



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

27 February 2020

-: Present :-

The Worshipful The Mayor of Torbay (Councillor Douglas-Dunbar) (In the Chair)
Deputy Civic Mayor of Torbay (Councillor Manning)

Councillors Amil, Barrand, Barnby, Brooks, Brown, Bye, Carter, Cowell, Mandy Darling, Steve Darling, Dart, Doggett, Dudley, Ellery, Foster, Hill, Howgate, Kavanagh, Kennedy, Law, Barbara Lewis, Chris Lewis, Long, Loxton, Mills, Morey, O'Dwyer, Pentney, Stockman, Sykes, David Thomas, Jacqueline Thomas and John Thomas

115 Opening of meeting

The meeting was opened with a prayer.

116 Apologies for absence

Apologies for absence were received from Councillor Atiya-Alla.

117 Minutes

The Minutes of the meeting of the Council held on 6 February 2020 and the Minutes of the adjourned meeting of the Council held on 13 February 2020 were confirmed as a correct record and signed by the Worshipful the Mayor of Torbay.

118 Communications

Graham Parry and Chris Smith from the Groundwork Trust provided a presentation on the work the Trust undertakes supporting parks and gardens working locally and nationally to transform lives in the UK's most disadvantaged communities.

(Note: Councillor Barrand joined the meeting during the presentation).

The Leader of the Council advised members that he would be attending Great South West All Party Parliamentary Group meeting at the House of Commons on 3 March 2020. Councillor Steve Darling also informed members that he and Councillor Law had recently visited Leeds to gain a better understanding of promoting a child friendly approach.

The Overview and Scrutiny Co-ordinator updated members on the 5G conference hosted at Devon County Council and explained that a second meeting will be held

where experts will be present to give advice on the roll out of 5G and associated risks.

119 Members' questions

Members received a paper detailing a question, notice of which had been given in accordance with Standing Order A13. The paper also contained the answer to the question which had been prepared by Councillor Steve Darling and was circulated prior to the meeting.

120 Notice of motion - Torbay Coast and Countryside Trust

The Worshipful the Mayor of Torbay announced that, in accordance with Standing Order A13.2(c), Councillors David Thomas and Chris Lewis had given notification that they wished to withdraw this motion.

121 Council Tax 2020/2021

The Council received the submitted report in relation to the setting of Council Tax for 2020/21.

In accordance with legislation, the Worshipful the Mayor of Torbay advised recorded votes would be taken on the motion.

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

that the Council is recommended to note:

- (i) on the 9th January 2020 Council approved the following Council Tax Bases for 2020/21:-**
 - a) for the whole Council area as 46,274.88, [Item T in the formula in Section 31B of the Local Government Finance Act 1992, as amended (the "Act")]; and**
 - b) for dwellings in the Brixham Town Council area as 6,261.12 to which a Parish precept relates; and**
- (ii) that the Police and Crime Commissioner for Devon and Cornwall, and the Devon and Somerset Fire and Rescue Authority have issued precepts to the Council in accordance with Section 40 of the Local Government Finance Act 1992 for each category of dwellings in the Council's area as indicated in the table in paragraph (v) below; and**

That the Council is recommended to approve:

- (iii) the Council Tax requirement for the Council's own purposes for 2020/21 (excluding Brixham Town Council) of £72,328,000;**

- (iv) that the following amounts be calculated for the year 2020/21 in accordance with Chapter Three of the Act:
- a) £317,420,006 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(2) of the Act taking into account the precept issued to it by Brixham Town Council;
 - b) (£244,737,000) being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(3) of the Act;
 - c) £72,683,006 being the amount by which the aggregate at (iv)(a) above exceeds the aggregate at (iv)(b) above, calculated by the Council in accordance with Section 31A(4) of the Act as its Council Tax Requirement for the year (item R in the formula in Section 31B of the Act);
 - d) £1,570.68 being the amount at (iv)(c) above (Item R), all divided by Item T ((i)(a) above), calculated by the Council, in accordance with Section 31B of the Act, as the basic amount of its Council Tax for the year (including Parish precepts);
 - e) £355,006 being the aggregate amount of all special items (Brixham Town Council) referred to in Section 34(1) of the Act; and
 - f) £1,563.01 being the amount at (iv)(d) above less the result given by dividing the amount at (iv)(e) above by Item T ((i)(a) above), calculated by the Council, in accordance with Section 34(2) of the Act, as the basic amount of its Council Tax for the year for dwellings in those parts of its area to which no Parish precept relates.
- (v) that the Council, in accordance with Chapter Three of the Local Government Finance Act 1992, hereby sets the aggregate amounts shown in the tables below as the amounts of Council Tax for 2020/21 for each part of its area and for each of the categories of dwellings.

	Valuation Band							
	A	B	C	D	E	F	G	H
Ratio of each band to Band D	6/9	7/9	8/9	9/9	11/9	13/9	15/9	18/9
	£	£	£	£	£	£	£	£
Torbay Council	1,042.00	1,215.67	1,389.34	1,563.01	1,910.35	2,257.68	2,605.01	3,126.02
Police and	147.76	172.39	197.01	221.64	270.89	320.15		443.28

Crime Commissioner							369.40	
Devon and Somerset Fire and Rescue Authority	58.83	68.63	78.44	88.24	107.85	127.46	147.07	176.48
Aggregate of Council Tax Requirements ex. Town Council	1,248.59	1,456.69	1,664.79	1,872.89	2,289.09	2,705.29	3,121.48	3,745.78
Brixham Town Council	37.80	44.10	50.40	56.70	69.30	81.90	94.50	113.40
Aggregate of Council Tax Requirements including Brixham Town Council	1,286.39	1,500.79	1,715.19	1,929.59	2,358.39	2,787.19	3,215.98	3,859.18

Note: Torbay Council's precept includes the Adult Social Care "precept" set in 2016/17 to 2018/19 and 2020/21.

