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Thursday, 21 May 2015

Adjourned Meeting of the Annual Council

Dear Member

I am pleased to invite you to attend an adjourned meeting of Torbay Annual Council which will be held in **Rosetor Room, Riviera International Conference Centre, Chestnut Avenue, Torquay, TQ2 5LZ** on **Monday, 1 June 2015** commencing at **1.00 pm**

The items to be discussed at this meeting are attached.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Steve Parrock'.

Steve Parrock
Executive Director of Finance and Operations

(All members are summoned to attend the meeting of the Council in accordance with the requirements of the Local Government Act 1972 and Standing Orders A5.)

Working for a healthy, prosperous and happy Bay

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

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www.torbay.gov.uk

Adjourned Meeting of the Annual Council Agenda

1. Apologies for absence

2. Declarations of interests

- (a) To receive declarations of non pecuniary interests in respect of items on this agenda

For reference: Having declared their non pecuniary interest members may remain in the meeting and speak and, vote on the matter in question. A completed disclosure of interests form should be returned to the Clerk before the conclusion of the meeting.

- (b) To receive declarations of disclosable pecuniary interests in respect of items on this agenda

For reference: Where a Member has a disclosable pecuniary 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 Governance Support or Legal Services prior to the meeting.)

3. Communications

To receive any communications or announcements from the Chairman, the Mayor, or the Executive Director of Operations and Finance.

4. Members' question - Oldway Mansion Contract

(Page 1)

To respond to the submitted questions asked under Standing Order A13.

5. Torquay and Paignton Masterplans Supplementary Planning Documents

(Pages 2 - 9)

To consider the submitted report setting out the above Supplementary Planning Documents.

6. Local Validation List for Planning Applications

(Pages 10 - 120)

To consider the submitted report on the above.

7. Loan to Torbay Coast and Countryside Trust (TCCT)

(Pages 121 - 124)

To consider the submitted report on the above.

8. **Commercial Team Service Plan - Community Safety (incorporating the Statutory Service Plans for Food Safety and the Council's Under Age Sales Policy for Tobacco Products and Other Age Restricted Goods)** (Pages 125 - 176)
To consider the attached report on the above.
9. **Torbay Retail and Tourism Business Improvement District for Torbay** (To Follow)
To consider the submitted report on the Torbay Retail and Tourism Business Improvement District for Torbay.
10. **Overview and Scrutiny Annual Report** (Pages 177 - 180)
To consider the Annual Report of the Council's Overview and Scrutiny Board.
11. **Review of Political Balance and Appointments to Committees and Other Bodies** (To Follow)
To consider the attached report on the review of political balance and appointments to committees for 2015/2016 and other bodies for 2015 to 2019.
12. **Appointment of Overview and Scrutiny Co-ordinator and Scrutiny Leads**
To consider appointing:
- (a) the Overview and Scrutiny Co-ordinator for 2015/2016; and
 - (b) the following Scrutiny Lead Members for 2015/2016:
 - Scrutiny Lead for Joint Commissioning – Children and Adults;
 - Scrutiny Lead for Joint Commissioning – Health and Wellbeing and Public Health; and
 - Scrutiny Lead for Joint Operations.
- (Note: Executive Leads shall not be appointed as the Overview and Scrutiny Co-ordinator or Scrutiny Lead Members.)
13. **Calendar of Meetings 2015/2016** (To Follow)
To seek approval for the calendar of meetings for the 2015/2016 Municipal Year.
14. **Scheme of Delegation for Council Functions**
To agree the scheme of delegation for Council functions, as set out in Part 3 of the Constitution in so far as they relate to Council functions.

The Constitution can be viewed on the Council's website using the following link [Constitution](#).

15. Composition and Constitution of the Executive and Delegation of Functions (To Follow)

To receive details on the composition and constitution of the Mayor's Executive for 2015/2016, together with the record of delegations of Executive functions.

Note

An audio recording of this meeting will normally be available at www.torbay.gov.uk within 48 hours.

Agenda Item 4

Meeting of the Council

Monday, 1 June 2015

Questions Under Standing Order A13

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| Question (1) by Councillor Doggett to the Mayor (Mayor Oliver) | In previous Full Councils I have demanded legal action be taken against the developer of Oldway due to breaking of contractual arrangements. Now that the Council have started these proceedings can you assure me that the council will start to consult with the people of Paignton about what they would like to see done with this much loved building and its grounds? |
|---|---|

Agenda Item 5



Meeting: Council

Date: 1 June 2015

Wards Affected: All Wards

Report Title: Torquay and Paignton Town Centre Masterplans - Supplementary Planning Documents

Supporting Officer Contact Details: Andrew Gunther, Senior Planning and Public Health Officer andrew.gunther@torbay.gov.uk

1. Purpose and Introduction

- 1.1 Members are asked to agree that two masterplans, which promote regeneration and growth in Torquay and Paignton town centres, should be adopted as Supplementary Planning Documents (SPD). This will give them statutory weight in the planning process for the purposes of guiding development and promoting investment within these areas.
- 1.2 Members are also asked to agree the establishment of a delivery team to market, promote and deliver masterplan projects.
- 1.3 The regeneration and success of Torbay's town centres is arguably the single most important economic outcome to be achieved in the Bay. There has already been significant progress: new investment in harbour facilities; new hotels, apartments and retail facilities; investment in transport improvements; new work hubs. However, there is also concern about the slow pace of change and stalling of key projects.
- 1.4 The new Torbay Local Plan and Economic Strategy recognize the vital economic role of town centres and the fact that they are, literally and metaphorically, the shop windows of the Bay. The strategies identify town centres as the focus for urban renewal and new development. They promote an ambitious approach to new jobs and homes in town centres, increasing footfall and spend, and increasing visitor numbers and over-night stays. The new Torbay Local Plan, which has been agreed by Members (July 2014) commits the Council to producing Masterplans to support regeneration of the two town centres.
- 1.5 The Torquay Town Centre Masterplan focuses on enhancement of the Harbour area, as the jewel in Torquay's crown; improving and refocusing the retail offer; providing a wider mix of town centre uses, including office space, residential units and event space. Key sites for regeneration and renewal include the town hall car park (retail and/or mixed use), Temperance Street (comprehensive redevelopment for mixed use), Pimlico, Market Street and sites around the Harbour. These projects are designed to complement and integrate with a holistic strategy for the town centre environment, integrated with public realm improvements such as the reversal of traffic through Torre, a redesigned GPO roundabout, improvements to

the Harbour environment (including the Strand) and the reinvigoration of Upton Park.

- 1.6 The Paignton Town Centre Masterplan focuses primarily on Paignton's tourism offer, but also on development sites that will act as a catalyst for the delivery of wider change and renewal in Paignton. The masterplan also suggests traffic flow reversal, better walking links across the town centre and public space improvements. Key sites and areas for investment include the Victoria Centre (mixed-use including retail, residential, offices and a re-located cinema), Crossways (a quality mixed-use scheme responding to wider changes to public spaces and the traffic network), Palace Avenue, Winner Street, the Harbour and Torbay Road.
- 1.7 These masterplans have been the subject of extensive community engagement. Some events have been run by the community themselves. There is strong community and business support for the masterplan proposals and projects.

2. Proposed Decision

- 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.

3. Reasons for Decision

- 3.1 Adoption of the masterplans as Supplementary Planning Documents (SPD) will give them formal weight as local planning policy documents for the purposes of decision-making in the development management process. It will provide a clear signal of intent and market certainty to investors, local partners, landowners and developers regarding the nature of development and key interventions required across key sites and public spaces to act as a catalyst for regeneration in Torquay and Paignton town centres.
- 3.2 The establishment of a delivery team also underlines the Council's and Torbay Development Agency (TDC) commitment to delivery of the masterplan, which will attract further interest and investment.
- 3.3 The masterplans can be adopted on the back of the current Local Plan, in advance of the adoption of the new Local Plan. They can also add valuable detail and evidence to Neighbourhood Plans. They have already been used to support the production of the new Local Plan and to help the Council defend its decisions on planning applications, such as the Tesco, Edginswell proposal. Adoption of the masterplans as SPD will add much more weight to the masterplans and ensure they can be better used to secure the outcomes the Council and TDC want, as well as defend decisions on developments that the Council does not want to see coming forward.

Supporting Information

4. Position

- 4.1 Masterplanning is a well-developed and recognised process of town planning and regeneration. It addresses the multi-faceted aspects that make places successful. Commonly, masterplans will seek to address: how development can influence the quality of buildings, spaces and their management; the way in which these come together to create unique places; the existing built form in relation to history; culture and landscape; the engagement of local people in defining and being involved in a process of change; the economic and financial realities; and the role of different actors (landowners, developers and agencies) in delivering investment and change.
- 4.2 Masterplanning is only required where the scale of development is significant and complex. In February 2014, the Council commissioned four masterplans to be produced for Torquay Town Centre, Torquay Gateway (Edginswell), Paignton Town Centre and Collaton St. Mary. These areas are identified in the new Local Plan to support significant investment in the future, supporting new homes, jobs and infrastructure. In order to give the completed masterplans statutory, legal weight in the planning system they must, under the Planning & Compulsory Purchase Act 2004, be adopted by the Council as Supplementary Planning Documents.
- 4.3 The masterplans for Torquay and Paignton have addressed the issues set out in para 4.1 above and now set a clear and positive framework for detailed design of a development area or large site, bridging the gap between planning / economic policy and development proposals (i.e. planning applications). They help illustrate and define what successful, sustainable development looks like for Torquay and Paignton town centres. The masterplans can be found on <http://www.torbay.gov.uk/masterplans>.
- 4.4 Supplementary Planning Documents build upon and provide more detailed advice and guidance on the policies in a local planning authority's **adopted** Local Plan. Torbay Council has a number of SPDs currently in place covering a variety of matters such as the local approach to achieving quality urban design; planning contributions and affordable housing (under review); and the greenspace strategy. These documents provide a clear indication to applicants on how to make successful planning applications, as well as helping to provide clarity and certainty in the development process. SPDs must be produced in accordance with the Town and Country Planning Regulations 2012.
- 4.5 The Torquay Town Centre and Paignton Town Centre Masterplans, whilst being fully compliant and informing the new Local Plan, are capable of being adopted on the back of the current adopted Local Plan as they deal with developmental change in the existing town centres that has already been agreed in principle. Once the new Local Plan replaces the current Local Plan, the Town Centre Masterplan SPDs would simply be carried forward, sitting within the framework of the new Local Plan rather than the existing Local Plan. To support and gain momentum for town centre regeneration in Torquay and Paignton it is considered desirable to adopt these documents and give them formal weight at the earliest opportunity.
- 4.6 The masterplans for Torquay Gateway and Collaton St. Mary have also been completed. However, they relate to land that is not allocated in the existing adopted Local Plan, but relate to land allocated / Future Growth Areas in the

emerging new Local Plan. Consequently they cannot be legally adopted until the new Local Plan (2012-2032), which is currently undergoing Examination, is adopted. This is because Supplementary Planning Documents must expand and build upon the policies contained within an adopted Local Plan.

- 4.7 A Tor Bay Ports Masterplan has also been produced and endorsed by the Council. The projects and proposals in the Ports Masterplan are reflected and supported in the Torquay and Paignton town centre masterplans. Officers are exploring ways in which the Ports Masterplan can also be adopted as SPD, to give it 'teeth' in the planning process.

5. Preparation of the masterplans

- 5.1 The masterplans were commissioned in February 2014, using two sets of consultant teams. Both sets of consultant teams collaborated to ensure the masterplans are joined-up.
- 5.2 Each masterplan was project managed by officers from the Council's Spatial Planning service and the Torbay Development Agency. The Council's Regeneration Group, with cross-party Councillor membership, acted as a sounding board for the work and all members have been involved in briefings.
- 5.3 The masterplans have been produced in a collaborative, bottom up way - with particular emphasis on community engagement to ensure that the detail in the masterplans would have broad community support and ownership. This 'bottom-up approach' to public participation during the production phases, alongside a reflection of the community's aspirations in each masterplan, has led to a high level of support for each masterplan by community and business groups.
- 5.4 Council members were also actively engaged, many helping to champion and support the detailed work with communities that was undertaken. A comprehensive and detailed community engagement process was carried out in Torquay and Paignton to inform the production of each masterplan, including a formal four week consultation during October and November 2014 in line with the Town and Country Planning Regulations 2012. Full details are available within the respective Public Participation Statements for each masterplan, which can be found on the Council's website: www.torbay.gov.uk/masterplans.
- 5.5 Both town centre masterplans provide an illustrated plan for the town centres, driven by considerations of where both town centres should position themselves as tourism, retail and commercial destinations, as well as identifying the critical delivery mechanisms required to achieve this. Certain key sites have been studied in more detail and the masterplans illustrate the potential for new, exciting and beneficial development of these sites.
- 5.6 The delivery of these key projects will help make the town centres successful in their own right and help Torbay compete as a 21st Century resort of distinction. They will provide for a balanced and vibrant community and help the towns become the 'economic engines' for the wider area as they take on key roles, moving the economy towards high value, higher skilled employment and a higher value tourism offer.

5.7 The masterplans were informed by a detailed evidence base that underpins the new Local Plan and the Torbay Economic Strategy, including the need to have high regard to environmental issues and sustainability. Some projects are ambitious, as expected and required by the Council, but are underpinned by what is deliverable in the short, medium and long-term.

6. Establishing a delivery team

6.1 The issues that prompted the commissioning of the plans continue to apply, namely the identified need for change in the town centres, the requirement for additional employment space, new homes and infrastructure. The imminent opening of the South Devon Link Road, the beginnings of a market recovery, the level of interest in Torbay by major investors and the Local Enterprise Partnership's / devolution agenda are additional factors in determining that proactive leadership of masterplan delivery is required.

6.2 Without sustained, proactive and positive leadership these issues will become a critical risk not only to the Council's Economic Strategy and Local Plan but also to its wider aspirations around the prosperity of Torbay. One consequence of this is likely to be a sustained upward pressure on the Council's services which are already under acute pressure following the austerity measures imposed on local government. Sustained economic and housing growth, coupled with investment in infrastructure and workforce skills development, are essential to reduce the fiscal pressure on the Council.

6.3 There is, as such, a compelling case for the Council to use its powers and capacity to shape the market and establish a masterplan delivery team for the Torquay Town Centre and Paignton Town Centre.

6.4 In supporting the establishment of a delivery team the Council:

- gives a mandate for at least the next 4 years for the Torbay , working in partnership with the Council, to lead delivery of the masterplans for the Council on the basis of the TDA's role on economic growth and inward investment;
- enables the TDA, working in partnership with the Council, to identify and progress suitable projects subject to further decisions, if required, for example on the funding of certain projects or initiatives;
- will provide sufficient funding to support the work of the team, covering marketing and site promotion activity;
- agrees that the private sector is much less likely to respond to masterplan proposals and deliver the desired benefits without active engagement from Torbay Council and the TDA;
- agrees that the delivery team will also seek to resolve outstanding issues with Great Parks, where a masterplan has also been produced with community support, and support delivery of a local centre and new homes;
- agrees that the delivery team will support and co-ordinate further work, as necessary, related to the Torquay Gateway and Collaton St. Mary areas in advance of and supporting the future adoption of those masterplans. This might include securing funding for infrastructure delivery and land owner agreements.

- 6.5 The delivery team will comprise, as a minimum:
- Planning support (1 FTE)
 - Development surveyor (1 FTE)
 - Administration (0.25/0.5 FTE)
 - Support would also be provided by TDA's estates, engineering and economy teams.
- 6.6 The delivery team's work, including marketing and site promotional activities, will be funded by the monies remaining in the masterplan budget, amounting to £100,000. Further funding opportunities will be explored, but could include:
- Strategic Economic Development funds
 - S106/CIL opportunities
 - Any business rate growth secured through retention
- 6.7 In addition, capital funding opportunities will be explored. These are likely to include borrowing against assumed land receipts; Local Growth Deal and asset sales.
- 6.8 A Programme Board will be established. The Board will have an interface with the Strategic Land and Capital Task Group, but would report directly to the Council. The Board will have the ability to commission work, sign off projects and agree delivery programmes with the delivery team. It is suggested that the Board comprises:
- Mayor
 - Deputy Mayor
 - Leader of opposition
 - TDA Chair
 - Business community representative
 - Council Director / Assistant Director
 - Director of Economic Strategy
 - Head of Spatial Planning
- 6.9 An Advisory Team will also be established, to help ensure the delivery team's activities and Programme Board's decisions reflect market needs and direction. The advisory team will include local land owners, a Town Centres Company / TBID representative, a town centre neighbourhood forum or Community Partnership representative and business representation.
- 6.10 The delivery team will establish a delivery programme, but this is likely to include:
- Establishing market perception of Torbay with developers, retailers and investors.
 - Working with land and property agents and owners, using promotional material, to improve the perception of Torbay as an area for investment.
 - Determining viability & planning issues for projects as set out in the masterplans.
 - Determining land assembly, delivery & procurement options.
 - Taking forward planning applications.
 - Attracting investors/businesses.

7 Possibilities and Options

- 7.1 If the recommendation, for the Council to adopt the masterplans as SPD, is not approved then the documents would remain purely as evidence but carry no weight in terms of Council planning policy. The subsequent potential for the masterplans to fulfill their purpose as levers to gain investment in key sites and influence proposals that come forward through the planning process would be significantly diminished.
- 7.2 It would then be for Neighbourhood Forums to decide whether or not the masterplans (in whole or in part) should be included within Neighbourhood Plans. Neighbourhood Plans, if they are considered acceptable via independent examination and public vote, become part of the statutory development plan (joining the Local Plan) and will be used by the Council's Development Management Committee, Council officers and Planning Inspectorate, as the first point of reference, to assess the appropriateness of development proposals.
- 7.3 There is a risk that Neighbourhood Forums will not include, either in whole or in part, masterplans in their Neighbourhood Plans. In addition, even if masterplan proposals are included in full in Neighbourhood Plans, there is a risk that Neighbourhood Plans could take significant time to be adopted. This would delay the Council's ability to deliver masterplan proposals and use masterplans in the Council's planning decision making process.
- 7.4 If the Council does not agree to establish a delivery team, Programme Board and Advisory Team, there is far less likelihood of successful, co-ordinated regeneration of Torquay and Paignton Town Centres and increased fiscal pressure on the Council.

8 Preferred Solution/Option

- 8.1 That the Council adopts the Torquay and Paignton Town Centre Masterplans as Supplementary Planning Documents, giving them full weight in the development planning framework for Torbay.

9 Consultation

- 9.1 A comprehensive and detailed process of consultation and engagement has been undertaken with the community and statutory consultees to inform the production of the masterplans (see paras 5.3 and 5.4 above). Full detail can be seen in the accompanying Public Participation Statement for each masterplan on the Council's website: www.torbay.gov.uk/masterplans.
- 9.2 Members and the Council's Regeneration Board have been involved in the production of masterplans.

10 Risks and benefits

- 10.1 The risks and benefits of adopting masterplans as Supplementary Planning Documents have been set out in the main body in this report.

Appendices

Appendix 1 - Torquay Town Centre Masterplan www.torbay.gov.uk/masterplans

Appendix 2 - Paignton Town Centre Masterplan www.torbay.gov.uk/masterplans

Agenda Item 6



Meeting: Council

Date: 1 June 2015

Wards Affected: All Wards

Report Title: Local Validation List for Planning Applications

Supporting Officer Contact Details: Matt Diamond, Senior Planning Officer – Development Management, (01803) 207798, matthew.diamond@torbay.gov.uk

1. Purpose and Introduction

- 1.1 In order to make high quality, timely and robust planning decisions all planning applications must be accompanied by necessary and relevant information about the proposed development. The type and nature of this information is defined nationally, at a basic level. Councils are encouraged to produce their own list of information required for different types of application, which reflect local needs and circumstances. These lists should facilitate the assessment and decision making process, not hinder it.
- 1.2 This report recommends that the Council adopts a new Local List for Validating Planning Applications (see Appendix 1) in order to ensure that all necessary information is submitted with planning applications. This will provide applicants with greater certainty about the requirements for valid application submissions, will ensure that the Local Planning Authority is in receipt of the requisite information with which to make a determination and can make quicker, robust decisions.
- 1.3 Torbay Council has been using a Local List for Validating Planning Applications since it was adopted by the Council on 28 February 2013. As Local Lists must be reviewed and revised every two years, the approved Local List became out-of-date on 28 February 2015.
- 1.4 Without an up to date and approved Local List, the Council must formally rely on the national list to validate planning applications. Whilst this means that the information requirements to submit a valid planning application are less onerous for applicants, it also means that Torbay Council has no choice but to validate applications that may not include information that is required in order to make a decision. The national requirements are minimal and in most cases do not extend beyond the relevant fee, application form and plans. The Council has, since February 2015, been using the new Local List, in its draft form, to secure information in support of planning applications.
- 1.5 The result of the Council validating applications without the requisite information to determine them is that applications take longer to decide while information is sought from applicants. This has led in the past, for example, to the Council's performance against statutory targets for determination falling below previously established minima and, critically, below performance targets that the Government

has introduced or propose to introduce. This threshold currently requires 40% of major applications to be determined within 13 weeks, but that threshold is proposed to rise to 50%. Similarly, Government proposes to introduce a new performance threshold for smaller applications, namely that 60% of small applications should be determined within 8 weeks.

2. Proposed Decision

- 2.1 That the new Local Validation List for Planning Applications (Local List) set out at Appendix 1 to the submitted report be adopted and used to test the validity of submitted planning applications. In accordance with the Local List, applications will remain invalid until information necessary for determination is submitted. The Council will continue to take a proportionate, flexible and pragmatic approach to validation to ensure that this approach does not lead to perverse delays in the validation of applications or in applicants being asked to provide information that is not needed to determine the application.

3. Reason for Decision

- 3.1 Adopting the new Local List will help ensure that the Council continues to validate an application only when sufficient information is submitted to determine it and as such will avoid unnecessary delays in the determination process. This will better enable the Council to determine applications within statutory time frames, to maintain the Council's current good performance in relation to the speed of decision making and will maintain the quality of outcome from development that the Council has focused on over the last few years.
- 3.2 In addition the Local List will continue to improve the quality of submissions and provide greater certainty for applicants, communities and consultees.

Supporting Information

4. Position

- 4.1 The Council is judged on its planning performance in relation to the speed of determination of Major Planning Applications. Without a Local List in place, the Council will have to rely on national validation requirements and will lead to applications being validated that do not contain all of the information required to determine them. The adoption of the new Local List will enable the Council to validate only those applications that contain the requisite information for them to be determined. In addition, the Local List will provide certainty and clarity for applicants, users of the service and the Council in relation to the submission requirements for applications.

5. Possibilities and Options

- 5.1 Torbay Council could revert back to relying upon the national validation requirements in relation to planning applications and as such require very limited information before validating a planning application.
- 5.2 Using the national validation requirements would reduce the burden of information required upfront from applicants and continue to show flexibility in the handling of

planning applications. However, given that a decision cannot be properly taken without all of the relevant information to hand, this information would have to be submitted during the course of the application in any event.

- 5.3 In reverting back to using the national validation requirements and not adopting local requirements, the Council would be likely to struggle to meet performance targets set nationally and would be likely seen as being poorly performing. In addition, the quality of decision making and quality of development is likely to decline.

6. Preferred Solution/Option

- 6.1 Adopt the appended Local List for Validating Planning Applications and use this adopted revised list to test the validity of planning applications. The list will need to be reviewed and re-published at least every 2 years in order to keep it up to date. It is envisaged that this would be ratified either through Council or by whichever Executive Decision Making function is of relevance at the time.

7. Consultation

- 7.1 Local Lists require public consultation prior to their adoption. A Consultation Draft of the Local List was prepared in 2014/15 and this went out to public consultation with the proposed Modifications to the Submission Torbay Local Plan between 9th February 2015 and 23rd March 2015. Mail shots and newsflashes were sent out as part of the consultation to ensure agents and applicants were aware. Responses were received from the following:

- Police Architectural Liaison Officer – West Devon, Torbay & South Hams
- Mono Consultants Ltd on behalf of the Mobile Operators Association (MOA)
- Woodland Trust
- Paignton Neighbourhood Forum
- Natural England

- 7.2 The responses were taken into considered in the appended Local List and mainly sought to clarify issues where there was uncertainty and confusion. This has led to a number of changes and additions to the List in order to provide more information and clarity where it was considered necessary.

8. Risks

- 8.1 The adoption of the Local List will place some additional up front costs on applicants to include all necessary information within their first submission. This will reduce the level of flexibility that exists without a Local List, where applicants can validate an application with limited information and provide further information later in the process. However, the original Local List has worked well in helping the Council to improve its performance levels and applicants are now familiar with this approach.

Appendices

Appendix 1: Local Validation List for Planning Applications

Local List for Validating Planning Applications

Torbay Council wants to make quick decisions on planning applications for high quality development in the Bay. We want to see high quality development, which clearly benefits the Bay, to be built as soon after planning permission as possible. To achieve this we need the right information, at the right time. This document sets out the sort of information required to support different types, locations and scale of development proposal. This document also provides a basis for pre-application discussions between the applicant and the Council. We believe this approach will save applicants time, money and disappointment.

The Council is happy to discuss and use Planning Performance Agreements for major development proposals.

The Basics.....

In order for a planning application to be valid, the following must be submitted:

- 1. A completed application form;**
- 2. The other mandatory national information requirements specified in the Town and Country Planning (Development Management Procedure) (England) Order 2015 (DMPO) and/or any other relevant legislation;**
- 3. The correct application fee; and**
- 4. Any additional information as may be specified by the Local Planning Authority on their Local List of information requirements, provided it is reasonable having regard to the nature and scale of the proposed development, and about a matter which will be a material consideration in the determination of the application.**

Document Control Sheet

| Version | Date | Amendments |
|---------|------------|--|
| 1.0 | 28.02.2013 | First version adopted |
| 2.0 | | First version fully revised – second version adopted |

Introduction

The tables in this document set out the national and local information requirements that must be submitted for different types of planning application in Torbay. The local requirements ('the Local List') must be reviewed and updated every two years. The national requirements are shown for information purposes only and are up-to-date at the time of publication of this document; however, they can be changed by the Government at any time, so please contact Torbay Council if you have any queries.

Whilst it will always be necessary to submit the national requirements for applications to be validated, there may be times where the local requirements are not needed. Therefore, applicants are encouraged to submit Householder Development Enquiries for householder applications and Pre-application Enquiries for other application types to receive confirmation of what information needs to be submitted, together with advice on whether planning permission is required or is likely to be granted. The forms are available to download on the Council's website and include details of the fee for this service.

If the Council considers that insufficient information has been provided to validate an application, the case officer shall contact the applicant as soon as possible to explain what additional information is required and the reasons for this. If the applicant disagrees and this cannot be resolved through informal negotiation, the applicant can submit an article 12 notice to the Council setting out the reasons why the information requested does not meet the tests in article 34(6)(c) of the DMPO. The Council will consider the merits of this and either validate the application or issue a non-validation notice. In the case of the latter, if the Council has not determined the application within the relevant statutory time period, usually 8, 13 or 16 weeks, the applicant may appeal to the Planning Inspectorate against non-determination of the application.

Further guidance can be found on the Planning pages on the Council's website and on the Planning Practice Guidance website:

<http://www.torbay.gov.uk/index/yourservices/planning.htm>

<http://planningguidance.planningportal.gov.uk/>

Applications can be submitted online via the Planning Portal website <http://www.planningportal.gov.uk/> or on paper (two copies of all plans and documents) by post or hand delivered to:

Spatial Planning
2nd Floor
Electric House
Castle Circus

Please note the following definitions:

“Householder application” – means:

- a) an application for planning permission for development of an existing dwellinghouse, or development within the curtilage of such a dwellinghouse for any purpose incidental to the enjoyment of the dwellinghouse; or
- b) an application for any consent, agreement or approval required by or under a planning permission, development order or local development order in relation to such development,

but does not include an application for a change of use or an application to change the number of dwellings in a building.

“Major development” – development meaning one or more of the following:

- a) the winning and working of minerals or the use of land for mineral-working deposits;
- b) waste development;
- c) the provision of dwellinghouses where:
 - i. the number of dwellinghouses to be provided is 10 or more; or
 - ii. the development is to be carried out on a site having an area of 0.5 hectares or more and it is not known whether the development falls within sub-paragraph c)i;
- d) the provision of a building or buildings where the floor space to be created by the development is 1,000 square metres or more; or
- e) development carried out on a site having an area of 1 hectare or more.

“Mining operations” – means:

the winning and working of minerals in, on or under land, whether by surface or underground working.

“Waste development” – means:

any operational development designed to be used wholly or mainly for the purpose of, or material change of use to, treating, storing, processing or disposing of refuse or waste materials.

