



Clerk: June Gurry
Telephone: 01803 207013
E-mail address: governance.support@torbay.gov.uk
Date: Friday, 29 May 2015

Governance Support
Town Hall
Castle Circus
Torquay
TQ1 3DR

Dear Member

COUNCIL - MONDAY, 1 JUNE 2015

I am now able to enclose, for consideration at the Monday, 1 June 2015 meeting of the Council, the following reports that were unavailable when the agenda was printed.

| Agenda No | Item | Page |
|------------------|---|-------------------|
| 5. | Torquay and Paignton Masterplans Supplementary Planning Documents Revised Officer Recommendation | (Page 181) |
| 9. | Torbay Retail and Tourism Business Improvement District for Torbay | (Pages 182 - 185) |
| 11. | Review of Political Balance and Appointments to Committees and Other Bodies | (Pages 186 - 209) |
| 13. | Calendar of Meetings 2015/2016 | (Pages 210 - 214) |
| 15. | Composition and Constitution of the Executive and Delegation of Functions | (Pages 215 - 220) |

Yours sincerely

June Gurry
Clerk

**Agenda Item 5, Torquay and Paignton Masterplans
Supplementary Planning Documents**

Officer Revised Recommendation

Adjourned Annual Council Meeting

1 June 2015

(Revisions shown in bold text)

Revised Recommendation:

- 2.1 That the masterplans for Torquay Town Centre and Paignton Town Centre (set out at Appendix 1 and Appendix 2 to the submitted report) be adopted as Supplementary Planning Documents.
- 2.2 That a Masterplan Delivery Team, Programme Board and Advisory Team (as outlined out in paragraphs 6.4 to 6.10 of the submitted report) be established to market, promote and deliver masterplan projects from within existing resources **and that the Masterplan Programme Board comprises the following persons or their nominated representatives:**
- (a) **Mayor;**
 - (b) **2 Conservative Members;**
 - (c) **1 Liberal Democrat Member;**
 - (d) **1 Independent Member;**
 - (e) **Torbay Economic Development Company Limited (non-Councillor);**
 - (f) **Business Forum Representative;**
 - (g) **Torbay Development Agency Director of Economic Strategy;**
 - (h) **Head of Spatial Planning; and**
 - (i) **Executive Director of Operations and Finance.**

Agenda Item 9



Meeting: Council

Date: 1 June 2015

Wards Affected: All Wards

Report Title: Torbay Retail and Tourism Business Improvement District (TRTBID) for Torbay

Is the decision a key decision? No

When does the decision need to be implemented? In time for the ballot

Supporting Officer Contact Details: Anne-Marie Bond, Assistant Director Corporate and Business Services, Email: anne-marie.bond@torbay.gov.uk, telephone (01803) 207160

1. Purpose and Introduction

1.1 A ballot in respect of the proposal to create a combined retail and tourism business improvement district for the whole of Torbay is planned. It is proposed that the business improvement district will enable more effective working between the retail sector and tourism sector to increase staying and day visitors as well as increasing footfall within the town centres and retail areas. The Council will be entitled to vote in the ballot, and there needs to be approval as to who will cast the votes for the Council.

2. Proposed Decision

2.1 That the Executive Director of Operations and Finance, in consultation with the Mayor and Group Leaders be nominated to cast the Council's votes in the ballot for a retail and tourism business improvement district.

3. Reason for Decision

3.1 The Council will be entitled to vote in the ballot, and there needs to be approval as to who will cast the same.

Supporting Information

4. Position

4.1 On 25 September 2014, the Council approved funding of £100,000 over a two year period to develop the Tourism and Retail Business Improvement District (TRTBID) for Torbay with a view to reaching a ballot by autumn 2015.

- 4.2 The Council contracted with Mosaic Partnership to progress the TRTBID and they gave formal notice requesting the billing authority (Torbay Council) to hold a ballot in relation to the TRTBID proposal, (in accordance with Regulation 4(2) (ii) of the Business Improvement Districts (England) Regulations 2004) on 5 January 2015.
- 4.3 The TRTBID levy will be applied to all ratepayers within the defined area of the Borough of Torbay with a rateable value of £7,500 or more. Only businesses with the following rates categorisation will be included:
- Retail
 - Retail (Finance)
 - Public Houses
 - Public Conveniences
 - Marine
 - Language Schools
 - Food and Drink
 - Entertainment and Leisure
 - Conference
 - Communication
 - Car Parking
 - Beach huts
 - Advertising
 - Accommodation (Self Catering)
 - Accommodation (Hotel)
 - Accommodation (Guest Houses)
 - Accommodation (Caravan Park)
 - Accommodation (Camping)
 - Accommodation (Holiday Units)
- 4.4 Based on current records, Torbay Council will be responsible for casting a vote within the TRTBID for the 44 hereditaments included at Appendix 1 to this report as the Business Ratepayer (owner or occupier). The BID levy payable by the Council based on the current levy recommendation of 1.75% of business rateable value will be £33,932 (Note: this may be subject to change following the consultation end date of 5 June 2015).

5. Possibilities and Options

- 5.1 If the ballot is to take place, it is important that the Council exercises its right to vote.

6. Fair Decision Making

- 6.1 In determining how to vote on behalf of the Council, in its capacity as a landowner/occupier, the Executive Director of Operations and Finance will consult with the Mayor and Group Leaders.

7. Public Services (Social Value) Act 2012

7.1 Mosaic Partnership will contract with Electoral Reform Services to conduct the ballot. However they will formally need to be given the go ahead by the Returning Officer at Torbay Council which is the responsible body as determined by the BID legislation for this element.

8. Risks

8.1 Failure

Appendices

Appendix 1 List of Liability for Torbay Council, should the ballot result prove positive

