



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

27 October 2016

-: Present :-

Chairman of the Council (Councillor Hill) (In the Chair)
Vice-Chairwoman of the Council (Councillor Brooks)

The Mayor of Torbay (Mayor Oliver)

Councillors Amil, Barnby, Bent, Bye, Carter, Cunningham, Darling (M), Darling (S), Doggett, Ellery, Excell, Haddock, King, Lewis, Manning, Mills, Morey, Morris, O'Dwyer, Parrott, Robson, Pentney, Sanders, Stockman, Stocks, Stringer, Stubley, Sykes, Thomas (D), Thomas (J), Tyerman and Winfield

78 Opening of meeting

The meeting was opened with a prayer.

79 Apologies for absence

Apologies for absence were received from Councillors Kingscote and Tolchard.

80 Minutes

The Minutes of the meeting of the Council held on 22 September 2016 were confirmed as a correct record and signed by the Chairman.

81 Declarations of interests

Councillor O'Dwyer declared a non-pecuniary interest in respect of Minute 89 as he was a Board Member of Sanctuary Affordable Housing Ltd.

Councillor Thomas (J) declared a pecuniary interest in respect of Minute 90.

82 Communications

The Chairman thanked those members who attended his Civic Church service on Sunday 9 October 2016.

The Mayor:

- a) on behalf of the people of Torbay, paid tribute to Countess Raine Spencer who had recently passed away. Countess Spencer was an advocate for Torbay. The Council observed a minutes silence as a mark of respect; and
- b) advised members that Torbay's unemployment figures were at their lowest since records began in 1983. The Mayor referred to the implementation of the Torbay Growth Fund which had both helped businesses in Torbay to expand and encourage investment in the area, which was integral to creating more businesses and jobs.

83 Members' questions

Members received a paper detailing the questions and answers, as set out at Appendix 1 to these Minutes, notice of which had been given in accordance with Standing Order A13.

Written responses were circulated prior to the meeting. Supplementary questions were then asked and answered in respect of questions 1, 3 and 4.

84 Notice of Motion - Protecting Torbay's Position following the EU Referendum (Mayoral Decision)

Members considered a motion in relation to Torbay's position following the result of the national referendum to leave the European Union, notice of which was given in accordance with Standing Order A14.

Councillor Sanders proposed and Councillor Darling (S) seconded the motion as set out below:

That Torbay Council notes the result of the EU Referendum and now commits to doing everything that it can to protect, support and enhance the position of the residents of Torbay, in whatever new agreements are sought and reached with the European Union and its member countries and the rest of the world and otherwise, as a result of the Referendum decision to leave the EU.

In particular it believes:-

- (1) That the financial position of local authorities such as Torbay must not be further worsened and should, if possible, be improved.
- (2) That the Government must give an immediate guarantee that the existing rights of citizens of other European Union countries who are already living in Torbay will be protected.
- (3) That the importance of the Visitor economy and Hospitality Industry (including language schools and care homes) in Torbay must be recognised and their future protected.

- (4) That there must not be any weakening of environmental legislation, particularly relating to clean bathing waters, or employment rights that at present derive from EU directives.
- (5) That fisheries support for areas such as Torbay must be maintained by the Government following a withdrawal from the Common Fisheries Policy.
- (6) That convergence funding, European Social Funding, European Regional Development Funding and other EU derived funding must be replaced with funds from the UK Treasury.

This Council is further shocked by the reported increases in race hate crimes and antisocial behaviour directed at EU citizens in the UK and other ethnic minorities since the referendum result was announced, including in Torbay, and resolves to call an early meeting with the local police and other agencies to consider its response.

In accordance with Standing Order A14.3(a), the motion stood referred to the Mayor.

The Mayor rejected the motion as he felt it was premature and referred to the role of the Local Government Association in representing Local Government at a national level with the Government, and also the potential review by the Overview and Scrutiny Board on the United Kingdom leaving the European Union. A record of his decision is attached to these minutes.

85 Notice of Motion - Policy Framework: Torbay Development Agency Business Plan (Council Decision)

Members considered a motion in relation to Torbay Development Agency Business Plan being included in the Council's Policy Framework, notice of which was given in accordance with Standing Order A14.

