

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

25 May 2023

-: Present :-

**The Worshipful The Mayor of Torbay (Councillor Spacagna) (In the Chair)
Deputy Civic Mayor of Torbay (Councillor Stevens)**

Councillors Amil, Atiya-Alla, Billings, Brook, Bryant, Bye, Carter, Cowell, Darling, Mandy Darling, Steve Darling, Douglas-Dunbar, Fellows, Fox, Harvey, Hutchings, Johns, Joyce, Law, Barbara Lewis, Chris Lewis, Long, Maddison, Nicolaou, Penny, Pentney, Strang, David Thomas, Jacqueline Thomas, Tolchard, Tranter, Twelves, Tyerman and Virdee

10 Declarations of interests

Amanda Barlow declared an officer personal interest in respect of Minute 18.

11 Appointment of Overview and Scrutiny Co-ordinator and Scrutiny Lead Members

The Council was requested to consider the appointment of the Overview and Scrutiny Co-ordinator and the appointment of Scrutiny Lead Members for the 2023/2024 Municipal Year.

Councillor David Thomas proposed and Councillor Chris Lewis seconded a motion which was agreed as set out below:

- 1. that Councillor Billings be appointed as the Overview and Scrutiny Co-ordinator for the 2023/2024 Municipal Year; and**
- 2. that the following Councillors be appointed as the Overview and Scrutiny Leads for the 2023/2024 Municipal Year:**
 - Overview and Scrutiny Lead for Children's Services - Councillor Law**
 - Overview and Scrutiny Lead for Adults, Community Services, Public Health and Inequalities - Councillor Joyce**
 - Overview and Scrutiny Lead for Economic Growth and Culture - Councillor Maddison**
 - Overview and Scrutiny Lead for Finance, Corporate and Place Based Services - Councillor Twelves**

12 Appointments to Council Committees, Working Parties and Other Bodies and Appointment of Committee Chairmen/women and Vice-Chairmen/women for 2023/2024

The Council considered the submitted report on the appointment of committees, working parties, Chairman/women and Vice-Chairman/women and representatives on other Outside Bodies, in light of the political balance of the Council. A revised officer recommendation had been circulated prior to the meeting.

Councillor David Thomas proposed and Councillor Chris Lewis seconded a motion, as set out below:

1. that the overall political balance of the committees as set out at Appendix 1 to the submitted report be approved;
2. that, in accordance with the Local Protocol for Working Parties, the overall political balance of working parties as set out in Appendix 2 to the submitted report be approved;
3. that, subject to 1. and 2. above, the Terms of Reference and membership for the Council's Committee's, Sub-Committees and working parties be approved as set out in Appendix 3 to the submitted report;
4. that, subject to 3. above being approved, nominations from Group Leaders be received to fill the seats on the committees (as circulated on 25 May 2023);
5. that, subject to 3. above, the Chairmen/women and Vice-Chairmen/women of those Committee's be approved as set out in Appendix 4 to the submitted report (as circulated on 25 May 2023);
6. that the Licensing Sub-Committee be exempted from the rules of committee proportionality as defined in the Local Government and Housing Act 1989 and supporting regulations;
7. that the Head of Governance Support be authorised to empanel Members from the Licensing Committee to serve on the Licensing Sub-Committee as and when required; and
8. that, subject to the inclusion of the Cabinet Member for Culture or their nominee being the Council's representative on Torbay Local Heritage Grant Scheme, the outcome of the review and proposed appointments to the outside bodies and other groups for 2023 to 2027 set out in Appendix 5 to the submitted report be approved.