Additional Information

Business Improvement Districts (England) Regulations 2014

List of Liability for Torbay Council, should the ballot result prove positive

| Proposed Levy (1.75%) | Address | Postcode | Company Name | Street | Area |
|-----------------------|---|----------|--|------------------------|------------|
| £4,463 | Paignton Library & Information Centre;Great Western Road;Paignton;;P3046 | TQ4 5AG | Torbay Council | Great Western Road | Paignton |
| £3,185 | Multi Story Car Park;Lower Union Lane;Torquay;;T0487AH | TQ2 5PN | Torbay Council | Union Lane | Torquay |
| £2,993 | Dartmouth Road;Paignton;;P0139AA | TQ4 5JR | Torbay Council, Torbay Leisure Centre | Dartmouth Road | Paignton |
| £2,153 | Car Park;Victoria Park;Paignton;;P0255 | TQ4 6EA | Torbay Council | Victoria Park | Paignton |
| £2,118 | Town Square Car Park;Bank Lane;Brixham;;B0109 | TQ5 8EX | Torbay Council | Bank Lane | Brixham |
| £1,470 | Union Square Car Park;Castle Lane;Torquay;;T1328 | TQ1 3DA | Torbay Council | Castle Lane | Torquay |
| £1,164 | Parkfield House - Myplace;38 Esplanade Road;Paignton;;P0697AB | TQ3 2NH | Torbay Council | Esplanade Road | Paignton |
| £1,103 | Library;2-4 Lymington Road;Torquay;;T0470AF | TQ1 4BB | Torbay Council | Lymington Road | Torquay |
| £1,085 | Car Park;The Terrace;Torquay;;T0076AA | TQ1 1BN | Torbay Council | The Terrace | Torquay |
| £963 | Beacon Quay Car Park;Beacon Quay;Torquay;;T0006AA | TQ1 2RD | Beacon Quay Carpark, Torbay Council | Beacon Quay | Torquay |
| £963 | The King's Drive;Torquay;;T0264 | TQ2 5JY | Torbay Council, Torre Abbey | The Kings Drive | Torquay |
| £893 | Tor Bay;Torquay Harbour Office;Beacon Quay;Torquay | TQ1 2BG | Torbay Council, Torquay Harbour Author | Beacon Quay | Torquay |
| £875 | Lymington Road Car Park;Lymington Road;Torquay;;T0470AG | TQ1 4YY | Torbay Council | Lymington Road | Torquay |
| £875 | Car Park;Great Western Road;Paignton;;P0343 | TQ4 5DY | Torbay Council | Great Western Road | Paignton |
| £844 | Part Car Park;Freshwater Quarry;Brixham;;B0088AE | TQ5 8BA | Torbay Council | Freshwater Quarry | Brixham |
| £792 | Coach Station;Lymington Road;Torquay;;TO442 | TQ1 4BD | Torbay Council | Lymington Road | Torquay |
| £634 | Brixham Library;Market Street;Brixham;;B3000 | TQ5 8EU | Torbay Council | Market Street | Brixham |
| £547 | Beach Huts;Meadfoot Sea Road;Torquay;;T0008AD | TQ1 2LQ | Torbay Council | Meadfoot Sea Road | Torquay |
| £508 | Model Village Car Park;Hampton Avenue;Torquay;;T0743AC | TQ1 3LA | Torbay Council | Hampton Avenue | Babbacombe |
| £481 | Car Park (Station Lane B);Station Lane;Paignton;;P0342AB | TQ4 5AR | Torbay Council | Station Square | Paignton |
| £473 | Clennon Valley Car Park;Dartmouth Road;Paignton;;P0122AD | TQ4 5JR | Torbay Council | Dartmouth Road | Paignton |
| £403 | Beach Hut Sites 1-113;Marine Parade;Paignton;;P0635AP | TQ3 2NU | Torbay Council | Marine Parade | Paignton |
| £394 | Car Park;Crown And Anchor Way;Paignton;;P0416AA | TQ3 3AN | Torbay Council | Crown & Anchor Way | Paignton |
| £381 | Beach Hut Sites;Preston Beach;Paignton;;P0635AJ | TQ3 2NU | Torbay Council | Preston Beach | Paignton |
| £359 | Shedden Hill Car Park;Shedden Hill;Torquay;;T0123AA | TQ2 5TY | Torbay Council | Shedden Hill | Torquay |
| £341 | Trinity Church Car Pk;Meadfoot Road;Torquay;;T0087 | TQ1 2JP | Torbay Council | Meadfoot Road | Torquay |
| £271 | 2 Fore Street;Brixham;;B0140 | TQ5 8DS | Torbay Council | Fore Street | Brixham |
| £267 | Public Toilets;Torquay Marina;Vaughan Road;Torquay;T0091 | TQ2 5EQ | Torbay Council | Vaughan Road | Torquay |
| £241 | Quay West Car Park;Tanners Road;Paignton;;P0119AY | TQ4 6LP | Torbay Council | Tanners Road | Paignton |
| £223 | Beach Hut Sites;Goodrington North & Youngs Park;Goodrington Park North;Paignton;P01 | TQ4 7LG | Torbay Council | Goodrington Park North | Paignton |
| £223 | Beach Hut Sites;Goodrington Park South;Tanners Road;Paignton;P0136AD | TQ4 6LS | Torbay Council | Tanners Road | Paignton |
| £219 | Roof Chalets at;Oddicombe Beach;Torquay;;T0681AG | TQ1 3NZ | Torbay Council | Oddicombe Beach | Babbacombe |
| £219 | St Marychurch Car Park;Hampton Avenue;Torquay;;T0749 | TQ1 3LA | Torbay Council | Hampton Avenue | Babbacombe |
| £206 | Broadsands Road;Paignton;;P3007 | TQ4 6LL | Torbay Council, Churston Library | Broadsands Road | Paignton |
| £197 | Roundham Car Park;Cliff Road;Paignton;;P0246 | TQ4 6DL | Torbay Council | Cliff Road | Paignton |
| £179 | Beach Hut Sites at Roundham;Goodrington Park North;Paignton;;P0093AB | TQ4 7LG | Torbay Council | Goodrington Park North | Paignton |
| £179 | Princes Street Car Pk;Princes Street;Torquay;;T0701 | TQ1 3LW | Torbay Council | Princes Street | Babbacombe |
| £175 | Brunswick Square Car Pa;Teignmouth Road;Torquay;;T0570 | TQ1 4DB | Torbay Council | Teignmouth Road | Torquay |
| £168 | Beach Hut Sites Corbyn;Torbay Road;Torquay;;T0245AB | TQ2 6RG | Torbay Council | Torbay Road | Torquay |
| £152 | Car Park;Chilcote Close;Torquay;;T0740 | TQ1 4QT | Torbay Council | Chilcote Close | Babbacombe |
| £149 | Beach Huts and Sites;Broadsands Beach;Paignton;;B0335AK | TQ4 6HL | Torbay Council | Broadsands Beach | Paignton |
| £142 | Lymington Road;Torquay;;T0442ZZ | TQ1 4BD | Torbay Council, Coach Station Café | Lymington Road | Torquay |
| £135 | Theatre;Palace Avenue;Paignton;;P0421 | TQ3 3EN | Palace Avenue Theatre, Torbay Council | Palace Avenue | Paignton |
| £133 | Paignton Library;Courtland Road;Paignton | TQ3 2AB | Torbay Council | Courtland Road | Paignton |

Agenda Item 11



Meeting: Annual Council

Date: 1 June 2015

Wards Affected: all wards in Torbay

Report Title: Review of Political Balance and Appointments to Committees and Other Bodies

Is the decision a key decision? No

When does the decision need to be implemented? Immediately

Supporting Officer Contact Details: Teresa Buckley, Governance Team Leader, telephone number 01803 207013 and email Teresa.buckley@torbay.gov.co.uk

1. Purpose and Introduction

- 1.1 To appoint the Council's committees for the new municipal year. In addition to ensure the committees have appropriate terms of reference and that appointments to those bodies are made in accordance with the relevant statutory requirements.
- 1.2 To appoint the Mayor and Councillors to outside bodies for the next four years.

2. Proposed Decision

- 2.1 **that the overall political balance of the committees, as set out in Appendix 1 to the submitted report, be approved;**
- 2.2 **that, subject to 2.1 above being approved, the committees be appointed with the terms of reference set out in Appendix 2 to the submitted report;**
- 2.3 **that, subject to 2.1 above being approved, nominations be received to fill the seats on the committees;**
- 2.4 **that the outcome of the review and proposed appointments to the outside bodies and other groups for 2015 to 2019 set out in Appendix 3 to the submitted report be approved.**

3. Reason for Decision

- 3.1 The Constitution requires Members at their annual Council meeting to determine which committees to establish for the forthcoming municipal year, their size and terms of reference and the allocation of seats in accordance with the political balance rules.
- 3.2 Following the local elections on 7 May 2015 the Council is required to agree the appointments to outside bodies and other groups for the next four years.

Supporting Information

4. Position

4.1 The election held on 7 May 2015 resulted in changes to the political composition of the Council. There are now 26 members of the Conservative Group (including the elected Mayor), 7 members of the Liberal Democrat Group, 3 members of the Independent Group and 1 UK Independence Party (UKIP). The political balance is now:

| | | |
|------------------------------|----------|---------|
| Conservative Group | 26 seats | = 70.2% |
| Liberal Democrat Group | 7 seats | = 18.9% |
| Independent Group | 3 seats | = 8.10% |
| UK Independence Party (UKIP) | 1 seat | = 2.70% |

4.2 The Local Government and Housing Act 1989 requires the Council to allocate seats on committees to political groups in accordance with the size of each group as a whole, unless alternative arrangements are notified to all members and agreed without any councillor voting against them. The Council is required to observe the following principles as far as it is reasonably practicable:

- (a) that not all seats on the body are allocated to the same group;
- (b) that the majority of seats on the body are allocated to a particular political group if the number of persons belonging to that group is a majority of the authority's membership;
- (c) subject to paragraphs (a) and (b) above, that the number of seats on the ordinary committees of a relevant authority which are allocated to each political group bears the same proportion to the total of all the seats on the ordinary committees of that authority as is borne by the number of Members of that group to the membership of the authority; and
- (d) subject to paragraphs (a) to (c) above, that the number of seats on the body which are allocated to each political group bears the same proportion to the number of all the seats on that body as is borne by the number of Members of that group to the membership of the authority.

4.3 The Executive is excluded from the requirements of political balance.

4.4 The Council is required to determine the number of seats on each committee and the allocation of those seats to the political groups and the independent members. Applying the principles of the Local Government and Housing Act 1989 and the supporting Regulations, the distribution of seats (attached in the table set out in Appendix 1) would be proportional (co-opted members are not included in the calculation for proportionality purposes).

4.5 Members are asked to note that any decision to waive the requirements of political balance will require a resolution of the Council with no member voting against.

- 4.6 The Council has carried out an extensive review of its appointments to outside organisations and other groups which has informed the appointments process for 2015. Appointments to outside bodies are made every four years (where possible) following the whole Council elections.
- 4.7 Torbay is entitled to one place on the Devon and Cornwall Police and Crime Panel and the Council is required to appoint its representative each year. The Police Authority (Community Engagement and Membership) Regulations 2010, which came into force on 17 March 2010, amends Regulation 8 of the Police Authority Regulations (appointment of members by relevant councils) and gives provision for Elected Mayor's to be appointed as the authority's representative if that person and the Council indicate that they wish them to be appointed as their representative. The Mayor has confirmed that he does/does not wish to take up this appointment. The Council's representative on the Devon and Cornwall Police and Crime Panel also sits on the Safer Communities Executive.

5. Possibilities and Options

- 5.1 The allocation of seats on committees must be proportional to the political composition of the Council unless the Council resolves otherwise with no member voting against.

6. Fair Decision Making

- 6.1 The appointments have regard to equal opportunities.

7. Public Services (Social Value) Act 2012

- 7.1 The Public Services (Social Value) Act 2012 is not applicable as no procurement is being undertaken.

8. Risks

- 8.1 There is a statutory requirement to undertake a review of political balance following a change in the political composition of the Council. This review has been completed. Therefore there are no risks unless members fail to determine the matter.