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

The Torbay Economic Development Company Limited (operating under the trading name Torbay Development Agency (TDA)) is Torbay Council's wholly owned and controlled economic development company. Established in 2011 the TDA is responsible for delivery of a range of services and outcomes for Torbay Council. It is also a trading business providing services to the broader public sector. The TDA's business plan sets out how the business will function over the business plan period and approval of the same is currently a Mayoral decision. However, given the length of plan, which provides a mandate to the company for the next 5 years, it is considered that this should be classed as part of the Policy Framework for the Council to determine.

Therefore, the Council is recommended:

That the Torbay Development Agency (TDA) Business Plan be included in the Council's Policy Framework and the Monitoring Officer be requested to update the Constitution accordingly.

86 Notice of Motion - Opposing Badger Culls (Mayoral Decision)

Members considered a motion opposing any further extension to the badger cull areas, notice of which was given in accordance with Standing Order A14.

Councillor Doggett proposed and Councillor Darling (S) seconded the motion as set out below:

This Council wishes it to be known that it is opposed to any culling of badgers on council owned land and land leased to third parties including the Torbay Coast and Countryside Trust. The recent badger culls have been a catalogue of errors, contradictions and last minute changes, deviating from expert advice from the start. No control zone studies were established for the pilot culls, no post-mortems were organised and no details of scientific monitoring established. There has been no proof established that badgers shot were infected ones.

In the cull, the cost of the cull has been established at £6,775 per Badger, this includes policing and equipment. It would be better for the police to be dealing with actual crime issues, and the money already wasted so far would be better used at Council level for helping our Residents problems! Undisturbed Badgers live in a stable close knit social group, which tend to have limited movement from one area to another and as a result, if a badger sett was harbouring TB, then it would tend to remain relatively isolated. Culling actions disrupt the social groups and opens up the territory, causing individuals to roam further afield and, if infected will pass this infection on to sets which are not infected! This is what is known and referred to as perturbation, and Government has already acknowledged that this is likely to have happened in the recent cull held in Gloucestershire!

This Council calls on our Members of Parliament to oppose any further extension to the cull to other areas and resolves not to allow any further pilot culls to take place within the boundaries of Torbay and instructs the Executive Lead for Environment to notify the Secretary of State for Environment, Food and Rural Affairs as well as our MP's accordingly.

In accordance with Standing Order A14.3(a), the motion stood referred to the Mayor.

The Mayor requested the Overview and Scrutiny Board to consider undertaking a review on the issues raised in the motion and make recommendations to him on its findings.

87 Notice of Motion - Protecting Devon Dolphins (Mayoral Decision)

Members considered a motion in relation to a campaign to create a new Marine Conservation Zone in the south west of Lyme Bay to protect dolphins, notice of which was given in accordance with Standing Order A14.

Councillor Darling (S) proposed and Councillor Pentney seconded the motion as set out below:

This Council notes that Devon Wildlife Trust is calling on the government to create a protected area in the south west of Lyme Bay for dolphins, whales and seabirds. This area is home to white beaked dolphins, but these dolphins have no legal protection against damaging human activities here.

After years of campaigning, fifty Marine Conservation Zones have now been designated to help our marine environment recover from decades of decline. But there are many places and species that still need protection. Large marine animals, such as whales, dolphins and basking sharks are also at risk from damaging activities.

Although these species range across large areas, evidence from overseas shows that Marine Protected Areas - in places where animals gather to feed, breed and raise their young - can help to protect those at risk.

An area in the south-west of Lyme Bay is vital for a population of white beaked dolphins that spend much of their lives here, foraging for food and nursing their young.

This area is also important for bottlenose dolphins, minke whale, basking shark and thousands of seabirds.

Creation of a new Marine Conservation Zone here would protect marine animals against damaging human activities.

This Council resolves to support the campaign to create a 'Devon Dolphins' MCZ in the south-west of Lyme Bay.

This Council instructs the Chief Executive to write to the Secretary of State for the Environment, Food and Rural Affairs, Andrea Leadsom MP, advising of our support of this initiative.

In accordance with Standing Order A14.3(a), the motion stood referred to the Mayor.

The Mayor requested the Harbour Committee to consider the implications of the issues raised in the motion and make recommendations to him on its findings.

88 Notice of Motion - King George V Memorial Playing Fields - Fields in Trust (Mayoral Decision)

Members considered a motion in relation to a proposal to undertake a Deed of Dedication to protect the King George V Playing Fields from development, notice of which was given in accordance with Standing Order A14.

