

Wednesday, 10 May 2023

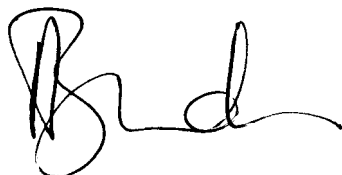
Annual Meeting of the Council

Dear Member

I am pleased to invite you to attend the annual meeting of Torbay Council which will be held in **The Forum, Riviera International Conference Centre, Chestnut Avenue, Torquay, TQ2 5LZ** on **Tuesday, 16 May 2023** commencing at **11.00 am**

The items to be discussed at this meeting are attached.

Yours sincerely,



Anne-Marie Bond
Chief Executive

(All members are summoned to attend the meeting of the Council in accordance with the requirements of the Local Government Act 1972 and Standing Orders A5.)

Together Torbay will thrive

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June Gurry, Town Hall, Castle Circus, Torquay, TQ1 3DR

Email: governance.support@torbay.gov.uk - www.torbay.gov.uk

Annual Meeting of the Council Agenda

1. **Opening of meeting**
2. **Apologies for absence**
3. **Election of The Worshipful The Mayor of Torbay**
To elect The Worshipful the Mayor of Torbay for the 2023/2024 Municipal Year.
4. **Election of Deputy Civic Mayor**
To elect the Deputy Civic Mayor of the Council for the 2023/2024 Municipal Year.
5. **Declarations of interests**
 - (a) To receive declarations of non pecuniary interests in respect of items on this agenda
For reference: Having declared their non pecuniary interest members may remain in the meeting and speak and, vote on the matter in question. A completed disclosure of interests form should be returned to the Clerk before the conclusion of the meeting.
 - (b) To receive declarations of disclosable pecuniary interests in respect of items on this agenda
For reference: Where a Member has a disclosable pecuniary interest he/she must leave the meeting during consideration of the item. However, the Member may remain in the meeting to make representations, answer questions or give evidence if the public have a right to do so, but having done so the Member must then immediately leave the meeting, may not vote and must not improperly seek to influence the outcome of the matter. A completed disclosure of interests form should be returned to the Clerk before the conclusion of the meeting.

(**Please Note:** If Members and Officers wish to seek advice on any potential interests they may have, they should contact Governance Support or Legal Services prior to the meeting.)
6. **Minutes** (Pages 4 - 19)
To confirm as a correct record the minutes of the meeting of the Council and Adjourned Council held on 7 March and 29 March 2023.
7. **Election of Leader of the Council**
To elect the Leader of the Council for a four year term until May 2027.

8. Adjournment

To consider adjourning the meeting until 5.30 pm on Thursday, 25 May 2023 to deal with the remainder of the business as set out in the separate agenda.

Meeting Attendance

Please note that whilst the Council is no longer implementing Covid-19 secure arrangements attendees are encouraged to sit with space in between other people. Windows will be kept open to ensure good ventilation and therefore attendees are recommended to wear suitable clothing.

If you have symptoms, including runny nose, sore throat, fever, new continuous cough and loss of taste and smell please do not come to the meeting.

Live Streaming

To encourage more people to engage in our public meetings the Council is trialling live streaming our Council meetings on our YouTube channel in addition to recording the meetings and publishing the recording on our website. To watch the meeting live please visit <https://www.youtube.com/user/torbaycouncil>.

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

7 March 2023

-: Present :-

The Worshipful The Mayor of Torbay (Councillor Mandy Darling) (In the Chair)
Deputy Civic Mayor of Torbay (Councillor Brown)

Councillors Amil, Atiya-Alla, Barrand, Brooks, Bye, Carter, Cowell, Douglas-Dunbar, Dudley, Foster, Howgate, Johns, Kavanagh, Law, Long, Loxton, Mills, O'Dwyer, Pentney, Stockman, David Thomas, Jacqueline Thomas and John Thomas

62 Opening of meeting

The meeting was opened with a prayer.

Following the opening, Members observed a minute's silence as a mark of respect in memory of Councillor Jane Barnby who sadly passed away on 26 February 2023. Councillor Barnby was Chairwoman of the Council in 2014/2015.

63 Apologies for absence

Apologies for absence were received from Councillors Steve Darling, Dart, Ellery, Hill, Kennedy, Barbara Lewis, Chris Lewis, Manning, Morey and Sykes.