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1. Householder Application for Planning Permission for works or extension to a dwelling ([back to contents](#))

| Document / Plan | Legislation / Policy Context | When Required? | Further Information | ✓ / x |
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| National Requirements | | | | |
| Application Form, including signed Ownership Certificate and Agricultural Land Declaration | DMPO | All | Available on the Planning Portal website www.planningportal.gov.uk | |
| Location Plan drawn to an identified scale and showing the direction of North | DMPO | All | The location plan must show the site outlined in red and any adjoining land owned by the applicant outlined in blue. The site should include all land necessary to carry out the proposed development, including access. The location plan should be drawn to scale 1:1250 or 1:2500 and show at least two named roads. | |
| Any other plans, drawings and information necessary to describe the development, where plans and drawings are to be drawn to an identified scale and plans shall show the direction of North | DMPO | All | Typically these will include: site plan, floor plans, roof plan, elevations (all sides) and/or sections. Further information is available on the Council's website on the Make a Planning Application - Plans and Documents - National Requirements page. | |
| Fee | The Town and Country Planning (Fees for Applications, Deemed Applications, Requests | All, except where the development is for the benefit of a registered disabled person or where | A guide entitled 'A Guide to the Fees for Planning Applications in England' is available on the Planning Portal website www.planningportal.gov.uk , which includes | |

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| | and Site Visits) (England) Regulations 2012 (as amended) | permitted development rights have been removed | <p>scenarios where exemptions or reductions apply.</p> <p>More detailed advice is provided in Circular 04/08 – Planning-Related Fees (2008).</p> <p>Payment can be made online via the Planning Portal or by cheque or credit/debit card by telephoning Customer Service & Planning Support on 01803 207801. Payment by cheque will delay validation until the cheque has cleared.</p> | |
| Local Requirements | | | | |
| Bat and Breeding Bird Assessment | Paras. 109 & 118 of the NPPF Policy NC1 of the Torbay Local Plan | For works to roofs, including loft conversions, except flat roofs or where the roofspace has already been converted to living space, or where trees or hedges need to be pruned or removed | <p>This should be carried out by a suitably qualified ecologist and can consist of a signed letter.</p> <p>Surveys must be up-to-date and accord with best practice guidance/local guidance.</p> <p>Where there is uncertainty, the applicant is recommended to submit a householder development enquiry.</p> | |
| Details of proposed parking, such as a plan or written statement | Policies TA2 & TA3 of the Torbay Local Plan | Where the development would reduce or alter existing parking spaces, or where new parking is proposed | <p>This is to ensure that satisfactory parking provision remains to avoid increased parking on streets to the detriment of their function and safety, and that it can be accessed safely.</p> <p>Where there is uncertainty, the applicant is recommended to submit a householder development enquiry.</p> | |
| Ecological Impact Assessment / Statement | The Conservation of Habitats and Species Regulations 2010 (as amended) | For development proposals that have potential to significantly impact biodiversity, | This is unlikely to be required for most householder applications and would usually apply to applications for major development proposals, incorporating the relevant ecological | |

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| | <p>Paras. 109 & 118 of the NPPF Policies SS8 & NC1 of the Torbay Local Plan</p> | <p>including protected habitats and species, or development proposals within a strategic flyway or sustenance zone associated with the South Hams SAC that have potential to impact Greater Horseshoe Bats</p> | <p>surveys. However, in some cases an Ecological Impact Statement by a suitably qualified ecologist might be appropriate; for example, where trees and hedgerows are to be removed as a result of the proposed development, or where there will be illumination from the proposed development, on a site which is located within a strategic flyway or sustenance zone associated with the South Hams SAC. Natural England has produced planning guidance on the South Hams SAC, including the types of impacts that can adversely affect Greater Horseshoe Bats, which are protected under European law, and a map showing the strategic flyways and sustenance zone.</p> <p>Guidance on biodiversity considerations in relation to planning in general is available on the Planning Practice Guidance website http://planningguidance.planningportal.gov.uk/.</p> <p>Further guidance is provided by Natural England on the GOV.UK website www.gov.uk, including standing advice for different protected species.</p> <p>Where there is uncertainty, the applicant is recommended to submit a householder development enquiry.</p> | |
| <p>Elevation at scale 1:10 or larger of existing and proposed windows, and a typical section including reveal at scale 1:1</p> | <p>Policies HE1 & DE1 of the Torbay Local Plan</p> | <p>Where the proposed development includes replacement windows on a dwellinghouse and the site is located within a</p> | <p>Further advice is provided on the Council's website on the Make a Planning Application - Plans and Documents - National Requirements - Window Plans page.</p> | |

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| | | conservation area | Where there is uncertainty, the applicant is recommended to submit a householder development enquiry. | |
| Extended Phase 1 Habitat Survey (including proposed mitigation where necessary) <i>(this can be incorporated into an Ecological Impact Assessment / Statement where applicable)</i> | The Conservation of Habitats and Species Regulations 2010 (as amended) Paras. 109 & 118 of the NPPF Policies SS8 & NC1 of the Torbay Local Plan | Where natural features and/or habitats are present on the site, or adjoin the site, such as trees, hedges, grassland, ponds and streams | Guidance on biodiversity considerations in relation to planning is available on the Planning Practice Guidance website http://planningguidance.planningportal.gov.uk/ . Further guidance is provided by Natural England on the GOV.UK website www.gov.uk , including standing advice for different protected species. Where there is uncertainty, the applicant is recommended to submit a pre-application enquiry. | |
| Flood Risk Assessment (including surface water drainage strategy) 23 | Para. 103 of the NPPF Policy ER1 of the Torbay Local Plan | Developments in Flood Zones 2 and 3, and in an area within Flood Zone 1 which has critical drainage problems | Guidance on carrying out a Flood Risk Assessment is available on the Planning Practice Guidance website http://planningguidance.planningportal.gov.uk/ . Almost all of Torbay has been classified as being within a Critical Drainage Area (CDA) by the Environment Agency. Therefore, a Flood Risk Assessment will be required in most cases. Further guidance will be published on the Council's website shortly. Where there is uncertainty, the applicant is recommended to submit a pre-application enquiry. | |
| Protected Species Surveys (including proposed mitigation where necessary) | The Conservation of Habitats and Species Regulations 2010 (as amended) | Where potential for protected species on or using the site has been identified | Guidance on biodiversity considerations in relation to planning is available on the Planning Practice Guidance website http://planningguidance.planningportal.gov.uk/ . | |

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| <p>necessary) <i>(these can be incorporated into an Ecological Impact Assessment where applicable)</i></p> | <p>amended) Paras. 109 & 118 of the NPPF Policies SS8 & NC1 of the Torbay Local Plan</p> | <p>identified, following an Extended Phase 1 Habitat Survey or through pre-application discussions</p> | <p>http://planningguidance.planningportal.gov.uk/.</p> <p>Further guidance is provided by Natural England on the GOV.UK website www.gov.uk, including standing advice for different protected species.</p> <p>Surveys must be up-to-date and accord with best practice guidance/local guidance.</p> <p>Where there is uncertainty, the applicant is recommended to submit a pre-application enquiry.</p> | |
| <p>Statement of Heritage Significance</p> <p>Page 24</p> | <p>Para. 128 of the NPPF Policies HE1 & HE2 of the Torbay Local Plan</p> | <p>Where the development will affect a heritage asset or its setting, such as a conservation area, listed building, scheduled monument or historic park and garden</p> | <p>The requirements for Statements of Heritage Significance are set out in paragraph 128 of the NPPF. Further advice is available on the Council's website on the Make a Planning Application - Plans and Documents - Heritage Statements page, including an example. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance.</p> <p>Where there is uncertainty, the applicant is recommended to submit a householder development enquiry.</p> | |
| <p>Tree and Hedge Position Plan</p> | <p>Policy C4 of the Torbay Local Plan</p> | <p>Where there are trees or hedges within falling distance of the proposed development on the site and adjoining land and/or where trees or hedges will need to be removed or</p> | <p>This information will help us consider how the proposal might affect these trees and hedges. If you know what species the trees are please name them on the plan and number the ones that you will need to remove or prune. The plan should be drawn to an identified scale.</p> | |

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| | | pruned in order to carry out the development | A Tree Survey and Arboricultural Impact Assessment may also be required depending on the nature of the trees affected. | |
| Tree Survey & Arboricultural Impact Assessment | Policy C4 of the Torbay Local Plan | Where further information is required to determine the position, size, quality and health of trees that might be affected by the proposal, and their value in the wider landscape, following the submission of a Tree and Hedge Position Plan | <p>The Council's Arboricultural Officer will be consulted to determine whether this additional information is required.</p> <p>Tree Surveys and Arboricultural Impact Assessments should be carried out in accordance with BS 5837:2012 or any superseding standard.</p> <p>Standing Advice for Ancient Woodland and Veteran Trees (April 2014) is available on the GOV.UK website www.gov.uk.</p> <p>Where there is uncertainty, the applicant is recommended to submit a householder development enquiry.</p> | |
| Tree Protection Plan & Arboricultural Method Statement | Policy C4 of the Torbay Local Plan | Where important trees or hedges will be retained and could be damaged by carrying out the proposed development | <p>The Council's Arboricultural Officer will be consulted to determine whether this information is required. In most cases, the Council will add a planning condition to the planning permission requiring the submission of these details prior to the development commencing.</p> <p>Tree Protection Plans and Arboricultural Method Statements should be carried out in accordance with BS 5837:2012 or any superseding standard.</p> <p>Standing Advice for Ancient Woodland and Veteran Trees (April 2014) is available on the GOV.UK website www.gov.uk.</p> | |

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| | | | Where there is uncertainty, the applicant is recommended to submit a householder development enquiry. | |
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2. Applications for Outline or Full Planning Permission [\(back to contents\)](#)

| Document / Plan | Legislation / Policy Context | When Required? | Further Information | ✓ / x |
|--|------------------------------|----------------|---|-------|
| National Requirements | | | | |
| Application Form, including signed Ownership Certificate and Agricultural Land Declaration | DMPO | All | Available on the Planning Portal website www.planningportal.gov.uk | |
| Location Plan drawn to an identified scale and showing the direction of North | DMPO | All | The location plan must show the site outlined in red and any adjoining land owned by the applicant outlined in blue. The site should include all land necessary to carry out the proposed development, including access. The location plan should be drawn to scale 1:1250 or 1:2500 and show at least two named roads. | |
| Any other plans, drawings and information necessary to describe the development, where plans and drawings are to be drawn to an identified | DMPO | All | Typically these will include: site plan (including areas of landscaping), floor plans, roof plan, elevations (all sides) and/or sections. Further information is available on the Council's website on the Make a Planning Application - Plans and Documents - National Requirements page. | |

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| scale and plans shall show the direction of North | | | Where access is a reserved matter for outline applications, the application must still state the area or areas where access points to the proposed development will be situated. | |
| Design and Access Statement | DMPO | Proposals for major development except engineering and mining operations, change of use and waste development; or proposals for 1 or more dwellings in a conservation area; or proposals for building(s) where the floor space is 100 sq m or more in a conservation area. | <p>The Design and Access Statement (DAS) must explain the design principles and concepts that have been applied to the development, and explain how issues relating to access to the development have been dealt with. Further detail is provided in article 9(3) of the DMPO.</p> <p>Development proposals will be assessed against the design considerations in Local Plan Policy DE1. In addition, major development proposals including housing will be assessed against Building for Life 12 (BfL 12). Therefore, it is recommended that the DAS refers to these policies and/or be structured around these considerations/questions.</p> | |
| Environmental Statement | The Town and Country Planning (Environmental Impact Assessment) Regulations 2011 (as amended) | For Schedule 1 development or Schedule 2 development likely to have significant effects on the environment by virtue of factors such as its size, nature or location | If an applicant is in doubt whether a development proposal requires an Environmental Impact Assessment, they can request a screening opinion from Torbay Council. The request should include a plan indicating the proposed location of the development, a brief description of the nature and purpose of the proposal and its possible environmental effects, giving a broad indication of their likely scale. In addition applicants can request a scoping opinion from the Council on the information to be supplied in the Environmental Statement. Again the request should include the same material as above for | |

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| | | | <p>requesting a screening opinion.</p> <p>Guidance on Environmental Impact Assessment is available on the Planning Practice Guidance website http://planningguidance.planningportal.gov.uk/</p> | |
| Page 28 | <p>The Town and Country Planning (Fees for Applications, Deemed Applications, Requests and Site Visits) (England) Regulations 2012 (as amended)</p> | All | <p>A guide entitled 'A Guide to the Fees for Planning Applications in England' is available on the Planning Portal website www.planningportal.gov.uk, which includes scenarios where exemptions or reductions apply.</p> <p>More detailed advice is provided in Circular 04/08 – Planning-Related Fees (2008), which is useful for calculating the fee for applications for complex major developments.</p> <p>Payment can be made online via the Planning Portal or by cheque or credit/debit card by telephoning Customer Service & Planning Support on 01803 207801. Payment by cheque will delay validation until the cheque has cleared.</p> | |
| Local Requirements | | | | |
| Air Quality Assessment | Para. 124 of the NPPF Policy DE3 of the Torbay Local Plan | For major development proposals within an Air Quality Management Area (AQMA), or within 500m of an AQMA | <p>Guidance on air quality in relation to planning is available on the Planning Practice Guidance website http://planningguidance.planningportal.gov.uk/.</p> <p>Where there is uncertainty, the applicant is recommended to submit a pre-application enquiry.</p> | |
| Archaeological Desk | Para. 128 of the NPPF | Where the application site | Guidance on non-designated heritage assets of | |

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| Based Assessment (<i>this can be combined with the Statement of Heritage Significance</i>) | Policy HE1 of the Torbay Local Plan | includes, or is likely to include, archaeological remains | archaeological interest is available on the Planning Practice Guidance website http://planningguidance.planningportal.gov.uk/ . Where there is uncertainty, the applicant is recommended to submit a pre-application enquiry. |
| Bat and Breeding Bird Assessment (<i>this can be incorporated into an Ecological Impact Assessment where applicable</i>) | Paras. 109 & 118 of the NPPF Policy NC1 of the Torbay Local Plan | For works to roofs, including loft conversions, except flat roofs or where the roofspace has already been converted to living space, or where trees or hedges need to be pruned or removed | This should be carried out by a suitably qualified ecologist and can consist of a signed letter. Surveys must be up-to-date and accord with best practice guidance/local guidance. Where there is uncertainty, the applicant is recommended to submit a pre-application enquiry. |
| Contaminated Land Risk Assessment 29 | Para. 121 of the NPPF Policy ER3 of the Torbay Local Plan | Where land contamination is suspected from previous uses on or around the site | Guidance on dealing with sites that could be contaminated is available on the Planning Practice Guidance website http://planningguidance.planningportal.gov.uk/ . Detailed technical guidance is available on the GOV.UK website www.gov.uk . Where there is uncertainty, the applicant is recommended to submit a pre-application enquiry. |
| Contaminated Land Intrusive Site Investigation and Risk Assessment (including proposed remediation where necessary) | Para. 121 of the NPPF Policy ER3 of the Torbay Local Plan | Where it cannot be demonstrated that the risk from contamination is acceptable, following a Contaminated Land Risk Assessment | Guidance on dealing with sites that could be contaminated is available on the Planning Practice Guidance website http://planningguidance.planningportal.gov.uk/ . Detailed technical guidance is available on the GOV.UK website www.gov.uk . Where there is uncertainty, the applicant is |

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| | | | recommended to submit a pre-application enquiry. | |
| Design Code (<i>this can be incorporated into the Design and Access Statement</i>) | Para. 59 of the NPPF | Major development proposals to be built in phases and by different developers | Guidance on Design Codes is available on the Planning Practice Guidance website http://planningguidance.planningportal.gov.uk/ . Where there is uncertainty, the applicant is recommended to submit a pre-application enquiry | |
| Ecological Impact Assessment / Statement | The Conservation of Habitats and Species Regulations 2010 (as amended) Paras. 109 & 118 of the NPPF Policies SS8 & NC1 of the Torbay Local Plan | For development proposals that have potential to significantly impact biodiversity, including protected habitats and species, or development proposals within a strategic flyway or sustenance zone associated with the South Hams SAC that have potential to impact Greater Horseshoe Bats | The requirement for an Ecological Impact Assessment (EclA) will normally be ascertained following an Extended Phase 1 Habitat Survey of the site and any necessary Protected Species Surveys. In some cases a less comprehensive Ecological Impact Statement by a suitably qualified ecologist might be more appropriate; for example, where trees and hedgerows are to be removed as a result of the proposed development, or where there will be illumination from the proposed development, on a site which is located within a strategic flyway or sustenance zone associated with the South Hams SAC. Natural England has produced planning guidance on the South Hams SAC, including the types of impacts that can adversely affect Greater Horseshoe Bats, which are protected under European law, and a map showing the strategic flyways and sustenance zone. Guidance on biodiversity considerations in relation to planning in general is available on the Planning Practice Guidance website http://planningguidance.planningportal.gov.uk/ . | |

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| | | | <p>Further guidance is provided by Natural England on the GOV.UK website www.gov.uk, including standing advice for different protected species.</p> <p>Where there is uncertainty, the applicant is recommended to submit a pre-application enquiry.</p> | |
| <p>Elevation at scale 1:10 or larger of existing and proposed windows, and a typical section including reveal at scale 1:1</p> <p>Page 31</p> | <p>Policies HE1 & DE1 of the Torbay Local Plan</p> | <p>Where the proposed development includes replacement windows on a dwellinghouse and the site is located within a conservation area; or replacement windows are proposed to a building which is not a dwellinghouse, including blocks of flats and commercial premises</p> | <p>Further advice is provided on the Council's website on the Make a Planning Application - Plans and Documents - National Requirements - Window Plans page.</p> <p>Where there is uncertainty, the applicant is recommended to submit a pre-application enquiry.</p> | |
| <p>Employment Statement / Economic Impact Assessment (including tourism impact) <i>(this can be incorporated into the Planning Statement / Planning Policy Statement)</i></p> | <p>Para. 19 of the NPPF Policies SS4 & SS5 of the Torbay Local Plan</p> | <p>Major development proposals except residential of less than 30 dwellings, or development proposals resulting in a net loss of employment or tourist accommodation floor space, or development proposals resulting in a significantly lower density of employment provision</p> | <p>The depth of information should be proportional to the nature and scale of the proposed development.</p> <p>The Employment Densities Guide 2nd Edition (2010) is available to download on the Homes & Communities Agency website www.homesandcommunities.co.uk.</p> <p>Where there is uncertainty, the applicant is recommended to submit a pre-application enquiry.</p> | |
| <p>Energy Statement <i>(this can</i></p> | <p>Section 10 of the NPPF</p> | <p>Major development</p> | <p>This should explain the passive and active</p> | |

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| <p><i>be incorporated into the Planning Statement / Planning Policy Statement)</i></p> | <p>Policies SS13, ES1 & ES2 of the Torbay Local Plan</p> | <p>proposals, or proposals which are not in accordance with a policy or policies in the adopted Local Plan/Neighbourhood Plan</p> | <p>measures that have been taken in the development proposals to enhance the sustainability of the scheme, with particular focus on measures to reduce greenhouse gas emissions and minimise impact on climate change.</p> <p>Where there is uncertainty, the applicant is recommended to submit a pre-application enquiry.</p> | |
| <p>Existing and Proposed Site Sections and Finished Floor and Site Levels drawn to an identified scale</p> | | <p>For all proposed new buildings or where there are variations in site levels</p> | <p>Where the proposal involves a change in ground levels on the site, the plans and/or drawings should show both the existing and finished levels fixed to a datum point off site and also show the proposals in relation to adjoining buildings.</p> | |
| <p>Extended Phase 1 Habitat Survey (including proposed mitigation where necessary) <i>(this can be incorporated into an Ecological Impact Assessment / Statement where applicable)</i></p> | <p>The Conservation of Habitats and Species Regulations 2010 (as amended) Paras. 109 & 118 of the NPPF Policies SS8 & NC1 of the Torbay Local Plan</p> | <p>Where natural features and/or habitats are present on the site, or adjoin the site, such as trees, hedges, grassland, ponds and streams</p> | <p>Guidance on biodiversity considerations in relation to planning is available on the Planning Practice Guidance website http://planningguidance.planningportal.gov.uk/.</p> <p>Further guidance is provided by Natural England on the GOV.UK website www.gov.uk, including standing advice for different protected species.</p> <p>Where there is uncertainty, the applicant is recommended to submit a pre-application enquiry.</p> | |
| <p>Flood Risk Assessment (including surface water drainage strategy)</p> | <p>Para. 103 of the NPPF Policy ER1 of the Torbay Local Plan</p> | <p>Developments in Flood Zones 2 and 3, and in an area within Flood Zone 1 which has critical drainage problems or where the site</p> | <p>Guidance on carrying out a Flood Risk Assessment is available on the Planning Practice Guidance website http://planningguidance.planningportal.gov.uk/</p> | |

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| | | area is 1ha or more | <p>Almost all of Torbay has been classified as being within a Critical Drainage Area (CDA) by the Environment Agency. Therefore, a Flood Risk Assessment will be required for most planning applications for new development (including minor development and change of use). Further guidance will be published on the Council's website shortly.</p> <p>Where there is uncertainty, the applicant is recommended to submit a pre-application enquiry.</p> | |
| <p>Geological Survey (including proposed mitigation where necessary)</p> <p>Page 33</p> | Paras. 109 & 117 of the NPPF Policies SS8 & NC1 of the Torbay Local Plan | Where geological sites of interest, including SSSIs and RIGS sites, will be affected by the development proposal | <p>Geological sites of interest in Torbay are included in Appendix E of the Torbay Local Plan. The Geological Survey should include an assessment of the impact of the proposals on the site and show how its features will be protected through appropriate management.</p> <p>Where there is uncertainty, the applicant is recommended to submit a pre-application enquiry</p> | |
| Green Infrastructure Statement (including diagrams and plans where appropriate) (<i>this can be incorporated into the Design and Access Statement or Planning Statement / Planning Policy Statement</i>) | Paras. 109, 113, 114, 118 & 125 of the NPPF Policy SS9 of the Torbay Local Plan | Where green infrastructure assets are likely to be affected by the proposed development or where there is an opportunity to provide new green infrastructure to support existing networks | <p>Further advice is provided on the Council's website on the Strategic Planning - Green Infrastructure page, including a link to the 'Torbay Green Infrastructure Delivery Plan' (April 2011).</p> <p>Where there is uncertainty, the applicant is recommended to submit a pre-application enquiry</p> | |
| Health Impact Assessment Screening | Policy SC1 of the Torbay Local Plan | Major development proposals of 30 dwellings or more or other | The Department of Health has published 'Health Impact Assessment Tools - Simple tools for recording the results of the Health Impact | |

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| | | development creating over 1000 sq m floor space | Assessment' (DfH, 2010). This includes a set of screening questions for HIA. | |
| Health Impact Assessment (HIA) <i>(this can be incorporated into the Design and Access Statement or Planning Statement / Planning Policy Statement)</i> | Policy SC1 of the Torbay Local Plan | Where significant impacts on the health and wellbeing of the local population or particular groups within it are expected, following a Health Impact Assessment Screening | Guidance on how health and well being should be considered in planning decision making, including the impact of development proposals on health infrastructure and/or the demand for healthcare services, is available on the Planning Practice Guidance website http://planningguidance.planningportal.gov.uk/ Where there is uncertainty, the applicant is recommended to submit a pre-application enquiry. | |
| Independent Viability Assessment (IVA) Page 34 | Policies SS7 & H2 of the Torbay Local Plan | When an applicant considers it is unviable to provide the affordable housing provision set out in Policy H2 of the Torbay Local Plan and/or contributions set out in the Planning Contributions and Affordable Housing SPD and its Update 3 | The IVA will be commissioned by the Council and the costs associated with its production recouped from the applicant. The IVA will not begin until the applicant has agreed to pay for its production in writing. There may be times where applicants wish to commission their own viability assessments and submit them as part of their planning application submissions. In these cases, the Council will commission an independent review of the viability assessment and the costs associated with its production will be recouped from the applicant. The review will not begin until the applicant has agreed to pay for its production in writing. The Council will only validate such applications provided the applicant has entered into a PPA with the Council, or agreed to an extended time period for determination in writing beyond the statutory 8/13/16 week period. The PPA should set out the timescales for | |

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| | | | completing the viability assessment review and for producing the s106 legal agreement to secure the agreed amount of affordable housing and contributions. | |
| Infrastructure Assessment (incorporating foul sewerage and utilities) | | For major development proposals that have potential to affect the capacity of infrastructure in the area | Pre-application discussions should be undertaken with utility providers to identify any constraints in existing capacity. | |
| Land Stability Risk Assessment Report (including proposed mitigation where necessary) | Para. 121 of the NPPF Policies C3 & ER4 of the Torbay Local Plan | For development proposals on sites where land instability is identified or suspected, particularly those within the Coastal Change Management Area | Guidance on land stability issues and preparing Land Stability Risk Assessment Reports is available on the Planning Practice Guidance website http://planningguidance.planningportal.gov.uk/ The Coastal Change Management Area is shown on the Local Plan Proposals Map. Where there is uncertainty, the applicant is recommended to submit a pre-application enquiry. | |
| Landscape and Visual Impact Assessment | Para. 116 of the NPPF Policy SS8 of the Torbay Local Plan | Major development proposals on undeveloped sites, or development proposals within the AONB or that could affect the setting of the AONB or Undeveloped Coast | The AONB and Undeveloped Coast are shown on the Local Plan Proposals Map. Where there is uncertainty, the applicant is recommended to submit a pre-application enquiry. | |
| Lighting Assessment (<i>this can be incorporated into an Ecological Impact Assessment / Statement where applicable</i>) | The Conservation of Habitats and Species Regulations 2010 (as amended) Para. 125 of the NPPF Policies SS8, NC1 & DE3 | For development proposals that will alter light levels and have the potential to adversely affect the use or enjoyment of nearby buildings or open | Guidance on light pollution in relation to planning is available on the Planning Practice Guidance website http://planningguidance.planningportal.gov.uk/ The Institute of Lighting Engineers has | |

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| | of the Torbay Local Plan | spaces, or adversely affect sensitive habitats or protected species, or adversely affect intrinsically dark landscapes | produced 'Guidance Notes for the Reduction of Obtrusive Light' (2011). In order to prevent harm to bats, external lighting should be 0.5 lux or less and include shields, baffles or louvres to direct light down and prevent light spill. Where there is uncertainty, the applicant is recommended to submit a pre-application enquiry. | |
| Mineral Extraction Impact Assessment | Section 13 of the NPPF Policy M1 of the Torbay Local Plan | Proposals for mineral extraction | Where there is uncertainty, the applicant is recommended to submit a pre-application enquiry. | |
| Mineral Resource Impact Assessment | Section 13 of the NPPF Policy M3 of the Torbay Local Plan | Major development proposals within a Mineral Safeguarding Area | Where there is uncertainty, the applicant is recommended to submit a pre-application enquiry. | |
| Noise Impact Assessment | Para. 123 of the NPPF Policy DE3 of the Torbay Local Plan | For development proposals that may create additional noise resulting in an adverse effect on residential / recreational amenity, or for sensitive development proposals located close to a use creating noticeable noise | Guidance on noise in relation to planning is available on the Planning Practice Guidance website http://planningguidance.planningportal.gov.uk/ . Where there is uncertainty, the applicant is recommended to submit a pre-application enquiry. | |
| Open Space, Sports and Recreation Assessment | Para. 74 of the NPPF Policies SS9 & SC2 of the Torbay Local Plan | Development proposals on existing open space, sports and recreational land | This should show that the land is surplus to requirements. Where there is uncertainty, the applicant is recommended to submit a pre-application enquiry. | |
| Parking Statement (<i>this can be incorporated into</i> | Policy TA3 of the Torbay Local Plan | Major development proposals, or proposals not | Where there is uncertainty, the applicant is recommended to submit a pre-application | |

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| <i>the Transport Statement / Transport Assessment or Planning Statement / Planning Policy Statement)</i> | | in accordance with the car parking requirements in Appendix G of the Torbay Local Plan | enquiry. | |
| Planning Performance Agreement (PPA) | Para. 195 of the NPPF | For complex major development proposals where through pre-application discussions it is agreed to take a bespoke project management approach to the preparation and determination of the application | PPAs will be sought where due to the complexities of a development proposal and the issues it raises, Torbay Council considers is unlikely that the planning application can be determined within the statutory 13 or 16 week time period. It is recommended that PPAs include all stages of the application, including ongoing pre-application discussions. | |
| Planning Statement / Planning Policy Statement Page 37 | Paras. 11-13 of the NPPF | Major development proposals, or proposals which are not in accordance with a policy or policies in the adopted Local Plan/Neighbourhood Plan | This should provide an assessment of how the proposal accords with the policies in the Torbay Local Plan and NPPF, or whether there are material considerations to do otherwise. It will also need to assess how the proposal accords with the policies in the relevant Neighbourhood Plan when adopted. Where there is uncertainty, the applicant is recommended to submit a pre-application enquiry. | |
| Pollution Prevention Plans <i>(these can be incorporated into a Waste Audit)</i> | Policy ER2 of the Torbay Local Plan | For proposals involving the demolition of major development within the 250 metre buffer of the Lyme Bay and Torbay cSAC | Where there is uncertainty, the applicant is recommended to submit a pre-application enquiry. | |
| Protected Species Surveys (including proposed mitigation where | The Conservation of Habitats and Species Regulations 2010 (as | Where potential for protected species on or using the site has been | Guidance on biodiversity considerations in relation to planning is available on the Planning Practice Guidance website | |

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| necessary) <i>(these can be incorporated into an Ecological Impact Assessment where applicable)</i> | amended) Paras. 109 & 118 of the NPPF Policies SS8 & NC1 of the Torbay Local Plan | identified, following an Extended Phase 1 Habitat Survey or through pre-application discussions | http://planningguidance.planningportal.gov.uk/ Further guidance is provided by Natural England on the GOV.UK website www.gov.uk , including standing advice for different protected species. Surveys must be up-to-date and accord with best practice guidance/local guidance. Where there is uncertainty, the applicant is recommended to submit a pre-application enquiry. |
| Retail Impact Assessment / Town Centre Impact Assessment (including sequential test assessment) 38 | Section 2 of the NPPF Policy TC3 of the Torbay Local Plan | Proposals for A1 retail and main town centre uses over 500 sq m gross floor space outside of town centres | Main town centre uses are defined in Annex 2 of the NPPF. PPG states that the impact test relates to retail, office and leisure development (not all main town centre uses) which are not in accordance with an up-to-date Local Plan and outside of existing town centres. However, a sequential test assessment must be carried out for all main town centre uses. Guidance on carrying out Impact Assessments is available on the Planning Practice Guidance website http://planningguidance.planningportal.gov.uk/ Where there is uncertainty, the applicant is recommended to submit a pre-application enquiry. |
| Sequential Test Assessment | Section 2 of the NPPF Policy TC3 of the Torbay Local Plan | For all development proposals for main town centre uses, as defined in the NPPF, on sites not in | Guidance on the sequential test is available on the Planning Practice Guidance website http://planningguidance.planningportal.gov.uk/ |

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| | | an existing centre or in accordance with an up-to-date Local Plan | Where there is uncertainty, the applicant is recommended to submit a pre-application enquiry. | |
| Shading Diagrams / Sun Path Analysis | Policy DE3 of the Torbay Local Plan | For development proposals that are likely to overshadow adjoining private property or public space and have the potential to adversely affect amenity. | The BRE guide 'Site Layout Planning for Daylight and Sunlight - A guide to good practice' (BRE, 2011) provides advice on this topic. Where there is uncertainty, the applicant is recommended to submit a pre-application enquiry. | |
| Statement of Community Involvement (<i>this can be incorporated into the Design and Access Statement or Planning Statement / Planning Policy Statement</i>) | Paras. 66, 69, 188, 189 of the NPPF | Major development proposals, or proposals which are not in accordance with a policy or policies in the adopted Local Plan/Neighbourhood Plan | A 'Good Practice Guide to Public Engagement in Development Schemes' (Planning Aid, 2012) is available to download on the RTPi website www.rtpi.org.uk . Where there is uncertainty, the applicant is recommended to submit a pre-application enquiry. | |
| Statement of Heritage Significance (<i>this can be incorporated into the Design and Access Statement</i>) | Para. 128 of the NPPF Policies HE1 & HE2 of the Torbay Local Plan | Where the development will affect a heritage asset or its setting, such as a conservation area, listed building, scheduled monument or historic park and garden | The requirements for Statements of Heritage Significance are set out in paragraph 128 of the NPPF. Further advice is available on the Council's website on the Make a Planning Application - Plans and Documents - Heritage Statements page, including an example. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. Where there is uncertainty, the applicant is recommended to submit a pre-application enquiry. | |
| Telecommunications Statement | Para. 45 of the NPPF Policy IF1 of the Torbay | Applications for telecommunications | This should respond to the criteria set out in Policy IF1 of the Torbay Local Plan. | |

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| | Local Plan | development | Where there is uncertainty, the applicant is recommended to submit a pre-application enquiry. | |
| Topographical Survey | | Major development proposals, or where there is a significant change in levels on a site | | |
| Transport Statement or Transport Assessment | Para. 32 of the NPPF Policies TA1 & TA2 of the Torbay Local Plan | Where the proposed development exceeds the relevant threshold in Appendix B of Guidance on Transport Assessment (DfT, 2007), or at the request of the Local Highway Authority | The Guidance on Transport Assessment (DfT, 2007) is available on the GOV.UK website www.gov.uk . Further guidance is available on the Planning Practice Guidance website http://planningguidance.planningportal.gov.uk/ . Where there is uncertainty, the applicant is recommended to submit a pre-application enquiry. | |
| Travel Plan | Para. 36 of the NPPF Policy TA2 of the Torbay Local Plan | Major development proposals likely to have significant transport implications | Guidance on the information that should be included in Travel Plans is available on the Planning Practice Guidance website http://planningguidance.planningportal.gov.uk/ . Where there is uncertainty, the applicant is recommended to submit a pre-application enquiry. | |
| Tree Survey & Arboricultural Impact Assessment | Policy C4 of the Torbay Local Plan | For development proposals on sites with trees, or where trees are in close proximity to the site boundary | Tree Surveys and Arboricultural Impact Assessments should be carried out in accordance with BS 5837:2012 or any superseding standard. Standing Advice for Ancient Woodland and Veteran Trees (April 2014) is available on the GOV.UK website www.gov.uk . | |

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| | | | Where there is uncertainty, the applicant is recommended to submit a pre-application enquiry. | |
| Tree Protection Plan & Arboricultural Method Statement | Policy C4 of the Torbay Local Plan | For development proposals that will affect trees | <p>The Council's Arboricultural Officer will be consulted to determine whether this information is required. In most cases, the Council will add a planning condition to the planning permission requiring the submission of these details prior to the development commencing.</p> <p>Tree Protection Plans and Arboricultural Method Statements should be carried out in accordance with BS 5837:2012 or any superseding standard.</p> <p>Standing Advice for Ancient Woodland and Veteran Trees (April 2014) is available on the GOV.UK website www.gov.uk.</p> <p>Where there is uncertainty, the applicant is recommended to submit a pre-application enquiry.</p> | |
| Ventilation and Extraction Equipment Details | Policy DE3 of the Torbay Local Plan | For development proposals, including changes of use, that require installation of such equipment | <p>Further information is provided in 'Guidance on the Control of Odour and Noise from Commercial Kitchen Exhaust Systems' (DEFRA, 2005).</p> <p>Where there is uncertainty, the applicant is recommended to submit a pre-application enquiry.</p> | |
| Waste Audit and 5 year Waste Management Plan | Policy W2 of the Torbay Local Plan | For development proposals likely to generate significant volumes of waste during | The audit should be proportionate to the scale of the proposal, number of visitors and likely waste generation. | |