Councillor Darling (S) proposed and Councillor Stringer seconded the motion, as set out below:

This Council notes the following extract taken from Torquay Council minutes and extracts from the local press of the time - from 1936-7. At that time land was purchased with funds from the Department of Health amounting to £19,000. At the time that the King George V (KGV) Foundation was set up, the Council decided to set aside 2 of the purchased acres specifically as part of the memorial.

Extract from Council meeting 6 October 1936:

6. Subject to Minute no 2580 (King George Memorial Fund Playing Fields, Watcombe) being amended to read as follows:-

NATIONAL TORQUAY MEMORIAL TO HIS LATE
MAJESTY KING GEORGE V
PROVISION OF PLAYING FIELDS AT WATCOMBE

The Mayor stated that out of the sum subscribed locally to the National Memorial to His Late Majesty King George V Fund, an amount of £500 is available for a Torquay National Memorial which he desired should take the form of Playing Fields for young children as well as for organised games. His Worship, therefore, suggested the setting aside of the two fields adjoining Easterfield Lane, numbered 162 and 163 on the Ordnance Map (consisting of about 12 ½ acres and forming part of the land at Watcombe now being acquired by the Corporation) in addition to the erection of a pair of ornamental iron gates at the entrance to such playing fields as per design now submitted.

Resolved – (1) That the proposal of the Mayor be adopted and that the two fields in question be allocated and dedicated for ever as playing fields for young children and organised games, as a Torquay National Memorial to his late Majesty King George V., it being understood that the sum above referred to will be expended in purchasing and erecting the gates and in laying out the grounds as playing fields.

(2) That the design of the gates is approved.

Research has also found newspaper articles, with pictures, covering the dedication of the gates at the entrance to the KGV memorial playing fields, plus the tree planting.

The article goes on to mention that £660 was raised from residents of Torquay, £100 of which was sent to the Mansion House in London so that Torquay might contribute towards the National Memorial in London.

Extract from Torquay Times, Friday, 8 October 1937

“Col. Ward then handed over a cheque for the amount to Mr Johns. The Town Clerk in exchange, gave Col. Ward a receipt and undertaking containing the terms under which the Corporation accept the donation”.

The Mayoress then formally unveiled the tablet. The Mayor’s Chaplain followed with the dedication. The party then entered the playing fields for other formal ceremonies. Mrs Ward and Mrs E Field (Vice-Chairman of the Parks Committee) each planted a fir tree.

This Council notes that these memorial fields were never registered as such with the national body.

This motion asks the Mayor to instruct officers to investigate the logistics and process to undertake a Deed of Dedication with the Fields in Trust to protect the King George V Playing Fields from development which will achieve the same level of protection as if they had originally been registered in 1936. That upon investigation the findings be reported to Council on 8 December 2016.

In accordance with Standing Order A14.3(a), the motion stood referred to the Mayor.

The Mayor referred the motion to the Policy Development and Decision Group (Joint Operations Team) for public consultation (to include Torbay Sports Council and Torquay Golf Club).

89 Capital Plan Update - 2016/2017 Quarter 1

The Council considered the submitted report setting out an overview of the Council’s approved Capital Investment Plan for quarter one. The report provided details of capital expenditure and funding for the year compared with the latest budget position reported to the Council in February 2016. It was noted the Capital Plan budget totalled £81.7 million for the 4 year programme, with £33.3 million scheduled to be spent in 2016/17, including £4.6m on the South Devon Highway and £4.6m on Claylands Regeneration, with £1.6 million required from capital receipts and capital contributions over the life of the Capital Plan.

Mayor Oliver proposed and Councillor Manning seconded a motion as set out below:

- (i) that the latest position for the Council’s Capital expenditure and funding for 2016/17 be noted;

- (ii) that it be noted that the following grants are funded through grant applications and, whilst not legally ring fenced, the grants must be used for the purposes for which they were granted in order not to jeopardise future government grants;
- (iii) that the allocation of the following grants to services be approved:
 - (a) Department for Education: 2016/17 Condition Funding £0.448m to Children's Services;
 - (b) Department for Transport: 2016/17 Highways Maintenance Incentive Fund £0.082m to Highways Services; and
 - (c) Department for Transport 2016/17 Pothole Action Fund £0.071m to Highways Services; and
- (iv) that the draft Capital Plan Prioritisation Matrix includes reference to:
 - (a) where capital grants in the future are linked to specific outcomes, such expenditure will not be required to be prioritised through the Matrix; and
 - (b) the Matrix being applied prior to all grant applications if match funding from the Council's Capital Plan is required.