64 Minutes

The Worshipful The Mayor of Torbay proposed and Councillor Brown seconded a motion, which was agreed by the Council as set out below:

that the Minutes of the meeting of the Council held on 8 December 2022 were confirmed as a correct record and signed by The Worshipful The Mayor of Torbay.

65 Declarations of interests

At the invitation of The Worshipful The Mayor of Torbay, the Interim Monitoring Officer reminded Members of the dispensation granted in respect of Members' interests in relation to the setting of the budget and Council Tax and matters relating to Council controlled companies where Members were appointed as unpaid directors by the Council. It was noted that dispensation permitted Members to discuss and vote on the budget in respect of these matters without the need to declare an interest.

Councillor Cowell declared a non-pecuniary interest in respect of Minute 79 as he was a member and Vice-Chairman of the Torquay Neighbourhood Forum.

66 Communications

The Worshipful The Mayor of Torbay advised that, prior to the meeting of the Council, she held a Civic Reception to present long service certificates with the Chief Executive to both Councillors and officers. The following Councillors and officers received certificates in recognition of their dedication to public service in Torbay:

Councillors Amil and O'Dwyer

Lia-Marie Bowden
Catherine Hayden
James Kendall
Marianne Lewis
Janet Moate

Kevin Mowat
Lee Muncaster
Judith Thomas
Christopher Widdecombe
Rachel Worsley

The Worshipful The Mayor of Torbay provided an update on:

- a) attendance at the Civic Carol Concert; and
- b) visits to key partners namely the Police, Health and staff at the Crematorium to thank them for the invaluable services they provide.

The Chief Executive advised this was the last meeting of the Council before Kevin Mowat, Director of Place, and Martin Phillips, Director of Finance, were due to retire from the Council and gave personal thanks and on behalf of the Council for their years of dedicated service. The Worshipful the Mayor of Torbay, Councillors Cowell, Long and David Thomas also gave their thanks on behalf all Members of the Council.

(Note: The Leader of the Council circulated to all councillors the agenda for the Heart of the South West Joint Committee held on 3 February 2023 prior to the meeting).

67 Petition to Stop Torbay Ring Road Closure

In accordance with Standing Order A23, the Council received a petition requesting the closure of Torbay Ring Road to be stopped (approximately 1,968 signatures).

Mr Strang, addressed the Council in support of the petition.

The Chief Executive advised that, under the Council's Petition Scheme, as the petition had reached the 1,000 signature threshold it was subject to debate by the Council. The Chief Executive then outlined the options open to the Council.

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

Torbay Council regrets any inconvenience caused by the closure of Brixham Road to enable the developers to undertake the works to support the Inglewood development.

Working with several stakeholders including the fishing industry, Brixham Town Council, neighbouring parish councils, Brixham Chamber of Commerce, South Devon College and other businesses, we acknowledge that the original plans for a longer closure were reassessed by the developer and their contractor which led to a shorter closure period.

The Council notes the petition as presented, but given the works are well advanced and that they are scheduled to complete at the end of this month, no further action will be taken.

68 Petition to make Broadsands Beach dog friendly all year round

In accordance with Standing Order A23, the Council received a petition requesting Broadsands Beach to made dog friendly all year round (approximately 70 signatures).

It was noted that the petitioner had requested their petition to be submitted direct to the decision-maker and it would therefore be referred to the Director of Pride in Place, in consultation with the Cabinet Member for Infrastructure, Environment and Culture.

69 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 Carter, Cowell, Steve Darling, Law, Long, Morey and Stockman and was circulated prior to the meeting.

In the absence of Councillors Steve Darling and Morey, any supplementary questions in respect of 1, 2, 4, 6, 7 and 8, were referred to the next meeting of the Council. Supplementary questions were then put and answered by Councillors Carter, Cowell and Long, arising from their responses to the questions in respect of questions 3, 5, 12, 13, 14, 15 and 17.

70 Notice of Motion - Keep Vapes 'Out of Sight' of Children

Members considered a motion in relation to keeping vapes 'out of sight' of children, notice of which was given in accordance with Standing Order A13.