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| | | construction and/or operation | Where there is uncertainty, the applicant is recommended to submit a pre-application enquiry. | |
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3. Applications for Approval of Reserved Matters [\(back to contents\)](#)

| Document / Plan | Legislation / Policy Context | When Required? | Further Information | ✓ / x |
|------------------------------|------------------------------|----------------|--|-------|
| National Requirements | | | | |
| Application in writing | DMPO | All | An application form is available to use on the | |

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| | | | Planning Portal website www.planningportal.gov.uk | |
| Such particulars, plans and drawings necessary to deal with the matters reserved | DMPO | All | Typically these will include: site plan (including areas of landscaping), floor plans, roof plan, elevations (all sides) and/or sections. Further information is available on the Council's website on the Make a Planning Application - Plans and Documents - National Requirements page. | |
| Fee | The Town and Country Planning (Fees for Applications, Deemed Applications, Requests and Site Visits) (England) Regulations 2012 (as amended) | All | A guide entitled 'A Guide to the Fees for Planning Applications in England' is available on the Planning Portal website www.planningportal.gov.uk , which includes scenarios where exemptions or reductions apply. More detailed advice is provided in Circular 04/08 – Planning-Related Fees (2008), which is useful for calculating the fee for applications for complex major developments. Payment can be made online via the Planning Portal or by cheque or credit/debit card by telephoning Customer Service & Planning Support on 01803 207801. Payment by cheque will delay validation until the cheque has cleared. | |
| Local Requirements | | | | |
| None | | | | |

4. Application for approval of details reserved by condition ([back to contents](#))

| Document / Plan | Legislation / Policy Context | When Required? | Further Information | ✓ / x |
|------------------------------|------------------------------|----------------|---------------------|-------|
| National Requirements | | | | |

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| Application in writing | DMPO The Planning (Listed Buildings and Conservation Areas) Regulations 1990 (as amended) | All | An application form is available to use on the Planning Portal website www.planningportal.gov.uk | |
| Such particulars, plans and drawings necessary to deal with the application | DMPO | All | Please write the condition number on the front of the document or plan to which it relates to help us deal with your application more quickly. | |
| Fee Page 44 | The Town and Country Planning (Fees for Applications, Deemed Applications, Requests and Site Visits) (England) Regulations 2012 (as amended) | All, except where the condition is attached to a Listed Building Consent or planning permission for relevant demolition in a conservation area | A guide entitled 'A Guide to the Fees for Planning Applications in England' is available on the Planning Portal website www.planningportal.gov.uk , which includes scenarios where exemptions or reductions apply. More detailed advice is provided in Circular 04/08 – Planning-Related Fees (2008). Payment can be made online via the Planning Portal or by cheque or credit/debit card by telephoning Customer Service & Planning Support on 01803 207801. Payment by cheque will delay validation until the cheque has cleared. | |
| Local Requirements | | | | |
| None | | | | |

5. Application for removal or variation of a condition following a grant of planning permission (can be used for making minor material amendments) ([back to contents](#))

| Document / Plan | Legislation / Policy | When Required? | Further Information | ✓ / x |
|-----------------|----------------------|----------------|---------------------|-------|
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| | Context | | | |
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| National Requirements | | | | |
| Application Form, including signed Ownership Certificate and Agricultural Land Declaration | DMPO | All | Available on the Planning Portal website www.planningportal.gov.uk | |
| Fee | The Town and Country Planning (Fees for Applications, Deemed Applications, Requests and Site Visits) (England) Regulations 2012 (as amended) | All | A guide entitled 'A Guide to the Fees for Planning Applications in England' is available on the Planning Portal website www.planningportal.gov.uk , which includes scenarios where exemptions or reductions apply. Payment can be made online via the Planning Portal or by cheque or credit/debit card by telephoning Customer Service & Planning Support on 01803 207801. Please note if you pay by cheque this may delay validation of the application until the cheque clears. | |
| Local Requirements | | | | |
| A separate document listing reworded condition(s) | | Where the application is to vary a condition(s) of a planning permission | | |
| Revised plans or drawings clearly showing the minor material amendments, where the plans or drawings must be drawn to an identified scale and plans shall show the direction of North | | Where the application seeks minor material amendments to an approved development by replacing approved plans or drawings with new plans or drawings | Typically these will include: site plan (including areas of landscaping), floor plans, roof plan, elevations (all sides) and/or sections. Further information is available on the Council's website on the Make a Planning Application - Plans and Documents - National Requirements page. | |

6. Application for non-material amendment following a grant of planning permission ([back to contents](#))

| Document / Plan | Legislation / Policy | When Required? | Further Information | ✓ / x |
|-----------------|----------------------|----------------|---------------------|-------|
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| | Context | | | |
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| National Requirements | | | | |
| Application Form | DMPO | All | Available on the Planning Portal website www.planningportal.gov.uk | |
| Fee | The Town and Country Planning (Fees for Applications, Deemed Applications, Requests and Site Visits) (England) Regulations 2012 (as amended) | All | <p>A guide entitled 'A Guide to the Fees for Planning Applications in England' is available on the Planning Portal website www.planningportal.gov.uk, which includes scenarios where exemptions or reductions apply.</p> <p>Payment can be made online via the Planning Portal or by cheque or credit/debit card by telephoning Customer Service & Planning Support on 01803 207801. Payment by cheque will delay validation until the cheque has cleared.</p> | |
| Local Requirements | | | | |
| A separate document listing reworded condition(s) | | Where non-material amendments are proposed to conditions attached to planning permissions | | |
| Revised plans or drawings clearly showing the non-material amendments, where the plans or drawings must be drawn to an identified scale and plans shall show the direction of North | | Where the application seeks non-material amendments to an approved development | Typically these will include: site plan (including areas of landscaping), floor plans, roof plan, elevations (all sides) and/or sections. Further information is available on the Council's website on the Make a Planning Application - Plans and Documents - National Requirements page. | |

7. Application for Listed Building Consent ([back to contents](#))

| Document / Plan | Legislation / Policy Context | When Required? | Further Information | ✓ / x |
|--|--|----------------|--|-------|
| National Requirements | | | | |
| Application Form, including signed Ownership Certificate | The Planning (Listed Buildings and Conservation Areas) Regulations 1990 (as amended) | All | Available on the Planning Portal website www.planningportal.gov.uk | |
| Location Plan drawn to an identified scale and showing the direction of North | The Planning (Listed Buildings and Conservation Areas) Regulations 1990 (as amended) | All | The location plan should show the listed building or buildings outlined in red. The location plan should be drawn to scale 1:500, 1:1000 or 1:1250 and show at least two named roads. | |
| Any other plans, drawings and information necessary to describe the works, where plans and drawings are to be drawn to an identified scale and plans shall show the direction of North | The Planning (Listed Buildings and Conservation Areas) Regulations 1990 (as amended) | All | Typically these will include: site plan (including areas of landscaping), floor plans, roof plan, elevations (all sides), sections and internal details. Further information is available on the Council's website on the Make a Planning Application - Plans and Documents - National Requirements page. | |
| Design and Access Statement | The Planning (Listed Buildings and Conservation Areas) Regulations 1990 (as amended) | All | The Design and Access Statement (DAS) must explain the design principles and concepts that have been applied to the works, and how they take account of the special architectural importance of the building, the physical features of the building that justify its designation and the building's setting. Where relevant, it must also explain how issues relating to access to the building have been dealt with. Development proposals will be assessed against Local Plan Policy HE2. | |
| NB. No fee required | | | | |

| Local Requirements | | | | |
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| Archaeological Desk Based Assessment (<i>this can be combined with the Statement of Heritage Significance</i>) | Para. 128 of the NPPF Policy HE1 of the Torbay Local Plan | Where the application site includes, or is likely to include, archaeological remains | Guidance on non-designated heritage assets of archaeological interest is available on the Planning Practice Guidance website http://planningguidance.planningportal.gov.uk/ . | |
| Elevation at scale 1:10 or larger of existing and proposed windows, and a typical section including reveal at scale 1:1 | Policies HE1 & HE2 of the Torbay Local Plan | Where the works involve the replacement of windows | Further advice is provided on the Council's website on the Make a Planning Application - Plans and Documents - National Requirements - Window Plans page. | |
| Statement of Heritage Significance (<i>this can be incorporated into the Design and Access Statement</i>) Page 48 | Para. 128 of the NPPF Policies HE1 & HE2 of the Torbay Local Plan | All | The requirements for Statements of Heritage Significance are set out in paragraph 128 of the NPPF. Further advice is available on the Council's website on the Make a Planning Application - Plans and Documents - Heritage Statements page, including an example. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. | |
| Structural Survey | | Where the application proposes demolition, significant alterations to the structure of the building or heavier floor loading | | |

8. Application for planning permission for relevant demolition in a conservation area (applies to unlisted buildings, gates, walls or other means of enclosure within a conservation area) ([back to contents](#))

| Document / Plan | Legislation / Policy Context | When Required? | Further Information | ✓ / x |
|--|--|----------------|---|-------|
| National Requirements | | | | |
| Application Form, including signed Ownership Certificate and Agricultural Land Declaration | DMPO | All | Available on the Planning Portal website www.planningportal.gov.uk | |
| Location Plan drawn to an identified scale and showing the direction of North | DMPO | All | The location plan must show the site outlined in red and any adjoining land owned by the applicant outlined in blue. The site should include all land necessary to carry out the proposed development, including access. The location plan should be drawn to scale 1:1250 or 1:2500 and show at least two named roads. | |
| Any other plans, drawings and information necessary to describe the development, where plans and drawings are to be drawn to an identified scale and plans shall show the direction of North | DMPO | All | This should include a plan showing the building or structure to be demolished. | |
| NB. No fee required | | | | |
| Local Requirements | | | | |
| Bat and Breeding Bird Assessment | Paras. 109 &118 of the NPPF Policy NC1 of the Torbay Local Plan | All | This should be carried out by a suitably qualified ecologist and can consist of a signed letter. Surveys must be up-to-date and accord with best practice guidance/local guidance. Where there is uncertainty, the applicant is | |

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| | | | recommended to submit a pre-application enquiry. | |
| Flood Risk Assessment (including surface water drainage strategy) | Para. 103 of the NPPF Policy ER1 of the Torbay Local Plan | Developments in Flood Zones 2 and 3, and in an area within Flood Zone 1 which has critical drainage problems or where the site area is 1ha or more | <p>Guidance on carrying out a Flood Risk Assessment is available on the Planning Practice Guidance website http://planningguidance.planningportal.gov.uk/</p> <p>Almost all of Torbay has been classified as being within a Critical Drainage Area (CDA) by the Environment Agency. Therefore, a Flood Risk Assessment will be required for most planning applications for new development (including minor development and change of use). Further guidance will be published on the Council's website shortly.</p> <p>Where there is uncertainty, the applicant is recommended to submit a pre-application enquiry.</p> | |
| Method Statement for the works | Policy DE3 of the Torbay Local Plan | All | This should include details of measures that will be put in place to protect neighbouring properties from noise and dust that will be generated by the works. It should also describe how materials will either be stored or removed from the site. | |
| Pollution Prevention Plans (<i>these can be incorporated into a Waste Audit</i>) | Local Plan Policy ER2 | For demolition of major development within the 250 metre buffer of the Lyme Bay and Torbay cSAC | Where there is uncertainty, the applicant is recommended to submit a pre-application enquiry. | |
| Statement of Heritage Significance | Para. 128 of the NPPF Policies HE1 & HE2 of the Torbay Local Plan | All | The requirements for Statements of Heritage Significance are set out in paragraph 128 of the NPPF. Further advice is available on the Council's website on the Make a Planning | |

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| | | | <p>Application - Plans and Documents - Heritage Statements page, including an example. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance.</p> <p>Where there is uncertainty, the applicant is recommended to submit a pre-application enquiry.</p> | |
| <p>Tree Survey & Arboricultural Impact Assessment</p> <p>Page 51</p> | <p>Policy C4 of the Torbay Local Plan</p> | <p>For demolition works on sites with trees, or where trees are in close proximity to the site boundary</p> | <p>Tree Surveys and Arboricultural Impact Assessments should be carried out in accordance with BS 5837:2012 or any superseding standard.</p> <p>Standing Advice for Ancient Woodland and Veteran Trees (April 2014) is available on the GOV.UK website www.gov.uk.</p> <p>Where there is uncertainty, the applicant is recommended to submit a pre-application enquiry.</p> | |
| <p>Tree Protection Plan & Arboricultural Method Statement</p> | <p>Policy C4 of the Torbay Local Plan</p> | <p>For demolition works that will affect trees</p> | <p>The Council's Arboricultural Officer will be consulted to determine whether this information is required. In most cases, the Council will add a planning condition to the planning permission requiring the submission of these details prior to the development commencing.</p> <p>Tree Protection Plans and Arboricultural Method Statements should be carried out in accordance with BS 5837:2012 or any superseding standard.</p> | |

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| | | | <p>Standing Advice for Ancient Woodland and Veteran Trees (April 2014) is available on the GOV.UK website www.gov.uk.</p> <p>Where there is uncertainty, the applicant is recommended to submit a pre-application enquiry.</p> | |
| Waste Audit | Policy W2 of the Torbay Local Plan | For development proposals likely to generate significant volumes of waste during the works | <p>The audit should be proportionate to the scale of the proposal, number of visitors and likely waste generation.</p> <p>Where there is uncertainty, the applicant is recommended to submit a pre-application enquiry.</p> | |

9. Notification for Prior Approval for a Proposed Larger Home Extension (GPDO Sch. 2 Part 1 Class A) ([back to contents](#))

| Document / Plan | Legislation / Policy Context | When Required? | Further Information | ✓ / x |
|--|--|-----------------------------|--|-------|
| National Requirements | | | | |
| Written description of the proposed development, including dimensions, the addresses of any adjoining premises, and the developer's contact address and email address Page 53 | The Town and Country Planning (General Permitted Development) (England) Order 2015 | All | Before beginning the application, please check the restrictions that apply to this class to ensure that the proposed development is permitted development under the GPDO. If the proposal does not accord with these restrictions, a householder application must be submitted. An application form is available on the Planning Portal website www.planningportal.gov.uk , which should be completed in full. | |
| Plan indicating the site and showing the proposed development | The Town and Country Planning (General Permitted Development) (England) Order 2015 | All | The plan should be drawn to an identified scale and show the direction of North | |
| NB. No fee required | | | | |
| Local Requirements (where any owner or occupier of adjoining premises objects to the proposed development) | | | | |
| Elevations (all sides) drawn to an identified scale | The Town and Country Planning (General Permitted Development) (England) Order 2015 Policies DE3 & DE5 of the Torbay Local Plan | Upon request of the Council | If objections are received and the prior approval of the Council is required, the GPDO gives local planning authorities powers to require developers to submit further information regarding the proposed development as is reasonable to determine the application, in terms of the impact on the amenity of adjoining premises. Where they are requested, elevation drawings must show the position of any | |

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| | | | <p>windows and doors that face towards adjoining premises to determine whether there will be any overlooking and impact on privacy.</p> <p>The application might be made temporarily invalid until this information is received.</p> <p>NB. Exterior materials must be similar to the existing dwelling and any windows in the roof slope of a side elevation must be obscure-glazed and non-opening, unless the parts that can be opened are more than 1.7m above the floor.</p> | |
| <p>Floor Plan drawn to an identified scale</p> <p>Page 54</p> | <p>The Town and Country Planning (General Permitted Development) (England) Order 2015 Policies DE3 & DE5 of the Torbay Local Plan</p> | <p>Upon request of the Council</p> | <p>If objections are received and the prior approval of the Council is required, the GPDO gives local planning authorities powers to require developers to submit further information regarding the proposed development as is reasonable to determine the application, in terms of the impact on the amenity of adjoining premises. If a floor plan is requested, it must show the position of any windows and doors that face towards adjoining premises to determine whether there will be any overlooking and impact on privacy. It should also indicate what room(s) the extension will contain.</p> <p>The application might be made temporarily invalid until this information is received.</p> | |
| <p>Shading Diagrams / Sun Path Analysis</p> | <p>The Town and Country Planning (General Permitted Development) (England) Order 2015 Policies DE3 & DE5 of the</p> | <p>Upon request of the Council</p> | <p>If objections are received and the prior approval of the Council is required, the GPDO gives local planning authorities powers to require developers to submit further information regarding the proposed development as is</p> | |

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| | Torbay Local Plan | | <p>reasonable to determine the application, in terms of the impact on the amenity of adjoining premises. Where adjoining premises are at a lower level than the extension, shading diagrams might be requested. The BRE guide 'Site Layout Planning for Daylight and Sunlight - A guide to good practice' (BRE, 2011) provides advice on this topic.</p> <p>The application might be made temporarily invalid until this information is received.</p> |
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10. Notification for Prior Approval for a Change of Use from Shops (Class A1), Financial and Professional Services (Class A2), Betting Offices, Pay Day Loan Shops and Casinos (Sui Generis Uses) to Restaurants and Cafes (Class A3) (GPDO Sch. 2 Part 3 Class C)
[\(back to contents\)](#)

| Document / Plan | Legislation / Policy Context | When Required? | Further Information | ✓ / x |
|--|--|----------------|--|-------|
| National Requirements | | | | |
| Written description of the proposed development and the developer's contact address and email address Page 56 | The Town and Country Planning (General Permitted Development) (England) Order 2015 | All | <p>Before beginning the application, please check the restrictions that apply to this class to ensure that the proposed development is permitted development under the GPDO. If the proposal does not accord with these restrictions, a full planning application must be submitted.</p> <p>An application form is available on the Planning Portal website www.planningportal.gov.uk, which should be completed in full. It includes details of the restrictions and where the permitted development right does not apply.</p> <p>The written description should include information covering the relevant impacts for this class in the GPDO. These are listed on the application form. The application can be refused if insufficient information is provided.</p> | |
| A plan indicating the site and showing the proposed development | The Town and Country Planning (General Permitted Development) (England) Order 2015 | All | The plan should be drawn to an identified scale and show the direction of North | |
| Fee | The Town and Country | All | A guide entitled 'A Guide to the Fees for | |

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| | Planning (Fees for Applications, Deemed Applications, Requests and Site Visits) (England) Regulations 2012 (as amended) | | <p>Planning Applications in England' is available on the Planning Portal website www.planningportal.gov.uk, which includes scenarios where exemptions or reductions apply.</p> <p>Payment can be made online via the Planning Portal or by cheque or credit/debit card by telephoning Customer Service & Planning Support on 01803 207801. Payment by cheque will delay validation until the cheque has cleared.</p> | |
| Local Requirements | | | | |
| Existing and Proposed Elevations showing the position of the proposed facilities on the building drawn to an identified scale | The Town and Country Planning (General Permitted Development) (England) Order 2015 | Where the development includes provision of ventilation and extraction equipment under Class C(b)(i) | These are required to assess the design and external appearance of these facilities. | |
| Existing and Proposed Site Plans showing the location of the proposed facilities drawn to an identified scale and showing the direction of North | The Town and Country Planning (General Permitted Development) (England) Order 2015 | Where the development includes provision of waste storage facilities under Class C(b)(ii) | These are required to assess the siting of these facilities. | |
| Impact Assessment of the Change of Use on the adequate provision of services provided by Class A1 (shops) or Class A2 (financial and professional services) in the area | The Town and Country Planning (General Permitted Development) (England) Order 2015 | Where the building is located outside a key shopping area (town centre, district centre or local centre) – only where there is a reasonable prospect of the building being used to provide Class A1 (shops) or Class | This should describe where alternative A1 and A2 services are located in the area, and, if relevant, why there is no reasonable prospect of the building being used to provide these services. This information should be included in the description of the proposed development on the application form, or, if there is not enough space, it can be provided separately. | |

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| | | A2 (financial and professional services) | Where there is uncertainty, the applicant is recommended to submit a pre-application enquiry. | |
| Impact Assessment of the Change of Use on the sustainability of the shopping area | The Town and Country Planning (General Permitted Development) (England) Order 2015 | Where the building is located in a key shopping area (town centre, district centre or local centre) | This should describe the impact of the change of use on the shopping area. This information should be included in the description of the proposed development on the application form, or, if there is not enough space, it can be provided separately. Where there is uncertainty, the applicant is recommended to submit a pre-application enquiry. | |
| Noise Impact Assessment Page 58 | The Town and Country Planning (General Permitted Development) (England) Order 2015 Para. 123 of the NPPF Policy DE3 of the Torbay Local Plan | For development proposals that may create additional noise resulting in an adverse effect on residential / recreational amenity | Guidance on noise in relation to planning is available on the Planning Practice Guidance website http://planningguidance.planningportal.gov.uk/ . Where there is uncertainty, the applicant is recommended to submit a pre-application enquiry. | |
| Transport Statement or Transport Assessment | The Town and Country Planning (General Permitted Development) (England) Order 2015 Para. 32 of the NPPF Policies TA1 & TA2 of the Torbay Local Plan | Where the proposed development exceeds the relevant threshold in Appendix B of Guidance on Transport Assessment (DfT, 2007), or at the request of the Local Highway Authority | The Guidance on Transport Assessment (DfT, 2007) is available on the GOV.UK website www.gov.uk . Further guidance is available on the Planning Practice Guidance website http://planningguidance.planningportal.gov.uk/ . Where there is uncertainty, the applicant is recommended to submit a pre-application enquiry. | |
| Ventilation and Extraction Equipment Details | The Town and Country Planning (General Permitted Development) (England) Order 2015 | Where the development includes provision of ventilation and extraction equipment under Class | Further information is provided in 'Guidance on the Control of Odour and Noise from Commercial Kitchen Exhaust Systems' (DEFRA, 2005). | |

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| | Policy DE3 of the Torbay Local Plan | C(b)(i) | Where there is uncertainty, the applicant is recommended to submit a pre-application enquiry. | |
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11. Notification for Prior Approval for a Change of Use from Shops (Class A1) and Financial and Professional Services (Class A2), Betting Offices, Pay Day Loan Shops (Sui Generis Uses) to Assembly and Leisure Uses (Class D2) (GPDO Sch. 2 Part 3 Class J)
[\(back to contents\)](#)

| Document / Plan | Legislation / Policy Context | When Required? | Further Information | ✓ / x |
|--|--|----------------|--|-------|
| National Requirements | | | | |
| Written description of the proposed development and the developer's contact address and email address Page 59 | The Town and Country Planning (General Permitted Development) (England) Order 2015 | All | <p>Before beginning the application, please check the restrictions that apply to this class to ensure that the proposed development is permitted development under the GPDO. If the proposal does not accord with these restrictions, a full planning application must be submitted.</p> <p>An application form is available on the Planning Portal website www.planningportal.gov.uk, which should be completed in full. It includes details of the restrictions and where the permitted development right does not apply.</p> <p>The written description should include information covering the relevant impacts for this class in the GPDO. These are listed on the application form. The application can be refused if insufficient information is provided.</p> | |
| A plan indicating the site and showing the proposed development | The Town and Country Planning (General Permitted Development) (England) Order 2015 | All | The plan should be drawn to an identified scale and show the direction of North | |

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| Fee | The Town and Country Planning (Fees for Applications, Deemed Applications, Requests and Site Visits) (England) Regulations 2012 (as amended) | All | <p>A guide entitled 'A Guide to the Fees for Planning Applications in England' is available on the Planning Portal website www.planningportal.gov.uk, which includes scenarios where exemptions or reductions apply.</p> <p>Payment can be made online via the Planning Portal or by cheque or credit/debit card by telephoning Customer Service & Planning Support on 01803 207801. Payment by cheque will delay validation until the cheque has cleared.</p> | |
| Local Requirements | | | | |
| Impact Assessment of the Change of Use on the adequate provision of services provided by Class A1 (shops) or Class A2 (financial and professional services) in the area | The Town and Country Planning (General Permitted Development) (England) Order 2015 | Where the building is located outside a key shopping area (town centre, district centre or local centre) – only where there is a reasonable prospect of the building being used to provide Class A1 (shops) or Class A2 (financial and professional services) | <p>This should describe where alternative A1 and A2 services are located in the area, and, if relevant, why there is no reasonable prospect of the building being used to provide these services. This information should be included in the description of the proposed development on the application form, or, if there is not enough space, it can be provided separately.</p> <p>Where there is uncertainty, the applicant is recommended to submit a pre-application enquiry.</p> | |
| Impact Assessment of the Change of Use on the sustainability of the shopping area | The Town and Country Planning (General Permitted Development) (England) Order 2015 | Where the building is located in a key shopping area (town centre, district centre or local centre) | <p>This should describe the impact of the change of use on the shopping area. This information should be included in the description of the proposed development on the application form, or, if there is not enough space, it can be provided separately.</p> <p>Where there is uncertainty, the applicant is</p> | |

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| | | | recommended to submit a pre-application enquiry. | |
| Noise Impact Assessment | The Town and Country Planning (General Permitted Development) (England) Order 2015 Para. 123 of the NPPF Policy DE3 of the Torbay Local Plan | For development proposals that may create additional noise resulting in an adverse effect on residential / recreational amenity | Guidance on noise in relation to planning is available on the Planning Practice Guidance website http://planningguidance.planningportal.gov.uk/ . Where there is uncertainty, the applicant is recommended to submit a pre-application enquiry. | |
| Transport Statement or Transport Assessment | The Town and Country Planning (General Permitted Development) (England) Order 2015 Para. 32 of the NPPF Policies TA1 & TA2 of the Torbay Local Plan | Where the proposed development exceeds the relevant threshold in Appendix B of Guidance on Transport Assessment (DfT, 2007), or at the request of the Local Highway Authority | The Guidance on Transport Assessment (DfT, 2007) is available on the GOV.UK website www.gov.uk . Further guidance is available on the Planning Practice Guidance website http://planningguidance.planningportal.gov.uk/ . Where there is uncertainty, the applicant is recommended to submit a pre-application enquiry. | |

12. Notification for Prior Approval for a Proposed Change of Use of a Building from Shops (Class A1), Financial and Professional Services (Class A2), a Betting Office, Pay Day Loan Shop or a Mixed Use Combining Use as a Dwellinghouse with a Betting Office, Pay Day Loan Shop, Shops (Class A1) or Financial and professional Services (Class A2) to a use falling within Class C3 (Dwellinghouse), and for Associated Operational Development (GPDO Sch. 2 Part 3 Class M) ([back to contents](#))

| Document / Plan | Legislation / Policy Context | When Required? | Further Information | ✓ / x |
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| National Requirements | | | | |
| Written description of the proposed development and the developer's contact address and email address | The Town and Country Planning (General Permitted Development) (England) Order 2015 | All | <p>Before beginning the application, please check the restrictions that apply to this class to ensure that the proposed development is permitted development under the GPDO. If the proposal does not accord with these restrictions, a full planning application must be submitted.</p> <p>An application form is available on the Planning Portal website www.planningportal.gov.uk, which should be completed in full. It includes details of the restrictions and where the permitted development right does not apply.</p> <p>The written description should include information covering the relevant impacts for this class in the GPDO. These are listed on the application form. The application can be refused if insufficient information is provided.</p> | |
| A plan indicating the site | The Town and Country | All | The plan should be drawn to an identified scale | |

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| and showing the proposed development | Planning (General Permitted Development) (England) Order 2015 | | and show the direction of North | |
| Flood Risk Assessment | The Town and Country Planning (General Permitted Development) (England) Order 2015 Para. 103 of the NPPF Policy ER1 of the Torbay Local Plan | Developments in Flood Zones 2 and 3, and in an area within Flood Zone 1 which has critical drainage problems | <p>Guidance on carrying out a Flood Risk Assessment is available on the Planning Practice Guidance website http://planningguidance.planningportal.gov.uk/</p> <p>Almost all of Torbay has been classified as being within a Critical Drainage Area (CDA) by the Environment Agency. Therefore, a Flood Risk Assessment will be required in most cases. Further guidance will be published on the Council's website shortly.</p> <p>Where there is uncertainty, the applicant is recommended to submit a pre-application enquiry.</p> | |
| Page 63 | The Town and Country Planning (Fees for Applications, Deemed Applications, Requests and Site Visits) (England) Regulations 2012 (as amended) | All | <p>A guide entitled 'A Guide to the Fees for Planning Applications in England' is available on the Planning Portal website www.planningportal.gov.uk, which includes scenarios where exemptions or reductions apply.</p> <p>Payment can be made online via the Planning Portal or by cheque or credit/debit card by telephoning Customer Service & Planning Support on 01803 207801. Payment by cheque will delay validation until the cheque has cleared.</p> | |
| Local Requirements | | | | |
| Contaminated Land Risk Assessment | The Town and Country Planning (General | Where land contamination is suspected from previous | Guidance on dealing with sites that could be contaminated is available on the Planning | |

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| | Permitted Development) (England) Order 2015 Para. 121 of the NPPF Policy ER3 of the Torbay Local Plan | uses on or around the site | Practice Guidance website http://planningguidance.planningportal.gov.uk/ . Detailed technical guidance is available on the GOV.UK website www.gov.uk . Where there is uncertainty, the applicant is recommended to submit a pre-application enquiry. | |
| Contaminated Land Intrusive Site Investigation and Risk Assessment (including proposed remediation where necessary) | The Town and Country Planning (General Permitted Development) (England) Order 2015 Para. 121 of the NPPF Policy ER3 of the Torbay Local Plan | Where it cannot be demonstrated that the risk from contamination is acceptable, following a Contaminated Land Risk Assessment | Guidance on dealing with sites that could be contaminated is available on the Planning Practice Guidance website http://planningguidance.planningportal.gov.uk/ . Detailed technical guidance is available on the GOV.UK website www.gov.uk . Where there is uncertainty, the applicant is recommended to submit a pre-application enquiry. | |
| Existing and Proposed Elevations drawn to an identified scale | The Town and Country Planning (General Permitted Development) (England) Order 2015 | All | These are required to assess the design and external appearance of the building after the change of use. | |
| Impact Assessment of the Change of Use on the adequate provision of services provided by Class A1 (shops) or Class A2 (financial and professional services) in the area | The Town and Country Planning (General Permitted Development) (England) Order 2015 | Where the building is located outside a key shopping area (town centre, district centre or local centre) – only where there is a reasonable prospect of the building being used to provide Class A1 (shops) or Class A2 (financial and professional services) | This should describe where alternative A1 and A2 services are located in the area, and, if relevant, why there is no reasonable prospect of the building being used to provide these services. This information should be included in the description of the proposed development on the application form, or, if there is not enough space, it can be provided separately. Where there is uncertainty, the applicant is recommended to submit a pre-application enquiry. | |

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| Impact Assessment of the Change of Use on the sustainability of the shopping area | The Town and Country Planning (General Permitted Development) (England) Order 2015 | Where the building is located in a key shopping area (town centre, district centre or local centre) | <p>This should describe the impact of the change of use on the shopping area. This information should be included in the description of the proposed development on the application form, or, if there is not enough space, it can be provided separately.</p> <p>Where there is uncertainty, the applicant is recommended to submit a pre-application enquiry.</p> | |
| Transport Statement or Transport Assessment | The Town and Country Planning (General Permitted Development) (England) Order 2015 Para. 32 of the NPPF Policies TA1 & TA2 of the Torbay Local Plan | Where the proposed development exceeds the relevant threshold in Appendix B of Guidance on Transport Assessment (DfT, 2007), or at the request of the Local Highway Authority | <p>The Guidance on Transport Assessment (DfT, 2007) is available on the GOV.UK website www.gov.uk. Further guidance is available on the Planning Practice Guidance website http://planningguidance.planningportal.gov.uk/.</p> <p>Where there is uncertainty, the applicant is recommended to submit a pre-application enquiry.</p> | |