During the debate Councillor Darling (S) proposed and Councillor Carter seconded an amendment to the motion was set out below:

- (v) that the £1.9 uncommitted affordable housing budget be ring fenced for affordable housing.

The amendment was put to the vote and declared carried.

The amended (substantive) motion was then considered by members, which was agreed by the Council as follows:

- (i) that the latest position for the Council's Capital expenditure and funding for 2016/17 be noted;**
- (ii) that it be noted that the following grants are funded through grant applications and, whilst not legally ring fenced, the grants must be use for the purposes for which they were granted in order not to jeopardise future government grants;**
- (iii) that the allocation of the following grants to services be approved:**
 - (a) Department for Education: 2016/17 Condition Funding £0.448m to Children's Services;**

Councillor Thomas (D) proposed and Councillor Stocks seconded a motion, which was agreed by the Council as follows:

that the Outside Bodies Protocol (for inclusion in Standing Orders – Access to Information) set out at Appendix 1 to the submitted report be approved.

92 Town Councils

Members considered the submitted report on a proposal for the Council to conduct a Community Governance Review which could lead to the creation of town councils in Paignton and Torquay.

Councillor Mills proposed and Councillor King seconded a motion, which was agreed (unanimously) by the Council as follows:

that the Council conducts a Community Governance Review following the conclusion of the electoral review of Torbay's electoral boundaries being carried out by the Local Government Boundary Commission for England.

93 Mayor's Response to Council Objections to the Parking Strategy 2016-2021

Further to the Council meeting held on 22 September 2016, members considered the submitted report on the Mayor's response to the objections raised by the Council on the Parking Strategy 2016-2021.

Councillor Excell proposed and Councillor King seconded a motion as set out below:

- (i) that the Torbay Council Parking Strategy 2016-2021, as set out in Appendix 2 to the submitted report, be adopted;
- (ii) that the Parking Operations Panel and Members involvement in the decision making process be reviewed after one year; and
- (iii) that the Executive Head of Business Services be requested to explore other forms of camera technology, other than mobile camera enforcement vehicles, for example putting cameras on crossing patrol lollipops or permanent cameras outside schools (which would be funded by the schools) to address concerns about public safety, in particular road safety risks to children outside school entrances.

During the debate Councillor Thomas (D) proposed and Councillor Robson seconded an amendment to the motion as follows:

- (i) that the Council considers that the Mayor is attempting, within his proposed Parking Strategy (a Policy Framework document), to fetter his or a subsequent leader's discretion to make a decision to use mobile technology, which also results in an operational approach

rather than at a strategic level. Therefore, the Council amends the Mayor's proposed Parking Policy and adopts the Officer recommendation (as set out in (ii) below) to enable the Executive to introduce appropriate technology should they chose to do so;

- (ii) that the Torbay Council Parking Strategy 2016-2021, as set out in Appendix 2 to the submitted report, be adopted, except that the phrase "*However, this Strategy does not support the use of mobile enforcement cameras*" should be deleted on page 15 of the strategy, under the section marked 'Fair Enforcement', and replaced with the following statement :-

"In particular the use of mobile enforcement cameras can improve road safety for children outside school entrances and reduce the road safety risks presented to public transport users. Strict operating procedures should be applied to the use of any mobile technology to ensure that fair enforcement is undertaken and the law abiding motorist is not penalised."

- (iii) that the Parking Operations Panel and Members involvement in the decision making process be reviewed after one year; and

- ~~(iii) That the Executive Head of Business Services be requested to explore other forms of camera technology, other than mobile camera enforcement vehicles, for example putting cameras on crossing patrol lollipops or permanent cameras outside schools (which would be funded by the schools) to address concerns about public safety, in particular road safety risks to children outside school entrances.~~

A recorded vote was taken on the amendment. The voting was taken by roll call as follows: For: Councillors Barnby, Bent, Bye, Carter, Cunningham, Darling (M), Darling (S), Doggett, Ellery, Haddock, Hill, Lewis, Morey, Morris, O'Dwyer, Parrott, Pentney, Robson, Sanders, Stockman, Stocks, Stringer, Stubley, Sykes, Thomas (D), Thomas (J), Tyerman and Winfield (28); Against: Mayor Oliver; Councillors Amil, Excell, Manning and Mills (5); Abstain: Councillors Brooks and King (2); and Absent: Councillors Kingscote and Tolchard (2). Therefore, as more than two-thirds of members present and voting had cast their vote in support of the amendment, it was carried.