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

this Council notes with concern;

- the increased use of vaping products by children in the UK. Recent data from the ASH Smokefree GB Youth Survey 2022 found that the prevalence of vaping amongst 11-18 year olds is increasing – from 4% in 2021 to 8.6% in 2022 – and a significant number of children buy these vaping products directly from newsagents or supermarkets;
- there has been an increase in the number of local authorities who have recently had to take enforcement activity against shops illegally selling vaping products to youngsters;
- the marketing of certain vaping products – with bright coloured packaging and flavours such as bubblegum – undoubtedly appeal to children; and
- the significant increase in availability of disposable and single-use vaping products which are cheaper and easier for children to access.

This Council acknowledges the role vaping products play in aiding adults to stop smoking, and that vaping products carry a small fraction of the risk, and exposure to toxins, that are associated with cigarettes. However vaping is not risk free; particularly for those who have never smoked. Vaping products contain nicotine and research shows that most children who use them have never smoked.

This Council recognises the Local Government Association has raised concerns about the sale of vaping products to children and calls for vaping products to be regulated in a similar way as tobacco products, with plain packaging and a requirement for products to be kept out of sight behind shop counters.

Council resolves to bring a report to Licensing Committee and the Health and Wellbeing Board detailing enforcement activity and strategy within Torbay related to the illegal sale of vaping products to children and exploring opportunities for engagement with local schools to inform young people of the potential dangers of vaping.

In the meantime, Council calls for the Chief Executive to write to Stephen Barclay MP, Secretary of State for Health and Social Care, to express the Council's demand for the greater regulation of vaping products including:

- vaping products being in plain packaging and kept out of sight behind the counter;
- mandatory age-of-sale signage on vaping products (this is currently voluntary); and
- a ban on free samples of vaping products being given out to people of any age.

71 Order of Business

At this juncture on behalf of The Worshipful The Mayor of Torbay and in accordance with Standing Order A7.2, the Chief Executive advised the order of business had been varied to enable agenda Item 15 (Housing Strategy 2023-2030) and Item 16 (Domestic Abuse and Sexual Violence Strategy) to be considered at end of the meeting. The Order of Business was varied in anticipation the duration of the meeting would extend beyond four hours and Items 15 and 16 were not items that had to be transacted at this meeting.

72 Revenue Budget 2023/2024

Members considered the recommendations of the Cabinet in relation to the Revenue Budget 2023/2024, as set out in the submitted report and supporting documents. In accordance with legislation, The Worshipful The Mayor of Torbay advised that recorded votes would be taken on all the budget items on this agenda.

Prior to the meeting, the Section 151 Officer circulated a Budget Robustness Statement in response to the submitted Notice of Motion to amend the Revenue Budget.

Councillor Cowell proposed and Councillor Long seconded a motion as set out below:

1. that for 2023/24 net revenue expenditure of £131.0m resulting in a Council Tax requirement of £82.7m for 2023/24 (a 4.99% increase in Council Tax, of which 2% is for Adult Social Care) be approved;
2. that the proposed Fees and Charges for 2023/24 be approved;
3. that, in accordance with the requirement of the Local Government Act 2003, the advice given by the Chief Finance Officer with respect to the robustness of the budget estimates and the adequacy of the Council's reserves (as set out in the submitted report) be noted;
4. that it be noted that the Brixham Town Council precept for 2023/24 of £394,372 will be included as part of the Torbay Council budget for Council Tax setting purposes; and
5. that the Chief Executive, in consultation with the Director of Children's Services, Chief Finance Officer, Cabinet Member for Children's Services and Cabinet Member for Finance, be authorised to approve the "safety valve" agreement in relation to the Higher Needs Block deficit, subject to an offer of an agreement being made by the Department for Education.

The Worshipful The Mayor of Torbay advised that one notice of motion to amend the Cabinet's revenue budget proposals had been received in accordance with Standing Order A13.4.

Councillor David Thomas proposed and Councillor Bye seconded the amendment to the motion as follows:

1. that for 2023/24 net revenue expenditure of ~~£131.0m~~ £129.8m resulting in a Council Tax requirement of ~~£82.7m~~ £81.5m for 2023/24 (a ~~4.99%~~ 3.49% increase in Council Tax, of which 2% is for Adult Social Care) be approved. The Cabinet's budget proposals be amended to include the use of £1.2m of the Investment Fund Contingency Reserve (one off);
2. that the proposed Fees and Charges for 2023/24 be approved;
3. that, in accordance with the requirement of the Local Government Act 2003, the additional advice given by the Chief Finance Officer (circulated on 2 March 2023) with respect to the robustness of the budget estimates and the adequacy of the Council's reserves (as set out in the submitted report) in light of the revised budget resulting in a reduction in Council Tax be noted;
4. that it be noted that the Brixham Town Council precept for 2023/24 of £394,372 will be included as part of the Torbay Council budget for Council Tax setting purposes; and
5. that the Chief Executive, in consultation with the Director of Children's Services, Chief Finance Officer, Cabinet Member for Children's Services and Cabinet Member for Finance, be authorised to approve the "safety valve" agreement in relation to the Higher Needs Block deficit, subject to an offer of an agreement being made by the Department for Education.