During the debate Councillor Steve Darling proposed and Councillor Long seconded an amendment to the motion as follows:

1. that the overall political balance of the committees as set out at Appendix 1 be approved;
2. that, in accordance with the Local Protocol for Working Parties, the overall political balance of working parties as set out in ~~Appendix 2~~ below be approved;

Working Party	Conservative Group	Liberal Democrat Group	Independent Group	Total
Airshow Working Party	3	2	0	5
Community Asset Transfer Panel (including appropriate Cabinet Member)	3	2	0	5
Corporate Parenting Board	3	2	0	5
Harbour Asset Working Party (plus external advisors and membership restricted to Harbour Committee)	3	2	0	5
Harbour Budget Working Party (plus external advisors and membership restricted to Harbour Committee)	3	2	0	5
Oldway Mansion and Grounds Steering Group (Working Party)	3	2	0	5
Transport and Parking Working Party	4	2	1	7
Affordable Housing Delivery Working Party	4	2	1	7
Cost of Living Response Working Party	3	2	0	5
Town Centres and Premier Resort Regeneration Working Party	3	2	0	5

3. that, subject to 1. and 2. above, the Terms of Reference and membership for the Council's Committee's, Sub-Committees and

working parties be approved as set out in Appendix 3 with the additional Working Parties being appointed as follows:

Affordable Housing Delivery Working Party

Terms of Reference:

1. To ensure the Council's response to the Housing Crisis is appropriately aligned to the level of need and the Housing Strategy continues to meet need; with recommendations being made to Council as to appropriate changes to the Strategy as required.
2. To ensure that the maximum amount of affordable housing is achieved through Council funded schemes and other opportunities, with either private sector or registered providers, as they arise.
3. To consider recommending to Council additional budget allocation to ensure delivery of the Housing Strategy.

Cost of Living Response Working Party

Terms of Reference:

1. To ensure that the Council's policy and strategy to support people with the Cost of Living Crisis and current spend is sufficient to meet demand, and make recommendations to Council for additional funding where needed.
2. To keep under review the Council Tax Support Scheme and its impact on the collection fund and make recommendations to Council on any budget or strategy changes required.

Town Centres and Premier Resort Regeneration Working Party

Terms of Reference:

1. To ensure delivery of capital projects which will continue to enhance Town Centres and deliver the Premier Resort objectives and to make recommendations to Council for additional funding to ensure Government's funding allocations are not lost.
2. To identify additional funding and make recommendations to Council to support opportunities for inward investment.
4. That, subject to 3. above being approved, nominations from Group Leaders be received to fill the seats on the committees;

5. That, subject to 3. above, the Chairmen/women and Vice-Chairmen/women of those Committee's be approved as set out in Appendix 4;
6. That the Licensing Sub-Committee be exempted from the rules of committee proportionality as defined in the Local Government and Housing Act 1989 and supporting regulations;
7. That the Head of Governance Support be authorised to empanel Members from the Licensing Committee to serve on the Licensing Sub-Committee as and when required;
8. That, the outcome of the review and proposed appointments to the outside bodies and other groups for 2023 to 2027 set out in Appendix 5 to the submitted report be approved.

The amendment was put to the vote and declared lost.

Councillor David Thomas' and Councillor Chris Lewis' original motion was then considered by the Council which was agreed, as set out below:

1. **that the overall political balance of the committees as set out at Appendix 1 to the submitted report be approved;**
2. **that, in accordance with the Local Protocol for Working Parties, the overall political balance of working parties as set out in Appendix 2 to the submitted report be approved;**
3. **that, subject to 1. and 2. above, the Terms of Reference and membership for the Council's Committee's, Sub-Committees and working parties be approved as set out in Appendix 3 to the submitted report;**
4. **that, subject to 3. above being approved, nominations from Group Leaders be received to fill the seats on the committees (as circulated on 25 May 2023);**
5. **that, subject to 3. above, the Chairmen/women and Vice-Chairmen/women of those Committee's be approved as set out in Appendix 4 to the submitted report (as circulated on 25 May 2023);**
6. **that the Licensing Sub-Committee be exempted from the rules of committee proportionality as defined in the Local Government and Housing Act 1989 and supporting regulations;**
7. **that the Head of Governance Support be authorised to empanel Members from the Licensing Committee to serve on the Licensing Sub-Committee as and when required; and**

8. **that, subject to the inclusion of the Cabinet Member for Culture or their nominee being the Council's representative on Torbay Local Heritage Grant Scheme, the outcome of the review and proposed appointments to the outside bodies and other groups for 2023 to 2027 set out in Appendix 5 to the submitted report be approved.**

Following the vote, the nominations for members to serve on each committee and other bodies were confirmed by the Leaders of the Conservative, Independent and Liberal Democrat Groups as set out in Appendix 3 to the submitted report.