The amended (substantive) motion was then considered by members.

A recorded vote was taken on the amended (substantive) motion. The voting was taken by roll call as follows: For: Councillors Barnby, Bent, Bye, Carter, Cunningham, Darling (M), Darling (S), Doggett, Ellery, Haddock, Hill, Lewis, Morey, Morris, O'Dwyer, Parrott, Pentney, Robson, Sanders, Stockman, Stocks, Stringer, Sykes, Thomas (D), Thomas (J), Tyerman and Winfield (27); Abstain: Mayor Oliver and Councillors Amil, Brooks, Excell, King, Manning, Mills and Stubley (8); and Absent: Councillors Kingscote and Tolchard (2). Therefore, as more than two-thirds of members present and voting had cast their vote in support of the amended (substantive) motion, it was carried as follows:

- (i) that the Council considers that the Mayor is attempting, within his proposed Parking Strategy (a Policy Framework document), to fetter his or a subsequent leader's discretion to make a decision to use mobile technology, which also results in an operational approach rather than at a strategic level. Therefore, the Council amends the Mayor's proposed Parking Policy and adopts the Officer recommendation (as set out in (ii) below) to enable the Executive to introduce appropriate technology should they chose to do so;
- (ii) that the Torbay Council Parking Strategy 2016-2021, as set out in Appendix 2 to the submitted report, be adopted, except that the phrase "*However, this Strategy does not support the use of mobile enforcement cameras*" should be deleted on page 15, under the section marked 'Fair Enforcement', and replaced with the following statement :-

"In particular the use of mobile enforcement cameras can improve road safety for children outside school entrances and reduce the road safety risks presented to public transport users. Strict operating procedures should be applied to the use of any mobile technology to ensure that fair enforcement is undertaken and the law abiding motorist is not penalised."
- (iii) that the Parking Operations Panel and Members involvement in the decision making process be reviewed after one year.

(Note: Councillor Stocks left the meeting after this item.)

94 Local Transport Plan Implementation Document

The Council considered the submitted report on an overarching strategy across Torbay and Devon for investing in the transport network for all modes of transport and set out how transport should be delivered in Torbay.

Councillor King proposed and Councillor Thomas (D) seconded a motion, which was agreed by the Council as follows:

- (i) the Torbay Local Transport Implementation Plan 2016-2021, as set out in the submitted report, is adopted;
- (ii) the Council supports a proportion of capital funding, sourced from the Integrated Transport Block, (£330,000) to develop new capital projects over the next 2-3 years, including the production of evidence and business cases to support those projects, as set out in the submitted report and the appended implementation plan; and

- (iii) **the Council supports the use of 'Integrated Transport Block' grant funding to become part of the Council's Capital Plan budget and for the use of the Capital Plan Prioritisation Matrix to be used to assess the development of capital transport projects.**

95 Children's Services Improvement Plan - Six Month Update

Members considered the submitted report which provided a six monthly update on the Children's Services Improvement Plan. It was noted the Improvement Plan set out activity in response to the Council's Children's Services being judged as inadequate in January 2016 following an Ofsted inspection.

Councillor Parrott proposed and Councillor Barnby seconded a motion, which was agreed (unanimously) by the Council as follows:

that the Council note the progress to date as set out in the Improvement Plan (Appendix 2 to the submitted report) and agree to receive updates on a regular basis.

96 Summary of decision taken by the Chief Executive accordance with Standing Order E15 - Access to Information (Special Urgency)

Members noted the submitted report on a urgent Council decision taken by the Chief Executive (appropriation of land at Bolton Cross for planning purpose) which had not been included in the Forward Plan.