A recorded vote was taken on the amendment. The voting was taken by roll call as follows: For: Councillors Barrand, Brooks, Bye, Foster, Kavanagh, O'Dwyer, David Thomas, Jacqueline Thomas and John Thomas (9); Against: Councillors Amil, Atiya-Alla, Brown, Carter, Cowell, Mandy Darling, Douglas-Dunbar, Dudley, Howgate, Johns, Law, Long, Loxton, Mills, Pentney and Stockman (16); and Absent: Councillors Steve Darling, Dart, Ellery, Hill, Kennedy, Barbara Lewis, Chris Lewis, Manning, Morey and Sykes (10). Therefore the amendment was declared lost.

Councillor Cowell's and Councillor Long's original motion was then considered and agreed by the Council (by recorded vote) as set out below:

1. **that for 2023/24 net revenue expenditure of £131.0m resulting in a Council Tax requirement of £82.7m for 2023/24 (a 4.99% increase in Council Tax, of which 2% is for Adult Social Care) be approved;**
2. **that the proposed Fees and Charges for 2023/24 be approved;**
3. **that, in accordance with the requirement of the Local Government Act 2003, the advice given by the Chief Finance Officer with respect to the robustness of the budget estimates and the**

adequacy of the Council's reserves (as set out in the submitted report) be noted;

4. that it be noted that the Brixham Town Council precept for 2023/24 of £394,372 will be included as part of the Torbay Council budget for Council Tax setting purposes; and
5. that the Chief Executive, in consultation with the Director of Children's Services, Chief Finance Officer, Cabinet Member for Children's Services and Cabinet Member for Finance, be authorised to approve the "safety valve" agreement in relation to the Higher Needs Block deficit, subject to an offer of an agreement being made by the Department for Education.

The voting was taken by roll call as follows: For: Councillors Amil, Atiya-Alla, Brown, Carter, Cowell, Mandy Darling, Douglas-Dunbar, Dudley, Howgate, Johns, Law, Long, Loxton, Mills, O'Dwyer, Pentney and Stockman (17); Against: Councillors Barrand, Brooks, Bye, Foster, Kavanagh, David Thomas, Jacqueline Thomas and John Thomas (8); and Absent: Councillors Steve Darling, Dart, Ellery, Hill, Kennedy, Barbara Lewis, Chris Lewis, Manning, Morey and Sykes (10).

73 Capital Plan 2023/2024

Members considered the recommendations of the Cabinet in relation to the Capital Plan Budget for 2023/2024 as set out in the submitted report.

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

1. that the Capital Plan for 2023/24 as set out in Appendix 1 to the submitted report be approved; and
2. that the Chief Finance Officer, in consultation with the Director of Adult and Community Services, the Cabinet Member for Finance and the Cabinet Member for Economic Regeneration, Tourism and Housing, be authorised to approve the business cases for the use of the Community Affordable Housing loan allocations.

The voting was taken by roll call as follows: For: Councillors Amil, Atiya-Alla, Barrand, Brooks, Brown, Bye, Carter, Cowell, Mandy Darling, Douglas-Dunbar, Dudley, Foster, Howgate, Johns, Kavanagh, Law, Long, Loxton, Mills, Pentney, Stockman, David Thomas, Jacqueline Thomas and John Thomas (24); Abstain: Councillor O'Dwyer (1); and Absent: Councillors Steve Darling, Dart, Ellery, Hill, Kennedy, Barbara Lewis, Chris Lewis, Manning, Morey and Sykes (10).

74 Capital Strategy 2023/2024

Members considered the recommendations of the Cabinet in relation to the Capital Strategy for 2023/2024 as set out in the submitted report.

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

that the Capital Strategy 2023/24 be approved as set out in Appendix 1 to the submitted report.