13. Notification for prior Approval for a Change of Use from Amusement Arcades/Centres and Casinos, (Sui Generis Uses) and any land within its curtilage to Dwellinghouses (Class C3) (GPDO Sch. 2 Part 3 Class N) ([back to contents](#))

| Document / Plan | Legislation / Policy Context | When Required? | Further Information | ✓ / x |
|---|--|----------------|--|-------|
| National Requirements | | | | |
| Written description of the proposed development and the developer's contact address and email address | The Town and Country Planning (General Permitted Development) (England) Order 2015 | All | <p>Before beginning the application, please check the restrictions that apply to this class to ensure that the proposed development is permitted development under the GPDO. If the proposal does not accord with these restrictions, a full planning application must be submitted.</p> <p>An application form is available on the Planning Portal website www.planningportal.gov.uk, which should be completed in full. It includes details of the restrictions and where the permitted development right does not apply.</p> <p>The written description should include information covering the relevant impacts for this class in the GPDO. These are listed on the application form. The application can be refused if insufficient information is provided.</p> | |

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| A plan indicating the site and showing the proposed development | The Town and Country Planning (General Permitted Development) (England) Order 2015 | All | The plan should be drawn to an identified scale and show the direction of North | |
| Flood Risk Assessment | The Town and Country Planning (General Permitted Development) (England) Order 2015 Para. 103 of the NPPF Policy ER1 of the Torbay Local Plan | Developments in Flood Zones 2 and 3, and in an area within Flood Zone 1 which has critical drainage problems | <p>Guidance on carrying out a Flood Risk Assessment is available on the Planning Practice Guidance website http://planningguidance.planningportal.gov.uk/</p> <p>Almost all of Torbay has been classified as being within a Critical Drainage Area (CDA) by the Environment Agency. Therefore, a Flood Risk Assessment will be required in most cases. Further guidance will be published on the Council's website shortly.</p> <p>Where there is uncertainty, the applicant is recommended to submit a pre-application enquiry.</p> | |
| Page 97 | The Town and Country Planning (Fees for Applications, Deemed Applications, Requests and Site Visits) (England) Regulations 2012 (as amended) | All | <p>A guide entitled 'A Guide to the Fees for Planning Applications in England' is available on the Planning Portal website www.planningportal.gov.uk, which includes scenarios where exemptions or reductions apply.</p> <p>Payment can be made online via the Planning Portal or by cheque or credit/debit card by telephoning Customer Service & Planning Support on 01803 207801. Payment by cheque will delay validation until the cheque has cleared.</p> | |
| Local Requirements | | | | |
| Contaminated Land Risk | The Town and Country | Where land contamination | Guidance on dealing with sites that could be | |

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| Assessment | Planning (General Permitted Development) (England) Order 2015 Para. 121 of the NPPF Policy ER3 of the Torbay Local Plan | is suspected from previous uses on or around the site | contaminated is available on the Planning Practice Guidance website http://planningguidance.planningportal.gov.uk/ . Detailed technical guidance is available on the GOV.UK website www.gov.uk . Where there is uncertainty, the applicant is recommended to submit a pre-application enquiry. |
| Contaminated Land Intrusive Site Investigation and Risk Assessment (including proposed remediation where necessary) | The Town and Country Planning (General Permitted Development) (England) Order 2015 Para. 121 of the NPPF Policy ER3 of the Torbay Local Plan | Where it cannot be demonstrated that the risk from contamination is acceptable, following a Contaminated Land Risk Assessment | Guidance on dealing with sites that could be contaminated is available on the Planning Practice Guidance website http://planningguidance.planningportal.gov.uk/ . Detailed technical guidance is available on the GOV.UK website www.gov.uk . Where there is uncertainty, the applicant is recommended to submit a pre-application enquiry. |
| Existing and Proposed Elevations drawn to an identified scale | The Town and Country Planning (General Permitted Development) (England) Order 2015 | All | These are required to assess the design and external appearance of the building after the change of use. |
| Transport Statement or Transport Assessment | The Town and Country Planning (General Permitted Development) (England) Order 2015 Para. 32 of the NPPF Policies TA1 & TA2 of the Torbay Local Plan | Where the proposed development exceeds the relevant threshold in Appendix B of Guidance on Transport Assessment (DfT, 2007), or at the request of the Local Highway Authority | The Guidance on Transport Assessment (DfT, 2007) is available on the GOV.UK website www.gov.uk . Further guidance is available on the Planning Practice Guidance website http://planningguidance.planningportal.gov.uk/ . Where there is uncertainty, the applicant is recommended to submit a pre-application enquiry. |

14. Notification for Prior Approval for a Proposed Change of Use of a building from Office Use (Class B1(a)) to a Dwellinghouse (Class C3) (GPDO Sch. 2 Part 3 Class O) ([back to contents](#))

| Document / Plan T | Legislation / Policy Context | When Required? | Further Information | ✓ / x |
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| National Requirements | | | | |
| <p>Written description of the proposed development and the developer's contact address and email address</p> | <p>The Town and Country Planning (General Permitted Development) (England) Order 2015</p> | <p>All</p> | <p>Before beginning the application, please check the restrictions that apply to this class to ensure that the proposed development is permitted development under the GPDO. If the proposal does not accord with these restrictions, a full planning application must be submitted.</p> <p>An application form is available on the Planning Portal website www.planningportal.gov.uk, which should be completed in full. It includes details of the restrictions and where the permitted development right does not apply.</p> <p>The written description should include information covering the relevant impacts for this class in the GPDO. These are listed on the</p> | |

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| | | | application form. The application can be refused if insufficient information is provided. | |
| A plan indicating the site and showing the proposed development | The Town and Country Planning (General Permitted Development) (England) Order 2015 | All | The plan should be drawn to an identified scale and show the direction of North | |
| Flood Risk Assessment | The Town and Country Planning (General Permitted Development) (England) Order 2015 Para. 103 of the NPPF Policy ER1 of the Torbay Local Plan | Developments in Flood Zones 2 and 3, and in an area within Flood Zone 1 which has critical drainage problems | <p>Guidance on carrying out a Flood Risk Assessment is available on the Planning Practice Guidance website http://planningguidance.planningportal.gov.uk/</p> <p>Almost all of Torbay has been classified as being within a Critical Drainage Area (CDA) by the Environment Agency. Therefore, a Flood Risk Assessment will be required in most cases. Further guidance will be published on the Council's website shortly.</p> <p>Where there is uncertainty, the applicant is recommended to submit a pre-application enquiry.</p> | |
| Fee | The Town and Country Planning (Fees for Applications, Deemed Applications, Requests and Site Visits) (England) Regulations 2012 (as amended) | All | <p>A guide entitled 'A Guide to the Fees for Planning Applications in England' is available on the Planning Portal website www.planningportal.gov.uk, which includes scenarios where exemptions or reductions apply.</p> <p>Payment can be made online via the Planning Portal or by cheque or credit/debit card by telephoning Customer Service & Planning Support on 01803 207801. Payment by cheque will delay validation until the cheque has cleared.</p> | |

Local Requirements

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| Contaminated Land Risk Assessment | The Town and Country Planning (General Permitted Development) (England) Order 2015 Para. 121 of the NPPF Policy ER3 of the Torbay Local Plan | Where land contamination is suspected from previous uses on or around the site | Guidance on dealing with sites that could be contaminated is available on the Planning Practice Guidance website http://planningguidance.planningportal.gov.uk/ . Detailed technical guidance is available on the GOV.UK website www.gov.uk . Where there is uncertainty, the applicant is recommended to submit a pre-application enquiry. | |
| Contaminated Land Intrusive Site Investigation and Risk Assessment (including proposed remediation where necessary) | The Town and Country Planning (General Permitted Development) (England) Order 2015 Para. 121 of the NPPF Policy ER3 of the Torbay Local Plan | Where it cannot be demonstrated that the risk from contamination is acceptable, following a Contaminated Land Risk Assessment | Guidance on dealing with sites that could be contaminated is available on the Planning Practice Guidance website http://planningguidance.planningportal.gov.uk/ . Detailed technical guidance is available on the GOV.UK website www.gov.uk . Where there is uncertainty, the applicant is recommended to submit a pre-application enquiry. | |
| Transport Statement or Transport Assessment | The Town and Country Planning (General Permitted Development) (England) Order 2015 Para. 32 of the NPPF Policies TA1 & TA2 of the Torbay Local Plan | Where the proposed development exceeds the relevant threshold in Appendix B of Guidance on Transport Assessment (DfT, 2007), or at the request of the Local Highway Authority | The Guidance on Transport Assessment (DfT, 2007) is available on the GOV.UK website www.gov.uk . Further guidance is available on the Planning Practice Guidance website http://planningguidance.planningportal.gov.uk/ . Where there is uncertainty, the applicant is recommended to submit a pre-application enquiry. | |

15. Notification for Prior Approval for a Change of Use from Storage or Distribution Buildings (Class B8) and any land within its curtilage to Dwellinghouses (GPDO Sch. 2 Part 3 Class P) ([back to contents](#))

| Document / Plan | Legislation / Policy Context | When Required? | Further Information | ✓ / x |
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| National Requirements | | | | |
| Written description of the proposed development and the developer's contact address and email address | The Town and Country Planning (General Permitted Development) (England) Order 2015 | All | <p>Before beginning the application, please check the restrictions that apply to this class to ensure that the proposed development is permitted development under the GPDO. If the proposal does not accord with these restrictions, a full planning application must be submitted.</p> <p>An application form is available on the Planning Portal website www.planningportal.gov.uk, which should be completed in full. It includes details of the restrictions and where the permitted development right does not apply.</p> <p>The written description should include</p> | |

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| | | | information covering the relevant impacts for this class in the GPDO. These are listed on the application form. The application can be refused if insufficient information is provided. | |
| A plan indicating the site and showing the proposed development | The Town and Country Planning (General Permitted Development) (England) Order 2015 | All | The plan should be drawn to an identified scale and show the direction of North | |
| Statement setting out evidence to demonstrate the building was used solely for a storage or distribution centre use on 19 March 2014 and for a period of at least 4 years | The Town and Country Planning (General Permitted Development) (England) Order 2015 | All | | |
| Flood Risk Assessment Page 73 | The Town and Country Planning (General Permitted Development) (England) Order 2015 Para. 103 of the NPPF Policy ER1 of the Torbay Local Plan | Developments in Flood Zones 2 and 3, and in an area within Flood Zone 1 which has critical drainage problems | Guidance on carrying out a Flood Risk Assessment is available on the Planning Practice Guidance website http://planningguidance.planningportal.gov.uk/ Almost all of Torbay has been classified as being within a Critical Drainage Area (CDA) by the Environment Agency. Therefore, a Flood Risk Assessment will be required in most cases. Further guidance will be published on the Council's website shortly. Where there is uncertainty, the applicant is recommended to submit a pre-application enquiry. | |
| Fee | The Town and Country Planning (Fees for Applications, Deemed Applications, Requests | All | A guide entitled 'A Guide to the Fees for Planning Applications in England' is available on the Planning Portal website www.planningportal.gov.uk , which includes | |

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| | and Site Visits) (England) Regulations 2012 (as amended) | | scenarios where exemptions or reductions apply. Payment can be made online via the Planning Portal or by cheque or credit/debit card by telephoning Customer Service & Planning Support on 01803 207801. Payment by cheque will delay validation until the cheque has cleared. | |
| Local Requirements | | | | |
| Air Quality Assessment | Para. 124 of the NPPF Policy DE3 of the Torbay Local Plan | For major development proposals within an Air Quality Management Area (AQMA), or within 500m of an AQMA | Guidance on air quality in relation to planning is available on the Planning Practice Guidance website http://planningguidance.planningportal.gov.uk/ Where there is uncertainty, the applicant is recommended to submit a pre-application enquiry. | |
| Contaminated Land Risk Assessment | The Town and Country Planning (General Permitted Development) (England) Order 2015 Para. 121 of the NPPF Policy ER3 of the Torbay Local Plan | Where land contamination is suspected from previous uses on or around the site | Guidance on dealing with sites that could be contaminated is available on the Planning Practice Guidance website http://planningguidance.planningportal.gov.uk/ Detailed technical guidance is available on the GOV.UK website www.gov.uk . Where there is uncertainty, the applicant is recommended to submit a pre-application enquiry. | |
| Contaminated Land Intrusive Site Investigation and Risk Assessment (including proposed remediation where necessary) | The Town and Country Planning (General Permitted Development) (England) Order 2015 Para. 121 of the NPPF Policy ER3 of the Torbay | Where it cannot be demonstrated that the risk from contamination is acceptable, following a Contaminated Land Risk Assessment | Guidance on dealing with sites that could be contaminated is available on the Planning Practice Guidance website http://planningguidance.planningportal.gov.uk/ Detailed technical guidance is available on the GOV.UK website www.gov.uk . | |

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| | Local Plan | | Where there is uncertainty, the applicant is recommended to submit a pre-application enquiry. | |
| Impact Assessment of the Change of Use on the sustainability of provision of storage or distribution services or industrial services in the area | The Town and Country Planning (General Permitted Development) (England) Order 2015 | Upon request of the Council – where the Council considers the building is located in an area that is important for providing storage or distribution services or industrial services or a mix of those services | This should describe the impact of the change of use on the provision of these services in the area. This information should be included in the description of the proposed development on the application form, or, if there is not enough space, it can be provided separately. Where there is uncertainty, the applicant is recommended to submit a pre-application enquiry. | |
| Noise Impact Assessment | The Town and Country Planning (General Permitted Development) (England) Order 2015 Para. 123 of the NPPF Policy DE3 of the Torbay Local Plan | For development proposals that may create additional noise resulting in an adverse effect on residential / recreational amenity, or for sensitive development proposals located close to a use creating noticeable noise | Guidance on noise in relation to planning is available on the Planning Practice Guidance website http://planningguidance.planningportal.gov.uk/ . Where there is uncertainty, the applicant is recommended to submit a pre-application enquiry. | |
| Transport Statement or Transport Assessment | The Town and Country Planning (General Permitted Development) (England) Order 2015 Para. 32 of the NPPF Policies TA1 & TA2 of the Torbay Local Plan | Where the proposed development exceeds the relevant threshold in Appendix B of Guidance on Transport Assessment (DfT, 2007), or at the request of the Local Highway Authority | The Guidance on Transport Assessment (DfT, 2007) is available on the GOV.UK website www.gov.uk . Further guidance is available on the Planning Practice Guidance website http://planningguidance.planningportal.gov.uk/ . Where there is uncertainty, the applicant is recommended to submit a pre-application enquiry. | |

6. Notification for Prior Approval for a Proposed Change of Use of Agricultural Building to a Dwellinghouse (Class C3), and for Associated Operational Development (GPDO Sch. 2 Part 3 Class Q) ([back to contents](#))

| Document / Plan | Legislation / Policy Context | When Required? | Further Information | ✓ / x |
|---|--|----------------|--|-------|
| National Requirements | | | | |
| Written description of the proposed development and the developer's contact address and email address | The Town and Country Planning (General Permitted Development) (England) Order 2015 | All | <p>Before beginning the application, please check the restrictions that apply to this class to ensure that the proposed development is permitted development under the GPDO. If the proposal does not accord with these restrictions, a full planning application must be submitted.</p> <p>An application form is available on the Planning Portal website www.planningportal.gov.uk, which should be completed in full. It includes details of the restrictions and where the</p> | |

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| | | | permitted development right does not apply. The written description should include information covering the relevant impacts for this class in the GPDO. These are listed on the application form. The application can be refused if insufficient information is provided. | |
| A plan indicating the site and showing the proposed development | The Town and Country Planning (General Permitted Development) (England) Order 2015 | All | The plan should be drawn to an identified scale and show the direction of North | |
| Flood Risk Assessment | The Town and Country Planning (General Permitted Development) (England) Order 2015 Para. 103 of the NPPF Policy ER1 of the Torbay Local Plan | Developments in Flood Zones 2 and 3, and in an area within Flood Zone 1 which has critical drainage problems | Guidance on carrying out a Flood Risk Assessment is available on the Planning Practice Guidance website http://planningguidance.planningportal.gov.uk/ Almost all of Torbay has been classified as being within a Critical Drainage Area (CDA) by the Environment Agency. Therefore, a Flood Risk Assessment will be required in most cases. Further guidance will be published on the Council's website shortly. Where there is uncertainty, the applicant is recommended to submit a pre-application enquiry. | |
| Fee | The Town and Country Planning (Fees for Applications, Deemed Applications, Requests and Site Visits) (England) Regulations 2012 (as amended) | All | A guide entitled 'A Guide to the Fees for Planning Applications in England' is available on the Planning Portal website www.planningportal.gov.uk , which includes scenarios where exemptions or reductions apply. Payment can be made online via the Planning | |

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| | | | Portal or by cheque or credit/debit card by telephoning Customer Service & Planning Support on 01803 207801. Payment by cheque will delay validation until the cheque has cleared. | |
| Local Requirements | | | | |
| Contaminated Land Risk Assessment | The Town and Country Planning (General Permitted Development) (England) Order 2015 Para. 121 of the NPPF Policy ER3 of the Torbay Local Plan | Where land contamination is suspected from previous uses on or around the site | Guidance on dealing with sites that could be contaminated is available on the Planning Practice Guidance website http://planningguidance.planningportal.gov.uk/ . Detailed technical guidance is available on the GOV.UK website www.gov.uk . Where there is uncertainty, the applicant is recommended to submit a pre-application enquiry. | |
| Contaminated Land Intrusive Site Investigation and Risk Assessment (including proposed remediation where necessary) | The Town and Country Planning (General Permitted Development) (England) Order 2015 Para. 121 of the NPPF Policy ER3 of the Torbay Local Plan | Where it cannot be demonstrated that the risk from contamination is acceptable, following a Contaminated Land Risk Assessment | Guidance on dealing with sites that could be contaminated is available on the Planning Practice Guidance website http://planningguidance.planningportal.gov.uk/ . Detailed technical guidance is available on the GOV.UK website www.gov.uk . Where there is uncertainty, the applicant is recommended to submit a pre-application enquiry. | |
| Existing and Proposed Elevations drawn to an identified scale | The Town and Country Planning (General Permitted Development) (England) Order 2015 | All | These are required to assess the design and external appearance of the building after the change of use. | |
| Existing and Proposed Site Plans drawn to an identified scale and showing the direction of | The Town and Country Planning (General Permitted Development) (England) Order 2015 | All | These are required to assess the practicality and/or desirability of the change of use. | |

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| Noise Impact Assessment | The Town and Country Planning (General Permitted Development) (England) Order 2015 Para. 123 of the NPPF Policy DE3 of the Torbay Local Plan | For development proposals that may create additional noise resulting in an adverse effect on residential / recreational amenity, or for sensitive development proposals located close to a use creating noticeable noise | Guidance on noise in relation to planning is available on the Planning Practice Guidance website http://planningguidance.planningportal.gov.uk/ Where there is uncertainty, the applicant is recommended to submit a pre-application enquiry. | |
| Transport Statement or Transport Assessment | The Town and Country Planning (General Permitted Development) (England) Order 2015 Para. 32 of the NPPF Policies TA1 & TA2 of the Torbay Local Plan | Where the proposed development exceeds the relevant threshold in Appendix B of Guidance on Transport Assessment (DfT, 2007), or at the request of the Local Highway Authority | The Guidance on Transport Assessment (DfT, 2007) is available on the GOV.UK website www.gov.uk . Further guidance is available on the Planning Practice Guidance website http://planningguidance.planningportal.gov.uk/ Where there is uncertainty, the applicant is recommended to submit a pre-application enquiry. | |

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17. Notification for Prior Approval for a Proposed Change of Use of Agricultural Building to a flexible use within Shops, Financial and Professional services, Restaurants and Cafes, Business, Storage or Distribution, Hotels, or Assembly or Leisure (GPDO Sch. 2 Part 3 Class R) ([back to contents](#))

| Document / Plan | Legislation / Policy Context | When Required? | Further Information | ✓ / x |
|---|--|----------------|---|-------|
| National Requirements | | | | |
| Written description of the proposed development and the developer's contact address and email address | The Town and Country Planning (General Permitted Development) (England) Order 2015 | All | Before beginning the application, please check the restrictions that apply to this class to ensure that the proposed development is permitted development under the GPDO. If the proposal does not accord with these restrictions, a full planning application must be submitted. | |

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| | | | <p>An application form is available on the Planning Portal website www.planningportal.gov.uk, which should be completed in full. It includes details of the restrictions and where the permitted development right does not apply.</p> <p>The written description should include information covering the relevant impacts for this class in the GPDO. These are listed on the application form. The application can be refused if insufficient information is provided.</p> | |
| A plan indicating the site and showing the proposed development | The Town and Country Planning (General Permitted Development) (England) Order 2015 | All | The plan should be drawn to an identified scale and show the direction of North | |
| Flood Risk Assessment | The Town and Country Planning (General Permitted Development) (England) Order 2015 Para. 103 of the NPPF Policy ER1 of the Torbay Local Plan | Developments in Flood Zones 2 and 3, and in an area within Flood Zone 1 which has critical drainage problems (where the cumulative floor space of the building(s) exceeds 150 sq m) | <p>Guidance on carrying out a Flood Risk Assessment is available on the Planning Practice Guidance website http://planningguidance.planningportal.gov.uk/</p> <p>Almost all of Torbay has been classified as being within a Critical Drainage Area (CDA) by the Environment Agency. Therefore, a Flood Risk Assessment will be required in most cases. Further guidance will be published on the Council's website shortly.</p> <p>Where there is uncertainty, the applicant is recommended to submit a pre-application enquiry.</p> | |
| Fee | The Town and Country Planning (Fees for Applications, Deemed Applications, Requests | All | A guide entitled 'A Guide to the Fees for Planning Applications in England' is available on the Planning Portal website www.planningportal.gov.uk , which includes | |

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| | and Site Visits) (England) Regulations 2012 (as amended) | | scenarios where exemptions or reductions apply. Payment can be made online via the Planning Portal or by cheque or credit/debit card by telephoning Customer Service & Planning Support on 01803 207801. Payment by cheque will delay validation until the cheque has cleared. | |
| Local Requirements (where the cumulative floor space of the building(s) exceeds 150 sq m) | | | | |
| Page 81 | Contaminated Land Risk Assessment | The Town and Country Planning (General Permitted Development) (England) Order 2015 Para. 121 of the NPPF Policy ER3 of the Torbay Local Plan | Where land contamination is suspected from previous uses on or around the site | Guidance on dealing with sites that could be contaminated is available on the Planning Practice Guidance website http://planningguidance.planningportal.gov.uk/ . Detailed technical guidance is available on the GOV.UK website www.gov.uk . Where there is uncertainty, the applicant is recommended to submit a pre-application enquiry. |
| | Contaminated Land Intrusive Site Investigation and Risk Assessment (including proposed remediation where necessary) | The Town and Country Planning (General Permitted Development) (England) Order 2015 Para. 121 of the NPPF Policy ER3 of the Torbay Local Plan | Where it cannot be demonstrated that the risk from contamination is acceptable, following a Contaminated Land Risk Assessment | Guidance on dealing with sites that could be contaminated is available on the Planning Practice Guidance website http://planningguidance.planningportal.gov.uk/ . Detailed technical guidance is available on the GOV.UK website www.gov.uk . Where there is uncertainty, the applicant is recommended to submit a pre-application enquiry. |
| | Noise Impact Assessment | The Town and Country Planning (General Permitted Development) (England) Order 2015 | For development proposals that may create additional noise resulting in an adverse effect on | Guidance on noise in relation to planning is available on the Planning Practice Guidance website http://planningguidance.planningportal.gov.uk/ . |

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| | Para. 123 of the NPPF Policy DE3 of the Torbay Local Plan | residential / recreational amenity | Where there is uncertainty, the applicant is recommended to submit a pre-application enquiry. | |
| Transport Statement or Transport Assessment | The Town and Country Planning (General Permitted Development) (England) Order 2015 Para. 32 of the NPPF Policies TA1 & TA2 of the Torbay Local Plan | Where the proposed development exceeds the relevant threshold in Appendix B of Guidance on Transport Assessment (DfT, 2007), or at the request of the Local Highway Authority | The Guidance on Transport Assessment (DfT, 2007) is available on the GOV.UK website www.gov.uk . Further guidance is available on the Planning Practice Guidance website http://planningguidance.planningportal.gov.uk/ . Where there is uncertainty, the applicant is recommended to submit a pre-application enquiry. | |

18. Notification for Prior Approval for a Proposed Change of Use from an Agricultural Building and any land within its curtilage to a State-Funded School or Registered Nursery (GPDO Sch. 2 Part 3 Class S) ([back to contents](#))

| Document / Plan | Legislation / Policy Context | When Required? | Further Information | ✓ / x |
|---|--|----------------|---|-------|
| National Requirements | | | | |
| Written description of the proposed development and the developer's contact address and email address | The Town and Country Planning (General Permitted Development) (England) Order 2015 | All | Before beginning the application, please check the restrictions that apply to this class to ensure that the proposed development is permitted development under the GPDO. If the proposal does not accord with these restrictions, a full planning application must be submitted. | |

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| | | | <p>An application form is available on the Planning Portal website www.planningportal.gov.uk, which should be completed in full. It includes details of the restrictions and where the permitted development right does not apply.</p> <p>The written description should include information covering the relevant impacts for this class in the GPDO. These are listed on the application form. The application can be refused if insufficient information is provided.</p> | |
| A plan indicating the site and showing the proposed development | The Town and Country Planning (General Permitted Development) (England) Order 2015 | All | The plan should be drawn to an identified scale and show the direction of North | |
| Flood Risk Assessment | The Town and Country Planning (General Permitted Development) (England) Order 2015 Para. 103 of the NPPF Policy ER1 of the Torbay Local Plan | Developments in Flood Zones 2 and 3, and in an area within Flood Zone 1 which has critical drainage problems | <p>Guidance on carrying out a Flood Risk Assessment is available on the Planning Practice Guidance website http://planningguidance.planningportal.gov.uk/</p> <p>Almost all of Torbay has been classified as being within a Critical Drainage Area (CDA) by the Environment Agency. Therefore, a Flood Risk Assessment will be required in most cases. Further guidance will be published on the Council's website shortly.</p> <p>Where there is uncertainty, the applicant is recommended to submit a pre-application enquiry.</p> | |
| Fee | The Town and Country Planning (Fees for Applications, Deemed | All | A guide entitled 'A Guide to the Fees for Planning Applications in England' is available on the Planning Portal website | |

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| | Applications, Requests and Site Visits) (England) Regulations 2012 (as amended) | | <p>www.planningportal.gov.uk, which includes scenarios where exemptions or reductions apply.</p> <p>Payment can be made online via the Planning Portal or by cheque or credit/debit card by telephoning Customer Service & Planning Support on 01803 207801. Payment by cheque will delay validation until the cheque has cleared.</p> | |
| Local Requirements | | | | |
| Page 84 | Contaminated Land Risk Assessment | The Town and Country Planning (General Permitted Development) (England) Order 2015 Para. 121 of the NPPF Policy ER3 of the Torbay Local Plan | Where land contamination is suspected from previous uses on or around the site | <p>Guidance on dealing with sites that could be contaminated is available on the Planning Practice Guidance website http://planningguidance.planningportal.gov.uk/. Detailed technical guidance is available on the GOV.UK website www.gov.uk.</p> <p>Where there is uncertainty, the applicant is recommended to submit a pre-application enquiry.</p> |
| | Contaminated Land Intrusive Site Investigation and Risk Assessment (including proposed remediation where necessary) | The Town and Country Planning (General Permitted Development) (England) Order 2015 Para. 121 of the NPPF Policy ER3 of the Torbay Local Plan | Where it cannot be demonstrated that the risk from contamination is acceptable, following a Contaminated Land Risk Assessment | <p>Guidance on dealing with sites that could be contaminated is available on the Planning Practice Guidance website http://planningguidance.planningportal.gov.uk/. Detailed technical guidance is available on the GOV.UK website www.gov.uk.</p> <p>Where there is uncertainty, the applicant is recommended to submit a pre-application enquiry.</p> |
| | Existing and Proposed Site Plans drawn to an identified scale and | The Town and Country Planning (General Permitted Development) | All | These are required to assess the practicality and/or desirability of the change of use. |

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| showing the direction of North | (England) Order 2015 | | | |
| Noise Impact Assessment | The Town and Country Planning (General Permitted Development) (England) Order 2015 Para. 123 of the NPPF Policy DE3 of the Torbay Local Plan | For development proposals that may create additional noise resulting in an adverse effect on residential / recreational amenity | Guidance on noise in relation to planning is available on the Planning Practice Guidance website http://planningguidance.planningportal.gov.uk/ . Where there is uncertainty, the applicant is recommended to submit a pre-application enquiry. | |
| Transport Statement or Transport Assessment | The Town and Country Planning (General Permitted Development) (England) Order 2015 Para. 32 of the NPPF Policies TA1 & TA2 of the Torbay Local Plan | Where the proposed development exceeds the relevant threshold in Appendix B of Guidance on Transport Assessment (DfT, 2007), or at the request of the Local Highway Authority | The Guidance on Transport Assessment (DfT, 2007) is available on the GOV.UK website www.gov.uk . Further guidance is available on the Planning Practice Guidance website http://planningguidance.planningportal.gov.uk/ . Where there is uncertainty, the applicant is recommended to submit a pre-application enquiry. | |

19. Notification for Prior Approval for Proposed Change of Use of a building and any land within its curtilage from Business (Class B1), Hotels (Class C1), Residential Institutions (Class C2), Secure Residential Institutions (Class C2A) or Assembly and Leisure (Class D2) to a state-funded school or registered nursery (GPDO Sch. 2 Part 3 Class T) ([back to contents](#))

| Document / Plan | Legislation / Policy Context | When Required? | Further Information | ✓ / x |
|---|--|----------------|---|-------|
| National Requirements | | | | |
| Written description of the proposed development and the developer's contact address and email | The Town and Country Planning (General Permitted Development) (England) Order 2015 | All | Before beginning the application, please check the restrictions that apply to this class to ensure that the proposed development is permitted development under the GPDO. If the proposal | |

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| address | | | <p>does not accord with these restrictions, a full planning application must be submitted.</p> <p>An application form is available on the Planning Portal website www.planningportal.gov.uk, which should be completed in full. It includes details of the restrictions and where the permitted development right does not apply.</p> <p>The written description should include information covering the relevant impacts for this class in the GPDO. These are listed on the application form. The application can be refused if insufficient information is provided.</p> | |
| A plan indicating the site and showing the proposed development | The Town and Country Planning (General Permitted Development) (England) Order 2015 | All | The plan should be drawn to an identified scale and show the direction of North | |
| Fee | The Town and Country Planning (Fees for Applications, Deemed Applications, Requests and Site Visits) (England) Regulations 2012 (as amended) | All | <p>A guide entitled 'A Guide to the Fees for Planning Applications in England' is available on the Planning Portal website www.planningportal.gov.uk, which includes scenarios where exemptions or reductions apply.</p> <p>Payment can be made online via the Planning Portal or by cheque or credit/debit card by telephoning Customer Service & Planning Support on 01803 207801. Payment by cheque will delay validation until the cheque has cleared.</p> | |
| Local Requirements | | | | |
| Contaminated Land Risk Assessment | The Town and Country Planning (General | Where land contamination is suspected from previous | Guidance on dealing with sites that could be contaminated is available on the Planning | |