- (vi) that the Council's basic amount of Council Tax for 2020/21 is not excessive in accordance with principles approved under Section 52ZB Local Government Finance Act 1992 (as set out in paragraph 5.9 of the submitted report).

The voting was taken by roll call as follows: For: Councillors Amil, Brown, Carter, Cowell, Mandy Darling, Steve Darling, Dart, Douglas-Dunbar, Doggett, Dudley, Ellery, Howgate, Law, Long, Loxton, Manning, Morey, Pentney, Stockman (19), Against: Councillors Barnby, Barrand, Brooks, Bye, Foster, Hill, Kavanagh, Kennedy, Barbara Lewis, Chris Lewis, Mills, O'Dwyer, Sykes, David Thomas, Jacqueline Thomas and John Thomas (16); and Absent: Councillor Atiya-Alla (1).

122 Extension to existing Annual Strategic Agreement between Torbay Council, South Devon and Torbay Clinical Commissioning Group and Torbay and South Devon NHS Foundation Trust

Members considered the submitted report on a request to extend the existing Annual Strategy Agreement between Torbay Council, South Devon and Torbay Clinical Commissioning Group (the CCG) and the Torbay and South Devon NHS Foundation Trust (the Trust), to enable the production of an Adults Social Care Development and Delivery Plan. The Annual Strategic Agreement set out how the Council and the CCG commission services from the Trust.

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

- that the existing Annual Strategic Agreement between Torbay Council, Devon Clinical Commissioning Group and Torbay and South Devon NHS Foundation Trust be extended until May 2020.

123 One Torbay: Working for all Torbay - Community and Corporate Plan

The Council considered the Cabinet's recommendations on a Community and Corporate Plan (as set out the in submitted report). The Plan set out the ambitions and visions of the Council over the remainder of the current term of office and the principles within which the Council will operate.

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

- (i) that "One Torbay: Working for all Torbay" be approved as a Policy Framework document of the Council; and**
- (ii) that the list of Policy Framework documents in the Constitution be updated to change the name to 'Community and Corporate Plan.'**

124 Housing Strategy

The Council received the proposed new Housing Strategy for Torbay as recommended by the Cabinet and set out in the submitted report. It was noted the Housing Strategy set out the Cabinet's plans toward meeting its priority of improving the delivery, affordability and quality of housing in Torbay.

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

- (i) that, Council approve the Housing Strategy 2020 ~ 2025, attached as Appendix 1 to the submitted report, and recommend that the Director of Place be instructed to work with housing partners to develop a Housing Strategy Delivery Plan for approval by Cabinet no later than 30th April 2020; and**
- (ii) that authority is delegated to the Director of Place in consultation with the Cabinet Member for Economic Regeneration, Tourism and Housing, to make any final minor/technical amendments to the Housing Strategy document, as necessary, including the final layout.**

125 Torre Abbey Restoration Project - Phase 3 National Heritage Lottery Fund Bid

Members considered proposals of the Cabinet for the re-submission of a Phase 2 Round 1 bid to the National Heritage Lottery Fund (NHLF) in respect of the Torre Abbey Restoration Programme (as set out in the submitted report).

Councillor Morey proposed and Councillor Long seconded a motion, which was agreed (by recorded vote) as set out below:

- (i) that the Director of Place be authorised to submit a National Heritage Lottery Fund (Round 1) application for £4.875 million for Phase 3 of the Torre Abbey Restoration Programme as described in the submitted report; and
- (ii) that Council agrees to borrow up to £1.7 million to provide the financial commitment outlined in this report and underwrite any possible shortfall in the third party matched funding element of the package.

The voting was taken by roll call as follows: For: Councillors Amil, Barnby, Brooks, Brown, Bye, Carter, Cowell, Mandy Darling, Steve Darling, Dart, Douglas-Dunbar, Doggett, Dudley, Ellery, Foster, Howgate, Kennedy, Law, Long, Loxton, Manning, Mills, Morey, Pentney, Stockman, Sykes and John Thomas (27); Against: Councillors Hill, Kavanagh, Barbara Lewis, Chris Lewis, David Thomas, Jacqueline Thomas (6); and Absent: Councillors Atiya-Alla, Barrand and O'Dwyer (3).

(Note: Prior to the vote on this matter Councillors Barrand and O'Dwyer left the meeting.)

126 Torbay Council Annual Pay Policy Statement including Gender Pay Gap Report and Review of Pensions Discretions

The Council considered the submitted report setting out the Council's Annual Pay Policy Statement, as required under Section 38(1) of the Localism Act 2011. 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. In addition, the report set out details of the Council's gender pay gap data as required by the Equality Act 2010 (Specific Duties and Public Authorities) Regulations.

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

- (i) that the Torbay Council Annual Pay Policy Statement 2020/21 as set out in Appendix 1 to the submitted report be approved for publication;
- (ii) that the Torbay Council Gender Pay Gap Report, contained within the Annual Pay Policy Statement 2020/21 in Appendix 1 to the submitted report be approved for publication; and
- (iii) that the Employers Pensions Discretions set out in Appendix 2 to the submitted report be approved for publication.

127 Statutory Officer Appointment

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

that Nancy Meehan be appointed as the Council's statutory Director of Children's Services with effect from 27 February 2020.

128 Cabinet Recommendation - Investment Opportunity

The Worshipful the Mayor of Torbay advised that there were no recommendations from the Cabinet and therefore this item was withdrawn from the agenda.

The Worshipful The Mayor of Torbay