The voting was taken by roll call as follows: For: Councillors Amil, Atiya-Alla, Barrand, Brooks, Brown, Bye, Carter, Cowell, Mandy Darling, Douglas-Dunbar, Dudley, Foster, Howgate, Johns, Kavanagh, Law, Long, Loxton, Mills, O'Dwyer, Pentney, Stockman, David Thomas, Jacqueline Thomas and John Thomas (25); and Absent: Councillors Steve Darling, Dart, Ellery, Hill, Kennedy, Barbara Lewis, Chris Lewis, Manning, Morey and Sykes (10).

75 Treasury Management Strategy 2023/24 including adoption of the CIPFA Code of Practice: Treasury Management in the Public Services

The Council received the Treasury Management Strategy 2023/2024 as set out in the submitted report. Members noted the Strategy aimed to support the provision of all Council services through the management of the Council's cash flow, debt and investment operations.

Councillor Cowell proposed and Councillor Long seconded a motion, as set out below:

1. that the CIPFA Code of Practice: Treasury Management in the Public Services as set out in the Appendix 1 to the submitted report be adopted; and
2. that Council approve:
 - a) Treasury Management Strategy for 2023/24;
 - b) the Prudential Indicators 2023/24; and
 - c) the Annual Minimum Revenue Provision Policy Statement for 2023/43 as set out in Appendix 2 to the submitted report.

Arising from the debate, the Chief Executive advised on an incorrect reference in the appendices to the Treasury Management Strategy, which were redundant in light of the Council's approval of the Capital Strategy (as set out in Minute 75 above). Therefore, changes were made to the original motion in agreement with Councillors Cowell and Long. The updated motion was then agreed (unanimously) by the Council (by recorded vote) as set out below:

1. **that the CIPFA Code of Practice: Treasury Management in the Public Services as set out in the Appendix 1 to the submitted report be adopted; and**
2. **that Council approve:**

- a) **Treasury Management Strategy for 2023/24, subject to the Section 151 Officer updating the appendices to reflect that the Council no longer pursues investment properties purely for yield;**
- b) **the Prudential Indicators 2023/24; and**
- c) **the Annual Minimum Revenue Provision Policy Statement for 2023/43 as set out in Appendix 2 to the submitted report.**

The voting was taken by roll call as follows: For: Councillors Amil, Atiya-Alla, Barrand, Brooks, Brown, Bye, Carter, Cowell, Mandy Darling, Douglas-Dunbar, Dudley, Foster, Howgate, Johns, Kavanagh, Law, Long, Loxton, Mills, O'Dwyer, Pentney, Stockman, David Thomas, Jacqueline Thomas and John Thomas (25); and Absent: Councillors Steve Darling, Dart, Ellery, Hill, Kennedy, Barbara Lewis, Chris Lewis, Manning, Morey and Sykes (10).

76 Review of Reserves 2023/2024

As part of the budget setting process for 2023/24, the Council received its reserves position as set out in the submitted report. During the meeting, the Director of Finance provided clarification that no Council decision was required as there were no new reserves to be established and therefore the Council noted the report.

77 Council Tax 2023/2024

The Council received the submitted report in relation to the setting of Council Tax for 2023/2024.

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

1. **that it be noted that, on the 8 December 2022, Council approved the following Council Tax Bases for 2023/24:**
 - a) **for the whole Council area as 46,620.10, [Item T in the formula in Section 31B of the Local Government Finance Act 1992, as amended (the "Act")]; and**
 - b) **for dwellings in the Brixham Town Council area as 6,211.39 to which a Parish precept relates;**
2. **that the Police and Crime Commissioner for Devon and Cornwall, and the Devon and Somerset Fire and Rescue Authority have issued precepts to the Council in accordance with Section 40 of the Local Government Finance Act 1992 for each category of dwellings in the Council's area as indicated in the table in paragraph 5. below;**