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| | Permitted Development) (England) Order 2015 Para. 121 of the NPPF Policy ER3 of the Torbay Local Plan | uses on or around the site | Practice Guidance website http://planningguidance.planningportal.gov.uk/ . Detailed technical guidance is available on the GOV.UK website www.gov.uk . Where there is uncertainty, the applicant is recommended to submit a pre-application enquiry. | |
| Contaminated Land Intrusive Site Investigation and Risk Assessment (including proposed remediation where necessary) | The Town and Country Planning (General Permitted Development) (England) Order 2015 Para. 121 of the NPPF Policy ER3 of the Torbay Local Plan | Where it cannot be demonstrated that the risk from contamination is acceptable, following a Contaminated Land Risk Assessment | Guidance on dealing with sites that could be contaminated is available on the Planning Practice Guidance website http://planningguidance.planningportal.gov.uk/ . Detailed technical guidance is available on the GOV.UK website www.gov.uk . Where there is uncertainty, the applicant is recommended to submit a pre-application enquiry. | |
| Noise Impact Assessment | The Town and Country Planning (General Permitted Development) (England) Order 2015 Para. 123 of the NPPF Policy DE3 of the Torbay Local Plan | For development proposals that may create additional noise resulting in an adverse effect on residential / recreational amenity | Guidance on noise in relation to planning is available on the Planning Practice Guidance website http://planningguidance.planningportal.gov.uk/ . Where there is uncertainty, the applicant is recommended to submit a pre-application enquiry. | |
| Transport Statement or Transport Assessment | The Town and Country Planning (General Permitted Development) (England) Order 2015 Para. 32 of the NPPF Policies TA1 & TA2 of the Torbay Local Plan | Where the proposed development exceeds the relevant threshold in Appendix B of Guidance on Transport Assessment (DfT, 2007), or at the request of the Local Highway Authority | The Guidance on Transport Assessment (DfT, 2007) is available on the GOV.UK website www.gov.uk . Further guidance is available on the Planning Practice Guidance website http://planningguidance.planningportal.gov.uk/ . Where there is uncertainty, the applicant is recommended to submit a pre-application | |

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| | | | enquiry. | |
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20. Notification for Prior Approval for the Temporary Use of Buildings or Land for the Purpose of Commercial Film-Making and the Associated Temporary Structures, Works, Plant or Machinery required in Connection with that Use (GPDO Sch. 2 Part 4 Class E)

[\(back to contents\)](#)

| Document / Plan | Legislation / Policy Context | When Required? | Further Information | ✓ / x |
|--|---|----------------|---|-------|
| National Requirements | | | | |
| Written description of the proposed development, including schedule of | The Town and Country Planning (General Permitted Development) | All | Before beginning the application, please check the restrictions that apply to this class to ensure that the proposed development is permitted | |

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| <p>filming dates and operating hours, and the developer's contact address and email address</p> | <p>(England) Order 2015</p> | | <p>development under the GPDO. If the proposal does not accord with these restrictions, a full planning application must be submitted.</p> <p>An application form is available on the Planning Portal website www.planningportal.gov.uk, which should be completed in full. It includes details of the restrictions and where the permitted development right does not apply.</p> <p>The written description should include information covering the relevant impacts for this class in the GPDO. These are listed on the application form. The application can be refused if insufficient information is provided.</p> | |
| <p>A plan indicating the site and showing the proposed development</p> | <p>The Town and Country Planning (General Permitted Development) (England) Order 2015</p> | <p>All</p> | <p>The plan should be drawn to an identified scale and show the direction of North</p> | |
| <p>Flood Risk Assessment</p> | <p>The Town and Country Planning (General Permitted Development) (England) Order 2015 Para. 103 of the NPPF Policy ER1 of the Torbay Local Plan</p> | <p>All</p> | <p>Guidance on carrying out a Flood Risk Assessment is available on the Planning Practice Guidance website http://planningguidance.planningportal.gov.uk/</p> <p>Almost all of Torbay has been classified as being within a Critical Drainage Area (CDA) by the Environment Agency. Therefore, a Flood Risk Assessment will be required in most cases. Further guidance will be published on the Council's website shortly.</p> <p>Where there is uncertainty, the applicant is recommended to submit a pre-application enquiry.</p> | |

NB. No fee required

Local Requirements

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| <p>Lighting Assessment</p> | <p>The Town and Country Planning (General Permitted Development) (England) Order 2015 The Conservation of Habitats and Species Regulations 2010 (as amended) Para. 125 of the NPPF Policies SS8, NC1 & DE3 of the Torbay Local Plan</p> | <p>For development proposals that will alter light levels and have the potential to adversely affect the use or enjoyment of nearby buildings or open spaces, or adversely affect sensitive habitats or protected species, or adversely affect intrinsically dark landscapes</p> | <p>Guidance on light pollution in relation to planning is available on the Planning Practice Guidance website http://planningguidance.planningportal.gov.uk/.</p> <p>The Institute of Lighting Engineers has produced 'Guidance Notes for the Reduction of Obtrusive Light' (2011).</p> <p>In order to prevent harm to bats, external lighting should be 0.5 lux or less and include shields, baffles or louvres to direct light down and prevent light spill.</p> <p>Where there is uncertainty, the applicant is recommended to submit a pre-application enquiry.</p> |
| <p>Noise Impact Assessment</p> | <p>The Town and Country Planning (General Permitted Development) (England) Order 2015 Para. 123 of the NPPF Policy DE3 of the Torbay Local Plan</p> | <p>For development proposals that may create additional noise resulting in an adverse effect on residential / recreational amenity</p> | <p>Guidance on noise in relation to planning is available on the Planning Practice Guidance website http://planningguidance.planningportal.gov.uk/.</p> <p>Where there is uncertainty, the applicant is recommended to submit a pre-application enquiry.</p> |
| <p>Transport Statement or Transport Assessment</p> | <p>The Town and Country Planning (General Permitted Development) (England) Order 2015 Para. 32 of the NPPF Policies TA1 & TA2 of the Torbay Local Plan</p> | <p>Where the proposed development exceeds the relevant threshold in Appendix B of Guidance on Transport Assessment (DfT, 2007), or at the request of the Local</p> | <p>The Guidance on Transport Assessment (DfT, 2007) is available on the GOV.UK website www.gov.uk. Further guidance is available on the Planning Practice Guidance website http://planningguidance.planningportal.gov.uk/.</p> <p>Where there is uncertainty, the applicant is</p> |

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| | | Highway Authority | recommended to submit a pre-application enquiry. | |
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21. Applications for prior notification of agricultural or forestry development (including proposed buildings, roads, excavation/deposit of waste material from the farm and fish tanks) (GPDO Sch. 2 Part 6 Class A, Class B & Class E) ([back to contents](#))

| Document / Plan | Legislation / Policy Context | When Required? | Further Information | ✓ / x |
|---|--|----------------|--|-------|
| <i>National Requirements</i> | | | | |
| Written description of the proposed development | The Town and Country Planning (General | All | Before beginning the application, please check the restrictions that apply to these classes to | |

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| and of the materials to be used | Permitted Development) (England) Order 2015 | | <p>ensure that the proposed development is permitted development under the GPDO. If the proposal does not accord with these restrictions, a full planning application must be submitted.</p> <p>An application form is available on the Planning Portal website www.planningportal.gov.uk, which should be completed in full.</p> | |
| A plan indicating the site | The Town and Country Planning (General Permitted Development) (England) Order 2015 | All | The plan should be drawn to an identified scale and show the direction of North. It should also show the proposed development, as well as any trees and hedges on the site. | |
| Fee Page 92 | The Town and Country Planning (Fees for Applications, Deemed Applications, Requests and Site Visits) (England) Regulations 2012 (as amended) | All | <p>A guide entitled 'A Guide to the Fees for Planning Applications in England' is available on the Planning Portal website www.planningportal.gov.uk, which includes scenarios where exemptions or reductions apply.</p> <p>Payment can be made online via the Planning Portal or by cheque or credit/debit card by telephoning Customer Service & Planning Support on 01803 207801. Payment by cheque will delay validation until the cheque has cleared.</p> | |
| Local Requirements | | | | |
| Bat and Breeding Bird Assessment (<i>this can be incorporated into an Ecological Impact Assessment / Statement where applicable</i>) | Paras. 109 & 118 of the NPPF Policy NC1 of the Torbay Local Plan | For works to roofs or where trees or hedges need to be pruned or removed | <p>This should be carried out by a suitably qualified ecologist and can consist of a signed letter.</p> <p>Surveys must be up-to-date and accord with best practice guidance/local guidance.</p> <p>Where there is uncertainty, the applicant is</p> | |

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| | | | recommended to submit a pre-application enquiry. | |
| Existing and Proposed Site Plan, Floor Plan(s), Elevations and/or Sections necessary to describe the development drawn to an identified scale and the site plan shall show the direction of North | | All | These will be used to determine whether prior approval is required as to the siting, design and external appearance of the building, the siting and means of construction of a private way, the siting of the excavation or deposit, or the siting and appearance of the tank. | |
| Ecological Impact Assessment / Statement | The Conservation of Habitats and Species Regulations 2010 (as amended) Paras. 109 & 118 of the NPPF Policies SS8 & NC1 of the Torbay Local Plan | For development proposals that have potential to significantly impact biodiversity, including protected habitats and species, or development proposals within a strategic flyway or sustenance zone associated with the South Hams SAC that have potential to impact Greater Horseshoe Bats | The requirement for an Ecological Impact Assessment (EclA) will normally be ascertained following an Extended Phase 1 Habitat Survey of the site and any necessary Protected Species Surveys. In some cases a less comprehensive Ecological Impact Statement by a suitably qualified ecologist might be more appropriate; for example, where trees and hedgerows are to be removed as a result of the proposed development, or where there will be illumination from the proposed development, on a site which is located within a strategic flyway or sustenance zone associated with the South Hams SAC. Natural England has produced planning guidance on the South Hams SAC, including the types of impacts that can adversely affect Greater Horseshoe Bats, which are protected under European law, and a map showing the strategic flyways and sustenance zone. Guidance on biodiversity considerations in relation to planning in general is available on the Planning Practice Guidance website | |

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| | | | <p>http://planningguidance.planningportal.gov.uk/.</p> <p>Further guidance is provided by Natural England on the GOV.UK website www.gov.uk, including standing advice for different protected species.</p> <p>Where there is uncertainty, the applicant is recommended to submit a pre-application enquiry.</p> | |
| <p>Extended Phase 1 Habitat Survey (including proposed mitigation where necessary) (<i>this can be incorporated into an Ecological Impact Assessment / Statement where applicable</i>)</p> <p>94</p> | <p>The Conservation of Habitats and Species Regulations 2010 (as amended) Paras. 109 & 118 of the NPPF Policies SS8 & NC1 of the Torbay Local Plan</p> | <p>Where natural features and/or habitats are present on the site, or adjoin the site, such as trees, hedges, grassland, ponds and streams</p> | <p>Guidance on biodiversity considerations in relation to planning is available on the Planning Practice Guidance website http://planningguidance.planningportal.gov.uk/.</p> <p>Further guidance is provided by Natural England on the GOV.UK website www.gov.uk, including standing advice for different protected species.</p> <p>Where there is uncertainty, the applicant is recommended to submit a pre-application enquiry.</p> | |
| <p>Flood Risk Assessment (including surface water drainage strategy)</p> | <p>Para. 103 of the NPPF Policy ER1 of the Torbay Local Plan</p> | <p>Developments in Flood Zones 2 and 3, and in an area within Flood Zone 1 which has critical drainage problems or where the site area is 1ha or more</p> | <p>Guidance on carrying out a Flood Risk Assessment is available on the Planning Practice Guidance website http://planningguidance.planningportal.gov.uk/</p> <p>Almost all of Torbay has been classified as being within a Critical Drainage Area (CDA) by the Environment Agency. Therefore, a Flood Risk Assessment will be required for most planning applications for new development (including minor development and change of</p> | |

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| | | | use). Further guidance will be published on the Council's website shortly. Where there is uncertainty, the applicant is recommended to submit a pre-application enquiry. | |
| Landscape and Visual Impact Assessment | Para. 116 of the NPPF Policy SS8 of the Torbay Local Plan | Development proposals within the AONB or that could affect the setting of the AONB or Undeveloped Coast | The AONB and Undeveloped Coast are shown on the Local Plan Proposals Map. Where there is uncertainty, the applicant is recommended to submit a pre-application enquiry. | |
| Lighting Assessment (<i>this can be incorporated into an Ecological Impact Assessment / Statement where applicable</i>) page 95 | The Conservation of Habitats and Species Regulations 2010 (as amended) Para. 125 of the NPPF Policies SS8, NC1 & DE3 of the Torbay Local Plan | For development proposals that will alter light levels and have the potential to adversely affect the use or enjoyment of nearby buildings or open spaces, or adversely affect sensitive habitats or protected species, or adversely affect intrinsically dark landscapes | Guidance on light pollution in relation to planning is available on the Planning Practice Guidance website http://planningguidance.planningportal.gov.uk/ . The Institute of Lighting Engineers has produced 'Guidance Notes for the Reduction of Obtrusive Light' (2011). In order to prevent harm to bats, external lighting should be 0.5 lux or less and include shields, baffles or louvres to direct light down and prevent light spill. Where there is uncertainty, the applicant is recommended to submit a pre-application enquiry. | |
| Protected Species Surveys (including proposed mitigation where necessary) (<i>these can be incorporated into an</i> | The Conservation of Habitats and Species Regulations 2010 (as amended) Paras. 109 & 118 of the | Where potential for protected species on or using the site has been identified, following an Extended Phase 1 Habitat | Guidance on biodiversity considerations in relation to planning is available on the Planning Practice Guidance website http://planningguidance.planningportal.gov.uk/ . | |

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| <p><i>Ecological Impact Assessment where applicable)</i></p> | <p>NPPF Policies SS8 & NC1 of the Torbay Local Plan</p> | <p>Survey or through pre-application discussions</p> | <p>Further guidance is provided by Natural England on the GOV.UK website www.gov.uk, including standing advice for different protected species.</p> <p>Surveys must be up-to-date and accord with best practice guidance/local guidance.</p> <p>Where there is uncertainty, the applicant is recommended to submit a pre-application enquiry.</p> | |
| <p>Tree Survey & Arboricultural Impact Assessment</p> <p>Page 96</p> | <p>Policy C4 of the Torbay Local Plan</p> | <p>For development proposals on sites with trees, or where trees are in close proximity to the site boundary</p> | <p>Tree Surveys and Arboricultural Impact Assessments should be carried out in accordance with BS 5837:2012 or any superseding standard.</p> <p>Standing Advice for Ancient Woodland and Veteran Trees (April 2014) is available on the GOV.UK website www.gov.uk.</p> <p>Where there is uncertainty, the applicant is recommended to submit a pre-application enquiry.</p> | |
| <p>Tree Protection Plan & Arboricultural Method Statement</p> | <p>Policy C4 of the Torbay Local Plan</p> | <p>For development proposals that will affect trees</p> | <p>The Council's Arboricultural Officer will be consulted to determine whether this information is required. In most cases, the Council will add a planning condition to the planning permission requiring the submission of these details prior to the development commencing.</p> <p>Tree Protection Plans and Arboricultural Method Statements should be carried out in accordance with BS 5837:2012 or any superseding standard.</p> | |

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| | | | <p>Standing Advice for Ancient Woodland and Veteran Trees (April 2014) is available on the GOV.UK website www.gov.uk.</p> <p>Where there is uncertainty, the applicant is recommended to submit a pre-application enquiry.</p> | |
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22. Notification for Prior Approval for a Development Consisting of the Erection or Construction of a Collection Facility within the Curtilage of a Shop (GPDO Sch. 2 Part 7 Class C) ([back to contents](#))

| Document / Plan | Legislation / Policy Context | When Required? | Further Information | ✓ / x |
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| National Requirements | | | | |
| Written description of the proposed development and the developer's contact address and email address | The Town and Country Planning (General Permitted Development) (England) Order 2015 | All | <p>Before beginning the application, please check the restrictions that apply to this class to ensure that the proposed development is permitted development under the GPDO. If the proposal does not accord with these restrictions, a full planning application must be submitted.</p> <p>An application form is available on the Planning Portal website www.planningportal.gov.uk, which should be completed in full. It includes details of the restrictions and where the permitted development right does not apply.</p> <p>The application can be refused if insufficient information is provided.</p> | |
| Plan indicating the site and showing the proposed development | The Town and Country Planning (General Permitted Development) (England) Order 2015 | All | The plan should be drawn to an identified scale and show the direction of North | |
| NB. No fee required | | | | |
| Local Requirements | | | | |
| Existing and Proposed Elevations and Plans necessary to describe the development drawn to an identified scale and plans shall show the direction of North | The Town and Country Planning (General Permitted Development) (England) Order 2015 | All | These will be used to determine whether prior approval is required as to the siting, design and external appearance of the building or structure. | |
| Flood Risk Assessment (including surface water drainage strategy) | Para. 103 of the NPPF Policy ER1 of the Torbay Local Plan | Developments in Flood Zones 2 and 3, and in an area within Flood Zone 1 | Guidance on carrying out a Flood Risk Assessment is available on the Planning Practice Guidance website | |

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| | | which has critical drainage problems | http://planningguidance.planningportal.gov.uk/ Almost all of Torbay has been classified as being within a Critical Drainage Area (CDA) by the Environment Agency. Therefore, a Flood Risk Assessment will be required in most cases. Further guidance will be published on the Council's website shortly. Where there is uncertainty, the applicant is recommended to submit a pre-application enquiry. | |
| Statement of Heritage Significance Page 99 | The Town and Country Planning (General Permitted Development) (England) Order 2015 Para. 128 of the NPPF Policies HE1 & HE2 of the Torbay Local Plan | Where the development will affect the setting of a heritage asset, such as a conservation area, listed building, scheduled monument or historic park and garden | The requirements for Statements of Heritage Significance are set out in paragraph 128 of the NPPF. Further advice is available on the Council's website on the Make a Planning Application - Plans and Documents - Heritage Statements page, including an example. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. This can be added to the description of the proposed development on the application form, or, if there is not enough space, it can be provided separately. Where there is uncertainty, the applicant is recommended to submit a pre-application enquiry. | |

23. Application for prior notification of proposed demolition (applies to unlisted buildings not within a conservation area) (GPD Sch. 2 Part 11 Class B) ([back to contents](#))

| Document / Plan | Legislation / Policy Context | When Required? | Further Information | ✓ / x |
|--|--|----------------|---|-------|
| National Requirements | | | | |
| Written description of the proposed development (including building address, the developer's contact address and email address for buildings in Class A4 (drinking establishments) use that are not a community asset) | The Town and Country Planning (General Permitted Development) (England) Order 2015 | All | <p>Before beginning the application, please check the restrictions that apply to this class to ensure that the proposed development is permitted development under the GPDO. If the proposal does not accord with these restrictions, a full planning application must be submitted.</p> <p>An application form is available on the Planning Portal website www.planningportal.gov.uk, which should be completed in full.</p> | |
| Statement that a site notice has been posted on or near the land by the applicant | The Town and Country Planning (General Permitted Development) (England) Order 2015 | All | The site notice must include the details in the Interpretation of Class B of Part 11 Class B of the GPDO and be displayed in accordance with paragraph B.2(b)(iv). | |
| Fee | The Town and Country Planning (Fees for Applications, Deemed Applications, Requests and Site Visits) (England) Regulations 2012 (as amended) | All | <p>A guide entitled 'A Guide to the Fees for Planning Applications in England' is available on the Planning Portal website www.planningportal.gov.uk, which includes scenarios where exemptions or reductions apply.</p> <p>Payment can be made online via the Planning Portal or by cheque or credit/debit card by telephoning Customer Service & Planning Support on 01803 207801. Payment by cheque will delay validation until the cheque has cleared.</p> | |
| Local Requirements | | | | |
| Bat and Breeding Bird Assessment | Paras. 109 &118 of the NPPF | All | This should be carried out by a suitably qualified ecologist and can consist of a signed letter. | |

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| | Policy NC1 of the Torbay Local Plan | | Surveys must be up-to-date and accord with best practice guidance/local guidance. | |
| Flood Risk Assessment (including surface water drainage strategy) | Para. 103 of the NPPF Policy ER1 of the Torbay Local Plan | Developments in Flood Zones 2 and 3, and in an area within Flood Zone 1 which has critical drainage problems | <p>Guidance on carrying out a Flood Risk Assessment is available on the Planning Practice Guidance website http://planningguidance.planningportal.gov.uk/</p> <p>Almost all of Torbay has been classified as being within a Critical Drainage Area (CDA) by the Environment Agency. Therefore, a Flood Risk Assessment will be required in most cases. Further guidance will be published on the Council's website shortly.</p> <p>Where there is uncertainty, the applicant is recommended to submit a pre-application enquiry.</p> | |
| Location Plan drawn to an identified scale and showing the direction of North | | All | The location plan must show the site outlined in red and any adjoining land owned by the applicant outlined in blue. The site should include all land necessary to carry out the proposed development, including access. The location plan should be drawn to scale 1:1250 or 1:2500 and show at least two named roads. | |
| Method Statement for the works | Policy DE3 of the Torbay Local Plan | All | This should include details of measures that will be put in place to protect neighbouring properties from noise and dust that will be generated by the works. It should also describe how materials will either be stored or removed from the site. | |
| Pollution Prevention Plans (these can be incorporated into a Waste Audit) | Local Plan Policy ER2 | For demolition of major development within the 250 metre buffer of the | Where there is uncertainty, the applicant is recommended to submit a pre-application enquiry. | |

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| | | Lyme Bay and Torbay cSAC | | |
| Statement of Heritage Significance | Para. 128 of the NPPF Policies HE1 & HE2 of the Torbay Local Plan | Where the development will affect the setting of a heritage asset, such as a conservation area, listed building, scheduled monument or historic park and garden | The requirements for Statements of Heritage Significance are set out in paragraph 128 of the NPPF. Further advice is available on the Council's website on the Make a Planning Application - Plans and Documents - Heritage Statements page, including an example. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. Where there is uncertainty, the applicant is recommended to submit a pre-application enquiry. | |
| Tree Survey & Arboricultural Impact Assessment | Policy C4 of the Torbay Local Plan | For demolition works on sites with trees, or where trees are in close proximity to the site boundary | Tree Surveys and Arboricultural Impact Assessments should be carried out in accordance with BS 5837:2012 or any superseding standard. Standing Advice for Ancient Woodland and Veteran Trees (April 2014) is available on the GOV.UK website www.gov.uk . Where there is uncertainty, the applicant is recommended to submit a pre-application enquiry. | |
| Tree Protection Plan & Arboricultural Method Statement | Policy C4 of the Torbay Local Plan | For demolition works that will affect trees | The Council's Arboricultural Officer will be consulted to determine whether this information is required. In most cases, the Council will add a planning condition to the planning permission requiring the submission of these details prior to the development commencing. | |

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| | | | <p>Tree Protection Plans and Arboricultural Method Statements should be carried out in accordance with BS 5837:2012 or any superseding standard.</p> <p>Standing Advice for Ancient Woodland and Veteran Trees (April 2014) is available on the GOV.UK website www.gov.uk.</p> <p>Where there is uncertainty, the applicant is recommended to submit a pre-application enquiry.</p> | |
| Waste Audit | Policy W2 of the Torbay Local Plan | For development proposals likely to generate significant volumes of waste during the works | <p>The audit should be proportionate to the scale of the proposal, number of visitors and likely waste generation.</p> <p>Where there is uncertainty, the applicant is recommended to submit a pre-application enquiry.</p> | |

24. Notification for Prior Approval for the Installation, Alteration or Replacement of other Solar Photovoltaics (PV) equipment on the Roofs of Non-domestic Buildings, up to a Capacity of 1 Megawatt, subject to certain limitations (GPDO Sch. 2 Part 14 Class J(c))
[\(back to contents\)](#)

| Document / Plan | Legislation / Policy Context | When Required? | Further Information | ✓ / x |
|--|--|----------------|---|-------|
| National Requirements | | | | |
| Written description of the proposed development and the developer's contact address and email address Page 104 | The Town and Country Planning (General Permitted Development) (England) Order 2015 | All | <p>Before beginning the application, please check the restrictions that apply to this class to ensure that the proposed development is permitted development under the GPDO. If the proposal does not accord with these restrictions, a full planning application must be submitted.</p> <p>An application form is available on the Planning Portal website www.planningportal.gov.uk, which should be completed in full. It includes details of the restrictions and where the permitted development right does not apply.</p> <p>The application can be refused if insufficient information is provided.</p> | |
| A plan indicating the site and showing the proposed development | The Town and Country Planning (General Permitted Development) (England) Order 2015 | All | The plan should be drawn to an identified scale and show the direction of North | |
| NB. No fee required | | | | |
| Local Requirements | | | | |
| Existing and Proposed Elevations and Roof Plans necessary to describe the development drawn to an identified scale and plans shall show the direction of | The Town and Country Planning (General Permitted Development) (England) Order 2015 | All | These will be used to determine whether prior approval is required as to the design or external appearance of the development. | |

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| North | | | | |
| Product Specification of solar PV equipment | The Town and Country Planning (General Permitted Development) (England) Order 2015 | All | These will be used to determine whether prior approval is required as to the design or external appearance of the development, in particular the impact of glare on occupiers of neighbouring land. | |
| Statement of Heritage Significance | The Town and Country Planning (General Permitted Development) (England) Order 2015 Para. 128 of the NPPF Policies HE1 & HE2 of the Torbay Local Plan | Where the development will affect the setting of a heritage asset, such as a conservation area, listed building, scheduled monument or historic park and garden | The requirements for Statements of Heritage Significance are set out in paragraph 128 of the NPPF. Further advice is available on the Council's website on the Make a Planning Application - Plans and Documents - Heritage Statements page, including an example. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. This can be added to the description of the proposed development on the application form, or, if there is not enough space, it can be provided separately. Where there is uncertainty, the applicant is recommended to submit a pre-application enquiry. | |

25. Application for prior notification of proposed development by electronic communications code operators (GPDO Sch. 2 Part 16 Class A) ([back to contents](#))

| Document / Plan | Legislation / Policy Context | When Required? | Further Information | ✓ / x |
|---|--|---|--|-------|
| National Requirements | | | | |
| Written description of the proposed development and the developer's contact address and email address | The Town and Country Planning (General Permitted Development) (England) Order 2015 | All | Before beginning the application, please check the restrictions that apply to this class to ensure that the proposed development is permitted development under the GPDO. If the proposal does not accord with these restrictions, a full planning application must be submitted. An application form is available on the Planning Portal website www.planningportal.gov.uk , which should be completed in full. | |
| A plan indicating the proposed location of the development | The Town and Country Planning (General Permitted Development) (England) Order 2015 | All | The plan should be drawn to an identified scale and show the direction of North | |
| Evidence that notice has been given to an owner or tenant of the land, other than the developer | The Town and Country Planning (General Permitted Development) (England) Order 2015 | Where there is an owner or tenant of the land, other than the developer | A copy of the notice should be provided | |
| Fee | The Town and Country Planning (Fees for Applications, Deemed Applications, Requests and Site Visits) (England) Regulations 2012 (as amended) | All | A guide entitled 'A Guide to the Fees for Planning Applications in England' is available on the Planning Portal website www.planningportal.gov.uk , which includes scenarios where exemptions or reductions apply. Payment can be made online via the Planning Portal or by cheque or credit/debit card by | |

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| | | | telephoning Customer Service & Planning Support on 01803 207801. Payment by cheque will delay validation until the cheque has cleared. | |
| Local Requirements | | | | |
| Existing and Proposed Elevations and Plans necessary to describe the development drawn to an identified scale and plans shall show the direction of North | Policy IF1 of the Torbay Local Plan | All | These will be used to determine whether prior approval is required as to the siting and appearance of the proposed development, and to assess its impact on the character and appearance of the streetscene. | |

26. Application to extend the time limits of existing planning permissions (applies to permissions granted on or before 1 October 2010 and have not expired) ([back to contents](#))

| Document / Plan | Legislation / Policy Context | When Required? | Further Information | ✓ / x |
|--|--|--|---|-------|
| National Requirements | | | | |
| Application Form, including signed Ownership Certificate and Agricultural Land Declaration | DMPO | All | Available on the Planning Portal website www.planningportal.gov.uk | |
| Fee Page 108 | The Town and Country Planning (Fees for Applications, Deemed Applications, Requests and Site Visits) (England) Regulations 2012 (as amended) | All | A guide entitled 'A Guide to the Fees for Planning Applications in England' is available on the Planning Portal website www.planningportal.gov.uk , which includes scenarios where exemptions or reductions apply. Payment can be made online via the Planning Portal or by cheque or credit/debit card by telephoning Customer Service & Planning Support on 01803 207801. Payment by cheque will delay validation until the cheque has cleared. | |
| Local Requirements | | | | |
| Planning Statement / Planning Policy Statement | Paras. 11-13 of the NPPF | Where there have been any changes in policy or other material considerations since the grant of the original planning permission | | |

27. Application for a Lawful Development Certificate for an Existing use or operation or a Proposed use or operation ([back to contents](#))

| Document / Plan | Legislation / Policy Context | When Required? | Further Information | ✓ / x |
|--|--|---|--|-------|
| National Requirements | | | | |
| Application Form | DMPO | All | Available on the Planning Portal website www.planningportal.gov.uk | |
| Location Plan drawn to an identified scale and showing the direction of North | DMPO | All | The location plan must show the site outlined in red and any adjoining land owned by the applicant outlined in blue. The site should include all land necessary to carry out the proposed development, including access. The location plan should be drawn to scale 1:1250 or 1:2500 and show at least two named roads. Where more than one use, operation or other matter, please indicate these on the Location Plan. | |
| Such evidence verifying the information included in the application as the applicant can provide | DMPO | All | Further information may be requested. | |
| Fee | The Town and Country Planning (Fees for Applications, Deemed Applications, Requests and Site Visits) (England) Regulations 2012 (as amended) | All, unless the fee for a planning application for the same development would be exempt | A guide entitled 'A Guide to the Fees for Planning Applications in England' is available on the Planning Portal website www.planningportal.gov.uk , which includes scenarios where exemptions or reductions apply. Payment can be made online via the Planning Portal or by cheque or credit/debit card by | |

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| | | | telephoning Customer Service & Planning Support on 01803 207801. Payment by cheque will delay validation until the cheque has cleared. | |
| Local Requirements | | | | |
| Existing / Proposed Floor Plans | | For residential uses | These are required in order to verify the dwellings. | |

28. Application for a Certificate of Lawfulness of Proposed Works to a listed building ([back to contents](#))

| Document / Plan | Legislation / Policy Context | When Required? | Further Information | ✓ / x |
|--|---|----------------|---|-------|
| National Requirements | | | | |
| Application Form | The Planning (Listed Buildings) (Certificates of Lawfulness of Proposed Works) Regulations 2014 | All | Available on the Planning Portal website www.planningportal.gov.uk | |
| Location Plan drawn to an identified scale and showing the direction of North | The Planning (Listed Buildings) (Certificates of Lawfulness of Proposed Works) Regulations 2014 | All | The location plan should show the listed building or buildings outlined in red. The location plan should be drawn to scale 1:500, 1:1000 or 1:1250 and show at least two named roads. | |
| Such plans, drawings and information as are necessary to describe the proposed works | The Planning (Listed Buildings) (Certificates of Lawfulness of Proposed Works) Regulations 2014 | All | Please contact the Design and Historic Environment Team to confirm any necessary plans, drawings and information. | |
| Such evidence verifying the information included in the application as the applicant can provide | The Planning (Listed Buildings) (Certificates of Lawfulness of Proposed Works) Regulations 2014 | All | Further information may be requested. | |
| NB. No fee required | | | | |
| Local Requirements | | | | |
| None | | | | |

29. Application to modify or discharge a planning obligation agreed under S106 of the Town and Country Planning Act ([back to contents](#))

| Document / Plan | Legislation / Policy Context | When Required? | Further Information | ✓ / x |
|---|--|----------------|---|-------|
| National Requirements | | | | |
| Application Form, including signed Ownership Certificate | The Town and Country Planning (Modification and Discharge of Planning Obligations) Regulations 1992 (as amended) | All | A copy of the form can be downloaded from the Council's website on the Make a Planning Application – Publications and Guidance Notes page. The S106 agreement must be over 5 years old. | |
| Map identifying the land to which the obligation relates | The Town and Country Planning (Modification and Discharge of Planning Obligations) Regulations 1992 (as amended) | All | | |
| NB. No planning fee required, but Legal Services will charge a separate fee | | | | |
| Local Requirements | | | | |
| Contact details of applicant's solicitor | | All | This will help expedite the application. | |