Chairman

This page is intentionally left blank

Minute Item 83

Meeting of the Council

Thursday, 27 October 2016

Questions Under Standing Order A13

Question (1) by Councillor Stocks to the Executive Lead for Planning, Transport and Housing (Councillor King)	I understand that there is a £250,000 back log of lining works with TOR2 to complete. This is resulting in some of our double yellow lines being unenforceable. When will this back log of works be cleared.
Councillor King	There is a backlog if lining works, but the exact costs have not been determined. With the current allocated resources I am not in a position to confirm when or if the backlog can be cleared.
Question (2) by Councillor Darling (M) to the Executive Lead for Adults and Children (Councillor Parrott)	On the 8 February 2016 the Director of Children's Services advised Governance Support that the 'Child Poverty Commission' (a Council outside body) had been decommissioned. As the Executive Lead at this time can you explain the reason for such action?
Councillor Parrott	<p>As Councillor Darling knows, I was a founder member of the Torbay Child Poverty Commission, contributing in particular to the research for, and drafting of, the section on housing needs for the report 'Torbay Gains'.</p> <p>I am sure that our then Director of Children's Services (DCS) was totally focussed on the imperative of improvement in children's safeguarding following last November's Ofsted assessment of our services as 'inadequate', when he advised Governance Support. That said, I do not consider that the work of the Commission to have been adequately followed through.</p> <p>As you will know, there are a number of governance and improvement processes underway within Children's Services including the Children's Improvement Board, chaired by the DfE Commissioner, Torbay Public Service Trust, the Youth Trust and the work to progress the potential transfer of services to the Integrated Care Organisation. The new DCS has been tasked by me with reviewing these arrangements and ensuring that they develop in a manner that supports the service improvement programme to respond to the Ofsted Inspection. I have asked that he also considers the Child Poverty Commission within that context and come back to me with proposals on how this important initiative can be progressed.</p> <p>I look forward to updating you on those proposals in due course.</p>

<p>Question (3) by Councillor Darling (S) to the Executive Lead for Community Services (Councillor Excell)</p>	<p>Earlier this summer the memorial plaque at King George V playing field, Teignmouth Road was stolen. When does the Council plan to replace it?</p>
<p>Councillor Excell</p>	<p>Whilst it is unfortunate that the plaque has been stolen, the replacement of this plaque is not a priority given the current resource pressures. Officers will explore alternative funding options.</p>
<p>Question (4) by Councillor Sanders to the Mayor and Executive Lead for Regeneration and Finance (Mayor Oliver)</p>	<p>If he will set up a shadow administration from May 2018 consisting of the Leader and Cabinet model of local government voted for in the referendum of May 2016, to prepare the authority for the change in leadership arrangements and demonstrate that no elected Mayor means no elected Mayor.</p>
<p>Mayor Oliver</p>	<p>I was elected Mayor until 2019 and intend to undertake that role until that time. We have established a Constitution Working Party which will be reviewing and amending the constitution in order for the Leader and Cabinet model to be implemented and operating following the local election in 2019.</p>
<p>Question (5) by Councillor Doggett to the Executive Lead for Adults and Children's Services (Councillor Parrott)</p>	<p>Having read through the damning Western Rise Residential Home Serious Case Review Report a number of times, it seems the troubles started in March 2012, when a Resident with dementia choked to death. There then followed 5 inspections up to June 2014, when, due to the severity of the issues at the home, a Multi-Agency whole home large scale investigation was agreed on June 9th. This then quickly started, involving members of 18 different professions. A 6th Inspection took place in July, followed by 3 more up to January 2015! My concern is why, prior to June 2014, poor standards of care were not considered a concern, despite the regular visits of Healthcare Professionals, and can I and other Members of the Council be reassured that the 26 recommendations identified will be adhered to? Finally can we make sure that the Torbay Safeguarding Adults Board does hold agencies to account regarding their actions?</p>
<p>Councillor Parrott</p>	<p>I can assure you that the recommendations will be taken forward and adhered to. In any serious case review it is there in order to learn lessons and ensure these issues do not occur again. The Adults Safeguarding Board has an independent chair who is in a position to, and does hold agencies to account. The Safeguarding Adults Board is on a statutory basis following the care act legislation, and has the same profile and ability to hold the safety of vulnerable adults in the community to account.</p> <p>My role as Executive Lead for Adults is, of course, to ensure that our concerns are fully addressed in the work of the local Safeguarding Adults Board, through</p>