Appendices

Appendix 1 Political balance of Committees

Appendix 2 Appointments to Committees

Appendix 3 – Appointments to Outside Bodies and Other Groups

Additional Information

None

Political Balance of Committees

| | | |
|------------------------------|----------|---------|
| Conservative Group | 26 seats | = 70.2% |
| Liberal Democrat Group | 7 seats | = 18.9% |
| Independent Group | 3 seats | = 8.10% |
| UK Independence Party (UKIP) | 1 seat | = 2.70% |

| Committee | Conservative Group | Liberal Democrat Group | Independent Group | UK Independence Party (UKIP) | Total |
|--|--------------------|------------------------|-------------------|------------------------------|-------|
| Overview and Scrutiny Board | 6 | 2 | 1 | | 9 |
| Audit Committee | 4 | 2 | | | 6 |
| Development Management Committee | 6 | 2 | 1 | | 9 |
| Licensing Committee | 11 | 2 | 1 | 1 | 15 |
| Harbour Committee | 6 | 2 | 1 | | 9 |
| Employment Committee | 4 | 1 | | | 5 |
| Appeals Committee (School Transport, Student Awards, Licensing, Discretionary Housing Payments) | 5 | 1 | | 1 | 7 |
| Civic Committee | 5 | 1 | 1 | | 7 |
| Standards Committee | 5 | 1 | 1 | | 7 |
| | 52 | 14 | 6 | 2 | 74 |

Schedule 4 – Terms of Reference

Overview and Scrutiny Board and Sub-committees, Regulatory and Other Committees, Area Committees and Other Bodies

| Name of Committee and Terms of Reference | Membership | Members |
|---|---|---|
| <p>Audit Committee:</p> <p>Terms of Reference:</p> <ol style="list-style-type: none"> 1. To consider the Head of Internal Audit’s annual report and opinion, and a summary of Internal Audit activity (actual and proposed) and the level of assurance it can give over the Council’s corporate governance arrangements. 2. To consider summaries of specific Internal Audit reports as requested. 3. To consider reports dealing with the management and performance of the providers of Internal Audit Services. 4. To consider a report from Internal Audit on agreed recommendations not implemented within a reasonable timescale. 5. To consider the External Auditor’s Annual Letter, relevant reports, and the report to those charged with governance. 6. To consider specific reports as agreed with the External Auditor. 7. To comment on the scope and depth of external audit work and to ensure it gives value for money. | <p>6 members of the Council excluding members of the Executive, in accordance with the political balance requirements</p> <p>Conservative (4)</p> <p>Liberal Democrat (2)</p> | <p>Councillors Bent, O’Dwyer, Robson and Tyerman</p> <p>Councillors Stocks and Stringer</p> |

| Name of Committee and Terms of Reference | Membership | Members |
|--|------------|---------|
| 8. To liaise with the Audit Commission over the appointment of the Council's external auditor. | | |
| 9. To commission work from Internal and External Audit within approved resources. | | |
| Regulatory Framework | | |
| 10. To maintain a strategic overview of the Council's Constitution in respect of contract procedure rules, financial regulations and codes of conduct and behaviour (the primary responsibility for considering and ensuring that the constitution is fit for purpose lies with the Monitoring Officer and the Standards Committee in relation to the codes of conduct). | | |
| 11. To review any issue referred to it by the Chief Operating Officer, a Director, the Monitoring officer, Section 151 Officer (Chief Finance Officer) or any Council body. | | |
| 12. To monitor the effective development and operation of risk management and corporate governance in the Council. | | |
| 13. To monitor council policies on 'Raising Concerns at Work' and the 'Anti-fraud and corruption strategy' and the Council's complaints process. | | |
| 14. To oversee the production of the authority's Statement on Internal Control and to recommend its adoption. | | |
| 15. To oversee the Council's arrangements for corporate governance and consider necessary actions to ensure compliance with best practice. | | |
| 16. To review the Code of Corporate Governance. | | |
| 17. To monitor the Council's compliance with its own and other published standards and controls. | | |

| Name of Committee and Terms of Reference | Membership | Members |
|---|--|---|
| <p>Accounts</p> <p>18. On behalf of the Council, to approve the annual statement of accounts.</p> <p>19. To consider the External Auditor’s report to those charged with governance on issues arising from the audit of the accounts.</p> | | |
| <p>Civic Committee:</p> <p>Terms of Reference:</p> <p>Page 192 To consider nominations for the title of Honorary Freeman and make recommendations to the Council as necessary.</p> <p>To consider and promote nominations for national and local awards.</p> <p>3. To identify events to attract Royal visits</p> <p>4. To keep updated on major national civic events.</p> | <p>7 members of the Council in accordance with the political balance requirements</p> <p>Conservative (5)</p> <p>Liberal Democrat (1)</p> <p>Independent Group (1)</p> | <p>Councillors Amil, Kingscote, Manning, Stubley and Sykes</p> <p>Councillor M Darling</p> <p>Councillor Stockman</p> |

| Name of Committee and Terms of Reference | Membership | Members |
|--|---|--|
| <p>Development Management Committee:</p> <p>Terms of Reference:</p> <ol style="list-style-type: none"> 1. At all times to have regard to the adopted Torbay Local Plan 1995-2011 (“the Torbay Local Plan”) and, following submission to the Secretary of State, the new Torbay Local Plan 2012 - 2032. 2. To consider and (if appropriate) determine (unless such determination is reserved by law to Council) all applications and all other matters (including issuing notices, making Orders and requesting the Monitoring Officer to issue civil or criminal proceedings) relating to: <ul style="list-style-type: none"> Town and Country Planning, including <ul style="list-style-type: none"> • Conservation Areas • Listed Buildings • Scheduled Ancient Monuments • The display of advertisements • Tree Preservation Orders • Complaints about high hedges • Public Rights of Way • Minerals • Highways matters • Waste • Enforcement; and • Environmental Assessment <p>so far as they are set out in Schedule 2 of this Part 3 of the Constitution (Council Functions) or are identified as Council functions in Schedule 1 of this Part 3 (Local Choice Functions): i.e. so far as they are not Executive</p> | <p>9 members of the Council (in accordance with the political balance requirements), if reasonably possible, members from the various areas of the Borough</p> <p>Conservative (6)</p> <p>Liberal Democrat (2)</p> <p>Independent Group (1)</p> | <p>Councillors Barnby, Cunningham, Kingscote, Manning, Robson and Winfield</p> <p>Councillors S Darling and Stringer</p> <p>Councillor Morey</p> |

| Name of Committee and Terms of Reference | Membership | Members |
|--|---|---|
| <p>functions.</p> <p>3. The Committee shall not determine any application (or other matter) in a manner that would (in the opinion of the Director of Place) not be in accordance with the adopted and/or new Torbay Local Plan unless both those Officers recommend such determination and the determination is consistent with the Director’s recommendation.</p> <p>If, contrary to officer recommendation, the Committee consider that an application (or other matter) shall be determined not in accordance with the adopted and /or Torbay Local Plan then (unless their determination is consistent with the recommendation of the Director of Place) the item shall be referred to Council for determination.</p> <p>The Committee shall not determine any application (or other matter) that relates to land owned, controlled or occupied by the Council in a manner that is not in accordance with the recommendation of the Director of Place. If the Committee consider that an application (or other matter) that relates to land owned, controlled or occupied by the Council shall be deferred or determined not in accordance with the recommendation of the Director of Place the Director may refer that matter to Council for consideration or determination.</p> | | |
| <p>Employment Committee:</p> <p>Terms of Reference:</p> <p>1. To make recommendations to Council on the appointment of the Head of Paid Service including the terms and conditions of his/her employment.</p> <p>2. To determine appointments to post of Director or equivalent positions of the</p> | <p>5 members of the Council in accordance with the political balance requirements</p> <p>Conservative (4)</p> | <p>Councillors Lewis, J Thomas and Tyerman and Mayor Oliver</p> |

| Name of Committee and Terms of Reference | Membership | Members |
|--|---|-----------------------------|
| <p>Council, including the terms and conditions of contracts, appointment procedures and arrangements.</p> <p>3. To consider applications for the position of Coroner and to recommend to Council the person to be appointed to that post.</p> <p>4. To hear and determine appeals in relation to disciplinary matters, in relation to dismissal.</p> <p>5. To consider any matters referred by the Executive Director on the appointment of Directors on Council owned companies.</p> <p>6. To consider any disciplinary or grievance matters in relation to the Executive Director.</p> <p>To consider and determine requests for Flexible Retirement from Senior Officers.</p> | <p>Liberal Democrat (1)</p> | <p>Councillor S Darling</p> |
| <p>Harbour Committee:</p> <p>Terms of Reference:</p> <p>To determine all matters relating to the strategic management of the Council’s function as a Harbour Authority, in line with the Tor Bay Harbour and Maritime Strategy, the Council’s Policy Framework. Specifically the Committee will:-</p> <p>1. manage all of the Harbour’s financial matters in accordance with approved financial procedures and the Council’s aspirations for the harbour to be self financing as outlined in the Harbour and maritime strategy and including (but not limited to):</p> | <p>9 members of the Council in accordance with the political balance requirements, plus up to five external non-voting advisors appointed by the Committee on a four year term and one non-voting advisor who is a private sector representative of the Board of the Torbay Economic Development Company Limited.</p> <p>(Group Leaders will be asked to take account of the geographical</p> | |