30. Application for consent to display an advertisement(s) ([back to contents](#))

| Document / Plan | Legislation / Policy Context | When Required? | Further Information | ✓ / x |
|---|---|--|---|-------|
| National Requirements | | | | |
| Application Form | The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended) | All | Available on the Planning Portal website www.planningportal.gov.uk | |
| Location Plan drawn to an identified scale and showing the direction of North | The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended) | All | The location plan must show the site outlined in red and any adjoining land owned by the applicant outlined in blue. The location plan should show the proposed position of the advertisement. The location plan should be drawn to scale 1:1250 or 1:2500 and show at least two named roads. | |
| Drawings of the proposed advertisement | The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended) | All | The drawing of the proposed advertisement should show its dimensions and position on the land or building in question. For a sign, the drawing should indicate the materials to be used, fixings, colours, height above the ground and, where it would project from a building, the extent of the projection. | |
| Other plans, drawings or information | The Town and Country Planning (Control of Advertisements) (England) | Where necessary to describe the proposal | | |

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| | Regulations 2007 (as amended) | | | |
| Evidence the proposed advertisement is acceptable to the highway authority (Torbay Council) | The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended) | Where the site is within the boundaries of a highway | | |
| Fee | The Town and Country Planning (Fees for Applications, Deemed Applications, Requests and Site Visits) (England) Regulations 2012 (as amended) | All | <p>A guide entitled 'A Guide to the Fees for Planning Applications in England' is available on the Planning Portal website www.planningportal.gov.uk, which includes scenarios where exemptions or reductions apply.</p> <p>Payment can be made online via the Planning Portal or by cheque or credit/debit card by telephoning Customer Service & Planning Support on 01803 207801. Payment by cheque will delay validation until the cheque has cleared.</p> | |
| Local Requirements | | | | |
| None | | | | |

31. Application for tree works: works to trees subject to a Tree Preservation Order (TPO) and/or notification of proposed works to trees in a conservation area ([back to contents](#))

| Document / Plan | Legislation / Policy Context | When Required? | Further Information | ✓ / x |
|--|--|----------------|---|-------|
| National Requirements | | | | |
| Application Form Page 1 of 1 | The Town and Country Planning (Tree Preservation) (England) Regulations 2012 | All | Available on the Planning Portal website www.planningportal.gov.uk Further advice is provided on the Council's website on the Parks & Green Spaces – Trees pages. | |
| Sketch plan showing the location of all affected trees | The Town and Country Planning (Tree Preservation) (England) Regulations 2012 | All | This should show the trees in relation to a named road and/or property. | |
| NB. No fee required | | | | |
| Local Requirements | | | | |
| None | | | | |

32. Application for hedgerow removal notice ([back to contents](#))

| Document / Plan | Legislation / Policy Context | When Required? | Further Information | ✓ / x |
|--|---|----------------|--|-------|
| National Requirements | | | | |
| Application Form | The Hedgerows Regulations 1997 | All | Available on the Planning Portal website www.planningportal.gov.uk | |
| Plan showing the location and length of hedgerow or hedgerows proposed to be removed drawn to an identified scale and showing the direction of North | The Hedgerows Regulations 1997 | All | | |
| NB. No fee required | | | | |
| Local Requirements | | | | |
| Extended Phase 1 Habitat Survey (including proposed mitigation where necessary) | The Conservation of Habitats and Species Regulations 2010 (as amended) Paras. 109 & 118 of the NPPF Policies SS8 & NC1 of the Torbay Local Plan | All | Guidance on biodiversity considerations in relation to planning is available on the Planning Practice Guidance website http://planningguidance.planningportal.gov.uk/ . Further guidance is provided by Natural England on the GOV.UK website www.gov.uk , including standing advice for different protected species. | |

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| | | | Where there is uncertainty, the applicant is recommended to submit a pre-application enquiry. | |
| Landscaping Plans | Policies SS9 & C4 of the Torbay Local Plan | Where replacement hedgerow is proposed | Where there is uncertainty, the applicant is recommended to submit a pre-application enquiry. | |
| Protected Species Surveys (including proposed mitigation where necessary) | The Conservation of Habitats and Species Regulations 2010 (as amended) Paras. 109 & 118 of the NPPF Policies SS8 & NC1 of the Torbay Local Plan | Where potential for protected species on or using the site has been identified, following an Extended Phase 1 Habitat Survey or through pre-application discussions | Guidance on biodiversity considerations in relation to planning is available on the Planning Practice Guidance website http://planningguidance.planningportal.gov.uk/ . Further guidance is provided by Natural England on the GOV.UK website www.gov.uk , including standing advice for different protected species. Surveys must be up-to-date and accord with best practice guidance/local guidance. Where there is uncertainty, the applicant is recommended to submit a pre-application enquiry. | |
| Tree Survey & Arboricultural Impact Assessment | Policy C4 of the Torbay Local Plan | Where trees will be removed | Tree Surveys and Arboricultural Impact Assessments should be carried out in accordance with BS 5837:2012 or any superseding standard. Standing Advice for Ancient Woodland and Veteran Trees (April 2014) is available on the GOV.UK website www.gov.uk . Where there is uncertainty, the applicant is recommended to submit a pre-application enquiry. | |

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| | | | enquiry. | |
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33. Planning Application for development relating to the onshore extraction of oil and gas ([back to contents](#))

| Document / Plan | Legislation / Policy Context | When Required? | Further Information | ✓ / x |
|---|------------------------------|----------------|---|-------|
| National Requirements | | | | |
| Application Form, including signed Ownership Certificate and Agricultural Land Declaration | DMPO | All | Available on the Planning Portal website www.planningportal.gov.uk | |
| Location Plan drawn to an identified scale and showing the direction of North | DMPO | All | The location plan must show the site outlined in red and any adjoining land owned by the applicant outlined in blue. The site should include all land necessary to carry out the proposed development, including access. The location plan should be drawn to scale 1:1250 or 1:2500 and show at least two named roads. | |
| Any other plans, drawings and information necessary to describe the development, where plans and drawings are to be drawn to an identified scale and plans shall show | DMPO | All | Typically these will include: site plan (including areas of landscaping), floor plans, roof plan, elevations (all sides) and/or sections. Further information is available on the Council's website on the Make a Planning Application - Plans and Documents - National Requirements page. | |

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| the direction of North | | | Where access is a reserved matter for outline applications, the application must still state the area or areas where access points to the proposed development will be situated. | |
| Environmental Statement | The Town and Country Planning (Environmental Impact Assessment) Regulations 2011 (as amended) | For Schedule 1 development or Schedule 2 development likely to have significant effects on the environment by virtue of factors such as its size, nature or location | <p>If an applicant is in doubt whether a development proposal requires an Environmental Impact Assessment, they can request a screening opinion from Torbay Council. The request should include a plan indicating the proposed location of the development, a brief description of the nature and purpose of the proposal and its possible environmental effects, giving a broad indication of their likely scale. In addition applicants can request a scoping opinion from the Council on the information to be supplied in the Environmental Statement. Again the request should include the same material as above for requesting a screening opinion.</p> <p>Guidance on Environmental Impact Assessment is available on the Planning Practice Guidance website http://planningguidance.planningportal.gov.uk/</p> | |
| Fee | The Town and Country Planning (Fees for Applications, Deemed Applications, Requests and Site Visits) (England) Regulations 2012 (as amended) | All | <p>A guide entitled 'A Guide to the Fees for Planning Applications in England' is available on the Planning Portal website www.planningportal.gov.uk, which includes scenarios where exemptions or reductions apply.</p> <p>More detailed advice is provided in Circular 04/08 – Planning-Related Fees (2008), which is useful for calculating the fee for applications for</p> | |

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| | | | <p>complex major developments.</p> <p>Payment can be made online via the Planning Portal or by cheque or credit/debit card by telephoning Customer Service & Planning Support on 01803 207801. Payment by cheque will delay validation until the cheque has cleared.</p> | |
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Local Requirements
The same as for '2. Applications for Outline or Full Planning Permission'



Meeting: Council

Date: 1 June 2015

Wards Affected: All Wards

Report Title: Loan to Torbay Coast and Countryside Trust

Is the decision a key decision? Yes

When does the decision need to be implemented? June 2015

Executive Lead Contact Details: Mayor Oliver

Supporting Officer Contact Details: Martin Phillips - Chief Financial Officer, 01803 207285, martin.phillips@torbay.gov.uk

1. Purpose and Introduction

1.1 To seek Council approval to provide a loan to Torbay Coast and Countryside Trust.

2. Proposed Decision

2.1 That a long term loan to Torbay Coast and Countryside Trust sum of up to £900,000 be approved.

2.2 That a new guarantee on an overdraft facility to Torbay Coast and Countryside Trust up to £100,000 be approved.

2.3 That it be noted that (2.1) and (2.2) above are dependent on the Council's current guarantee of £975,000 being cancelled and that the total of the loan and new guarantee combined do not exceed £900,000 in total.

2.4 That the negotiation of the final terms of the loan and guarantee be delegated to the Chief Financial Officer and the Assistant Director of Corporate and Business Services.

3. Reason for Decision

3.1 Torbay Coast and Countryside Trust have significant historic debt, however in recent years the Trust is now achieving a break even position. The overall debt - both loan and overdraft - to their current bankers is over £900,000.

3.2 Torbay Council has provided a guarantee to the Trust's bankers to a total value of £975,000 which would be called if the Trust were to be unable to repay their debt.

3.3 The Trust and the Council have a close working relationship in that the Council has leased significant land to the Trust that the Trust maintains. The Council also provides an annual management fee to support the Trust's activities.

- 3.4 A long term loan will enable the Trust to have greater control of its financial situation and will allow the Council's current guarantee to the Trust's bankers for up to £975,000 to be cancelled. There would be a new guarantee for up to £100,000.
- 3.5 As the loan could have a future budgetary impact if not repaid, this decision is considered to be a Council decision.
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Supporting Information

4. Position

- 4.1 Torbay Coast and Countryside Trust are a charity established to look after and improve coast and countryside in Torbay. Torbay Council has leased land to the Trust to maintain on a 50 year peppercorn lease. The Council also provides an annual management fee to the Trust; £183,000 for 2015/16.
- 4.2 In the past the Trust has been in financial difficulties and has a historic debt of over £900,000 - currently a combination of overdraft and loan with their bankers. A current short term interest only loan with their bankers matures in July 2015 and the Council has the opportunity to support the Trust to re-finance on a long term basis to enable the debt to be repaid. In recent years the Trust is now achieving a break even position and the ongoing loan cost will be included in the Trust's financial plans.
- 4.3 The Council has been supportive of the Trust and has historically been given a £800,000 capital grant.
- 4.4 The Council currently provides a guarantee to the Trust's bankers for £975,000 for the Trust's current debt.
- 4.5 The Trust is in discussions with the Council to seek a long term loan from the Council to enable the debt to their bankers to be cleared. The new loan with repayments of both interest and principal will enable the Trust, over the long term, to clear its debts. The Trust has requested, to ensure affordability of repayments, that repayments are lower in the early years of the loan.
- 4.6 If the Council provides a loan it would be on the basis that the current guarantee for £975,000 would be cleared.
- 4.7 The Trust would require a new Council guarantee on an overdraft facility to the Trust's bankers for up to £100,000; however the combined value of the loan and guarantee will not exceed £900,000.
- 4.7 Loan Terms
- 4.8 Negotiations are currently ongoing between the Council and the Trust with the aim of finalising the loan by end of July 2015. It is recommended that the negotiation of the final terms of the loan be delegated to Chief Financial Officer and the Assistant Director of Corporate and Business Services.

4.9 The outline loan terms discussed with Trust representatives are as follows:

| Loan Terms | Note |
|------------------------|---|
| Value | Up to £900,000 |
| Drawdown | One payment |
| Loan Length | Up to 45 years |
| Rate | Years 0 to 4 - 2.5% above base, capped at 3% Years 5 to 9 - 2.5% above base, capped at 4% Years 10 and after - 2.5% above base with no cap. |
| Calculation | Annuity basis |
| Security | None |
| Payments | Due at end of each quarter |
| Payments in Advance | Allowed at no penalty |
| Guarantee on overdraft | Up to £100,000 |

4.10 In addition the following clauses will apply:

- that the Council's current guarantee to be cancelled.
- that a clause in the loan agreement is inserted that if any Trust assets (or Council assets leased to the Trust) are sold then 80% of the value of the receipts (after disposal costs) are used to repay any outstanding loan.
- that the combined value of the loan and new guarantee do not exceed £900,000.

4.11 A rate of 2.5% above base is equal to the long term borrowing rates the Council could access for a long term loan. However, the Council will use existing cash resources to finance this loan.

5. Possibilities and Options

5.1 Members could suggest alternative loan terms or Members could not approve the loan therefore the Trust would have to renegotiate with their current bankers or seek other sources of funding.

6. Fair Decision Making

- 6.1 The Mayor and Executive Director and senior staff at the Trust have been consulted. The loan will need to be agreed by the Trust's board.

7. Public Services (Social Value) Act 2012

- 7.1 Not applicable

8. Risks

- 8.1 There is a risk that the Trust will be unable to meet the repayment on the loan. However this risk needs to be set in the context of the Council's existing guarantee to the Trust's bankers.
- 8.2 There is a risk that interest rates in the next ten years could rise above the "capped interest rate".



Meeting: Full Council

Date: 1 June 2015

Wards Affected: All

Report Title: Commercial Team Service Plan - Community Safety (incorporating the Statutory Service Plans for Food Safety and the Council's Under Age Sales Policy for Tobacco Products and Other Age Restricted Goods)

Supporting Officer Contact Details: Steve Cox, Environmental Health Manager (Commercial), 01803 208025, steve.cox@torbay.gov.uk

1. Purpose and Introduction

- 1.1 For Members to note the overall contents of the Commercial Team Service Plan (part of the Community Safety Business Unit) and to specifically agree the Food Safety Service Plan, and the Policy on the Protection of Children in relation to Tobacco Sales and Other Age Restricted Good. The Commercial Team Service Plan includes the current work plan of the Commercial Team within Community Safety which comprises of the functions of Food Safety, Trading Standards, Licensing, Health and Safety, Emergency Planning, CCTV and Security, which are managed together as part of key front line services protecting the public.
- 1.2 By approving the Statutory Food Safety Service Plan, and the Policy on the Protection of Children in relation to Tobacco Sales and Other Age Restricted Goods, Members will ensure that businesses, residents, employees and the wider community of Torbay are protected and the resources allocated to the service are deployed to areas of highest risk.

2. Proposed Decision

- 2.1 That the Statutory Food Safety Service Plan set out in Appendix 2 to the submitted report be approved.
- 2.2 That the Policy on the Protection of Children in relation to Tobacco Sales and Other Age Restricted Goods set out in Appendix 3 to the submitted report be approved.
- 2.3 That the overall work plan of the Commercial Team for 2015/16 set out in Appendix 5 to the submitted report be noted.

3. Reason for Decision

- 3.1 The Commercial Team Service Plan covers the work undertaken by the Commercial Team within Community Safety, the majority of which are statutory functions of the Council. Contained within this Service Plan is the Food Safety Service Plan which is a statutory plan required by the Food Standards Agency.
- 3.2 Within the Service Plan is also the Policy on the Protection of Children in relation to Tobacco Sales and Other Age Restricted Goods. Torbay Council has a statutory obligation to review annually its Under Age Sales Policy with regards to enforcement action on tobacco and tobacco products in relation to the protection of children and young persons.

Supporting Information

4. Position

- 4.1 The Commercial Team Service Plan covers the work undertaken by the Commercial Team, Community Safety, the majority of which are statutory functions of the Council. The resources allocated to this team have reduced year on year, as highlighted within the Service Plan. Although the current position is only a small reduction on the previous 12 months, the management of the Team has taken on responsibility for a new service, CCTV and Security, which has added significant pressure at that level of the service and has therefore impacted throughout the team, putting significant pressure on the overall resilience of the service. The plan outlines the risks associated with reduced resources in fulfilling its statutory obligations. It should however be noted that the Food and Safety Team is very close to meeting its Food Standards Agency's statutory obligation to inspect Category A, B and C premises, which it has been unable to do in the recent years.
- 4.2 As highlighted in previous reports to the Community Safety Business Units now prioritises its workload based on risk and will always target first, those businesses, activities, emergencies and disease outbreaks considered to be of the highest risk. However its resilience to continue to deliver its full range of statutory duties and meet customer expectations, within the resources allocated is now under significant strain.

Food Safety Service Plan

- 4.3 Food Standards Agency guidance entitled Framework Agreement for Local Authority Food Law Enforcement details many requirements for Local Authorities, which had to be implemented from April 2001. These requirements include the production and implementation of an annual Food Safety Service Plan and a Food Sampling Policy. The guidance provides information on how enforcement services plans should be structured and what information they contain. Service plans developed under these arrangements will provide the basis on which Local Authorities are monitored and audited by the Food Standards Agency.

- 4.4 The document shown in Appendix 2 is the Food Safety Service Plan. It includes food standards and food hygiene requirements in accordance with the Food Standards Agency prescribed format. It details matters such as achievements in service delivery, a review of last year's implementation and this year's work plan for 2015/16, this may alter during the year as the service is very reactive and responds to changes in legislation as and when is necessary.
- 4.5 In November 2011 the Food Standards Agency audited Torbay Council. The key issues highlighted in their report were:
- the large volume of seasonal businesses and the fact they need to be inspected quickly; and
 - the backlog of medium risk premises that require an intervention.
- 4.6 An action plan was developed and agreed with the Food Standards Agency to mitigate the issues raised. A Devon Audit Partnership inspection in 2012-13 identified significant risks and classified the matter as a 'Fundamental Weakness' in their report. Since 2011 hard work by the Food team have now resulted in 82% of the Category C premises being inspected, and those remaining outstanding were either permanently or temporarily closed premises, which must be included in the Food Standard Agency returns, or those who are seasonally closed and those will be inspected by the end of May 2015.
- 4.7 The new Food Hygiene Rating Scheme has been a huge success, with 840 premises scoring 4 or 5. (5 being the highest score). It has helped drive up standards and this has meant there has been a some reduction in the number of high risk premises, which has helped mitigate some of the loss in resources.

Policy on the Protection of Children in relation to Tobacco Sales and Other Age Restricted Goods

- 4.8 Torbay Council is required by Section 5 of the Children and Young Persons (Protection from Tobacco) Act 1991 to consider, at least once a year, the extent to which it is appropriate to carry out a programme of enforcement action in relation to tobacco and tobacco products. This report fulfils the requirements of this annual review, but also extends its remit to other age restricted goods. Through the control of age restricted products, Torbay Council has actively contributed to the reduction of anti-social behaviour and reduced the risks to children and other vulnerable groups.
- 4.9 Council last considered Torbay Council's Policy regarding enforcement of legislation prohibiting the supply of tobacco and tobacco products to children and young people, in July 2014. This report updates that Policy and renews our commitment to test purchasing, along with other early interventions to ensure that children and young people across Torbay are protected. See Appendix 3.
- 4.10 This Policy contributes directly to delivering Torbay Council's corporate priorities and delivers our statutory responsibilities. It also links with the Council's children's and young people's safeguarding and safety responsibilities.

- 4.11 The Policy also relates to the Community Plan, in particular to the theme of 'Community Safety'. There are strong links between drug and alcohol problems and crime. The Policy is aimed at protecting children and young people from the harmful effects of cigarettes and alcohol. It also encompasses the sale of fourteen other age restricted products, including knives and solvents.
- 4.12 The Policy is linked to Torbay Council's responsibilities as a Licensing Authority, under the Licensing Act 2003. Trading Standards are statutory consultees under the Licensing Act 2003, in relation to 'The Protection of Children from Harm'. The Policy also contributes to Torbay Council's agenda for safeguarding children under the Children Act 2004 and the responsibilities of the Every Child Matters agenda.
- 4.13 During the past 12 months only one Test Purchasing Operations has been undertaken involving 6 premises, 5 for alcohol and one for New Psychoactive Substances. Unfortunately 4 of the five premises sold alcohol as did the premises selling New Psychoactive Substances. The outcome for alcohol is at one premises the seller was issued with a £90 fixed penalty notice, as the premises owner could demonstrate good procedures and training. At two other premises the business owner were at fault and they were both invite to make minor variations to their Premises Licence to tighten the requirements upon them. At the fourth business these discussions continue to again invite a minor variation application. If these are concluded successfully then a Premises Licence review will be undertaken. The new conditions include the requirement for the Premises Licence holder to employ a third party company to undertake test purchase operation three times a year, which if they fail at any time will mean the requirement stays until they pass three times.
- 4.14 Torbay Council has no powers over underage sales for New Psychoactive Substances, however the premises was issued with a Police warning as they have some limited powers for some substances relating to under 18's.

5. Possibilities and Options

- 5.1 The Council has approved a Food Safety Plan and an Under Age Sales Policy annually. The tabled Service Plan ensures that the resources allocated to the teams through the budget process will be deployed to best affect and deal with the areas of highest risk. In supporting the recommendations the Council would be providing the baseline against which any future Food Standards Agency audits will be undertaken. If Members are not minded to approve the plans, then further negotiation will need to be undertaken with the Assistant Director Community and Customer Service and the Executive Lead.

6. Equal Opportunities

- 6.1 The recommendations in this report will ensure that the resources allocated to the team are targeted at areas of highest risk.

7. Public Services (Social Value) Act 2012

7.1 This report is not recommending any direct commissioning of services and therefore does not have a direct impact with Public Services (Social Value) Act 2012. The report seeks the endorsement of the statutory work already undertaken directly by the Council.

8. Consultation

8.1 No external consultation has specifically been undertaken on the Commercial Team Service Plan although the budget allocated to the team was subject to public consultation through the Councils overall budget processes during 2014/15. Though consultation does take place on key pieces of work, such as Policy reviews and on many applications made under the Licensing Act 2003 and the Gambling Act 2005.

9. Risks

9.1 Torbay Council is required to produce an annual Food Safety Service Plan, so providing that is agreed then there is no immediate risk. There is however a risk associated with the declining resources and the resilience within the Commercial Team which may have an impact on the delivery of the services it provides including food hygiene inspections.

9.2 Torbay Council is required by Section 5 of the Children and Young Persons (Protection from Tobacco) Act 1991 to consider the Policy on the Protection of Children in relation to Tobacco Sales, at least once in every period of 12 months, the extent to which it is appropriate to carry out in the area a programme of enforcement action in relation to tobacco and tobacco products. This is a statutory requirement with limited impact, as the work is already ongoing.

Appendices

Appendix 1 Commercial Team Service Plan 2015-16

Appendix 2 Food Safety Service Plan 2015-16

Appendix 3 Supply of Age Restricted Products Policy

Appendix 4 Gas Safety Report 2012-2015

Appendix 5 Commercial Team Workplan for 2015-16

Appendix 6 Equality Impact Assessment Commercial Team Service Plan

Additional Information

None



Community Safety

Commercial Team Service Plan

2015/16

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| Appendix B | Trading Standards Underage Sales Policy |
| Appendix C | Gas Safety Report 2012-15 |
| Appendix D | Commercial Team work plan 2015-16 |

Introduction to the Commercial Team

Scope of the Commercial Teams responsibilities

The Commercial Team within Community Safety Business unit is responsible for a range of functions whose officers primarily work with businesses to support and help them deliver their business aims.

These visits are broadly welcomed because officers advise and support business interpreting what they need to do to ensure they provide their business safely and to comply with the law. This saves businesses significant time and money in researching the law, seeking advice or employing expensive consultants.


The functions broadly fall into six areas

Food safety & Infectious disease control
Trading Standards
Licensing
Health & Safety
Internal Health & Safety & Emergency Planning
CCTV and Security

What has been achieved in 2014-15?

Notwithstanding the great pressures on the Commercial Team and the department, a huge amount of great work continues to be done to help businesses, to maintain the health of the population, address complaints, support and protect the old and vulnerable and when necessary enforce against the excesses of a few.




Food Safety


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| <p>Case study 1</p>  | <p>National Food Hygiene Rating Scheme</p> <p>In November 2011 the national Food Hygiene scheme was launched in Torbay with a view to driving up food safety standards in the Bay and to provide consumers with an informed choice on where they should eat. To date nearly 1000 food premises have been rated in the Bay. Of these 840 (85%) scoring either a 4 or 5. However still a disappointing 70 (7%) are below the level of basic food hygiene compliance, though in some cases this is due to a lack of paperwork, which means they do not necessarily present a significant risk. Where they do, enforcement action is undertaken. These figures are a small improvement on the previous year. During 2014-15, the previous years 75 non complaint businesses were supported and all but 18 became compliant during the year.</p> |
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| <p>Case study 2</p>  | <p>Food Standard Agency Medium and High Risk inspections</p> <p>The Food Team have achieved 100% inspections of Category A and B premises, and have increased the percentage of inspected premises, rated Category C, to 82%. This would have been higher if it was not for the fact that a number of businesses closed or were seasonal and therefore closed until Easter. This is a significant improvement from the previous year's figure of 70%, and means that Torbay Council is broadly compliant with the national requirements, which it hasn't been for 5-6 years. In total 1800 visits were made to food business for inspections, follow up visits, advice visits.</p> |
| <p>Case study 3</p>  | <p>Better Business for All (BBfA)</p> <p>In 2014/15 the Community Safety department signed up to a national scheme called Better Business for All which is a partnership scheme between businesses and regulators with the aim of supporting local businesses in Torbay and helping them to survive and prosper, by providing good quality, free, impartial business advice. All 10 Local authorities in Devon are also signed up as well as most of Somerset to ensure a consistent approach to business across the Local Enterprise Partnership (LEP) area.</p> |
| <p>Case Study 4</p>  | <p>Allergy Training & Support</p> <p>In 2014/15 the Food and Safety Team started an intervention with Torbay's food businesses to ensure that they are compliant with new food safety legislation regarding the management of allergies. This included running three allergy workshops where over 470 delegates were given free training and support on the new legislation that came into force in December 2014.</p> |


A full summary of the work of the Food Safety Team is included within the Food Safety Service Plan, which is a statutory requirement and is attached, see Appendix A.




Trading Standards

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| <p>Case study 1</p>  | <p>Complaints about Fair trading, Consumer Protection, Counterfeiters</p> <p>For many years, civil matters such as whether a product works or a service meets an expected quality have been dealt with by Consumer Direct and now Citizen's Advice Bureau. However the way products are sold, their safety, door step crime and fraud are criminal matters and investigated by Trading Standards.</p> <p>In 2014/15 the team received with 2713 complaints, of which 870 were dealt with by officers. Those that were criminal resulted in investigations being undertaken, advice was given, written warnings were issued and two formal cautions issued. There are currently four cases pending with the courts, and one arrest warrant issued with regard to one of those.</p> |
| <p>Case study 2</p>  | <p>Doorstep Crime and No Cold Calling Homes</p> <p>In 2014/15 the Trading Standards Team further promoted No Cold Calling Homes to properties in Torbay, as well as continuing to raise awareness of the scheme. The scheme has now been extended to the whole of Devon and Cornwall Constabulary achieving consistency across Devon and Cornwall.</p> <p>In addition a trader was prosecuted and fined £5000 for failing to comply with the legislative requirements and two further traders received written warnings following legal files and several were given advice notices.</p> |
| <p>Case study 3</p>  | <p>Park Home (Mobile Home) Site Safety & Licensing</p> <p>In 2014/15 officers from the Licensing and Public Protection Team were again involved in a considerable amount of work protecting the health and safety and general civil rights of elderly and vulnerable residents in some of Torbay's Park Home sites. Over three sites 5 Improvement Notices were served under the Health and Safety at Work Act 1974, and 8 Compliance Notices were served under the Caravan Sites and Control of Development Act 1960.</p> <p>Some of the issues that have been dealt with include unstable banking, poorly built bases, roadways needing</p> |


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| | <p>maintenance, contractual rights, and the failure to meet licence conditions. New fees have also been set under the Caravan Sites and Control of Development Act 1960.</p> |
| <p>Case Study 4</p>  | <p>Policy on the Protection of Children in relation to Tobacco Sales and Other Age Restricted Goods</p> <p>Torbay Council Trading Standards Officers undertake investigations of underage sales based upon intelligence and complaints. The Policy on the Protection of Children in relation to Tobacco Sales and Other Age Restricted Goods for 2015-16 is attached in Appendix B for agreement.</p> <p>In 2014-15 one underage sales operation was undertaken. In October 2014, 6 premises were visited, 1 for New Psychoactive Substances (NPS) and 5 for alcohol. Of the five alcohol premises only one asked for ID. Of the four that failed, one seller was issued with a Fixed Penalty Notice and two others have excepted new conditions on their licence for future Test Purchase operations paid for by themselves and discussions are ongoing with the fourth. There are no current powers to deal with the sale of the NPS. Though Police were able to issue a warning based upon their legislation.</p> |


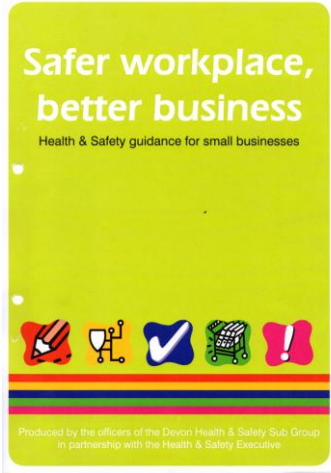
Licensing

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| <p>Case study 1</p>  | <p>Licensing Applications</p> <p>The majority of applications are either Licensing Act applications for the sale of alcohol and/or to provide entertainment, or for Hackney Carriages, Private Hire Vehicles & their drivers. In addition however there are applications for Pet Shops, Animal Boarding, Dangerous Wild Animals, Gambling, Lotteries, Street Collection, Street Trading, Tattooing, Fireworks to name some. In total 2347 applications were received. Of those 715 have statutory deadlines and in virtually all cases these were met.</p> <p>There was one review of Licensing Act Premises Licence and no appeals of Licensing Committee decisions under the Licensing Act 2003.</p> |
| <p>Case study 2</p> | <p>Licensing Forums</p> <p>During 2014-15 two Licensing Forums were held in Torbay.</p> |


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|  | <p>Over 80 people attended both events and received presentations about the TRTBID, Fire Authority, Police, TDA, and several Council dept. Subjects included changes in the law, CCTV update, advice for businesses, children safeguarding advice and developments on the harbourside.</p> |
| <p>Case Study 3</p>  | <p>Renewal of Purple Flag</p> <p>In 2014/15, in partnership with the Business Improvement District, Businesses, The Police and our colleagues in the Neighbourhood Team, the Licensing team helped make an application to renew the Purple Flag. In alternative years, as was the case during 2014, this was a paper submission not an inspection visit. The Purple Flag was renewed for another year.</p> |
| <p>Case Study 4</p>  | <p>Unmet Demand Study 2014</p> <p>Torbay Council regulates the number of Hackney Carriages in Torbay at 169, of which 7 are seasonal. To retain this restricted approach, it must undertake a survey to ascertain if firstly there is no unmet demand. This survey was undertaken this past year and the report found this to be the case. It was therefore agreed by Licensing Committee to retain the status quo, which it is believed provides the best overall service.</p> <p>The report is available on Torbay Councils website.</p> |



External Health & Safety Enforcement

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| <p>Case study 1</p>  | <p>Gas Safety</p> <p>Between 2012-2015 officers from the Commercial Team inspected gas safety in food businesses in Torbay. They carried out 968 gas safety inspections of which 268 were found to be non compliant, though this didn't mean they were an immediate danger. The level of compliance improved from 40% in 2012-13 to 90% in 2014-15. See appendix C for the three year report.</p> |
| <p>Case study 2</p> | <p>Body modification (including tattooing)</p> |

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|  | <p>Torbay Council, have implemented a rating scheme, whereby each premises is required to score 75% to demonstrate compliance with infectious control. 18 initial visits were undertaken, and 11 revisit done so by the end of the year all premises are considered compliant.</p> <p>In addition 3 raids under warrant were undertaken under Part 2A order under the Public Health (Control of Disease) Act 1984 as amended by the Health and Social Care Act 2008. Articles provisionally values at £4500 including tattoo machines, needles, and inks were removed and incinerated.</p> |
| <p>Case study 3</p>  | <p>Safer Workplace Better Business Pack</p> <p>This pack developed by the Devon Health and Safety Sub Group has been used now for a couple of years to help small and medium sized businesses comply with health and safety. In 2013-14 a partnership was entered in to between a private sector company, Exeter University and Torbay Council to further develop this pack into a national health and safety management on line tool. A successful bid for money was made to the Better Regulators Development Office, part of Government department BIS. This enabled the development of this pack on an online portal and a trial was undertaken with 20-30 small and medium locally. The initial results are very encouraging and it is now hoped to further with work with this partnership to develop this into a national tool.</p> |

Internal Health and safety and Emergency Planning

| | |
|--|--|
| <p>Case study 1</p>  | <p>Accidents in the workplace</p> <p>Reportable workplace accidents, i.e. those reportable under the Health and safety at Work Act 1974, RIDDOR, continue to decline with only three reported during 2014-15.</p> |
| <p>Case study 2</p> | <p>Torbay Council's management of Health and Safety</p> |

| | |
|--|---|
|  | <p>An updated set of Key Performance Indicators have been drawn up to ensure all Business Units are protecting the Council against legal challenge for poor Health and Safety. This is being reported back in the Annual Internal Health and Safety and Emergency Planning report, which goes to the Senior Leadership Team.</p> |
| <p>Case study 3</p>  | <p>Emergency Planning - Rest Centres, Training & Resilience</p> <p>In 2014-15 the role of setting up and manning rest centres was passed back to Torbay Council. This required a significant piece of work as this function had been undertaken by the Care Trust for a number of years. Training of staff from Community Safety and other departments should allow for adequate manning at incidents and at rest centres should the need arise.</p> <p>Training was also undertaken for SLT to ensure that with staffing changes, sufficient senior officers were able to take on the role of representing Torbay Council at Strategic (Gold) and Tactical (Silver) Command</p> |

Resource Reduction, the impact and work plan for 2015-16

Resource reduction & impact

Over the past 4 years (2011-15) the resources have reduced from 29.4 full time equivalents (FTE) to 23.0 FTE which has resulted in all but the most critical work being undertaken. This is as last year. The team has also taken on at least 2 FTE of extra work from other teams during this period. Although there has been no further significant reduction in the team's resources since the previous year, the following work, initially reported in 2013, is not being undertaken.

