



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

18 December 2018

-: Present :-

**Chairman of the Council (Councillor Doggett) (In the Chair)
Vice-Chairwoman of the Council (Councillor Barnby)**

Councillors Amil, Brooks, Carter, Darling (S), Ellery, Excell, Haddock, Kingscote, Lewis (B), Lewis (C), Long, Manning, Mills, Morey, O'Dwyer, Parrott, Robson, Stockman, Stocks, Stubley, Sykes, Thomas (D), Thomas (J), Tolchard and Tyerman

139 Apologies for absence

Apologies for absence were received from Elected Mayor Oliver and Councillors Bent, Bye, Darling (M), Hill, King, Morris, Pentney, Sanders and Winfield.

140 Declarations of pecuniary and non-pecuniary interests

Councillor Haddock declared a pecuniary interest in respect of Minute 142; and Councillor Tyerman declared a non-pecuniary interest in respect of Minute 142 as a Director and Trustee of Torbay Coast and Countryside Trust and Minute 144 as a Council appointed Director of Torbay Economic Development Company Ltd.

141 Order of Business

In accordance with Standing Order A7.2 in relation to Council meetings, the order of business was varied to enable Item 5 on the agenda (Land at Little Blagdon Farm, Collaton St Mary and Land at Preston Down Road) to be considered before Item 4 (Exclusion of the Press and Public).

142 Land at Little Blagdon Farm, Collaton St Mary and Land at Preston Down Road, Paignton

Further to the decision of the Council on 18 October 2018 in respect of the acquisition of the leasehold interests from the Torbay Coast and Countryside Trust (TCCT) for land at Little Blagdon Farm, Collaton St Mary and Preston Down Road, Paignton, Members considered the submitted report on the outcome of the negotiations with TCCT for the surrender of the land. It was noted the Chief Executive had consulted the Elected Mayor and Group Leaders in exercising his delegated powers to agree head of terms with TCCT reflecting the negotiations, and as part of the consultation process the Elected Mayor formally requested that

the Chief Executive did not exercise his delegated authority and the matter be referred back to Full Council.

Councillor Thomas (D) proposed and Councillor Ellery seconded a motion as set out below:

that the Heads of Terms (as set out in Exempt Appendix 1 to the submitted Report) for the surrender of the land at Little Blagdon Farm, Collaton St Mary and Land at Preston Down Road, Paignton entered into by the Council and Torbay Coast and Countryside Trust (TCCT).

During the debate Councillor O'Dwyer proposed and Councillor Lewis (C) seconded an amendment to the motion as follows:

(ii) that this Council has no confidence in the Elected Mayor.

The amendment was put to the vote and declared carried.

(Note: Councillors Amil, Ellery, Excell, Manning, Mills, Parrott and Stocks required their vote against the amendment above to be recorded.)

During the debate, Councillor Darling (S) and Councillor Stockman seconded the following motion to exclude the press and public from the meeting, which was agreed by the Council:

that the press and public be excluded from the meeting at this stage in the debate on this item on the grounds that exempt information (as defined in paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972 (as amended) is likely to be disclosed.

During the exempt element of the debate, Councillor Lewis (C) proposed and Councillor Sykes seconded a further amendment, as set out below:

that the words '(ii) that this Council has no confidence in the Elected Mayor' be deleted.

Following the exempt element of the debate, the Chairman reverted the meeting back into public session and public were invited back to the meeting. The Chairman then took the vote on the amendment above and it was declared carried.

During the debate, Councillor Stockman and Councillor Long seconded the following motion to exclude the press and public from the meeting, which was agreed by the Council:

that the press and public be excluded from the meeting at this stage in the debate on this item on the grounds that exempt information (as defined in paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972 (as amended) is likely to be disclosed.

Following the exempt element of the debate, the Chairman reverted the meeting back into public session and public were invited back to the meeting.

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

that the Heads of Terms (as set out in Exempt Appendix 1 to the submitted Report) for the surrender of the land at Little Blagdon Farm, Collaton St Mary and Land at Preston Down Road, Paignton be entered into by the Council and Torbay Coast and Countryside Trust (TCCT).

(Note: Councillors Mills and Parrott required their vote against the substantive motion to be recorded; and Councillor Excell required his abstention from voting on the substantive motion to be recorded.)

(Note: Prior to consideration of Minute 142, Councillor Haddock declared his pecuniary interest and withdrew from the meeting.)

143 Exclusion of the Press and Public

Councillor Thomas (D) proposed and Councillor Sykes seconded the motion, which was agreed by the Council, as set out below:

that the press and public be excluded from the meeting prior to consideration of the following item on the agenda on the grounds that exempt information (as defined in paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972 (as amended) is likely to be disclosed.

Prior to consideration of the item in Minute 144 the press and public were formally excluded from the meeting.

144 Investment and Regeneration Committee Recommendation - Regeneration Investment Opportunity

The Council considered the recommendations of the Investment and Regeneration Committee on a regeneration investment opportunity. Members received details of the proposals as set out in the exempt report circulated prior to the meeting.

The decision of the Council is restricted due to exempt information contained within the decision.

(Note: Prior to consideration of Minute 144, Councillors Excell, Tolchard and Sykes left the meeting.)

Chairman