| Name of Committee and Terms of Reference | Membership | Members |
|---|--|---|
| <p>(a) the setting of harbour charges from time to time (including in-year changes to the schedule) normally following consultation with the relevant Harbour Liaison Forums;</p> <p>(b) approving the annual revenue budgets within the ring-fenced harbour accounts;</p> <p>(c) receiving quarterly budget monitoring reports and to approve variances as appropriate; and</p> <p>(d) monitoring the harbour reserve funds and to seek to ensure that the funds are kept above an appropriate minimum contingency level and ensure the harbour remains self-financing;</p> <p>providing that no decision by the Harbour Committee shall impact adversely on the Council's general fund or capital budget.</p> <p>2. to act as Duty Holder for the purposes of the Port Marine Safety Code;</p> <p>3. approve and monitor a business plan for Tor Bay Harbour, in line with the Council's policy framework, and address any issues relating to performance;</p> <p>4. review these terms of reference annually and request the Council to make any necessary amendments and/or additions;</p> <p>5. review annually the powers delegated to the Executive Head Tor Bay Harbour Authority – Tor Bay Harbour Master and refer any proposed changes to the Council for determination. The Committee itself shall not authorise any changes;</p> <p>6. consider any other matters referred to the Committee by the Executive Head Tor Bay Harbour Authority;</p> | <p>spread of members in making appointments to the Committee)</p> <p>Conservative (6)</p> <p>Liberal Democrat (2)</p> <p>Independent Group (1)</p> | <p>Councillors Amil, Bye, Cunningham, O'Dwyer, Sykes and Winfield</p> <p>Councillors Carter and Stringer</p> <p>Councillor Ellery</p> |

| Name of Committee and Terms of Reference | Membership | Members |
|--|---|--|
| <p>7. establish any sub-committee or working parties as the Committee sees fit, in particular a Harbour Appointments Sub-Committee for the recruitment of advisors;</p> <p>8. recommend the format, composition and governance of the Harbour Liaison Forums and keep the arrangements under review;</p> <p>9. to provide strategic direction to the Executive Head Tor Bay Harbour Authority and the Mayor in relation to those assets within Tor Bay Harbour and the harbour estate that are managed by Tor Bay Harbour Authority.; and</p> <p>10. appoint advisors following receipt of recommendations from the Harbour Appointments Sub-Committee and the Board of Torbay Economic Development Company Limited. Appointments will be merit based and be in accordance with the Local Protocol for members of the Harbour Committee.</p> <p style="writing-mode: vertical-rl; transform: rotate(180deg);">Page 197</p> | | |
| <p>Licensing Committee:</p> <p>Terms of Reference:</p> <p>To carry out the Licensing functions of the Council.</p> | <p>15 members of the Council in accordance with political balance requirements</p> <p>Conservative (11)</p> <p>Liberal Democrat (2)</p> | <p>Councillors Barnby, Brooks, Cunningham, King, Lang, Manning, Morris, Stubley, Sykes, Tolchard and Winfield</p> <p>Councillors Doggett and</p> |

| Name of Committee and Terms of Reference | Membership | Members |
|--|---|---|
| | Independent Group (1) UK Independence Party (UKIP) (1) | Stocks Councillor Ellery Councillor Parrott |
| <p>Overview and Scrutiny Board:</p> <p>Terms of Reference:</p> <p>Page 198:</p> <p>To approve and co-ordinate the work programme for the overview and scrutiny function for the year.</p> <p>To appoint sub-committees and/or working parties to perform the overview and scrutiny function (the membership of such bodies to be in accordance with Standing Order D2 in relation to Overview and Scrutiny).</p> <p>3. To review or scrutinise decisions made, or other action taken, in connection with the discharge of functions which are the responsibility of the Executive.</p> <p>4. To make reports or recommendations to the Authority or the Executive with respect to the discharge of functions which are the responsibility of the Executive.</p> <p>5. To make reports or recommendations to the Authority or the Executive with respect to the discharge of functions which are not the responsibility of the Executive.</p> | <p>9 members of the Council in accordance with the political balance requirements (including the Overview and Scrutiny Co-ordinator and Scrutiny Lead Members) excluding the Mayor, other members of the Executive and the Chairman/woman of the Council plus 2 Diocesan and 2 Parent Governor Representatives</p> <p>Conservative (6)</p> <p>Liberal Democrat (2)</p> <p>Independent Group (1)</p> | <p>Councillors Barnby, Bent, Bye, Lang, Lewis and Tolchard</p> <p>Councillors S Darling and one Councillor to be confirmed</p> <p>Councillor Stockman</p> |

| Name of Committee and Terms of Reference | Membership | Members |
|---|---|---|
| <p>6. To make reports or recommendations to the Authority or the Executive or the Council’s partner authorities (as defined by the Local Government and Public Involvement in Health Act 2007) on matters which affect the Authority's area or the inhabitants of that area.</p> <p>7. To consider all matters and issues arising from the Council’s power of scrutinising local health services in accordance with the Health and Social Care Act 2001, the National Health Service Act 2006 and Health and Social Care Act 2012.</p> <p>8. To consider all matters and issues arising from the Council’s power to review or scrutinise decisions made, or other action taken, in connection with the discharge by the responsible authorities of their crime and disorder functions in accordance with the Police and Justice Act 2006.</p> <p>To review and scrutinise the exercise by risk management authorities of flood risk management functions or coastal erosion risk management functions which may affect the local authority's area in accordance with Flood and Water Management Act 2010.</p> | | |
| <p>Appeals Committee:</p> <p>Terms of Reference:</p> <p>To determine appeals in respect of school transport.</p> | <p>7 members of the Council in accordance with the political balance requirements</p> <p>Conservative (5)</p> <p>Liberal Democrat (1)</p> | <p>Councillors King, Lewis, Morris, Sykes and D Thomas</p> <p>Councillor Stringer</p> |

| Name of Committee and Terms of Reference | Membership | Members |
|--|--|---|
| | UK Independence Party (UKIP) (1) | Councillor Parrott |
| <p>Standards Committee:</p> <p>Terms of Reference:</p> <ol style="list-style-type: none"> 1. To promote and maintain high standards of conduct by the Mayor, councillors, co-opted members and church and parent governor representatives. 2. To assist the Mayor, councillors, co-opted members and church and parent governor representatives to observe the Members’ Code of Conduct. 3. To advise the Council on the adoption or revision of the Members’ Code of Conduct. 4. To monitor the operation of the Members’ Code of Conduct. 5. To advise, train or arrange to train the Mayor, councillors, co-opted members and church and parent governor representatives on matters relating to the Members’ Code of Conduct. 6. To assist the Monitoring Officer in carrying out his/her responsibilities pursuant to the Code of Conduct and its protocols. 7. To review the Council’s local protocols as contained in the Constitution. 8. To review the Constitution in relation to ethics and probity issues. 9. To advise others on probity and ethics. 10. To consider any alleged breaches of local protocols by members. | <p>7 members the Council in accordance with the political balance requirements.</p> <p>Conservative (5)</p> <p>Liberal Democrat (1)</p> <p>Independent Group (1)</p> | <p>Councillors Brooks, Haddock, O’Dwyer, D Thomas and J Thomas</p> <p>Councillor Stocks</p> <p>Councillor Morey</p> |

| Name of Committee and Terms of Reference | Membership | Members |
|---|------------|---------|
| <p>11. To share experience with other standards committees.</p> <p>The Council may arrange for the Standards Committee to exercise such other functions as the Council considers appropriate.</p> | | |

Councillor Appointments to Outside Bodies 2015-2019

Note 1: Appointments which are the Mayor or recommended Executive Lead have been excluded from the political balance calculations.

Note 2: Appointments from Companies are set out in a separate document and will be appointed by the Employment Committee.

Note 3: Membership is determined by original Council decision or as requested by the organisation concerned.

| Children | | | | | | | | |
|-------------------------------------|-----------------------|------------------|---|----------------|--|-----------------------------------|--------|--|
| Organisation / Association | Type | Remunerated Post | Accountability / Appointing Body | Recommendation | Defining Strategic Importance | Scrutinising Scope of Development | Points | Members |
| Corporate Parent Members Group | Policy Strategy Group | No | <p>Links to Members' role as Corporate Parents</p> <p>Decision-maker Director of Children's Services</p> <p>Membership seven Members (to include the Executive Lead for Children) politically balanced to be nominated by the Group Leaders – there is an expectation that the Executive Lead for Children will serve on this group – confirmed by Richard Williams in 2014</p> <p>Meets monthly usually in Tor Hill House, Torquay.</p> | Continue | Local discretionary | Significant | 4 | <p>7 Members</p> <p>(1 Conservative -Exec)</p> <p>4 Conservative – Councillors Bent, Bye, Stubbley and Tolchard</p> <p>1 Liberal Democrat – Councillor Stocks</p> <p>1 Independent – Councillor Stockman</p> |
| Local Safeguarding Children's Board | Policy Strategy Group | No | <p>Links to delivery of children's safeguarding</p> <p>Decision-maker - Local Safeguarding Children's Board/Director of Children's Services/Mayor/Council</p> <p>Membership - the Executive Lead for Children plus one Member to be nominated by the Group Leader of the largest political group – there is an expectation that the Executive Lead for Children will serve on this group – confirmed by Richard Williams in 2014</p> <p>The representative(s) may also be invited to serve on the Children's Partnership Executive Board Sub-Committee</p> <p>Meets quarterly, plus monthly meeting for Executive Lead in Torbay.</p> | Continue | Non-statutory but national/regional body discretionary | Significant | 5 | <p>2 Members</p> <p>(1 Conservative – Exec)</p> <p>1 Conservative – Councillor Lewis</p> |
| Torbay Child Poverty Commission | Partnership | No | <p>Links to delivery of Children's Partnership Plan</p> <p>Decision-maker Director of Children's Services/Mayor/Council</p> <p>Membership - five Members (to include the Executive Lead for Children) politically balanced to be nominated by the Group Leaders – there is an expectation that the Executive Lead for Children will serve on this group – confirmed by Richard Williams in 2014</p> <p>Meets annually in Torbay.</p> | Continue | Local discretionary | Significant | 4 | <p>5 Members</p> <p>(1 Conservative – Exec)</p> <p>3 Conservative – Councillors Bent, Lewis and Tolchard</p> <p>1 Liberal Democrat – Councillor M Darling</p> |