3. that the Council Tax requirement for the Council's own purposes for 2023/24 (excluding Brixham Town Council) of £82,722,425 be approved;
4. that the following amounts be calculated for the year 2023/24 in accordance with Chapter Three of the Act:
 - a) £350,171,372 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(2) of the Act taking into account the precept issued to it by Brixham Town Council;
 - b) (£267,054,575) being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(3) of the Act;
 - c) £83,116,797 being the amount by which the aggregate at 4.a) above exceeds the aggregate at 4.b) above, calculated by the Council in accordance with Section 31A(4) of the Act as its Council Tax Requirement for the year (item R in the formula in Section 31B of the Act);
 - d) £1,782.85 being the amount at 4.c) above (Item R), all divided by Item T (1.a) above), calculated by the Council, in accordance with Section 31B of the Act, as the basic amount of its Council Tax for the year (including Parish precepts);
 - e) £394,372 being the aggregate amount of all special items (Brixham Town Council) referred to in Section 34(1) of the Act; and
 - f) £1,774.39 being the amount at 4.d) above less the result given by dividing the amount at 4.e) above by Item T (1.a) above), calculated by the Council, in accordance with Section 34(2) of the Act, as the basic amount of its Council Tax for the year for dwellings in those parts of its area to which no Parish precept relates;
5. that the Council, in accordance with Chapter Three of the Local Government Finance Act 1992, hereby sets the aggregate amounts shown in the tables below as the amounts of Council Tax for 2023/24 for each part of its area and for each of the categories of dwellings.

	Valuation Band							
	A	B	C	D	E	F	G	H
Ratio of each band-to-Band D	6/9	7/9	8/9	9/9	11/9	13/9	15/9	18/9
	£	£	£	£	£	£	£	£
Torbay Council	1,182.93	1,380.08	1,577.24	1,774.39	2,168.70	2,563.01	2,957.32	3,548.78
Police and Crime Commissioner	174.37	203.44	232.50	261.56	319.68	377.81	435.93	523.12
Devon and Somerset Fire and Rescue Authority	64.53	75.28	86.04	96.79	118.30	139.81	161.32	193.58
Aggregate of Council Tax Requirements ex. Town Council	1,421.83	1,658.80	1,895.78	2,132.74	2,606.68	3,080.63	3,554.57	4,265.48
Brixham Town Council	42.33	49.38	56.44	63.49	77.60	91.71	105.82	126.98
Aggregate of Council Tax Requirements including Brixham Town Council	1,464.16	1,708.18	1,952.22	2,196.23	2,684.28	3,172.34	3,660.39	4,392.46

Note: Torbay Council's precept includes the Adult Social Care "precept" set in 2016/17 to 2018/19 and 2020/21 to 2023/24.

6. that it be noted that the Council's basic amount of Council Tax for 2023/24 is not excessive in accordance with principles approved under Section 52ZB Local Government Finance Act 1992. (Refer to paragraph 5.7 of the submitted report).

The voting was taken by roll call as follows: For: Councillors Amil, Atiya-Alla, Barrand, Brooks, Brown, Bye, Carter, Cowell, Mandy Darling, Douglas-Dunbar, Dudley, Foster, Howgate, Johns, Kavanagh, Law, Long, Mills, O'Dwyer, Pentney, Stockman, David Thomas, Jacqueline Thomas and John Thomas (24); Abstain: Councillor Loxton (1); and Absent: Councillors Steve Darling, Dart, Ellery, Hill, Kennedy, Barbara Lewis, Chris Lewis, Manning, Morey and Sykes (10).

78 Duration of Meeting

At this juncture, The Worshipful The Mayor of Torbay advised that the meeting had exceeded four hours in duration and in accordance with Standing Order A11.2, the Chief Executive, Section 151 Officer and the Monitoring Officer had indicated that

items 17 (Application to re-designate a Torquay Neighbourhood Forum), 18 (Torbay Council Annual Pay Policy Statement and Review of Pensions Discretions), 19 (Statutory Officer Appointment) and 20 (Civic Mayor and Deputy Civic Mayor Elect) must be transacted at the meeting.

79 Application to re-designate a Torquay Neighbourhood Forum

The Council considered the recommendations of the Cabinet on the proposed re-designation of the Torquay Neighbourhood Forum. An application was submitted to Torbay Council as the Local Planning Authority, to re-designate a Torquay Neighbourhood Forum for the existing Neighbourhood Area, comprising the Wards of Barton with Watcombe, Cockington with Chelston, Ellacombe, St. Marychurch, Tormohun and Wellswood. Re-designation of the Torquay Neighbourhood Forum would be for a period of five years, covering the Torquay Community Partnership Areas listed in the application and Torquay Wards listed above. Following the Cabinet's recommendations, an officer supplement to the report was circulated providing evidence requested by the Cabinet.