	my direct challenge as a member of that Board.
--	--

Second Round

Question (6) by Councillor Darling (M) to the Council's Representative on the Devon and Cornwall Police and Crime Panel (Councillor Excell)	By rank, can you advise me of the number of police officers from PCSO upwards that are based in Torbay and by rank, the number of vacancies?
Councillor Excell	This information has been requested from Devon and Cornwall Police, however, the information was not available within the timescale required for this meeting. This information will be communicated to Elected Members in writing once it is received.
Question (7) by Councillor Sanders to the Mayor and Executive Lead for Regeneration and Finance (Mayor Oliver)	If he will list the dates, times and venues when and where he has met with officials of Torquay United AFC to discuss the future of Plainmoor and alternative ground locations since May 2015?
Mayor Oliver	10/06/15 – Town Hall, 2.00pm 12/10/15 – Town Hall, 4.30pm 19/01/16 – Town Hall, 4.30pm 23/02/16 – Town Hall, 3.00pm 24/05/16 – Town Hall, 2.00pm 19/07/16 – Town Hall, 5.00pm 06/09/16 – Tor Hill House, 5pm 20/09/16 – Town Hall, 8.30am

Third round

Question (8) by Councillor Sanders to the Mayor and Executive Lead for Regeneration and Finance (Mayor Oliver)	What is his latest estimate of the total gross costs incurred by a) the Air Show and b) the Screen on the Green?
Mayor Oliver	(a) The gross costs for the Air Show were reported to Full Council in July 2016. The figure is £543,000. (b) The gross cost to the Council for Screen on the Green was £10,000 which was the cost for the screen.

Record of Decision

Mayor's Response to Notice of Motion - Protecting Torbay's Position following the EU Referendum

Decision Taker

Mayor on 27 October 2016

Decision

That the motion be rejected for the reasons given below.

Reason for the Decision

The Mayor considers it is premature and refers to the role of the Local Government Association in representing Local Government at a national level with the Government, and also the potential review by the Overview and Scrutiny Board on the United Kingdom leaving the European Union. The Mayor is also satisfied with the work being done by the Assistant Director of Community and Customer Services in connection with racism.

Implementation

This decision will come into force and may be implemented on 10 November 2016 unless the call-in procedure is triggered (as set out in Standing Orders in relation to Overview and Scrutiny).

Information

At the Council meeting held on 27 October 2016, the Mayor considered a motion in relation to Torbay's position following the result of the national referendum to leave the European Union, notice of which was given in accordance with Standing Order A14 by Councillors Sanders and Darling (S) as set out below:

That Torbay Council notes the result of the EU Referendum and now commits to doing everything that it can to protect, support and enhance the position of the residents of Torbay, in whatever new agreements are sought and reached with the European Union and its member countries and the rest of the world and otherwise, as a result of the Referendum decision to leave the EU.

In particular it believes:-

- (1) That the financial position of local authorities such as Torbay must not be further worsened and should, if possible, be improved.
- (2) That the Government must give an immediate guarantee that the existing rights of citizens of other European Union countries who are already living in Torbay will be protected.
- (3) That the importance of the Visitor economy and Hospitality Industry (including language schools and care homes) in Torbay must be recognised and their future protected.

- (4) That there must not be any weakening of environmental legislation, particularly relating to clean bathing waters, or employment rights that at present derive from EU directives.
- (5) That fisheries support for areas such as Torbay must be maintained by the Government following a withdrawal from the Common Fisheries Policy.
- (6) That convergence funding, European Social Funding, European Regional Development Funding and other EU derived funding must be replaced with funds from the UK Treasury.

This Council is further shocked by the reported increases in race hate crimes and antisocial behaviour directed at EU citizens in the UK and other ethnic minorities since the referendum result was announced, including in Torbay, and resolves to call an early meeting with the local police and other agencies to consider its response.

In accordance with Standing Order A14.3(a), the motion stood referred to the Mayor.

The Mayor responded to the motion at the meeting and gave further consideration to the issues in connection with racism after the meeting. His decision is set out above.

Alternative Options considered and rejected at the time of the decision

None

Is this a Key Decision?

No

Does the call-in procedure apply?

Yes

Declarations of interest (including details of any relevant dispensations issued by the Standards Committee)

None

Published

2 November 2016

Signed: _____
Mayor of Torbay

Date: 2 November 2016

This page is intentionally left blank