Children

| Organisation / Association | Type | Remunerated Post | Accountability / Appointing Body | Recommendation | Defining Strategic Importance | Scrutinising Scope of Development | Points | Members |
|--|-----------------------|------------------|--|----------------------|-------------------------------|-----------------------------------|--------|---|
| Torbay Standing Advisory Council on Religious Education (SACRE) | Outside Body | No | <p>Links to delivery of religious education</p> <p>Decision-maker Director of Children's Services</p> <p>Membership - the Executive Lead for Children plus three members to reflect political balance to be nominated by the Group Leaders – confirmed by SACRE in 2010.</p> <p>Meets quarterly in Torbay.</p> | Statutory - continue | Statutory | Specific | 6 | <p>4 Members</p> <p>(1 Conservative – Exec)</p> <p>2 Conservative – Councillors Barnby and Stubley</p> <p>1 Independent – Councillor Stockman</p> |
| Page 203 Virtual School Governing Body | Policy Strategy Group | No | <p>Links to the Members role as a Corporate Parent with focus on educational achievements of looked after children.</p> <p>Decision-maker Director of Children's Services</p> <p>Membership – one Member to be nominated by the Group Leader</p> <p>Meets 6 times a year on a Tuesday in Torbay.</p> | Continue | Local discretionary | Significant | 4 | <p>1 Member</p> <p>1 Conservative – Councillor Tolchard</p> |

Healthy

| Organisation / Association | Type | Remunerated Post | Accountability / Appointing Body | Recommendation | Defining Strategic Importance | Scrutinising Scope of Development | Points | Members |
|---|-----------------------|--|--|----------------------|--|-----------------------------------|--------|---|
| Devon Partnership NHS Trust - Council of Governors | Outside Body | No | <p>Decision-maker Devon Partnership NHS Trust</p> <p>Membership - one member from the largest political group (previously the Scrutiny Lead for Health) to be nominated by the Group Leader</p> <p>Meets quarterly</p> | Continue | Non-statutory but Government requirement | Specific | 5 | <p>1 Member</p> <p>1 Conservative- Councillor Bent</p> |
| Parkwood Leisure Monitoring Group | Policy Strategy Group | No | <p>Links to delivery of Torbay Leisure Centre</p> <p>Decision-maker Parkwood Contract Monitoring Group/ Assistant Director Community and Customer Services</p> <p>Membership - two members to reflect political balance to be nominated by the Group Leaders, utilising professional expertise where possible</p> <p>Meets monthly at 10.30 a.m. at Torbay Leisure Centre, Paignton.</p> | Continue | Local discretionary | Specific | 3 | <p>2 Members</p> <p>1 Conservative – Councillor Winfield</p> <p>1 Liberal Democrat – Councillor Doggett</p> |
| South Devon Healthcare NHS Foundation Trust Council of Governors | Outside Body | No - but the representative may claim travel expenses from the organisation. | <p>Links to the delivery of Torbay Hospital.</p> <p>Decision-maker NHS Foundation Trust Governance Board</p> <p>Membership - the Executive Lead for Health – due to their close links with Torbay Hospital – confirmed by South Devon Healthcare NHS Foundation Trust in 2014</p> <p>Meets quarterly plus three informal meetings per year usually at Torbay Hospital.</p> | Statutory - continue | Statutory | Significant | 7 | <p>1 Member</p> <p>(1 Conservative – Exec)</p> |

| Healthy | | | | | | | | |
|----------------------------|--------------|------------------|--|----------------|-------------------------------|-----------------------------------|--------|--|
| Organisation / Association | Type | Remunerated Post | Accountability / Appointing Body | Recommendation | Defining Strategic Importance | Scrutinising Scope of Development | Points | Members |
| Torbay Sports Council | Outside Body | No | Membership - three members to reflect political balance to be nominated by the Group Leaders who have a strong interest in sporting activities, previously one Conservative, Liberal Democrat and Labour Meets every 5-6 weeks in Torbay. | Continue | Local discretionary | Specific | 3 | 3 Members 2 Conservative – Councillors Barnby and Winfield 1 Liberal Democrat – Councillor S Darling |

| Economy | | | | | | | | |
|--|--------------|------------------|---|----------------|--|-----------------------------------|--------|---|
| Organisation / Association | Type | Remunerated Post | Accountability / Appointing Body | Recommendation | Defining Strategic Importance | Scrutinising Scope of Development | Points | Members |
| Devon County Council - Investment and Pension Fund Committee | Outside Body | No | Membership - one member from the administration to be nominated by the Group Leader, utilising professional expertise where possible Meets quarterly at County Hall, Exeter. | Continue | Non-statutory but national/regional body discretionary | Specific | 5 | 1 Member 1 Conservative – Councillor O'Dwyer |
| Local Enterprise Partnership Steering Group | Outside Body | No | Links to the creation of a Local Enterprise Partnership Decision-maker Local Enterprise Partnership/ Assistant Director Community and Customer Services /Mayor/Council and partner organisations budget holders Membership - the Mayor (their rules state that this appointment must be the Mayor or the Mayor's representative) as confirmed in the fact sheet produced by Alan Denby in 2010. Meets quarterly at one of the partner organisations across the South West Region | Continue | Non-statutory but national/regional body discretionary | Significant | 6 | 1 Member (1 Conservative - Mayor Oliver) |

| Environment | | | | | | | | |
|--------------------------------|-----------------------|------------------|---|----------------|-------------------------------|-----------------------------------|--------|---|
| Organisation / Association | Type | Remunerated Post | Accountability / Appointing Body | Recommendation | Defining Strategic Importance | Scrutinising Scope of Development | Points | Members |
| Community Asset Transfer Panel | Policy Strategy Group | No | To assess applications for transfer of assets to the community in accordance with the Council's policy Community Asset Transfer Panel Membership – three members politically balanced to be nominated by the Group Leaders Meets as and when required in Torbay. | Continue | Local discretionary | Specific | 3 | 3 Members 2 Conservative – Councillors Lewis and Robson 1 Liberal Democrat- Councillor Stringer |

Environment

| Organisation / Association | Type | Remunerated Post | Accountability / Appointing Body | Recommendation | Defining Strategic Importance | Scrutinising Scope of Development | Points | Members |
|---|--------------|--|--|----------------------|--|-----------------------------------|--------|---|
| Community Safety Partnership Board | Partnership | No | <p>Links to delivery of safer communities services</p> <p>Decision-maker Assistant Director Community and Customer Services</p> <p>Membership – two Members namely the Council's representative on the Police and Crime Panel and the Chair of the Health and Wellbeing Board as confirmed by Fran Hughes in May 2015</p> <p>The Chair or Vice-Chair of this Group also sits on the Peninsula Community Safety Partnership.</p> <p>Meets quarterly in Torquay.</p> | Statutory – continue | Statutory | Specific | 6 | 2 Members (2 Conservative – Councillor Excell) |
| Page 205 Culture Board Steering Group | Partnership | No | <p>Links to the delivery of the Culture Strategy.</p> <p>Decision-maker – Culture Board/Culture and Environment Service Manager</p> <p>Membership – one Member – Executive Lead for Culture. The representative also has a non-voting role on the Culture Board - confirmed by Sue Cheriton in 2015.</p> <p>Meets six weekly in Torquay</p> | Continue | Local Discretionary | Specific | 3 | 1 Member (1 Conservative – Exec) |
| Devon Authorities Waste Reduction and Recycling Committee | Partnership | No | <p>Links to deliver of joint waste and recycling</p> <p>Decision-maker Assistant Director Community and Customer Services /Mayor</p> <p>Membership – the Executive Lead for Waste due to the role of the Member on this committee, confirmed by Sally Farley in 2015</p> <p>Meets three times a year in Exeter.</p> | Continue | Non-statutory but national/regional body discretionary | Specific | 4 | 1 Member (1 Conservative - Exec) |
| Devon and Cornwall Police and Crime Panel | Outside Body | No - but the representative may claim travel expenses from the organisation. | <p>Membership – this is normally the Mayor unless the Mayor and Council decide to appoint an alternative representative. The Mayor has confirmed that he does not wish to take up this role.</p> <p>Meets between 4 to 6 times a year in Plymouth.</p> | Statutory - continue | Statutory | Specific | 6 | 1 Member (1 Conservative – Exec – Councillor Excell) |
| Devon and Exeter Area Rail Project Working Party | Outside Body | No | <p>Membership - two members to reflect political balance to be nominated by the Group Leaders, utilising professional expertise where possible</p> <p>Meets twice a year on a Friday at 2.00 p.m. in Exeter</p> | Continue | Non-statutory but national/regional body discretionary | Specific | 4 | 2 Members 1 Conservative – Councillor Manning 1 Liberal Democrat – Councillor Doggett |
| Devon and Severn Inshore Fisheries and Conservation Authority | Outside Body | No | <p>Membership - the Chairman of the Harbour Committee as they have decision-making powers on the management of sea fisheries as confirmed by Devon and Severn Inshore Fisheries and Conservation Authority in the survey response 2014.</p> <p>Meets quarterly across Devon and Severn district.</p> | Statutory - continue | Statutory | Specific | 6 | 1 Member (1 Conservative) |