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

- 1. that following consideration of all representations received at the close of consultation on 23 January 2023 and that a refreshed Torquay Neighbourhood Forum (TNF) Constitution has been received (22 February 2023); that the Torquay Neighbourhood Forum be designated as the Neighbourhood Planning body ("Qualifying Body") for the existing/previously approved Torquay Neighbourhood Area; and**
- 2. that the following amendments are made to the proposed Neighbourhood Forum's Constitution to support the transparency of the forum in response to the concerns raised during the consultation:**
 - i) to fulfil Sections 6.4, 7.3 and 7.4 of the Constitution: The Forum provide an undertaking to publish on a website, appropriate and timely manner: meeting agendas, minutes and associated documents (where appropriate) within a reasonable period;**
 - ii) in Section 3.6 to modify wording to "other areas of Torbay" instead of reference to Paignton and Brixham only; and**
 - iii) in Section 4.1 to modify wording to "automatically eligible as members", including eligible, to reflect that membership is voluntary as set out in Section 4.2.**

(Note: the changes outlined in resolution 2 above were received on 1 March 2023.)

80 Torbay Council Annual Pay Policy Statement and Review of Pensions Discretions

The Council considered the Cabinet's recommendations on the Council's Annual Pay Policy Statement, as required under Section 38(1) of the Localism Act 2011 (as set out in the submitted report). It was noted that the Pay Policy Statement drew together the Council's overarching policies on pay and conditions which would be published on the Council's website. The report also set out the annual review of pensions discretions as required by the Local Government Pension Scheme Regulations.

Councillor Carter proposed and Councillor Cowell seconded a motion, which was agreed by the Council as set out below:

- 1. the Torbay Council Annual Pay Policy Statement 2023/24 as set out in Appendix 1 to the submitted report be approved for publication; and**
- 2. the Employers Pensions Discretions set out in Appendix 2 to the submitted report be approved for publication.**

81 Statutory Officer Appointment

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

that Malcolm Coe be appointed Chief Finance Officer (Section 151 Officer) with effect from 8 March 2023.

82 Civic Mayor and Deputy Civic Mayor Elect

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 2023/2024.

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

that, due to the all Council-Elections in May 2023, no action be taken to select a Civic Mayor-Elect or Deputy Mayor-Elect until the start of the 2023/24 Municipal Year.

83 Adjournment

In accordance with Standing Order A11.1, The Worshipful The Mayor of Torbay invited members to vote for the meeting to continue as the meeting had exceeded four hours duration.

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

that the meeting of the Council be adjourned.

The Worshipful The Mayor of Torbay

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

29 March 2023

-: Present :-

The Worshipful The Mayor of Torbay (Councillor Mandy Darling) (In the Chair)
Deputy Civic Mayor of Torbay (Councillor Brown)

Councillors Amil, Brooks, Bye, Carter, Cowell, Steve Darling, Douglas-Dunbar, Dudley, Ellery, Foster, Hill, Johns, Kavanagh, Law, Barbara Lewis, Chris Lewis, Long, Loxton, Morey, O'Dwyer, Stockman, David Thomas and Jacqueline Thomas

84 Apologies for absence

Apologies for absence were received from Councillors Atiya-Alla, Barrand, Dart, Howgate, Kennedy, Manning, Mills, Pentney, Sykes and John Thomas.

85 Declarations of interests

No interests were declared.

86 Members' questions

Members received the supplementary questions and answers which were not presented at the Council meeting on 7 March 2023, due to the absence of Councillors Steve Darling and Morey.

Supplementary questions were answered by Councillors Steve Darling and Morey, arising from their responses to the questions in respect of questions 2, 4, 6 and 8.

87 Housing Strategy 2023 -2030

The Council considered the recommendations of the Cabinet on the proposed Housing Strategy 2023-2030. The Strategy was the over-arching strategic document which pulled together all aspects of the Council's strategic housing function and how the Council and its partners would improve the delivery, affordability and quality of housing in Torbay.

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

that the Torbay Housing Strategy 2023-2030, as set out in Appendix 1 to the submitted report, be approved.

88 Domestic Abuse and Sexual Violence Strategy

The Council considered the recommendations of the Cabinet on the proposed Domestic Abuse and Sexual Violence Strategy. The Strategy was the over-arching strategic document which helped to create safe spaces, support victims and addressed behaviours of those causing harm so that Torbay's vulnerable residents and their children could thrive.

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

that the Domestic Abuse and Sexual Violence Strategy as set out in Appendix 1 to the submitted report, be approved.

The Worshipful The Mayor of Torbay
