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# FORWARD PLAN

**Compiled on behalf of the Mayor of Torbay**

**Forward Plan Published on 6 May 2014**

**For information relating to the Forward Plan or to request a copy in another format or language please contact:**

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# Torbay Council

## Forward Plan of Key Decisions

### Explanatory Note

Torbay Council is required to publish a Forward Plan of all key decisions to be taken in the following four months. The first Plan became effective on 1 March 2002. It is updated monthly and is available at least 14 days before the beginning of each month.

Although Government regulations suggest that Key Decisions should only refer to Executive functions, Torbay Council has decided that those Council functions that would have been a Key Decision if they were to have been decided by the Mayor will also be included in the Forward Plan. This will include changes to the Council's Policy Framework and decisions that are not in accordance with the Council's Budgetary Framework.

The Regulations define a key decision as a decision that is likely to:

- (i) result in incurring expenditure or making of savings which are significant; or
- (ii) be significant in terms of its effects on communities living or working in the area.

The Council has produced comprehensive criteria to define "significant" and these are set out on the following page.

The Forward Plan consists of a brief description of the decisions that are to be made, (listed under the themes on which the Community Plan is based) followed by pages that give a fuller description of each of those matters. The Council has decided that the vision and the Community Plan themes should be adopted as the Council's vision and priorities. Where an issue does not directly link to one of the themes it will refer to 'corporate support', which aims at improving service deliver, efficiency and quality.

Copies of the documents referred to in the Forward Plan may be obtained by contacting the Democratic Services Section by telephone (01803 207064), email ([democratic.services@torbay.gov.uk](mailto:democratic.services@torbay.gov.uk)) or post (Town Hall, Castle Circus, Torquay, TQ1 3DR).

The Forward Plan is available free of charge on request from the Democratic Services Section of Torbay Council and is available for inspection at the Connections offices in Torquay, Paignton and Brixham. It is also available on the Council's website (<http://www.torbay.gov.uk/forward-plan>).

Gordon Oliver  
Mayor of Torbay

**To request a copy in another format or language phone 01803 207087**

## Definitions of "significant"

### Expenditure and savings

A proposed decision shall be regarded as a Key Decision by way of “**incurring expenditure or making of savings which are significant**” if any one or more of the following apply:

- (1) In the opinion of the Chief Finance Officer, there is likely to be a budget variation (other than one within a Business Unit) of more than £250,000;
- (2) In the opinion of the Chief Finance Officer, it is likely to result in capital expenditure above that provided for in the capital programme and it is likely to involve an additional call on the Council’s internal resources of more than £250,000;
- (3) In the opinion of the relevant Commissioner, the decision is likely to have a material effect on Council services, including where:
  - (i) an existing service will be reduced by more than 10 per cent or will cease altogether;
  - (ii) a service which is currently provided in house will be outsourced (or vice versa); or
  - (iii) a partnership will be entered with a third party which is likely to involve a material element of risk transfer to the Council;
- (4) The proposal involves the acquisition or disposal of land having a value estimated by the Chief Finance Officer to be likely to exceed £250,000;
- (5) The proposal involves the disposal of a capital asset (other than land) having a value estimated by the Chief Finance Officer to be likely to exceed £250,000;
- (6) Where in the opinion of the Executive Head of Human Resources the proposal is likely to result in compulsory redundancies or major changes to the terms and conditions of employment of 100 or more employees across the Council’s functions;

### Effect of communities

A proposed decision shall be regarded as a Key Decision by way of being “**significant in terms of its effects on communities living or working in the area**” if the relevant Commissioner, in consultation with the relevant Cabinet Member, considers that it ought to be included in the Forward Plan having regard to all the circumstances including the following principles:

- (1) A decision may affect a great number of people, or a number of wards, but not significantly and these decisions shall **not** normally be regarded as key;
- (2) A decision that has a significant impact on communities living or working in only one ward will normally be treated as a Key Decision e.g. a school closure or the introduction or amendment of traffic calming measures;
- (3) Where a decision is only likely to have a significant impact on a very small number of people in one ward it will **not** normally be key. But the people affected should be informed of the forthcoming decision in sufficient time for them to exercise their rights to see the relevant papers and make an input into the decision making process;

- (4) Consideration should be given to the level of public interest in the decision. The higher the level of interest the more appropriate it is that the decision should be considered to be key.

## **Our Pledges**

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

- **Sympathetic regeneration**
- **Boosting local employment**
- **Protecting vulnerable children and adults**
- **A cleaner, greener, healthier Bay**
- **Expansion of our tourism and heritage offer**
- **A safer Bay**
- **Value for money**



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**Adult Social Care - Local Account and Annual Adult Safeguarding Report**

Local Account provides information on Adult Social Care in Torbay and is a key way through which residents can hold the Council to account on how well we are supporting people with social care needs. It is a government requirement. It provides an overview of the previous year and outlines future policy direction in relation to social care and the safeguarding report outlining action taken in relation to adults safeguarding in the previous financial year.