Environment

| Organisation / Association | Type | Remunerated Post | Accountability / Appointing Body | Recommendation | Defining Strategic Importance | Scrutinising Scope of Development | Points | Members |
|---|--------------|---|--|----------------------|--|-----------------------------------|--------|--|
| Devon and Somerset Fire and Rescue Authority | Outside Body | Basic allowance of £2,000 and 40p per mile. May also receive a special responsibility allowance if they Chair certain Committees (details of the SRAs are at www.dsfire.gov.uk Fire and Rescue Authority, Constitutional Governance, Scheme of Members Allowances). | <p>Membership - two members to reflect political balance to be nominated by the Group Leaders, utilising professional expertise, where possible, previously one Conservative and one Non-coalition</p> <p>They also have the following sub groups that the representative(s) may serve on:-</p> <ul style="list-style-type: none"> - Audit and Performance Review Committee - Community Safety and Corporate Planning Committee - Human Resources Management and Development Committee - Standards Committee <p>Meets five times a year, plus Committee meetings in Exeter.</p> | Statutory - continue | Statutory | Specific | 6 | <p>2 Members</p> <p>1 Conservative – Councillor D Thomas</p> <p>1 Independent – Councillor Ellery</p> |
| English Riviera Geopark Organisation (ERGO) Conference Board | Partnership | No | <p>Links to the delivery of the English Riviera Geopark Conference which is being part funded by the Council</p> <p>Membership – four members to reflect political balance to be nominated by the Group Leaders - confirmed via email by Sue Cheriton</p> <p>Meets monthly in Torquay</p> | Continue | Local Discretionary | Specific | 3 | <p>4 Members</p> <p>3 Conservative – Councillors Cunningham, O’Dwyer and Tyerman</p> <p>1 Independent – Councillor Morey</p> |
| English Riviera Geopark Organisation (ERGO) Management Group | Outside Body | No | <p>Membership - normally the Executive Leads for Environment and Tourism - confirmed by Sue Cheriton in 2015.</p> <p>Meets once a month at Torquay Town Hall</p> | Continue | Local discretionary | Specific | 3 | <p>2 Members</p> <p>(2 Conservative – Exec)</p> |
| Local Transport Board | Outside Body | No | <p>Links to delivery of major transport projects and delivery of Government funding within the Local Enterprise Partnership area.</p> <p>Membership - one member from the largest political group to be nominated by the Group Leader - as this is an independent body that works closely with the Local Enterprise Partnership and Local Authorities to secure funding for transport schemes across the Heart of the South West area – confirmed by extract from website</p> <p>This representative has executive decision making powers on this Group.</p> <p>Meets quarterly alternates between Local Enterprise Partnership authorities venues</p> | Continue | Non-statutory but national/regional body discretionary | Specific | 4 | <p>1 Member</p> <p>1 Conservative – Councillor Excell</p> |
| Peninsula Rail Task Force | Outside Body | No | <p>Membership – one member to be nominated by the Group Leader</p> <p>Meets bi-monthly around the South West Peninsula.</p> | Continue | Non-statutory but national/regional body discretionary | Specific | 4 | <p>1 Member</p> <p>1 Conservative – Councillor Manning</p> |

Environment

| Organisation / Association | Type | Remunerated Post | Accountability / Appointing Body | Recommendation | Defining Strategic Importance | Scrutinising Scope of Development | Points | Members |
|--|-----------------------|------------------|--|----------------|--|-----------------------------------|--------|---|
| Strategic Land and Capital Task Group | Policy Strategy Group | No | Links to property and development related issues and capital projects monitoring Decision-maker Mayor/Executive Membership – two Members, namely the Executive Leads for Finance and Planning – confirmed by Susanne Lang in 2015. Meets every 6 weeks at Tor Hill House | Continue | Local discretionary | Specific | 3 | 2 Members (2 Conservative – Exec) |
| South Devon Area of Outstanding Natural Beauty (AONB) Partnership Committee | Outside Body | No | Membership - one member from the administration to be nominated by the Group Leader Meets quarterly within the South Devon AONB. | Continue | Local discretionary | Specific | 3 | 1 Member 1 Conservative – Councillor Brooks |
| South West Devon Waste Partnership (Joint Working Committee) | Partnership | No | Membership - the Executive Lead for Waste, plus one member of the largest political group to be nominated by the Group Leader, utilising professional expertise where possible - due to the role of the Member on this committee, confirmed by Sally Farley in 2015 Note: 2 Members from the largest opposition group are appointed as non-voting members. Meets twice a year in Exeter, Plymouth or Torbay. | Continue | Non-statutory but national/regional body discretionary | Specific | 4 | 2 Members 1 Conservative – Councillor Tyerman (1 Conservative – Exec) |
| South West Energy and Environment Group | Outside Body | No | Membership – the Executive Lead for Waste, energy or climate change due to the role of the Member on this committee, confirmed by Sally Farley in 2015 Meets twice a year at 10.00 a.m. to 12.30 p.m. in Exeter. | Continue | Non-statutory but national/regional body discretionary | Specific | 4 | 1 Member (1 Conservative – Exec) |
| South West Regional Flood and Coastal Committee | Outside Body | No | Membership - one member from the largest political group to be nominated by the Group Leader, utilising professional expertise where possible Meets quarterly in Devon and Cornwall. | Continue | Non-statutory but national/regional body discretionary | Specific | 4 | 1 Member 1 Conservative – Councillor Bye |
| Torbay Coast & Countryside Trust Board of Trustees | Partnership | No | Links to the delivery of coast and countryside services Decision-maker Torbay Coast and Countryside Trust Board of Trustees Membership – the Executive Lead for Environment – when the Trust was established in February 1999 (minute 585/2/99) it was agreed that the Council's representative would be the Chairwoman of the Environment Services Committee, it has subsequently been the Executive Lead for Environment or their representative) – the Torbay Coast and Countryside Trust have confirmed that they do not require a specific Member. The representative may also be invited to serve on the following sub groups: - Community and Fundraising - Development - Finance - Land Meets quarterly, plus committee meetings as required at Occombe Farm. | Continue | Local discretionary | Specific | 3 | 1 Member (1 Conservative – Exec) |

Environment

| Organisation / Association | Type | Remunerated Post | Accountability / Appointing Body | Recommendation | Defining Strategic Importance | Scrutinising Scope of Development | Points | Members |
|----------------------------|-----------------------|------------------|--|----------------|-------------------------------|-----------------------------------|--------|--|
| Torbay Events Forum | Policy Strategy Group | No | <p>Links to the delivery of major events in Torbay</p> <p>Decision-maker Assistant Director Community and Customer Services/Mayor/Council</p> <p>Membership – the Mayor with all other members invited to attend</p> <p>Meets monthly at the Riviera International Conference Centre, Torquay.</p> | Continue | Local discretionary | Specific | 3 | <p>1 Member</p> <p>(1 Conservative - Mayor Oliver)</p> |

Adults

| Organisation / Association | Type | Remunerated Post | Accountability / Appointing Body | Recommendation | Defining Strategic Importance | Scrutinising Scope of Development | Points | Members |
|--|-----------------------|------------------|--|----------------|--|-----------------------------------|--------|--|
| Governance Board of the Torbay and Southern Devon Health and Care NHS Trust | Partnership | No | <p>Links to the delivery of the Torbay and Southern Devon Health and Care NHS Trust</p> <p>Note: This will be replaced by the Integrated Care Organisation (ICO) from August 2015 and the Mayor is responsible for appointing a representative on the ICO.</p> <p>Membership – the Executive Lead for Adults is appointed as a non-voting member – confirmed by Caroline Taylor in 2015</p> <p>Torbay and Southern Devon Health and Care NHS Trust Board</p> <p>Meets monthly in Torquay</p> | Continue | Local discretionary | Specific | 3 | <p>1 Member</p> <p>(1 Conservative – Exec)</p> |
| Learning Disability Partnership Board | Partnership | No | <p>Links to the delivery of learning disability services</p> <p>Decision-maker Mayor</p> <p>Membership – the Executive Lead for Adults – confirmed by Caroline Taylor in 2015</p> <p>Meets bi-monthly in Torbay.</p> | Continue | Non-statutory but national/regional body discretionary | Specific | 4 | <p>1 Member</p> <p>(1 Conservative – Exec)</p> |
| Local Safeguarding Adults Board | Policy Strategy Group | No | <p>Links to delivery of adults safeguarding</p> <p>Decision-maker Local Safeguarding Adults Board/Director of Adult Social Services/Mayor/Council</p> <p>Membership – the Executive Lead for Adults (this is set out in their Constitution) – confirmed by Local Safeguarding Adults Board in their survey response 2014 that representatives are all senior representatives from their organisation</p> <p>Meets quarterly in Paignton.</p> | Continue | Local discretionary | Specific | 3 | <p>1 Member</p> <p>(1 Conservative – Exec)</p> |

