliance for the benefit of the residents of Torbay.

The Worshipful the Mayor of Torbay welcomed Anne-Marie Bond to her first Council meeting in her new role as Interim Chief Executive and Amanda Barlow to her first Council meeting as Interim Monitoring Officer.

The Leader of the Council reiterated the Worshipful the Mayor of Torbay's welcome to Anne-Marie Bond, Interim Chief Executive. He advised Members that the Local Outbreak Engagement Board had been meeting on a regular basis with the

partnership working adding real value. He went on to thank Torbay Hospital who would be providing an enhanced COVID-19 testing service for Torbay's teachers.

The Leader of the Council concluded his presentation by welcoming Councillors Kennedy and Mills to the partnership having become Independent Councillors.

The Interim Chief Executive led a minute's silence for two serving members of staff, Matt Hayman and Sheila Greenberg (nee Tyson) who had sadly passed away.

The Overview and Scrutiny Co-ordinator informed members he had attended a Local Government Association training session on 'Scrutinising Climate Action: who, when and how'. He also welcomed the efforts of Torbay Hospital to fill the national gap in COVID-19 testing.

151 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 Councillors Law, Carter, Stockman, Cowell, Morey and Long and was circulated prior to the meeting.

Supplementary questions were put and answered by Councillors Law, Cowell, Morey, Carter and Long, arising from their responses to the questions in respect of questions 1, 4, 5, 6 11, 12, 13 and 14. In the absence of Councillor Doggett the answers to questions 3 and 10 were taken as read without supplementary questions.

152 Adult Care Strategic Agreement between Torbay Council, Devon Clinical Commissioning Group and Torbay and South Devon NHS Foundation Trust

The Council considered the recommendation of the Cabinet and submitted report on the Adult Care Strategic Agreement, which set out the way in which Torbay Council and Devon Clinical Commissioning Group (CCG) would commission adult social care services from the Torbay and South Devon NHS Foundation Trust. The current agreement covered a three year period from April 2020, which replaced the Annual Strategic Agreement and was in line with the Risk Share Agreement covering the same period.

Councillor Stockman proposed and Councillor Long seconded a motion which was agreed (unanimously), as set out below:

- (i) that the Adult Care Strategic Agreement between Torbay Council, Devon Clinical Commissioning Group and Torbay and South Devon NHS Foundation Trust set out at Appendix 1 to the submitted report be approved; and**
- (ii) that in the event there are minor changes requested by the Board of the Torbay and South Devon NHS Foundation Trust which meets subsequent to the decision of the Council, the agreement or negotiation of the minor changes be delegated to the Director**

of Adult Social Services, in consultation with the Cabinet Member for Adults and Public Health.

153 Proposed disposal of Council owned land at Hatchcombe

Members considered a recommendation of the Cabinet and submitted report on a proposal to dispose of a section of land at Hatchcombe to Sanctuary Housing, in order to facilitate the development new affordable homes in Torquay. It was noted the Council would forgo maximising any potential income from this land in return for the delivery of affordable housing for local people.

Councillor Long proposed and Councillor Cowell proposed a motion that was agreed (unanimously), as set out below:

- (i) to authorise the disposal of the land shaded yellow on the plan at Appendix 1 to the submitted report to a Housing Association in return for nomination rights into 100% of the properties in perpetuity under the Local Government Act 1972: General Disposal Consent Order 2003; and**
- (ii) to delegate authority to the Chief Executive in consultation with the Portfolio holder to agree the detailed terms of any transfer including agreed timescales for the development.**

154 Civic Mayor and Deputy Civic Mayor

In accordance with the Council's Standing Orders A9.1, the Council considered selecting the Civic Mayor-Elect and Deputy Civic Mayor-Elect for the next Municipal Year 2021/22.

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

- (i) that Councillor Manning be selected as Civic Mayor (Elect) for the 2021/2022 municipal year; and**
- (ii) that Councillor Mandy Darling be selected as Deputy Civic Mayor (Elect) for the 2021/2022 municipal year.**

155 Appointment of Independent Person to assist the Council Standards Committee

The Council considered the submitted report setting out the proposed appointment of a new independent person to assist in the consideration of complaints against members under the Council Code of Conduct for Members. It was noted the independent person would also assist the Council in promoting and maintaining the high standards of conduct by members.

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

that the Council appoints Peter Raven as its independent person for a period commencing on 24 September 2020 and expiring on 24 September 2024.

156 Appointment of Audit Committee Vice-Chairman

In accordance with Standing Order A1.2(e), following the resignation of the former Vice-Chairman of the Audit Committee, Members were required to confirm the appointment of a new Vice-Chairman of the Audit Committee for the remainder of the current Municipal Year.

Councillor Loxton proposed and Councillor Howgate seconded a motion, as set out below:

that Councillor Kennedy be appointed Audit Committee Vice-Chairman for the remainder of the 2020/2021 municipal year.

During the debate, Councillor David Thomas proposed and Councillor Barnby seconded the following amendment:

that Councillor Hill be appointed be appointed Audit Committee Vice-Chairman for the remainder of the 2020/2021 municipal year.

During debate on the amendment Councillor David Thomas withdrew his amendment as he was seeking a seconder from the Liberal Democrat and Independent Partnership. Councillors Loxton's and Councillor Howgate's motion was then before members and subsequently agreed as follows:

that Councillor Kennedy be appointed Audit Committee Vice-Chairman for the remainder of the 2020/2021 municipal year.

The Worshipful The Mayor of Torbay