- No discretionary work is now undertaken.
- No low risk inspections are undertaken.
- No medium risk inspections are undertaken, except in Food premises, where it remains a statutory requirement of the Food Standards Agency or in other cases if the intelligence identifies a need.
- Complaints are not investigated unless there is deemed to be a serious risk of injury, serious health implications, or where there is serious consumer detriment or significant nuisance particularly to the old and vulnerable.

- Accidents are not investigated unless there has been a serious injury or a fatality.
- Civil complaints are not longer investigated or advice given

Last year this report described the impact of these resource reductions, which was supported by the internal audit report. That audit report expressed concerns over the overall resilience of the team, and this remains the case, however there has been a significant improvement in the percentage of medium risk food businesses (Category C) inspected, and it is hoped that any future audit would not now see this as a 'fundamental weakness'. It should however be noted that changes to the Food Code of Practice from the 1st April 2014 re-rated some of our Category C rated premises to Category D. This does not mean Torbay Council should be complacent as the Food Code of Practice still requires an intervention to take place in these Category D premises, to avoid these often potentially high risk premises, become such again.

A second significant consequence that was reported last year, is that there is no longer any resilience left within the team. This remains a threat, especially if there is any long term sickness or maternity leave, as this places significant pressure on the team and as a consequence the remaining statutory functions can not be delivered against targets.

This years risk is shown as a diagrammatical representation below, where it compares the team's resources against statutory function for the current year 2014-15. The team's work is now all at a low/medium risk band, following the achievement and reduction in the risk to the food safety work for the authority however the lack of resilience remains an issue. Although there is a risk and all staff have an input into a varying number of the pieces of work, the management team move staff around both in the Commercial Team and the Department as a whole; to try and remain in a position as close to the statutory minimum as possible. This still presents an increased risk to the population of Torbay and to the Authority.

In the table Green = No risk; yellow = low/medium risk; pink = medium/high risk & red = very high risk

| Statutory Delivery | Above Statutory Minimum | At Statutory Minimum | Below Statutory Minimum | Risk to the authority |
|--|--------------------------------|-----------------------------|--------------------------------|------------------------------|
| Statutory Activity | | | | |
| Food Safety Inspections/ Food Hygiene Rating Scheme/Food Standards Inspections | | | | YELLOW |
| Infectious disease control/ emergency incidents | | | | YELLOW |
| Trading Standards - consumer detriment (fair trading, consumer protection, counterfeit goods etc.) | | | | YELLOW |
| Trading Standards - Protecting the Vulnerable/No Cold Calling Homes/Test Purchasing | | | | YELLOW |
| Administering Licensing Applications/Committee hearings/Policy development | | | | YELLOW |
| Licensing enforcement/ partnership working with Police and NTE | | | | YELLOW |
| Health and Safety Inspections/Interventions/ accidents | | | | YELLOW |
| Complaints (Noise from licensed premises, Food Safety & H&S) | | | | YELLOW |
| Park Homes inspections/ complaints/ administration | | | | YELLOW |
| Public safety at events, football ground etc | | | | YELLOW |
| Emergency Planning & Internal H&S | | | | YELLOW |

CCTV and Security

On the 1st December 2014, the line management for the CCTV and Security Service was passed to the Commercial Team for line management. The budget for 2015-16 for CCTV had been cut along with the manager's post. A short term budget has been sought and found to give the department sufficient time to identify a range of options and whether there are opportunities to provide a future service. Reports will be submitted on this when the information is available.

Audit Inspection 2012-13

Devon Audit Partnerships undertook an audit of the majority of the Commercial team during 2012-13, and a final report was published. This included Food Safety, Trading Standards, Licensing and Health and Safety functions. The report supported the facts that the staff were working to a good standard but it supports the weaknesses of the lack of resources at that time, to achieve the statutory requirements.

Update 2014-15 – Although a risk remains that targets for Category C food inspections (to comply with the national Code of Practice) are not met in the future, it should be noted that they have been met by the time this report was written, which is a significant achievement for both the team and the overall service.

Work plan for 2015-16

The work plan for the Commercial Team is to deliver its statutory duty to the best of its ability and to respond to emergencies. Its efforts are focused primarily on the premises and incidents of highest risk and to protect the most vulnerable in Torbay. To also administer the licensing applications and undertake enforcement work in partnership with the Police and other agencies to ensure the night time economy, events and the football ground remain safe. Work plan is attached in Appendix D.

Health and Safety Service Plan

There has been a significant drop both nationally and locally in the resources put into health and safety enforcement. It was decided in 2013, that no Health and Safety Service Plan is currently needed. That position remains the same. The Team work very closely with both the Health and Safety Executive and other Devon and Cornwall authorities and agree a workplan across the region. Details of this work are included in the Commercial Team Work Plan 2015-16.

Food Safety

Service Plan

2015/16



Food Safety- why does it matter to Torbay?



Access to safe, healthy food is a fundamental basic right of the community of Torbay. By ensuring that the food produced and sold in Torbay is safe to eat the Food and Safety team plays an important role in improving the health of the public in Torbay.

In 2014/15 the Food safety team started work with local cafes to improve the provision of healthier children’s meal choices in Torbay. This work is part of the Torbay Healthy Weight strategy launched last year.



The National Food Hygiene scheme was launched in Torbay in November 2011 and nearly 1000 food premises are now rated. Because of the scheme many premises have gone from a 0 or 1 to a 4 or 5. On 1st April we had 75 non compliant businesses, following work by the Food Team only 18% of those were still non compliant by the end of the project. This year however we have now another batch of new non compliant premises to deal with. We do not however meet the full range of statutory requirements set down on us by the Food Standards Agency.. This however has improved in 2014/15 from previous years with 82% of the C risk premises inspected (the remaining being closed). 1800 site visits to food premises were done by the Food Team in 2014/15.



In 2014/15 the Community Safety department signed up to a national scheme called Better Business for All which is a partnership scheme between businesses and regulators such as Environmental Health with the aim of supporting local businesses in Torbay and helping them to survive and prosper., by providing good quality, free, impartial business advice. All 10 Local authorities in Devon are also signed up as well as most of Somerset to ensure a consistent approach to business across the South West.



Fishery establishments in Torbay cannot export their product without the support that is given to them by the Food and Safety team. In addition the team signs every Health Certificate that is needed before they can export to countries such as China and America. In 2014/15 the Food Safety team were also involved in protecting public health by issuing advice to business on the issue of scallops affected by an algal toxin in the Bay over the summer months.



In 2014/15 the Food Safety Team in Torbay started an intervention with Torbay’s food businesses to ensure that they are compliant with new food safety legislation regarding the management of allergies. This included running three allergy workshops where over 470 delegates were given free training and support on the new legislation that came into force in December 2014.

TORBAY COUNCIL FOOD SAFETY SERVICE PLAN 2015/16

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TORBAY COUNCIL FOOD SAFETY SERVICE PLAN

1.0 Service Aims and Objectives

1.1 Aims and Objectives

This Food Safety Service Plan is required under the Framework Agreement by the Food Standards Agency. The plan is concerned with food safety enforcement work for which Torbay Council is responsible for. This plan is a Key Policy document and as such requires member approved to ensure there is transparency and accountability and once approved the plan is published on the Councils website.

The Food Safety Service has the following vision:

- To improve public health and safety through partnership, education and enforcement

Torbay Council's Food Safety Service Aims and Objectives are:

Aim 1: To promote, through education and enforcement, the sale and/or production of food which is fit and without risk to health.

Objective 1.1: To undertake a risk-based programme of inspections and interventions in food premises in accordance with the Food Standards Agency Food Law Code of Practice

Objective 1.2: To register food businesses in accordance with EC852/2004 and the Food Safety and Hygiene (England) Regulations 2013.

Aim 2: To prevent and control the spread of food borne illness through education and enforcement.

Objective 2.1: To provide a risk-based response to all notifications of food related illness or suspected illness in order to minimise effects on the community.

Objective 2.2: To carry out pro-active sampling in accordance with nationally and locally set programmes.

Objective 2.3: To provide information, advice and education on food safety and public health issues to the business and residential community, in line with the principles of Better Business for All.

Objective 2.4: To respond to high risk complaints concerning food and food safety.

Aim3: To take action on a consistent, transparent and proportionate basis.

1.2 Links to Corporate Objectives and

The Council's Corporate priorities fed from the Community Plan sets out a number of corporate goals. One of these

Plans

goals has direct links to the Food Safety Service:

- Working for a healthy, prosperous and happy Bay
- **Public Health.** With the introduction of the Public Health function now sitting within the Local Authority the Food and Safety Team have an important role to play in some of the aims and objectives of the Torbay Public Health Strategy based on the Joint Strategic Needs Assessment.

2.0 Background

2.1 Authority Profile

Torbay Council is a Unitary Authority which comprises of the three main towns of Torquay, Paignton and Brixham, on the south coast of England. Tourism is the dominant industry with the majority of employees working in the service industry. There is also a fishing industry predominantly based in the port of Brixham where there is a large fish market.

More details on the profile of the Authority can be found on the website www.torbay.gov.uk

2.2 Organisational Structure

The chart attached at Appendix A shows the structure of the Food and Safety Team.

The Food and Safety Team sits within the Commercial Team of the Community Safety Business Unit and comprises both Trading Standards Officers and Environmental Health Officers.

Additional support services:-

Additionally appointed specialist services are provided by the Food Examiner at the NAMAS accredited Public Health England Laboratory in Porton Down and a Public Analyst from PASS Laboratory Services based in Wolverhampton.

Advice and support is also provided by Public Health England.

2.3 Scope of the Food Service

The Food Safety service comprises a range of key functions:

- Programmed food hygiene and food standards inspections of food premises within the Bay.
- Implementing and Promoting the National Food Hygiene Rating Scheme across Torbay
- Programmed High risk health and safety inspections and accident investigations
- Responding to food alerts and incidents of food fraud.
- Investigating food and food related complaints and other service requests on a risk based approach.
- Implementing an annual food sampling programme
- Registering food premises and mobile vehicles
- Assessing imported food and its origin.

- Support and advice to food businesses.
- Investigating cases of food related illness and other infectious diseases.
- Issuing of health certificates for the export of food products.
- Specific duties with regard to regulating Brixham Fish Market and the mussel harvesting beds at Fishcombe.

The Food and Safety Team has the main responsibility for food standards enforcement work, this work is carried out by both qualified Environmental Health Officers and Trading Standards Officers within this team.

The Food Safety service operates from Torbay Council Town Hall between 9.00am and 5.00pm, Monday to Friday. Early morning and late night visits are also undertaken as required.

Emergency food safety issues are currently directed initially to a 24 hour central control team and then onto authorised food officers as required. Community Safety does not have a formal Out of Hours Service.

2.4 Demands on the Food Service

On 1st April 2015 the Council had 1954 registered food businesses. The risk profile of these premises shown in Table 1 has been determined in accordance with the FSA's Food Law Code of Practice.

Table 1

| Priority | Premises Category | Frequency of Inspection/ Intervention | Total number of premises in category (April 2015) |
|--------------|-------------------|---------------------------------------|--|
| A | High | 6 months | 7 |
| B | High | 12 months | 72 |
| C | High | 18 months | 306 |
| D | Other | 24 months | 670 |
| E | Other | 36 months | 768 |
| U | - | Awaiting inspection | 131 |
| Total | | | 1954 |

The range of premises is as follows:- Primary producers 14 Manufacturers and packers 27, Importers and exporters 3, Distributors 13, Retailers 387 and Restaurants and caterers 460, Hotel/Guest House 375, Caring premises 249, Pub/club 178, Takeaway 115, School/college 49, Supermarket 42, Mobile food unit 39, .

Torbay also has 20 Approved fishery establishments which can take up a lot of time and staffing resource particularly in the area of exporting their products outside of the EU.

Brixham Fish Quay is also a significant cost driver to the work of the Food and Safety Team with its daily auction and regular exports to the EU and other nations and involves at least fortnightly food hygiene inspections by officers. There is also a mussel bed off Brixham which requires monthly sampling and has Category B status which means the mussels are required to be purified before sale. In addition there is also a new mussel bed planned 22 miles out to sea for which Torbay Council Food Safety Team will be the Enforcing Authority.

The Torbay area has already been described primarily as a tourist area and there are a large number of hotels and other tourist attractions which are only open during the tourist season between Easter and October. There is also a high turnover of food businesses in Torbay putting an additional pressure on the Food and safety Team. In 2014/15 there were 267 new Food Registration Forms.

Additional demands for 2015/16 include:

In 2014/15 Community Safety signed up to a national scheme called Better Business for All which is a partnership between regulators and the business community to help business growth by helping o support them through the regulatory process in an effective and impartial way. As Community Safety which includes the Food Safety Service is the main front facing service of the Council out meeting businesses this ongoing piece of work is not only very exciting but extremely important for the economy of Torbay.

In 2015/16the Food Team will be carrying out asbestos safety intervention which will involve them auditing food premises in relation to asbestos safety issues at the same time as carrying out food safety inspections. This way of working in relation to gas safety has already shown very effective outcomes so will be continued.

As Torbay is a Unitary Authority, Public Health now sits as a function within the authority. Whilst this is still in the early stages of development the food and safety team has an important role to play in some of the work that comes out of the Torbay Public Health Strategy. The team is currently working with local cafes to help them provide healthier meal choices on their children's menus. It is hoped that this work which is currently at a pilot stage will be rolled out across the Bay.

2.5 Enforcement Policy

The Community Safety Enforcement Policy sets out what food businesses and others being regulated can expect from the service. The Policy is based on the principles contained within the Regulators Compliance Code and has been updated in 2014 to reflect the recent changes in the Code.

All formal enforcement actions such as prosecutions are taken before the departments Enforcement Panel made up of officers from Community Safety and the Councils Legal team.

The service is committed to ensuring the active implementation and monitoring of the Council's Corporate Equality and Diversity Policy, which states that services will be provided in a fair and equitable way to all groups and individuals in the community.

3.0 Service Delivery

3.1 Food Premises Inspections

Torbay Council has a number of internal performance indicators relating to food safety. For 2015/16 these are as follows:-

- Number of high risk food premises (food hygiene) inspected (Target 100 %)
- Number of high risk food standards premises inspected (Target 100%)

The inspection programme is based on the inspection rating scheme and the intervention Strategy contained in the FSA Food Law Code of Practice. This Code of Practice has been revised in April 2014 which has meant that a % of C risk premises have dropped into the lower category of D risk which means that they will not require as frequent interventions. A large number of D risk premises will still require an intervention either by inspection or other non official controls.

New potentially low risk businesses are contacted by a business support unit to ensure that they have basic information for compliance and to identify any that might be of higher risk which will then be inspected.

As there is a considerable turnover of premises in Torbay it is currently not possible to inspect them within 28 days, however they are all assessed following receipt of the food registration form and those of a high risk nature are given priority.

All premises where a statutory notice has been served or which are found to require significant work to be carried out will be subject to a secondary visit within an agreed timescale. It is estimated that at least 103 re-visits will be carried out in addition to the programmed inspections and alternative intervention initiatives. There may also be a number of businesses formally requesting to be revisited for the purposes of rescoring under the Food Hygiene Rating Scheme. In 2014/15 the number of requests for rescoring doubled from the previous year and the team received a total of 80.

Environmental Health currently has an estimated FTE of 5.4 officers ([See Table 4](#)), working on food safety issues. This is a slight increase from last year as one of the EHO, s now works full time on food safety as the service no longer runs the school meals monitoring service. A contractor was also appointed in 2014/15 to help with the backlog of statutory D risk inspections.

The primary objectives when carrying out interventions are in accordance with the Food Standards Agency Food Law Code of Practice. However, a special emphasis is placed on the level of compliance with the requirements for documented control systems. Specific consideration is also given to whether samples need to be taken during routine food hygiene inspection work.

3.2 Food Complaints

The Environmental Health Service responds to all complaints about food or food premises made to the Council, however deciding whether or not they require investigation will be done by using a risk based approach to ensure that resources are used effectively.

There were 37 complaints about defective food received up to the end of March 2015. There were also 793 other service requests received relating to issues such as unhygienic food premises, requests for information and advice that were handled by the Food Safety team in 2014/15. An increase of 151 from the previous year.

3.3 Primary Authority Scheme

The previous Home Authority Scheme has now been replaced by the Primary Authority Scheme under the new Regulatory Enforcement and Sanctions Act 2009. This aims for the first time to give companies the right to form a statutory partnership with a single local authority. The objective of this is to provide robust and reliable advice on compliance that other Councils must take into account when carrying out inspections or dealing with non compliance.

The Food and Safety Team are currently not involved in any Primary Authority partnerships.

3.4 Advice to Business

The Authority is committed to improving food safety standards through both education and enforcement. In order to use limited resources most effectively, advice is targeted and is as follows:

- During inspections and as part of follow up documentation;
- Via electronic Food Safety Newsletters
- New Business advice
- Through guidance information available on the Food Safety teams fully revised website pages
- Distribution of relevant food safety material to food businesses particularly via the website.
- Advice and information is given to businesses requesting guidance either by telephone or e-mail.

During 2014/15 the Food Safety Team further developed links into the business community by working with the Torbay Business Forum, The Business Improvement Districts, The Tourism Company and the Torbay Development Agency to further promote the Food Hygiene Rating Scheme across the Bay. Work in this area will further develop through the Better Business for All Steering Group which includes members from the Federation of Small Businesses, Economic Development and the Better Regulation Delivery Office.

3.5 Food Inspection and Sampling

The Service has in place a documented and publicised sampling policy and a separate documented procedure and programme.

The sampling programme is drawn up in consultation with the Devon Chief Environmental Health Officers Food Sub Group and the SWERCOTS Food Group, in partnership with the Food Examiner from Public Health England Laboratory covering the Torbay area and the Public Analyst at PASS Laboratory Services.

The programme covers authority, county, national and when required European sampling objectives. Each Authority is allocated sampling credits by Public Health England in order to undertake food hygiene sampling and food standards sampling which is resourced from an allocated budget within the Food Safety overall budget.

During 2014/15 131 samples were taken of a range of products including cooked meats from non compliant premises, swabbing of chopping boards for levels of bacteria. Food standards sampling also included ham o pizza topping to check it was the correct meat, vegetables for pesticide residues, the presence of nuts in flour confectionary, lamb in takeaway meals for meat authenticity and haddock in food premises to check for cheaper substitution. Most of the results from these samples were found to be satisfactory although some were found to be unsatisfactory. 2 of the ham samples on the pizza toppings were not ham, 1 of the haddock samples was found not to be haddock. These adverse sample results were followed up with the business and appropriate action was taken to ensure that this does not happen again.

3.6 Control and Investigation of Outbreaks and Food Related Infectious Disease

All formal and informal notifications are recorded on the Environmental Health Service Authority database. Subsequent investigations are based on the type of organism, the number of cases, and are in accordance with Public Health England guidance.

A documented procedure has been produced and agreed with Public Health England and follows the principles established in a countywide procedural document, prepared by the Devon Food Safety Sub Group. During 2014/15 a number of infectious disease notifications were received, some of which were serious cases of infectious diseases where the cases were hospitalised and a full outbreak investigation carried out.

3.7 Food Safety Incidents

The service has a documented procedure which deals with action to be taken following the receipt or initiation of a food alert. The FSA Food Law Code of Practice has required specific recording of actions taken following the receipt of a food alert.

Food alerts are received by a direct email from the Food Standards Agency (FSA), by direct emails to the Principal Environmental Health Officer and the Food Safety email box which is checked every day and by text messages to officers' mobile phones.

3.8 Liaison with other Organisations

The Food Alert warning procedure for food incidents recognises that such issues are required to be dealt with quickly in accordance with the categories for each food alert. The procedure identifies the mechanism for passing on the food alert to the appropriate officer, an outline of the action to be taken. Most food alert warnings received require only a small amount of officer resource.

However on occasions it is necessary to provide more resources to deal with food alerts. Any actions taken on a food alert are documented within the Authority data recording system.

During 2014/15 41 Food Alerts were received by the Food Safety Team, a number of which required local action in food premises in Torbay. A number of incidents have required action by the Food Team, the biggest of which being the algal toxin issue in local scallops which required a huge amount of time by the food safety team advising the fishing trade on what they needed to do and also carrying out an intensive sampling programme on top of their normal day to day work for which no additional resources were given. As a result of the Food Teams input the public health of Torbay's residents and visitors alike was protected from eating contaminated scallops.

Consistency and value for money is a key feature in all of the Council's Environmental Health functions. With regard to the food safety service, this is achieved by:

- Priority being given to attendance and active participation by the Principal Environmental Health Officer at the Devon Chief Environmental Health Officers' Food Sub Group. This Group co-ordinates peer review and consistency exercises, acts as the discussion forum for topical issues and a means of optimising countywide consistency in enforcement and advice.
- The Food Safety Service also liaises with the following :
 - Public Health England
 - Torbay Development Agency
 - The Food Standards Agency
 - Devon and Cornwall Police
 - The Immigration Service
 - The Better Regulation Delivery Office
 - Trading Standards Sub Regional Group

The Community Safety Service have access to all development and building control applications and acting as a formal consultee on key planning and building control applications and a statutory consultee on all Licensing Act applications.

3.9 Food Safety Promotion

Education and promotional activities are considered to be important aspects in the delivery of a comprehensive food safety service and it is achieved in the following ways:

- Food Safety articles in the bi annual Food and Safety Newsletter emailed to all food businesses in the Bay.
- Food information available directly from the Food Safety section of the Council website and from the team directly.
- Targeted advice/information sent to relevant groups on issues of county or national significance e.g. on E Coli 0157 guidance, cooking of rice etc.
- Targeted seminars and training sessions are undertaken on various food safety subjects.

4.0 Resources

4.1 Staffing Allocation

The Community Safety Business Unit structure is based on a number of multidisciplinary teams. The Food Safety Team is located within the wider Commercial Team.

[Table 4](#) shows the current full time equivalent of staff working on food safety enforcement, broken down by the competency requirements of the Food Standards Agency Food Law Code of Practice (England) - General qualification and experience requirements. The Code of Practice is due to be updated in April 2015/16 and it is expected that there will be some additional requirements regarding the competencies of officers undertaking food safety work.

EHRB officers are Environmental Health Officers who are registered with the Environmental Health Officers Registration Board, (EHRB), after attaining the approved qualifications in Environmental Health.

Table 4: Staff resources dedicated to food safety

| Environmental Health Officer (Food and Safety Team) | EHORB | FTE | Other |
|--|--------------------|------------|------------------------------------|
| Principal EHO | YES | 0.8 | No |
| Senior EHO | YES | 0.8 | Lead Assessor |
| Senior EHO | YES | 0.8 | Lead Assessor |
| Senior EHO | YES | 0.4 | Lead Assessor |
| Senior EHO | YES | 0.8 | Lead Assessor |
| Senior EHO | YES | 0.8 | Lead Assessor |
| EHO | YES | 0.8 | No |
| Senior EHO | YES | 0.1 | No |
| Senior EHO | YES | 0.1 | Lead Assessor |
| Trading Standards Officers (Food & Safety Team) | Dip TS/DCAT | FTE | Other |
| Trading Standards Officer x 3 (food standards only) | YES | 0.3 | New posts in team since April 2010 |

4.2 Staff Development Plan

All food safety staff are subject to an annual appraisal and one progress review which tracks and identifies training and development needs. Food safety training needs are prioritised in the context of wider Environmental Health requirements identified within the service wide training plan.

All food safety staff complete a training record log to further assist in identifying development and training needs and for monitoring the competency of individual officers. The officers undertaking specific duties, such as dealing with approved premises, are identified and the training requirements assessed accordingly.

Some of the specific food safety training undertaken by staff during 2014/15 include:-

- FSA Enforcement Sanctions course
- FSA FHRS Lead Auditor training.

5.0 Quality Assessment

5.1 Quality Assessment

The provision of quality services is one of the Council's three guiding principles and food safety is no exception. With regard to food safety the quality agenda is pursued via a number of methods.

Management Monitoring

The documented quality management procedure includes specific monitoring arrangements that are in place for example checking of inspection letters and notices and joint consistency/quality monitoring visits undertaken by the Principal Environmental Health Officer. Complaints against the service are monitored on a Service and Corporate basis.

Food Standards Agency

The service is required to submit an Annual return, detailing the inspections, enforcement and educational activities undertaken, to The Food Standards Agency who closely monitor performance to ensure compliance with the FSA framework agreement.

The FSA also has the power to set standards and to monitor local authority food law enforcement services under the Food Standards Act 1999. The FSA collects information from all United Kingdom food authorities and submits the information to the European Commission.

As detailed in section 3.8, the Principal Environmental Health Officer attends meetings of the Devon Food Sub Group to discuss relevant issues on a regular basis. This group comprises of representatives of all the District and Unitary councils, and Public Health England.

This forum offers the opportunity to discuss, in detail, a wide range of quality and consistency issues relevant to food safety.

In April 2014/15 the Food Safety team took part in an inter authority auditing exercise in relation to the food safety service. In 2015/16 Torbay Council will be taking part in an FSA approved audit process of the National Food Hygiene Rating system for which some additional funding is likely to be received from the Food Standards Agency.

6.0 Review Process

6.1 Review against the service plan

As detailed within Section 1.2, the Council has an established performance management board to monitor the performance of its services.

From an operational perspective the Principal Environmental Health Officer reviews the key performance measures and service improvements contained in the plan on a quarterly basis. [Table 5](#) shows some of the internal indicators covering service delivery and performance as well as the national indicator for food safety and the wider key indicators on the Community Safety Balanced Scorecard that the Food Safety Team feed into and it is those which are reported to management team and members through their performance boards.

In addition, regular one to one meetings are held with staff

involved in the Food Safety Service. This is to ensure that on-going projects and improvements outlined in this service plan are effectively monitored and managed. The notes for these meetings are documented, along with actions and timescales for relevant staff.

Table 5 – Food Safety Service Performance Indicators

| SERVICE DELIVERY INDICATORS | | 2013/14 | 2014/15 | 2015/16 |
|--|---------|----------------|----------------|----------------|
| Number of Category A and B risk food hygiene premises (due every 6 months) inspected | Target | 100% | 100% | 100% |
| | Outcome | 100% | 100% | |
| Number of Category C high risk food hygiene premises (due every 12 months) inspected | Target | 100% | 100% | 100% |
| | Outcome | 70% | 82% | |
| Number of high risk food standards inspections carried out | Target | 100% | 100% | 100% |
| | | | | |
| | Outcome | 100% | 100% | |

6.2 Identification of achievements and any variation from the service plan

Table 6 below identifies the status of planned service improvement actions from 2014/15. Any remaining improvement objectives are shown in the table below along with the reason for the delay and a revised target, which will be included in the work programme for 2015/16 where appropriate.

Table 6 Achievements and variance from Service Plan 2014/15

| Action | Planned Outcome/Output | Achieved Or reason | New Target Date |
|---|---|---|---------------------|
| <p>To ensure that we offer the regulatory service in terms of Community Safety in a way that helps businesses, thereby encouraging economic prosperity.</p> | <p>To develop a project plan to implement the national Better Business for All project into the Torbay area</p> | <p>Achieved – Better Business for All project now set up by Torbay Council for all Devon and Somerset Regulatory Authorities.</p> <p>Steering group set up which includes representatives from the Federation of Small Businesses, the Local Enterprise Partnership and small to medium sized businesses.</p> <p>Training for officers in the principles of Better Business for All completed.</p> <p>Business survey now completed across Torbay and the rest of Devon and Somerset to find out the views of businesses with a view to improving the relationships between regulators and businesses.</p> | <p>Ongoing work</p> |
| <p>To look at ways of helping to reduce the levels of childhood obesity in Torbay.</p> | <p>To implement the project plan for this work and ensure it is completed thereby increasing the number of cafes who offer healthy children's meal choices.</p> | <p>Achieved - This project is now underway and 10 local food businesses such as cafes and play centres are now signed up and have agreed to change the menu they offer for children to include healthier options. These menus are due to be ready for the summer season and then a full evaluation of the project will be undertaken.</p> <p>Survey of parents in Torbay was undertaken to gain the views of</p> | <p>Dec 2015</p> |

| | | | |
|--|---|---|------------------------------------|
| | | parents on what type of food they want to see being offered for their children. | |
| To raise the standards of food hygiene on mobile food vehicles registered with Torbay | To inspect and rate all of the mobile food vehicles registered with Torbay and ensure that they are given a rating under the national food hygiene rating scheme. | Achieved – most of the mobile food vehicles have now been inspected under the Food Hygiene Rating Scheme and they have been offered training specifically for them. | |
| To ensure that food businesses in Torbay are rated under the revised Food Law Code of Practice | To ensure that the provisions of the newly revised Food Law Code of Practice is followed in Torbay. | Achieved – The principles of the new Code4 of Practice have been implemented to take into account the new inspection frequencies although not all these have been met in some of the lower risk categories. | |
| To improve the level of information that the consumer in Torbay receives in relation to allergy awareness and food labelling | To implement the provisions of the new Food Information Regulations when they come into force in December 2014 | Achieved – Over 400 delegates trained by the Food and Safety Team in the new legislation regarding Allergy management with very positive feedback from the businesses regarding these events. | Further course being run June 2015 |
| To increase the public's awareness of how the food poisoning bacteria campylobacter is picked up | To promote the message Don't wash your raw chicken during National Food Safety Week in June 2014 | Achieved – The Food Safety Team visited Sainsbury's in Torquay during Food Safety Week and spoke to the public about the risks of raw chicken and food poisoning. Also attended Taste of the West Food Festival in Torquay with the same message during May Bank Holiday. | |
| To increase the public's awareness of the National Food Hygiene Rating scheme in Torbay | To promote the National Food Hygiene Rating Scheme in libraries in Torbay. | Achieved - This was done at both the above events. | |

6.3 Targets and areas of Improvement for 2015/16

Targets for 2015/16 are in Table 7 and the current planned improvements for 2015/16 are outlined in Table 8.

The Statutory Guidance requires 100% of C risk premises to be inspected. This has been achieved apart from the premises that are either closed for refurbishment or seasonally closed. In 2014/15 some additional resources were allocated to food inspections by employing a contractor although this is only a short term measure and not a long term solution to the issue.