| General | | | | | | | | |
|---|--------------|------------------|--|----------------------|--|-----------------------------------|--------|---|
| Organisation / Association | Type | Remunerated Post | Accountability / Appointing Body | Recommendation | Defining Strategic Importance | Scrutinising Scope of Development | Points | Members |
| Devon Audit Partnership | Partnership | No | Links to delivery of the shared Devon Audit service Decision-maker Audit Committee/Council Membership – the Chairman and the Vice-Chairman of the Audit Committee (the agreement states two Members of the Council but the Council decided that this should be these two Members in light of their role) Meets three times a year in Exeter. | Continue | Local discretionary | Specific | 3 | 2 Members 1 Conservative 1 Liberal Democrat (set by who is Chair and Vice-Chair) |
| Local Government Association General Assembly | Outside Body | No | Membership – three members to reflect political balance to be nominated by the Group Leaders Meets annually in London. | Continue | Non-statutory but national/regional body discretionary | Specific | 4 | 3 Members 2 Conservative – Councillor D Thomas and Mayor Oliver 1 Liberal Democrat – Councillor Darling |
| PATROL (Parking and Traffic Regulations Outside London) Joint Committee | Outside Body | No | Membership – one member from the largest political group to be nominated by the Group Leader Meets annually in June in London. | Statutory – continue | Statutory | Specific | 6 | 1 Member 1 UK Independence Party (UKIP) – Councillor Parrott |
| South West Councils | Outside Body | No | Membership – one member – usually the Mayor or Leader of the largest political group – confirmed by South West Councils in their survey response 2014. The representative may also be invited to serve on the following groups: - Employers Panel - Resources and Management Committee Meets twice a year in Taunton or Exeter | Continue | Non-statutory but national/regional body discretionary | Specific | 4 | 1 Member (1 Conservative – Councillor Mills) |
| Torbay Community Development Trust | Partnership | No | Links to the delivery of partnership working between third sector, statutory and other relevant bodies for the benefit of the people of Torbay Decision-maker Torbay Community Development Trust/Mayor/Council Membership – three Members politically balanced nominated by the Group Leaders Meets quarterly at various voluntary sector premises across the bay | Continue | Local discretionary | Significant | 4 | 3 Members 2 Conservative – Councillors Excell and J Thomas 1 Liberal Democrat – Councillor Carter |

Outside Bodies (45)

No of Members

26 – 70%

7 – 19%

3 – 8%

1 – 3%

37

Conservative

Liberal Democrat

Independent Group

UKIP

OB number of seats per group

32

8

4

1

45

Agenda Item 13



Meeting: Council

Date: 1 June 2015

Wards Affected: All Wards in Torbay

Report Title: Calendar of Meetings for 2015/2016

Supporting Officer Contact Details: Kay Heywood, Telephone 207026, Email kay.heywood@torbay.gov.uk

1. Purpose

1.1 To seek approval for the calendar of meetings for the 2015/2016 Municipal Year.

2. Proposed Decision

2.1 That the calendar of meetings for 2015/2016, set out in Appendix 1 to the submitted report, be approved.

2.2 That meetings of the Employment Committee and Civic Committee be held on an ad-hoc basis, to be determined by the Governance Support Manager in consultation with the relevant Chairman/woman.

2.3 That the Priorities and Resources meetings be determined by the Governance Support Manager in consultation with the relevant Chairman/woman, after the Elections in May 2015.

3. Summary

3.1 The calendar of meetings for 2015/2016 (attached at Appendix 1) has been prepared based on the Council's decision-making structure and in accordance with the Council's Standing Orders.

Supporting Information

4. Position

- 4.1 Before the end of each Municipal Year the Council considers the provisional calendar of meetings for the following Municipal Year, which is then ratified at the Annual Council Meeting.

The following meetings have been scheduled in the calendar for 2015/2016.

- Council;
 - Development Management Committee;
 - Licensing Committee;
 - Licensing Sub-Committee;
 - Harbour Committee;
 - Health and Wellbeing Board
 - Standards Committee;
 - Audit Committee;
 - Appeals Committee (Transport);
 - Overview and Scrutiny Board;
 - Health Scrutiny Board;
- 4.2 The meetings of the Council have been programmed to allow sufficient reporting time between the meetings for the plans and strategies which are required to be approved through the Council's Policy Framework process and for the budget setting process.
- 4.3 The Annual Council meeting which was scheduled to take place on 26 May 2015 has been changed to 11.00 a.m. on 1 June 2015 to avoid the school half term holiday with the adjourned Annual Council meeting being held at 1.00 p.m. on 1 June 2015 with the civic dinner being held on Thursday, 4 June 2015.
- 4.4 Licensing Committed scheduled for 28 May 2015 has been moved to 4 June 2015 due to the change in date of Annual Council.
- 4.5 The Council meeting scheduled for 29 October 2015 has been moved to 22 October 2015. The Council meeting scheduled on 4 February 2016 has been moved to 3 February 2016 and as a result the Overview and Scrutiny Board scheduled for 3 February 2016 has been cancelled.
- 4.6 The Development Management Committee meeting on 8 February 2016 has been moved to 9 February 2016 due to deadlines for motions in relation to the budget.
- 4.7 To align with the reporting requirements of partners and stakeholders the Health and Wellbeing Board will meet on 18 June 2015, 8 October 2015, 3 December 2015 and 24 March 2016.
- 4.8 The calendar has also been structured to allow, wherever possible, for each type of meeting to be allocated a certain day e.g. Development Management Committee to meet on Mondays, Licensing Sub-Committees on Thursdays and Council on Thursdays.
- 4.9 Meetings of the Employment Committee and Civic Committee are proposed to be held on an ad hoc basis, to be determined by the Governance Support Manager in

consultation with the relevant Chairman/woman.

4.10 It is proposed that the Priorities and Resources meetings will be determined by the Governance Support Manager in consultation with the relevant Chairman, after the Elections in May 2015 to enable the Mayor and Administration to determine how they wish the budget meetings to be run.

4.11 The Health Scrutiny Board will be undertaking its work using Review Panel methodology with visits and informal meetings forming the basis of its work. The Health Scrutiny Liaison Group will continue to meet with the NHS Trusts during the course of the Year. Meetings of the Health Scrutiny Board will be arranged on an ad hoc basis, normally to discuss proposed changes in services. Due to the nature of service change, programmed meetings invariably do not meet the timetables required for such discussions and it is therefore more efficient for meetings to be arranged as required.

5. Possibilities and Options

5.1 Wherever possible the timings of meetings have been set in accordance with the needs of the Committee Members and the Public, for example the Licensing Sub-Committees convene at 9:30 a.m. which is suitable for those making representations. Timings are kept under constant review by the Governance Support Manager. There is a small risk that some people will still not be able to attend these meetings, however, in most cases where public participation is permitted, the Council will accept written representations to enable people to put their points of view across.

6. Preferred Solution/Option

6.1 Members may wish to set alternative dates for meetings. However, the meetings have been timetabled to allow sufficient time for the reporting of the plans and strategies which make up the Council's Policy Framework and the Council's budget setting process. A calendar of meetings is required under Standing Orders and facilitates the organisation of the Municipal Year.

7. Consultation

7.1 The Mayor, Group Leaders and the Executive Director have been consulted on the provisional calendar of meetings for 2015/2016.

8. Risks

8.1 Each Business Unit will be involved in preparing reports and officers will be required to present reports at meetings where appropriate.

Appendices

Appendix 1 Provisional Calendar of Meetings 2015/2016

Background Papers:

The following documents/files were used to compile this report:

Constitution of Torbay Council -

<http://www.torbay.gov.uk/DemocraticServices/ieListMeetings.aspx?CId=458&info=1>

SCHEDULE OF COUNCIL AND COMMITTEE MEETINGS

1 May 2015 - 31 May 2016

| | | MAY | JUN | JUL | AUG | SEP | OCT | NOV |
|----------------------------------|----------------------|-----|---|--------------------------|---------------------|---------------------|--------------------------|---------------|
| Appeals Committee (Transport) | 9.30 am Wednesday | | | | | 16 | 14 | 11 |
| Audit Committee | 2.00 pm Wednesday | | | 29 | | 23 | | |
| Council | 5.30 pm Thursday | | Annual Council 1 11 am (Mon) Adjourned Annual Council 1 1pm (Mon) | 23 | | 24 | 22 | |
| Development Management Committee | 2.00 pm Monday | 18 | 8 | 13 | 10 | 14 | 12 | 9 |
| Employment Committee | Ad Hoc | | 23 | | | | | |
| Harbour Committee | 5.30 pm Monday | | 15 | | | 21 | | |
| Health and Wellbeing Board | 3.00 pm Thursday | | 18 | 22 (Wed) | | | 8 | |
| Licensing Committee | 9.30 am Thursday | | 4 | | | | | 12 |
| Licensing Sub-Committee | 9.30 am Thursday | | 4 11 18 25 | 2 9 16 23 30 | 6 13 20 27 | 3 10 17 24 | 1 8 15 22 29 | 5 19 26 |
| Overview and Scrutiny Board | 5.30 pm Wednesday | | | 8 | | 9 | 14 | 25 |
| Standards Committee | 2.30 pm Wednesday | | 24 | | | | | 18 |

| DEC | JAN | FEB | MAR | APR | MAY |
|---------------------------|---------------------|---------------------|---------------------------|---------------------|---|
| 16 | 13 | 10 | 16 | 13 | |
| | 20 | | 23 | | |
| 10 | | 3 11 25 | | | Annual Council 10 (Tue) Ajournd Annual Council 11 (Wed) |
| 14 | 11 | 9 (Tue) | 14 | 11 | 9 |
| | | | | | |
| 21 | | | 21 | | |
| 3 | | 23 (Tue) | 24 | | |
| | | | | | |
| 3 10 17 24 31 | 7 14 21 28 | 4 11 18 25 | 3 10 17 24 31 | 7 14 21 28 | 5 12 19 |
| | 27 | 17 | | 27 | |
| | | 24 | | | |

Schedule 5 - Scheme of Delegation of Executive Functions to the Executive, Committees of the Executive and Officers

This report is presented to the meeting of Council on 1 June 2015 in accordance with Standing Order C4.2(a) for inclusion in the Council’s Scheme of Delegation (Schedule 5 to Part 3) of the Constitution of Torbay Council.