13 Calendar of Meetings for 2023/2027

The Council considered the submitted report setting out the proposed calendar of meetings for the 2023/2027 term of office. A revised officer recommendation was circulated prior to the meeting.

Councillor David Thomas proposed and Councillor Tyerman seconded a motion as set out below:

1. that the calendar of meetings for 2023 to 2027, as set out in Appendix 1 to the submitted report, be approved, subject to the removal of the Overview and Scrutiny Board on 7 June 2023 and Children and Young People's Overview and Scrutiny Sub-Board on 12 June 2023; and
2. that meetings of the Employment Committee and Civic Committee be held on an ad-hoc basis, to be determined by the Head of Governance in consultation with the relevant Chairman/woman.

During the debate Councillor Pentney proposed and Councillor Fox seconded an amendment to the motion as follows:

1. that the calendar of meetings for 2023 to 2027, as set out in Appendix 1 to the submitted report, be approved, subject to:
 - a) the removal of the Overview and Scrutiny Board on 7 June 2023 and Children and Young People's Overview and Scrutiny Sub-Board on 12 June 2023; and
 - b) the Planning Committee to start at 5.30 pm; and
2. that meetings of the Employment Committee and Civic Committee be held on an ad-hoc basis, to be determined by the Head of Governance in consultation with the relevant Chairman/woman.

A recorded vote was taken on the amendment. The voting was taken by roll call as follows: For: Councillors Amil, Atiya-Alla, Carter, Cowell, George Darling, Mandy Darling, Steve Darling, Douglas-Dunbar, Fox, Harvey, Johns, Law, Long, Nicolaou, Penny, Pentney and Virdee (17); Against: Councillors Billings, Brook, Bryant, Bye, Fellows, Hutchings, Joyce, Barbara Lewis, Chris Lewis, Maddison, Spacagna,

Stevens, Strang, David Thomas, Jacqueline Thomas, Tolchard, Tranter, Twelves and Tyerman (19). The amendment was declared lost.

Councillor David Thomas' and Councillor Chris Lewis' original motion was then considered by the Council which was agreed, as set out below:

- 1. that the calendar of meetings for 2023 to 2027, as set out in Appendix 1 to the submitted report, be approved, subject to the removal of the Overview and Scrutiny Board on 7 June 2023 and Children and Young People's Overview and Scrutiny Sub-Board on 12 June 2023; and**
- 2. that meetings of the Employment Committee and Civic Committee be held on an ad-hoc basis, to be determined by the Head of Governance in consultation with the relevant Chairman/woman.**

14 Composition and Constitution of the Cabinet and Record of Delegations of Executive Functions

Members noted the submitted report on the above, which provided details of the portfolios of the Cabinet Members and delegation arrangements of executive functions, as appointed by the Leader of the Council.

15 Scheme of Delegation for Council Functions

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

that the Scheme of Delegation for Council Functions and the Schedule of Responsibility for Local Choice Functions, as set out in Part 3 of the Constitution (web link contained on the agenda), in so far as they relate to Council functions, be approved.

16 Overview and Scrutiny Annual Report 2022/2023

The Council received and noted the Overview and Scrutiny Annual Report for 2022/2023, as presented by the former Overview and Scrutiny Co-ordinator Councillor Douglas-Dunbar.

17 Constitution Amendment Local Protocol - Civic and Ceremonial

This item was deferred.

18 Statutory Officer Appointment

Councillor Tyerman proposed and Councillor David Thomas seconded a motion that was agreed (unanimously) as set out below:

that the Council confirm the Statutory Officer appointment of Amanda Barlow from Interim Monitoring Officer to permanent Monitoring Officer.

The Worshipful The Mayor of Torbay