Table 7 – Targets for 2015/16

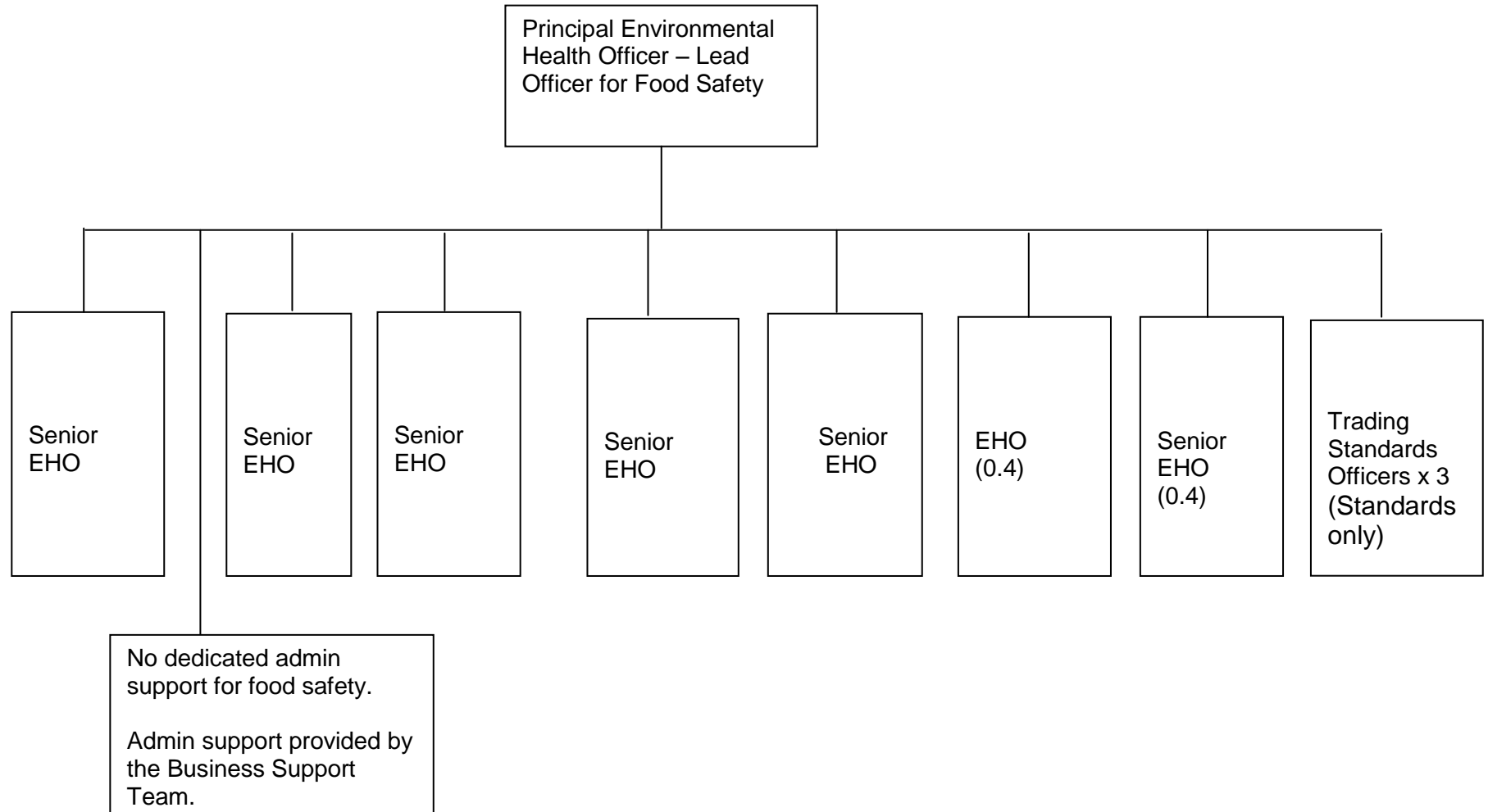
| SERVICE DELIVERY INDICATORS | | 2012/13 | 2013/14 | 2014/15 | 2015/16 |
|--|---------|---------|---------|---------|---------|
| Number of Category A and B risk food hygiene premises (due every 6 months) inspected | Target | 100% | 100% | 100% | 100% |
| | Outcome | 100% | 100% | 100% | |
| Number of Category C high risk food hygiene premises (due every 12 months) inspected | Target | 100% | 100% | 100% | 100% |
| | Outcome | 54% | 70% | 82% | |
| Number of high risk food standards inspections carried out | Target | 100% | 100% | 100% | 100% |
| | Outcome | 100% | 100% | 100% | |

Table 8 Areas of Improvement for 2015/16

| Service Improvement | Planned Outcome/Output | Link to FSA framework agreement | Target Date |
|--|---|----------------------------------|---------------------------|
| To ensure that we offer the regulatory service in terms of Community Safety in a way that helps businesses, thereby encouraging economic prosperity and helping businesses to survive. | To ensure that the Better Business for All workplan for Torbay is implemented by the proposed timescales. | All areas of Framework | Detailed in BBFA workplan |
| To ensure that food businesses in Torbay are rated under the revised Food Law Code of Practice | To ensure that the provisions of the newly revised Food Law Code of Practice is followed in Torbay. | All areas of Framework Agreement | March 2016 |

| | | | |
|---|---|--------------------------------------|-------------|
| To improve the level of information that the consumer in Torbay receives in relation to allergy awareness and food labelling | To run a free training seminar on allergy management for food businesses in Torbay. | All areas of Framework agreement | July 2015 |
| To increase the public's awareness of how the food poisoning bacteria campylobacter is picked up | To promote the messages in the Food Standards Agency's 2015 Chicken Challenge campaign during National Food Safety Week in June 2015 | All areas of Framework Agreement | June 2015 |
| To ensure that the Food Hygiene Rating scheme is run consistently amongst officers within the Torbay Safety Team and in line with other Devon Local Authorities | To undertake an inter authority audit on the national food hygiene rating scheme in accordance with the Food Standards Agency template documents. | All areas of the Framework agreement | March 2016 |
| To improve the awareness of the risks of cooking and cooling rice down in ethnic restaurants. | To produce some educational material for ethnic restaurants on the safe cooking of rice e.g. a leaflet in Bengali on the cooking of rice. | All areas of the Framework Agreement | July 2015 |
| To ensure that D risk premises continue to be monitored for food safety purposes. | To undertake a piece of work looking at using other food safety interventions in D risk food premises that are compliant | All areas of the Framework Agreement | March 2016 |
| To ensure that following the allergy training given earlier this year that businesses are compliant with the new Food Information Regulations 2014. | To undertake a project on allergy management in food premises which will involve looking at their procedures and carrying out sampling as necessary. | All areas of Framework Agreement | August 2015 |
| To ensure that no unfit or illegal meat is being sold in Torbay | To undertake a project looking at the authenticity and traceability of meat supplies in Torbay Food businesses, this will also include sampling as necessary. | All areas of Framework Agreement. | August 2015 |

Appendix A - Organisational Structure Chart for Food and Safety Service



Agenda Item 8

Appendix 3

Supply of Age Restricted Products – Enforcement Statement

Torbay Council is committed to achieving compliance in a fair, consistent, proportionate, transparent and targeted manner. The emphasis will be on advice and education but other means of enforcement will also be used, if necessary. In so far as the supply of age restricted products is concerned, priority will be given to the legislation in Schedule A below which the Council has a duty to enforce; enforcement action in respect of legislation in Schedule B below will principally be in response to any complaints which may be received.

1. Premises selling these products will be included in the routine inspection programme. During these inspections Traders will be reminded of their responsibilities and checks will be made on the display of required notices and products, labelling of products, provision of underage sales policies for alcohol amongst others.
2. All complaints will be investigated and appropriate action taken.
3. Legal proceedings will be taken where appropriate in accordance with the agreed Enforcement and Prosecution Policy and Torbay Council's responsibilities under the Licensing Act 2003.
4. Schools have been advised of the Council's commitment to enforce the law. Teachers and Children's Services staff having information about under-age sales from specific shops will be asked to contact the Trading Standards Service (part of the Community Safety Business Unit).
5. Each year the Community Safety Business Unit will carry out at least two surveys using volunteer under-age purchasers. The national LGA guidelines will be observed in carrying out the surveys.
6. Trading Standards will work with partner agencies to identify the source of illegal and counterfeit products which may present an increased risk to health.
7. To help businesses by writing procedural guidance in the form of any easy to use document for underage sales.

Schedule A – Statutory Duty to Enforce

Children and Young Persons Act 1933
Protection of Children (Tobacco) Act 1986
The Cigarette Lighter Refill (Safety) Regulations 1999 made under Consumer Protection Act 1987
Explosives (Age of Purchase) Act 1976
Fireworks (Safety) Regulations 1997 as amended by the Fireworks (Safety) (Amendment) Regulations 2004
Video Recordings Act 1984 as amended by Video Recordings Act 1993
Licensing Act 2003

Schedule B – No Duty to Enforce

Children and Young Persons (Protection from Tobacco) Act 1991 BUT Local Authority must consider annually a programme of enforcement
Anti-Social Behaviour Act 2003 (Sale of aerosol paint to under 16)

Criminal Justice Act 1988 as amended by Offensive Weapons Act 1996 (sale of knives)
National Lottery Regulations 1994
Intoxicating Substances (Supply) Act 1985
Crossbows Act 1987

Torbay Gas Safety In Catering Establishments Project 2012/5

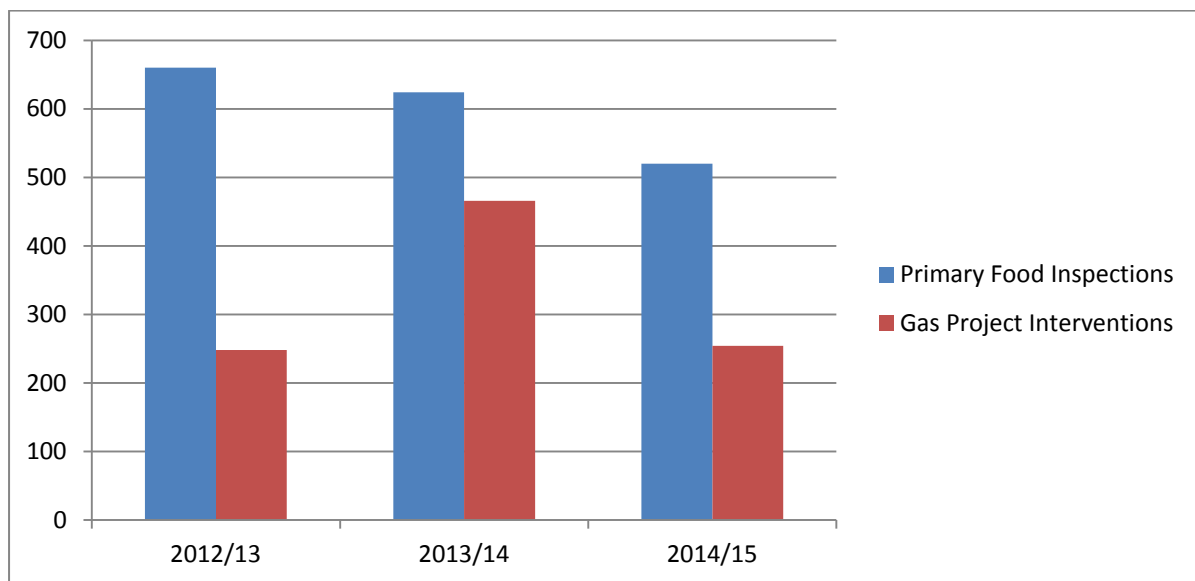
Background

This report is based on data collected as a result of Interventions through the “Gas Safety In Catering Establishments” project run as part of the Devon Chief Officer Health and Safety Sub Group work plan between 2012 and 2015. Data was collected through a standardised pro forma and covered the three financial years 2012/3, 2013/14 and 2014/5. Gas Interventions were to be undertaken at all primary Food Safety Inspections. The project visits commenced in June of 2012 due to the need to undertake officer training prior to initiating the project.

Results

Over the three years 1804 Primary Food Hygiene Inspections were carried out by officers authorised for Health and Safety. At these, a total of 968 "Gas Safety" interventions were undertaken

Fig.1 Food Safety Inspections v Gas Safety Interventions 2012/15

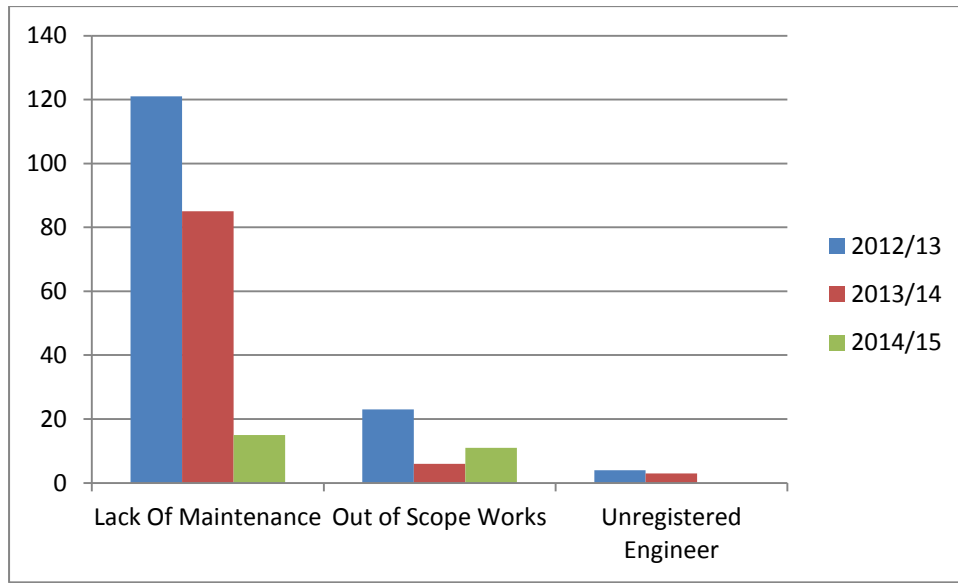


At these 968 Interventions, a total of 268 instances were identified as "matters of concern" under one of the three following headings:

- Lack of Maintenance - Where defects were identified with the system and there was no record or regular maintenance by a competent individual.
- Out of Scope Works - Where there was evidence that works had been undertaken on the gas system by someone without the necessary "Gas Safe" qualifications. For example a domestic qualified engineer working on a commercial system.
- Unregistered Engineer - Where work had been undertaken by an individual or company with no recognised "Gas Safe" qualifications.

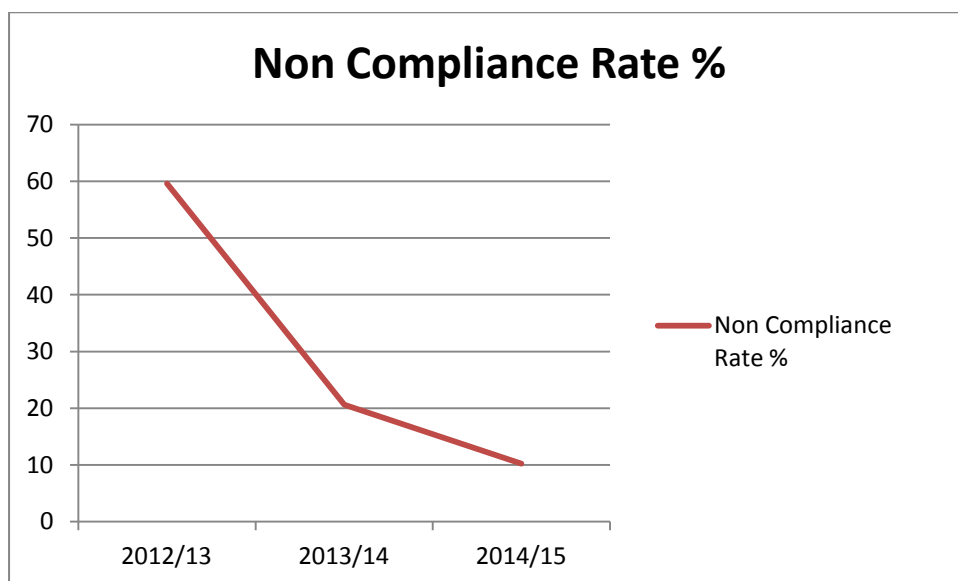
Lack of maintenance was identified in 221 cases, out of scope in 40 and unregistered engineers in the remaining 7. These issues were dealt with by a variety of means including written warnings and improvement notices as detailed below. In the case of unregistered engineers, given that sub standard work could result in serious personal injury, and that peripatetic work is enforced by the Health and Safety Executive, these matters were referred immediately to the relevant authorities. The affected businesses were then faced with commissioning a qualified engineer to certify their gas systems.

Fig. 2 Gas Safety Intervention Outcomes



From the initial phase of the project in 2012 through to its completion in 2015, the rate at which "matters of concern" arose fell sharply from an initial non compliance figure of just under 60% to 10%.

Fig. 3 Non Compliance Rate 2012/5



Conclusions

As with other Devon LAs there was a disparity between the number of Food Safety visits undertaken and the corresponding Gas Safety Interventions. Whilst a portion of this may be attributed to the late commencement of the project in June 2012, as with other LAs, issues of officer confidence in dealing with Gas Safety and difficulty in completing relevant gas safety paperwork were highlighted as attributing to this gap. Additionally, with many food businesses falling into annual or 18 monthly inspection regimes officers did not undertake interventions where one had been carried out in the previous two years.

The three years covered by the data clearly indicated that at the initial phase of the project, serious issues with regard to Gas Safety in catering establishments existed. Of particular concern was the lack of maintenance of gas systems by businesses, and their apparent failure to adequately examine the qualifications of those contractors working on their gas equipment. However, in contrast by the end of the 2014/15 financial year, there is a clear trend towards compliance indicating that premises were now taking responsibility for Gas Safety at their establishments. The 10% non compliance rate at the end of this period may be the result of changes in business ownership, the poor economic climate and/or an underlying hard core on non compliant premises.

Whilst this three year project has now been completed, the knowledge and experience that officers have gained through undertaking these interventions will enable them to identify and deal competently with gas safety issues during future Food Safety visits.

Commercial Team work plan for 2015-16

The Commercial Team is responsible for a wide range of functions which are covered briefly within the Service Plan. These include complaint driven work; inspections of higher risk premises based upon their risk rating, government guidance and intelligence; protection of vulnerable groups; administering applications under varying pieces of legislation; protection of the wider public from the impacts of emergencies and disease outbreaks; protection of the employees of Torbay Council and the safe running of public attended events. In addition to the routine work above, the key pieces of work being undertaken to help deliver this wide ranging agenda are

Inspect High Risk Premises – Inspect high risk premises according to relevant National Codes of Practice/Guidance.

Better Business for All (BBfA) - to develop a partnership with Torbay Businesses and businesses across the Local Enterprise Partnership area of Devon and Somerset. Working with the Better Regulators Development Office (BRDO) and the other County, Unitary and District authorities and business leaders.

Food Hygiene Rating Scheme – this programme of work, which has been very positively received and continues to reduced the overall risks associated with food premises across Torbay.

Compliance with Asbestos (Duty to Manage) – these inspections are undertaken when premises are inspected or visited for any other piece of work. This is a national requirement under statutory direction.

No Cold Calling Homes & Buy with Confidence – these pieces of work help to protect consumers, particularly more elderly residents in their home from rouge traders and poor trade's people.

Second Hand Car Sales – Second hand car sales is one of the most complained areas in the consumer world. This project builds of work from previous years to target these businesses/individuals who sale unroadworthy cars.

Childhood Obesity – to reduce the incident of child hood obesity in 5-6 & 10-11 year olds by working with cafes and takeaways. This work will be undertaken to support the Public Health team in their delivery against the local and national targets.

Safer Workplace Better Business packs – Working with a Government Department, a private sector partner and Exeter University, development continues on an interactive on line tool to aid businesses meet their statutory compliance with health and safety legislation with greater ease.

Licensing Policies – Both the Licensing and Gambling Act polices, both statutory requirements, need to be reviewed during 2015.

Equality Impact Assessment (EIA):

| | | | |
|--|------------------------------|-----------------------|-------------------------|
| Name of Report/Proposal/Strategy: | Commercial Team Service Plan | | |
| Name (Key Officer/Author): | Steve Cox | Business Unit: | Community Safety |
| Position: | Environmental Health Manager | Tel: | |
| Date: | 20 th May 15 | Email: | Steve.cox@torbay.gov.uk |

Since the Equality Act 2010 came into force the council has continued to be committed to ensuring we provide services that meet the diverse needs of our community as well as ensure we are an organisation that is sensitive to the needs of individuals within our workforce. This Equality Impact Assessment (EIA) has been developed as a tool to enable business units to fully consider the impact of proposed decisions on the community.

This EIA will evidence that you have fully considered the impact of your proposal / strategy and carried out appropriate consultation with key stakeholders. The EIA will allow Councillors and Senior Officers to make informed decisions as part of the council's decision-making process.

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Relevance Test – ‘A Proportionate Approach’

Not all of the proposals or strategies we put forward will be ‘relevant’ in terms of the actual or potential impact on the community in relation to equality and vulnerable groups. For instance, a report on changing a supplier of copier paper may not require an EIA to be completed whereas a report outlining a proposal for a new community swimming pool or a report proposing a closure of a service would.

Therefore before completing the EIA please answer the following questions. If you answer ‘yes’ to any of the questions below you must complete a full EIA.

| | | | |
|----|---|----------------------------|----------------------------|
| 1) | Does this report relate to a key decision? | Y X | N <input type="checkbox"/> |
| 2) | Will the decision have an impact (i.e. a positive or negative effect/change) on any of the following: | | |
| | • The Community (including specific impacts upon the vulnerable or equality groups) | Y <input type="checkbox"/> | N X |
| | • Our Partners | Y <input type="checkbox"/> | N X |
| | • The Council (including our structure, ‘knock-on’ effects for other business units, our reputation, finances, legal obligations or service provision) | Y <input type="checkbox"/> | N X |

Section 1: Purpose of the proposal/strategy/decision

| No | Question | Details |
|----|--|--|
| 1. | Clearly set out the purpose of the proposal | Two statutory requirements to set out Food Safety Service Plan and Supply of Age Restricted Products Policy. The former relates to the advice/inspections in relation to food business, the later relates to Test purchase and related work. |
| 2. | Who is intended to benefit / who will be affected? | Both businesses and the community at large as the work is aimed at protecting the public from criminal activity and poor hygiene standards. |
| 3. | What is the intended outcome? | Safety foods and no underage sales |

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Section 2: Equalities, consultation and engagement

Torbay Council has a moral obligation as well as a duty under the Equality Act 2010 to eliminate discrimination, promote good relations and advance equality of opportunity between people who share a protected characteristic and people who do not.

The **equalities, consultation and engagement** section ensures that, as a council, we take into account the Public Sector Equality Duty at an early stage and provide evidence to ensure that we fully consider the impact of our decisions / proposals on the Torbay community.

Evidence, consultation and engagement

| No | Question | Details |
|----|--|----------------|
| 4. | Have you considered the available evidence? | Not applicable |
| 5. | How have you consulted on the proposal? | No |
| 6. | Outline the key findings | N/A |
| 7. | What amendments may be required as a result of the consultation? | N/A |

Positive and negative equality impacts

| No | Question | Details | | |
|----|--|--|-----------------|----------------|
| 8. | Identify the potential positive and negative impacts on specific groups | <i>It is not enough to state that a proposal will affect everyone equally. There should be more in-depth consideration of available evidence to see if particular groups are more likely to be affected than others – use the table below. You should also consider workforce issues. If you consider there to be no positive or negative impacts use the ‘neutral’ column to explain why.</i> | | |
| | | Positive Impact | Negative Impact | Neutral Impact |
| | All groups in society generally | | | X |
| | Older or younger people | | | X |
| | People with caring responsibilities | | | X |
| | People with a disability | | | X |
| | Women or men | | | X |
| | People who are black or from a minority ethnic background (BME) | <i>(please note Gypsies / Roma are within this community)</i> | | X |
| | Religion or belief (including lack of belief) | | | X |
| | People who are lesbian, gay or bisexual | | | X |
| | People who are transgendered | | | X |
| | People who are in a marriage or civil partnership | | | X |
| | Women who are pregnant / on maternity leave | | | X |
| | Socio-economic impacts | | | X |

| No | Question | Details | |
|----|--|---------|--|
| | (including impact on child poverty issues and deprivation) | | |
| 9. | Is there scope for your proposal to eliminate discrimination, promote equality of opportunity and / or foster good relations? | N/A | |

Section 3: Steps required to manage the potential impacts identified

| No | Action | Details | |
|-----------------|--|---------|--|
| 10. Page 174 | Summarise any positive impacts and how they will be realised most effectively? | N/A | |
| 11. | Summarise any negative impacts and how these will be managed? | N/A | |

Section 4: Recommended course of action

| No | Action | Details |
|-----|--|---------|
| 12. | State a recommended course of action [please refer to action after section 5] | N/A |

Section 5: Monitoring and action plan

| No | Action | Details |
|-----|--|---------|
| 13. | Outline plans to monitor the actual impact of your proposals | N/A |

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Please use the action plan below to summarise all of the key actions, responsible officers and timescales as a result of this impact assessment

Action plan

Please detail below any actions you need to take:

| No. | Action | Reason for action / contingency | Resources | Responsibility | Deadline date |
|-----|---|---------------------------------|-----------|----------------|---------------|
| 1 | <i>This should include actions highlighted from the sections 3, 4 & 5</i> | | | | |
| 2 | | | | | |

| | | | | | |
|---|--|--|--|--|--|
| | | | | | |
| 3 | | | | | |
| 4 | | | | | |
| 5 | | | | | |

Annual Report 2014/2015



Foreword

This is my final annual report under the term of the present Administration. I consider myself to be privileged indeed to have served as the Chairman of the Torbay Overview and Scrutiny Board for an unbroken period of almost eight years having been unanimously re-elected to the office of Chairman of the Board annually by the cross party members of the Board. In closing my nearly eight years of service to the Bay I wish to thank all elected members of the Council and all Officers for their professional help and advice to both myself and to the Overview and Scrutiny Board. I also thank the members of the public who participated in the programme of work. Our job as Scrutineers is to hold the Executive to account and to drive improvements to the public services that your Council provides. Another huge task that we undertake is to examine the source and application of the increasingly limited funds that Torbay – in common with all Local Authorities - are experiencing in these times of financial austerity.

Key amongst the matters that your Board has examined are keeping a watching brief on the impact of welfare reform and the Council's economic strategy. We have closely scrutinised the Elected Mayor's savings proposals and taken an in depth look at the impact of the Supporting People budget reductions, and the future of housing in Torbay. The call-ins relating to the Mayoral decisions on the Churston Covenant, the Sports Facilities and Playing Pitches Strategy and refusal of a Cary Green Covenant were all matters of great public interest. There was very close scrutiny of the Children's Services Budget and five year plan and the Board have developed links with the Torbay Children's Safeguarding Board. Your Health Scrutiny Board examined the issues Mental Health services in Torbay

All in all a very busy year in an environment of ever reducing funds.

Thank you to all who have played any part in the process during the past year and may I wish you all well.

Councillor John Thomas
Overview and Scrutiny Co-ordinator

Introduction

Overview and scrutiny...

- is one of the ways the Council improves services and the quality of people's lives in Torbay
- acts as the Council's "watchdog" and challenges decisions taken by the Mayor and looks at decisions in more detail

- reviews existing policies and issues of concern
- is a constructive and independent way of looking at an issue, highlighting areas that work well and suggesting where improvements can be made

This report gives details of the work which has been undertaken by the Overview and Scrutiny Board over the course of 2014/2015.

Membership

The Members of the Overview and Scrutiny Board over the past year have been Councillors Bent, Darling, Davies, Hernandez (from December 2014), Hytche (until December 2014), Kingscote, McPhail (until October 2014), Pentney, Stockman, Thomas (J) and Tyerman (from October 2014).

The Members of the Health Scrutiny Board over the past year have been Councillors Bent, Davies, Doggett, Faulkner (A), Hernandez, Hytche, McPhail (until October 2014) and Thomas (J).

Priorities and Resources

The majority of the Overview and Scrutiny Board's Work Programme for the year has been taken up by reviewing proposals for the Council's priorities and resources for the coming year. The Board asked to hear the views of service users, communities and partners when considering the Mayor's savings proposals in September 2014 and January 2015.

The Board were able to question the Mayor and his Executive Leads about his proposals and made a number of recommendations and conclusions. The reports from both stages of the Board's work are available on the Council's website.

Call-ins

The call-in process is one of the mechanisms which can be used to hold the Mayor to account.

The purpose of call-in is to examine the decisions reached by the Mayor and the reasoning behind those decisions. The process enables further public debate to be held on the subject. The Overview and Scrutiny Board can then consider whether the decision was appropriate and make recommendations accordingly.

Over the course of the year, the Overview and Scrutiny Board have received three call-ins:

- Proposed covenant on Churston Golf Course
- Sports Facilities and Playing Pitches Strategies
- Proposed covenant on Cary Green

In each instance, members of the public and members of the Council were able to raise their concerns with the Overview and Scrutiny Board. The Board then requested additional

information and questioned the Mayor on how he had reached his decision. The outcomes from each of these call-ins are available on the Council's website.

Health Scrutiny

Health scrutiny is a fundamental way by which local councillors are able to voice the views of their constituents, and hold NHS bodies and health service providers to account. The primary aim of health scrutiny is to help to improve the health of local people, ensuring their needs are considered as an integral part of the commissioning, delivery and development of health services.

Torbay Council's Health Scrutiny Board has met twice over the past year although the Overview and Scrutiny Board has also considered health scrutiny matters during the year.

Discussions were held with social care and NHS colleagues on issues relating to mental health and learning disabilities. The Board have kept a watching brief of these issues through updates provided to both the Overview and Scrutiny Board and the Health and Wellbeing Board. The Board also received a formal update on the review of Learning Disability Services in Torbay later in the year. The Health and Wellbeing Board has recently asked the Health Scrutiny Board to carry out a further in-depth review of mental health services in Torbay in the new Municipal Year.

The Board also received updates on the progression towards an Integrated Care Organisation, the Living Well at Home contract and the redevelopment of Brixham Hospital.

Moving forward the relationship between the health scrutiny function, the Health and Wellbeing Board and Healthwatch Torbay will be reviewed to ensure the roles and responsibilities of each function are fully understood by both the public and all partners.

Scrutiny Development Area

Torbay Council was successful in its bid to become a Scrutiny Development Area as part of a programme run by the Centre for Public Scrutiny (CfPS). Council officers and the CfPS worked with Executive and Non-Executive members to:

- Undertake a high level evaluation of overview and scrutiny
- Agree how overview and scrutiny should operate given the challenges the Council faces
- Determine how the Council can better harness the skills of non-executive members to enable them to make a more meaningful contribution to the work of the Council

The project established a set of principles for overview and scrutiny in Torbay and provided a framework for a wider review of the governance structure of the Council which will inform the induction process following the elections in May 2015.

The report that was produced at the end of the project was adopted by the Council in February 2015 and is available on the Council's website. The principles which were agreed are:

- The Council as a whole, and therefore overview and scrutiny, need to focus on the issues that really matter. There are no longer any easy decisions to make. The luxury of looking at the more marginal issues has long passed. It is important that there is an "all Council" approach to tackling the challenges now being faced.
- "Holding to account" must continue as a vital role of overview and scrutiny. But "policy development" is of equal importance. And national experience has shown that this is where the contribution of the non-executive members can be most effective.
- The Forward Plan should be seen as a key tool for managing the decision making process throughout the Authority. There needs to be more informal discussions about what is coming forward for decision in the coming months.
- Overview and scrutiny should be seen as an important element in delivering good, sound decisions. The relationship between overview and scrutiny and the executive should not be adversarial, but rather of seeking to complement one another.
- There should be the ability for all councillors to have the opportunity to help shape policy decisions at an early stage.

Future Work Programme

The Work Programme for 2015/2016 will be developed following discussions with all members and the Senior Leadership Team after the Local Elections in May 2015.

Contact Details

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