1. The names, addresses and wards of the people appointed to the Executive by the Mayor are set out below:

| Name | Address | Electoral Ward |
|---|--|---------------------------|
| Deputy Mayor and Executive Lead for Health and Wellbeing - Councillor Derek Mills | 5 Bascombe Close Churston Brixham TQ5 0JR | Churston with Galmpton |
| Executive Lead for Tourism, Culture and Harbours - Councillor Amil | Fat 6 22 Polsham Park Paignton TQ3 2AD | Cockington with Chelson |
| Executive Lead for Community Services - Councillor Robert Excell | Excell Studio 203 Union Street Torre Torquay TQ1 4BY | Tormohun |
| Executive Lead for Customer Services – Councillor David Morris | c/o Town Hall Castle Circus Torquay TQ1 3DR | Shiphay with the Willows |
| Executive Lead for Corporate Services – Councillor Andy Lang | c/o Town Hall Castle Circus Torquay TQ1 3DR | Tormohun |
| Executive Lead for Planning, Transport and Housing – Councillor Mark King | 5B Coburg Place Torquay TQ2 5SU | Cockington with Chelston |
| Executive Lead for Business – Councillor Richard Haddock | Churston Farm Shop Dartmouth Road Brixham TQ5 0LL | St Marys with Summercombe |
| Executive Lead for Adults – Councillor Julien Parrott | 51 Princes Road Torquay TQ1 1NW | Ellacombe |

2. The Mayor is responsible for the discharge of all executive functions (except as specified in paragraph 3. below). Executive Leads will have an advisory role in relation to the areas of responsibility set out below.

| Executive Lead | Portfolio: | Main Director/Executive Head/Lead Officer |
|--|---|---|
| Mayor Gordon Oliver Executive Lead for Finance, Regeneration and Children Page 216 | <p>Torbay Development Agency:</p> <ul style="list-style-type: none"> <input type="checkbox"/> Built Environment <input type="checkbox"/> Employment and Skills <input type="checkbox"/> Business support <input type="checkbox"/> Regeneration <input type="checkbox"/> Business Relocation, Creation and Growth (inc. social enterprise/apprenticeships) <input type="checkbox"/> Inward Investment <input type="checkbox"/> Property (assets) <input type="checkbox"/> Estates <p>Finance:</p> <ul style="list-style-type: none"> <input type="checkbox"/> Financial Services (including Capital and Revenue Budget and Budget Monitoring) <p>Children:</p> <ul style="list-style-type: none"> <input type="checkbox"/> Torbay Youth Trust <input type="checkbox"/> Torbay Public Service Trust <input type="checkbox"/> Improvement and Performance <input type="checkbox"/> Schools <input type="checkbox"/> Children’s and Young People | <ul style="list-style-type: none"> <input type="checkbox"/> Executive Director of Operations and Finance/Chief Executive Torbay Development Agency <input type="checkbox"/> Section 151 Officer <input type="checkbox"/> Director of Children’s Services <input type="checkbox"/> Director of Adult Social Care |

| Executive Lead | Portfolio: | Main Director/Executive Head/Lead Officer |
|--|---|--|
| Deputy Mayor and Executive Lead for Health and Wellbeing Councillor Derek Mills | <p>Public Health</p> <ul style="list-style-type: none"> <input type="checkbox"/> Public Health Commissioning Team <input type="checkbox"/> Community Development Trust <p>Special Projects</p> <ul style="list-style-type: none"> <input type="checkbox"/> Special projects and innovation <p>Safeguarding</p> <ul style="list-style-type: none"> <input type="checkbox"/> Children’s Safeguarding and Wellbeing | <ul style="list-style-type: none"> <input type="checkbox"/> Director of Public Health <input type="checkbox"/> Interim Director of Special Projects and Innovation <input type="checkbox"/> Assistant Director of Safeguarding |
| Executive Lead for Planning, Transport and Housing Councillor Mark King | <ul style="list-style-type: none"> <input type="checkbox"/> Building Control <input type="checkbox"/> Planning and Strategic Transport <input type="checkbox"/> Strategic Housing <input type="checkbox"/> Waste <input type="checkbox"/> TOR2 Commissioning | <ul style="list-style-type: none"> <input type="checkbox"/> Assistant Director of Community and Customer Services <input type="checkbox"/> Assistant Director of Corporate and Business Support <input type="checkbox"/> Director of Adults Social Care <input type="checkbox"/> Executive Head of Business Services |

| Executive Lead | Portfolio: | Main Director/Executive Head/Lead Officer |
|--|--|--|
| Executive Lead for Tourism, Culture and Harbours Councillor Nicole Amil | <input type="checkbox"/> Culture <input type="checkbox"/> Heritage <input type="checkbox"/> Events <input type="checkbox"/> Museums <input type="checkbox"/> Resort Services <input type="checkbox"/> Tourism <input type="checkbox"/> Harbours | <input type="checkbox"/> Assistant Director of Community and Customer Services <input type="checkbox"/> Executive Head of Business Services |
| Executive Lead for Community Services Councillor Robert Excell | <p>Community and Customer Services:</p> <input type="checkbox"/> Environmental Health and Community Safety <input type="checkbox"/> Highways and Street Scene <input type="checkbox"/> Sport | <input type="checkbox"/> Assistant Director of Community and Customer Services <input type="checkbox"/> Executive Head of Business Services |
| Executive Lead for Customer Services Councillor David Morris | <p>Customer Services:</p> <input type="checkbox"/> Customer Services <input type="checkbox"/> ICT <input type="checkbox"/> Corporate debt and creditor payments <input type="checkbox"/> Revenue and Benefits <input type="checkbox"/> Business Rates <input type="checkbox"/> Libraries | <input type="checkbox"/> Assistant Director of Community and Customer Services <input type="checkbox"/> Executive Head of Customer Services |

| Executive Lead | Portfolio: | Main Director/Executive Head/Lead Officer |
|---|--|--|
| Executive Lead for Corporate Services Councillor Andy Lang | Corporate and Business Services: <input type="checkbox"/> Business Development <input type="checkbox"/> Governance Support <input type="checkbox"/> Mayor’s Support Unit <input type="checkbox"/> Human Resources and Payroll <input type="checkbox"/> Legal and procurement | <input type="checkbox"/> Assistant Director of Corporate and Business Services |
| Executive Lead for Adults Councillor Julien Parrott | Adult Social Care: <input type="checkbox"/> Children and Adults Commissioning <input type="checkbox"/> Adult Partnership <input type="checkbox"/> Adult Social Care <input type="checkbox"/> NHS Advisory Service <input type="checkbox"/> Healthwatch | <input type="checkbox"/> Director of Adult Social Care |
| Executive Lead for Business Councillor Richard Haddock | Business Services: <input type="checkbox"/> Environment and Flooding <input type="checkbox"/> Joint Ventures and Arms Length Companies <input type="checkbox"/> Town Centres <input type="checkbox"/> Business Improvement Districts | <input type="checkbox"/> Assistant Director of Community and Customer Services <input type="checkbox"/> Assistant Director of Corporate and Business Services <input type="checkbox"/> Executive Head of Business Services |

3.
 - (i) The Deputy Mayor will be responsible for the discharge of all executive functions relating to the regeneration of the Castle Circus area of Torquay as the Mayor owns properties in this area and has a personal and prejudicial interest;
 - (ii) the Deputy Mayor will be responsible for the discharge of executive functions if the Mayor:
 - (a) is absent (e.g. on holiday) for a period of time or in cases of urgency where the Chief Operating Officer is satisfied that the Mayor cannot be reasonably contacted;
 - (b) is incapacitated through illness; or
 - (c) has a person prejudicial interest in any matter requiring determination.
 - (iii) If the Mayor or the Deputy Mayor (Councillor Derek Mills) are unable to act on a matter requiring a decision then the Executive Director of Operations and Finance shall have the power to determine any matter requiring a decision.
4. No executive committees have been appointed at the present time.
5. No executive functions have been delegated to area committees, any other authority or any joint arrangements at the present time.
6. The Mayor has also (so far as lawful) delegated to officers the discharge of those functions that are referred to in Schedule 7 and are executive functions in the manner set out in that Schedule, in accordance with (and subject to) the Council's Standing Orders in relation to the Executive.
7. So far as the Constitution requires officers to consult with "the relevant member", the areas of responsibility of the Executive Leads are as set out paragraph 2 above.