

## **OVERVIEW AND SCRUTINY BOARD**

A meeting of **Overview and Scrutiny Board** will be held on

**Tuesday, 3 July 2012**

commencing at **5.30 pm**

The meeting will be held in the Meadfoot Room, Town Hall, Castle Circus,  
Torquay, TQ1 3DR

### **Members of the Committee**

Councillor Thomas (J) (Chairman)

Councillor Barnby  
Councillor Bent  
Councillor Darling (Vice-Chair)  
Councillor Hill

Councillor Kingscote  
Councillor Pentney  
Councillor Stockman  
Councillor Pountney

### **Co-opted Members of the Board**

Penny Burnside, Diocese of Exeter

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**Working for a healthy, prosperous and happy Bay**

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For information relating to this meeting or to request a copy in another format or language please contact:

**Kate Spencer, Town Hall, Castle Circus, Torquay, TQ1 3DR**  
**01803 207014**

Email: [scrutiny@torbay.gov.uk](mailto:scrutiny@torbay.gov.uk)

# OVERVIEW AND SCRUTINY BOARD AGENDA

## 1. Apologies

To receive apologies for absence, including notifications of any changes to the membership of the Committee.

## 2. Minutes

To confirm as a correct record the minutes of the meetings of the Board held on 20 June 2012.

(Pages 1 - 3)

## 3. Declarations of Interest

(a) To receive declarations of personal interests in respect of items on this agenda.

**For reference:** Having declared their personal interest members and officers may remain in the meeting and speak (and, in the case of Members, vote on the matter in question). If the Member's interest only arises because they have been appointed to an outside body by the Council (or if the interest is as a member of another public body) then the interest need only be declared if the Member wishes to speak and/or vote on the matter. A completed disclosure of interests form should be returned to the Clerk before the conclusion of the meeting.

(b) To receive declarations of personal prejudicial interests in respect of items on this agenda.

**For reference:** A Member with a personal interest also has a prejudicial interest in that matter if a member of the public (with knowledge of the relevant facts) would reasonably regard the interest as so significant that it is likely to influence their judgement of the public interest. Where a Member has a personal prejudicial interest he/she must leave the meeting during consideration of the item. However, the Member may remain in the meeting to make representations, answer questions or give evidence if the public have a right to do so, but having done so the Member must then immediately leave the meeting, may not vote and must not improperly seek to influence the outcome of the matter. A completed disclosure of interests form should be returned to the Clerk before the conclusion of the meeting.

**(Please Note:** If Members and Officers wish to seek advice on any potential interests they may have, they should contact Democratic Services or Legal Services prior to the meeting.)

## 4. Urgent Items

To consider any other items that the Chairman decides are urgent.

**5. Anti-Social Behaviour and the Private Rented Housing Sector - Mayoral Decision** (Pages 4 - 31)

The above decision was called-in by Councillors Darling, Parrott, Pentney, Pountney and Cowell on 21 June 2012.

The reasons for the call-in are:

- 1) Members ask why it is that the Mayor's decision does not include any evidence as to how he came to that decision. The Overview and Scrutiny Board review panel took considerable care to receive evidence from both the residents of Torbay, and officers of the partner authorities charged with these matters. Did the Mayor take similar soundings before arriving at his decision?
- 2) Regarding refs 1, 2, 4 and 6 of the Mayor's decision, Members ask for clarification as to why an issue that causes suffering for many of thousands of Torbay residents is seen by him to be a simple matter for the police to deal with. Surely the Council has very great responsibilities to the residents and tax payers who are suffering either directly or indirectly from the consequences of poorly managed private rented accommodation, and wider anti-social behaviour? Members challenge the Mayor's approach whereby he seems to wash his hands of an issue that the panel's report demonstrates is an issue that needs addressing as a matter of urgency.
- 3) Regarding ref 4, the review panel took care to ask expert officers to provide a business case for fast-tracked targeted enforcement to be implemented within the current financial year. This would bring relief to many residents whose lives are blighted by the problems addressed in the report. Why has the Mayor chosen to turn his back on that suffering, by totally ignoring the business case? What work of his own supports his decision to brush aside the advice of Members of all parties represented on the Council?

**Supporting Documents**

Record of Decision

Issues Paper presented to the Adjourned Annual Meeting of the Council

Report of the Review Panel