



## Minutes of the Overview and Scrutiny Board

22 October 2014

-: Present :-

Councillor Thomas (J) (Chairman)

Councillors Bent, Darling (Vice-Chair), Davies, Doggett, Hytche, Kingscote, Stockman and Tyerman

(Also in attendance: The Mayor and Councillors Addis, Amil, Brooksbank, Cowell, Ellery, Excell, Lewis, Mills, Morey, Parrott and Pritchard)

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### 23. Apologies

It was reported that, in accordance with the wishes of the Liberal Democrat Group, the membership of the Board had been amended to include Councillor Doggett in place of Councillor Pentney.

### 24. Proposed Covenant protecting Churston Golf Course from development

The meeting of the Board had reconvened to continue to consider the details of a call-in by nine Members of the Council of the decision by the Mayor to enter into a deed covenanting with the residents of Churston and Galmpton ward that, amongst other things, the Council will not allow any development of Churston Golf Club without any such proposal first obtaining the majority of votes in a referendum of the registered electors of that ward.

Consideration was given to a paper which had been prepared by Council officers setting out answers to a number of questions which had been raised by members of the Board at the end of their last meeting.

The Board went on to hear from the Mayor the reasons for his decision which he had taken at the meeting of the Council held on 25 September 2014. Members of the Board had the opportunity to ask questions of the Mayor.

Councillor Morey (as Call-in Promoter) and the Mayor were given the opportunity to sum up prior to the Board debating the issues that they had heard over the course of the meeting.

**Resolved:** that the issue be referred to the Council for consideration for the following reasons:

A range of additional information has been made available since the original decision was made and therefore due consideration should be given to the:

- legal implications of the decision
- financial implications of the decision
- implications for the Local Plan
- fairness of the decision on other wards in Torbay
- potential damage to the economy

The original recommendation of the Council was that the decision be deferred to allow further investigation by the Place Policy Development Group. Given the additional information now available, councillors should be given the opportunity to consider that information and make their recommendation.

**(Note 1:** During consideration of the item in Minute 24, the press and public were formally excluded from the meeting on the grounds that the item involved the likely disclosure of exempt information as defined in paragraph 5 of Part 1 of Schedule 12A of the Local Government Act 1972 (as amended).)

**(Note 2:** In accordance with Standing Order A19.5, Councillor Hytche requested his vote against the decision to be recorded.)

Chairman

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