<b>Wards affected:</b>	All Wards
<b>Consultees:</b>	Members, local communities
<b>Means of Consultation:</b>	Meetings, circulation of papers etc
<b>Documents to be considered:</b>	There are currently no documents published. All documents will normally be published at least five clear working days before the meeting. Where documents are not available five clear working days before the meeting, the documents will be published at the same time as they are made available to the decision maker.
<b>Responsible Executive Lead and Officer:</b>	Executive Lead for Adult Social Care and Older People (Councillor Christine Scouler) Director of Adult Services - Caroline Taylor
<b>Corporate Priority:</b>	Protecting vulnerable children and adults
<b>Key Opportunities:</b>	It outlines specific outcomes in relation to a key area of spend and allows members to determine future policy priorities. It is in line with requirements of central government.
<b>Key Risks:</b>	Torbay Council would not be in line with national requirements and that potential policy changes would not have sufficient transparency and debate.
<b>Type of Decision:</b>	Key Decision Council
<b>Decision Maker:</b>	Council
<b>Intended Decision Date:</b>	Thursday, 17 Jul 2014
<b>If you want to make representations contact:</b>	Caroline Taylor, telephone 207116, email caroline.taylor@torbay.gov.uk or by post Torbay Council, Town Hall, Castle Circusm Torquay, TQ1 3DR

**Review of parking enforcement including continued use of the camera car**

To remove the mobile parking enforcement camera car from operating across the bay. This service was predominantly used to enforce no parking restriction areas outside school and on bus stops. Alternative provision based on education rather than enforcement is to replace this form of enforcement service.

<b>Wards affected:</b>	All Wards
<b>Consultees:</b>	Ward members Community Partnerships Head of Finance
<b>Means of Consultation:</b>	Transport Working Party were consulted on 23rd January 2014
<b>Documents to be considered:</b>	There are currently no documents published. All documents will normally be published at least five clear working days before the meeting. Where documents are not available five clear working days before the meeting, the documents will be published at the same time as they are made available to the decision maker.
<b>Responsible Executive Lead and Officer:</b>	Executive Lead for Safer Communities, Highways, Environment and Sport (Councillor Robert Excell) Commissioner of Place and Environment – Charles Uzzell
<b>Corporate Priority:</b>	Value for money
<b>Key Opportunities:</b>	This will reduce current operating costs of the vehicle and staff resources To work with schools to educate parents of the dangers to children of inappropriate parking rather than enforcement, ensuring that people abide by restrictions all the time not just if the camera car is operating outside a specific school Schools could assist with enforcement and take action themselves
<b>Key Risks:</b>	Reduced resources in the road safety unit where education is slow in reaching all Torbay schools Parents may not abide by restriction zones Cost of repayments on purchase of equipment cannot be recouped Increased inappropriate parking levels in enforcement zones
<b>Type of Decision:</b>	Key Decisions Mayor

<b>Decision Maker:</b>	Mayor
<b>Intended Decision Date:</b>	Not before Friday, 30 May 2014
<b>If you want to make representations contact:</b>	Torbay Council Parking and Enforcement Service, c/o Residents and Visitor Services, Town Hall, Castle Circus, Torquay, TQ1 3DR, email <a href="mailto:susie.hayman@torbay.gov.uk">susie.hayman@torbay.gov.uk</a>

**Clennon Valley Sport and Leisure Regeneration Procurement**

To consider the recommendations of the Clennon Valley Regeneration Group in relation to the procurement of a developer to enhance sport and tourism facilities at Clennon Valley.

<b>Wards affected:</b>	Goodrington with Roselands; All Wards
<b>Consultees:</b>	Torbay residents, Community Partnerships, Land Owners, Ward Councillors, Sports Council, Neighbourhood Forum
<b>Means of Consultation:</b>	A comprehensive consultation is being planned for March/April this year. This is in addition to the consultation that has already taken place which has included both on line and postal surveys, public meetings and face-to-face meetings with stakeholders.
<b>Documents to be considered:</b>	There are currently no documents published. All documents will normally be published at least five clear working days before the meeting. Where documents are not available five clear working days before the meeting, the documents will be published at the same time as they are made available to the decision maker.
<b>Responsible Executive Lead and Officer:</b>	Executive Lead for Safer Communities, Highways, Environment and Sport (Councillor Robert Excell) Executive Head of Residents and Visitor Services – Sue Cheriton
<b>Corporate Priority:</b>	Sympathetic regeneration
<b>Key Opportunities:</b>	To improve the quality of sports and leisure facilities in Torbay thus improving health and sporting outcomes for residents and visitors. To deliver sporting and regeneration outcomes without cost to Torbay Council. To improve Leisure and Tourism facilities. To promote economic development and employment opportunities.
<b>Key Risks:</b>	Long terms risks to the range and quality of sports facilities would arise from inaction or from the failure of the current tender process. Potential cost to Torbay Council from replacing or improving the facilities at a later date.
<b>Type of Decision:</b>	Key Decisions Mayor
<b>Decision Maker:</b>	Mayor
<b>Intended Decision Date:</b>	Thursday, 17 Jul 2014

**If you want to make representations contact:**

Iain Masters, tel: 01803 208975, email [iain.masters@tedcltd.com](mailto:iain.masters@tedcltd.com), postal address Torbay Development Agency 3rd Floor Tor Hill House, Union Street, Torquay, TQ2 5QW.

