

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

6 February 2025

-: Present :-

The Worshipful The Mayor of Torbay (Councillor Stevens) (In the Chair)
Deputy Civic Mayor of Torbay (Councillor Barbara Lewis)

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

81 Opening of meeting

The Worshipful The Mayor of Torbay opened the meeting with a minute's silence for personal reflection.

82 Apologies for absence

No apologies were received.

83 Minutes

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

that the Minutes of the meeting of the Council held on 5 December 2024 were confirmed as a correct record and signed by The Worshipful The Mayor of Torbay.

84 Declarations of interests

Councillor Tyerman declared a non-pecuniary interest in respect of Minute 86 as he was a Governor at Spires College.

85 Communications

The Worshipful The Mayor of Torbay and the Chief Executive presented a long service certificate to Jacquelyn Shaw in recognition of her dedication to public service in Torbay.

The Worshipful The Mayor of Torbay welcomed Dan Hamer, Head of Vulnerable Pupils to the meeting. Mr Hamer gave a presentation on the Virtual School Annual Report for 2023/2024 (which was circulated after the meeting). On behalf of the Council, the Worshipful The Mayor of Torbay thanked Mr Hamer for the excellent work of the Virtual School in supporting our cared for children and young people.

86 Petitions

In accordance with Standing Order A23, the Council received a petition requesting the Council to stop the closure of the hearing unit at St Margaret's Academy School (approximately 1,638 signatures which qualified under the Council's Petition Scheme).

At the invitation of The Worshipful The Mayor of Torbay, Felicity Morris addressed the Council.

The Worshipful The Mayor of Torbay 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 outlined the options open to the Council.

Councillor Bye proposed and Councillor David Thomas seconded the motion, as set out below:

that the petition be referred to the Children and Young People's Overview and Scrutiny Sub-Board for further investigation and as part of its review arising from the Councillor Call for Action on the same issue.

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

1. that the petition be referred to the Children and Young People's Overview and Scrutiny Sub-Board for further investigation and as part of its review arising from the Councillor Call for Action on the same issue; and
2. that the decision-maker (the Director of Children's Services) be requested to consider pausing the implementation of the decision to decommission the Hearing Impairment Units at St Margarets Academy and Spires College from September 2025, to enable further consultation to be undertaken in light of the concerns raised in the petition, and to enable the Children and Young People's Overview and Scrutiny Sub-Board to complete its review (as outlined in 1 above).

A recorded vote was taken on the amendment motion. 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, Maddison, Nicolaou, Penny, Pentney and Virdee (18); Against: Councillors Billings, Brook, Bryant, Bye, Fellows, Foster, Hutchings, Barbara Lewis, Chris Lewis,

Spacagna, Stevens, Strang, David Thomas, Jacqueline Thomas, Tolchard, Tranter, Twelves and Tyerman (18). In accordance with Standing Order A18.2, The Worshipful The Mayor of Torbay used her casting vote, voted against and declared the amendment lost.

Councillor Bye's and Councillor David Thomas' original motion was then considered by the Council which was agreed (unanimously and by recorded vote), as set out below:

that the petition be referred to the Children and Young People's Overview and Scrutiny Sub-Board for further investigation and as part of its review arising from the Councillor Call for Action on the same issue.

The voting was taken by roll call as follows: For: Councillors Amil, Atiya-Alla, Billings, Brook, Bryant, Bye, Carter, Cowell, George Darling, Mandy Darling, Steve Darling, Douglas-Dunbar, Fellows, Foster, Fox, Harvey, Hutchings, Johns, Law, Barbara Lewis, Chris Lewis, Long, Maddison, Nicolaou, Penny, Pentney, Spacagna, Stevens, Strang, David Thomas, Jacqueline Thomas, Tolchard, Tranter, Twelves, Tyerman and Virdee (36).

(Note: During the debate, Councillor Tyerman declared his non-pecuniary interest as Governor at the Spires College.)

87 Members' questions

Members received a paper detailing questions, notice of which had been given in accordance with Standing Order A12. The paper also contained the answers to the questions which had been prepared by Councillors Billings and Chris Lewis and was circulated prior to the meeting.

Supplementary questions were put and answered by Councillors Billings and Chris Lewis, arising from their responses in respect of the questions 1 and 2.

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

- 1. that the Torbay Council Annual Pay Policy Statement 2025/26, as set out in Appendix 1 to the submitted report, be approved for**

publication, subject to the release and inclusion of the Local Government Pension Scheme (LGPS) employee contribution rates and bandings; and

2. that the Employers Pensions Discretions, as set out in Appendix 2 to the submitted report, be approved for publication.

89 Civic Mayor Elect and Deputy Civic Mayor Elect 2025/26

In accordance with the Council's Standing Orders (A9.1), the Council was requested to consider selecting The Worshipful The Mayor of Torbay-Elect and the Deputy Civic Mayor-Elect for the 2025/2026 Municipal Year. The Worshipful The Mayor of Torbay confirmed that, in accordance with Standing Order A9.1, both Councillors Barbara Lewis and Foster had given consent to their nominations prior to the meeting.

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

1. that Councillor Barbara Lewis be selected as The Worshipful The Mayor of Torbay (Elect) for the 2025/2026 Municipal Year; and
2. that Councillor Foster be selected as the Deputy Civic Mayor (Elect) for the 2025/2026 Municipal Year.

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

Members noted the submitted report setting out an executive decision taken by the Cabinet (namely response to the Government's English Devolution White Paper) to which the call-in procedure did not apply.

The Worshipful The Mayor of Torbay