

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

13 October 2022

-: Present :-

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

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

34 Opening of meeting

The Worshipful the Mayor of Torbay gave apologies from her Chaplain and opened the meeting with a minute's silence for personal reflection.

35 Apologies for absence

Apologies for absence were received from Councillors Barnby, Brown, Dart, Howgate, Kennedy, Loxton, Manning and Sykes.

The Chief Executive advised that Councillor Amil had indicated she would be leaving the meeting early.

36 Minutes

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

that the Minutes of the meetings of the Council held on 21 July and 15 September 2002 were confirmed as a correct record and signed by the Worshipful the Mayor of Torbay.

37 Declarations of interests

Councillor O'Dwyer declared a non-pecuniary interest in Minute 44 as he was a Council appointed member on the TDA Board.

38 Communications

The Worshipful the Mayor of Torbay:

- a) thanked those who attended her Civic Cream Tea which included a presentation by guest speaker Kevin Dixon on the history of Torre Abbey and Torbay. The event raised over £500 for the Worshipful the Mayor of Torbay's charities, Guide Dogs Torbay Branch and The Phoenix Project;
- b) referred to the recent British Citizenship Ceremony, which she conducted and welcomed those receiving citizenship and who had chosen to live in Torbay;
- c) updated members on her recent visit to St Marychurch to bring the Civic Mayoralty to the community. The visit included meeting nurses undertaking home visits at St Edmunds, holiday-makers and charity shops;
- d) advised she had been invited to the Women of the Year Awards in London, which provided an opportunity to promote Torbay; and
- e) encouraged members to attend the next Civic Coffee Morning due to be held on 19 November 2022 at Oldway Mansion, Paignton.

The Leader of the Council:

- a) highlighted the importance of the Worshipful the Mayor of Torbay being invited to attend the Women of the Year Awards, with only 450 attendees across the country being invited to attend, and acting as an ambassador for Torbay at the event;
- b) notified the Council that the Royal Palace had announced that Torbay will receive one of the Queen's platinum trees which would be planted in the gardens at Oldway Mansion, Paignton; and
- c) invited Councillor Law, the Cabinet Member for Children's Services, to provide an update on the pressures within Children's Services. Councillor Law updated members on the impact the hotel accommodating asylum seekers was having on Children's Services due to the additional pressures arising from the need to support those staying at the hotel.

39 Petitions

In accordance with Standing Order A23, the Council received a petition requesting the removal of limitations in respect of the Recycling Centre booking slots.

The Chief Executive advised that, at the request of the petitioners, the petition would be referred to the Divisional Director Economy, Environment and Infrastructure for consideration in consultation with the Cabinet Member for Infrastructure, Environment and Culture.

40 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, Law, Long, Morey and Stockman and was circulated prior to the meeting.

The Chief Executive reported that in the absence of Councillors Kennedy and Loxton, questions 1, 4 and 9 had been withdrawn. Supplementary questions were put and answered by Councillors Long and Morey, arising from their responses to the questions in respect of questions 5, 10 11 and 15.

41 English Riviera Destination Management Plan Review

The Council considered the recommendations of the Cabinet on the adoption of Destination Management Plan 2022-2030 which set out the vision and objectives, markets for growth, destination development, management and delivery model to take forward Torbay as a destination.

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

that the Destination Management Plan be approved as set out in Appendix 1 to the submitted report.

42 Amendment to the Resources and Waste Management Strategy 2020-2023

The Council received the Cabinet's recommendation to amend the Resources and Waste Management Strategy 2020-2023 to remove the reference to undertaking a trial to reduce the frequency of residual waste collections, in order to provide focus on improving levels of household recycling in Torbay.

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

- 1. that within Action 2 of the approved Resources and Waste Management Strategy 2022-2023:**
 - a. The sixth paragraph be deleted; and**
 - b. The words "To support any changes to the frequency of residual waste collections" be deleted from the start of the seventh paragraph; and**
- 2. that within the Regional Context section of the Strategy:**
 - a. The first sentence of the final paragraph be deleted; and**
 - b. The start of the second sentence of the final paragraph be amended to read "East Devon District Council found..."**

(Note: Councillor Amil left the meeting prior to consideration of this item.)

43 SWISCo Vehicle, Equipment and Building Structure Replacement

The Council considered the Cabinet's recommendation to provide a loan to SWISCo to fund replacement vehicles and equipment and investment in SWISCo's premises to ensure health and safety, environmental and other legislative requirements were met.

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

- 1. that a loan for a capital purpose of up to £4m is approved by the Council to fund the replacement of SWISCo vehicles, equipment and building structures over the next 3 financial years. The loan to be funded from prudential borrowing with SWISCo repaying the loan on an annuity basis over the expected asset life, typically 7 years for a vehicle; and**
- 2. that Council delegate the approval of each drawdown to the Deputy Chief Finance Officer in consultation with the Leader of the Council and Cabinet Member for Finance.**

44 Budget Monitoring 2022/23 - April to July 2022 Revenue Outturn Forecast and April to June 2022 Capital Outturn Forecast

The Council received the submitted report which provided a high-level budget summary of the Council's final revenue and capital position for the financial year 2022/23 and subsequent revised officer recommendations (dated 12 October 2022). The Council also received the report of the Overview and Scrutiny Board (arising from its meeting on 12 October 2022) and noted that the Cabinet had held an extra meeting met prior to the Council meeting to review the report.

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

That Council be recommended:

- 1. to defer consideration of the Officer revised recommendations 1, 2 and 3 (published on 11 October 2022) in light of the Overview and Scrutiny Board's recommendation (arising from its meeting on 12 October 2022) for the Council to receive further information and the Directors of Place and Finance be requested to report the further information and recommendations to an additional Overview and Scrutiny Board and Extraordinary Council, both meetings to be held by the end of October 2022; and**

- 2. that the TorVista Homes working capital facility be increased from £1.0m to £1.5m with the rate of interest on the loan to be determined by the Chief Finance Officer linked to prevailing council investment returns on the date of drawdown.**

(Note: Prior to consideration of Minute 44, Councillor O'Dwyer declared his non-pecuniary interest as a Council's appointed member on the TDA Board.)

45 Future Approach to Constitution Amendments

The Council considered the submitted report on a review and resulting recommendations on the way the Council undertakes changes to its Constitution in order to provide greater transparency and accountability.

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

that the proposed amendments to Article 13 of the Constitution, as set out in Appendix 1 attached to the submitted report, be approved.

46 Treasury Management Mid - Year Review 2022/23

Members noted the submitted report in respect of the Treasury Management Outturn for 2022/2023.

47 Standing Order D11 (in relation to Overview and Scrutiny) - Call-in and Urgency

Members noted the submitted report setting out the executive decisions taken (Leadership and Management Training and Print Services Contracts Approvals) to which the call-in procedure did not apply.

The Worshipful The Mayor of Torbay