**Energy and Climate Change Strategy 2014-2019**

Revised Energy and Climate Change Strategy for the period 2014-19 reflecting the need to have up to date policies and action plan. The recommendation is that members approve the adoption of the revised strategy.

<b>Wards affected:</b>	All Wards
<b>Consultees:</b>	Internal council stakeholders, partners, local groups and Torbay residents
<b>Means of Consultation:</b>	The strategy will be prepared on a cross-department basis and presented to Members, prior to publication. It will then be subject to consultation and, following amendments if necessary, be presented to Council. Council departments, partners and the public will be consulted on the revised draft.
<b>Documents to be considered:</b>	There are currently no documents published. All documents will normally be published at least five clear working days before the meeting. Where documents are not available five clear working days before the meeting, the documents will be published at the same time as they are made available to the decision maker.
<b>Responsible Executive Lead and Officer:</b>	Deputy Mayor Executive Lead for Strategic Planning, Housing and Energy (Councillor David Thomas) Commissioner of Place and Environment – Charles Uzzell
<b>Corporate Priority:</b>	A cleaner, greener, healthier Bay
<b>Key Opportunities:</b>	The strategy sets out the energy and climate change challenges for Torbay and how these can be addressed. It will support the transition towards a lower carbon economy, maximise economic opportunity, whilst laying the foundations for sustainable growth, energy services and greater resilience in the future.
<b>Key Risks:</b>	There have been significant national and local changes since the adoption of the Torbay Climate Change Strategy 2008. To not address these changes will result in missed opportunities for cost and efficiency savings; protection against future energy price rises and the increasing risks from climate change. Torbay would be less competitive with a reduced ability to secure external funding, as well as, not taking full advantage of the growth in green jobs that is occurring nationally and in particular in the South West. There is a risk that not demonstrating community leadership in this area would result in a loss of reputation.

<b>Type of Decision:</b>	Policy Framework Plan Council
<b>Decision Maker:</b>	Council
<b>Intended Decision Date:</b>	Thursday, 17 Jul 2014
<b>If you want to make representations contact:</b>	Adam Davison, 2nd Floor, Electric House, Torquay, TQ1 3DR, Tel 01803 207750, email; adam.davison@torbay.gov.uk

### Submission of the Torbay Local Plan to the Secretary of State

The new Torbay Local Plan (A landscape for success: The Plan for Torbay - 2012 to 2032 and beyond) is the Council's key development plan document. It will eventually replace the 'Saved' Adopted Torbay Local Plan 1995 – 2011 and will form the basis for decisions on spatial planning matters within Torbay over the next twenty years. The Plan sets out a Balanced Strategy for change in the Bay, which embraces growth but puts protection and enhancement of Torbay's unique environment at its heart.

The Plan sets out broad provision and targets for development in Torbay, including housing and jobs, and identifies Strategic Delivery Areas and Future Growth Areas. It has been informed by the community and in turn sets a planning policy framework for the three Neighbourhood Plans being prepared for Torquay, Paignton and Brixham. The Plan includes a wide range of policies covering key spatial planning issues and will provide the basis for the determination of planning applications.

Consultation on a Draft of the Torbay Local Plan took place in September 2012.

Subsequently, the Council has published the Proposed Submission Plan for formal representations between 24 February and 7 April 2014. Following the close of this period and the completion of relevant documentation, the Council is required formally to Submit the Local Plan and related documents (including the Sustainability Appraisal and Habitats Regulations Assessment) to the Secretary of State for Independent Examination by the Planning Inspectorate.

The Council is now being asked to agree to the Submission of the Torbay Local Plan) to the Secretary of State.

<b>Wards affected:</b>	All Wards
<b>Consultees:</b>	Plan preparation involves consultation and engagement with a large number and range of individuals and organisations, details of which are retained in the Local Plan Database. This includes residents, Neighbourhood Forums and Community Partnerships, amenity organisations, statutory bodies, utilities, businesses, planning consultants and developers. All Ward Councillors are consultees and have been closely involved in the evolution of the Local Plan.

<p><b>Means of Consultation:</b></p>	<p>The preparation of local plans is a statutory process and consultation requirements are prescribed in 'The Town and Country Planning (Local Planning) (England) Regulations 2012 [as Amended]', in the context of the Planning and Compulsory Purchase Act 2004 and the Localism Act 2011. Further guidance is set out in the Council's Statement of Community Involvement (SCI). A variety of methods of public participation and engagement are used, according to the stage reached in Plan preparation. A Consultation and Engagement Strategy is developed for each appropriate Plan preparation stage. It involves widespread use of the press and other local media, websites, community liaison, posters, and email and paper correspondence with a large number of consultees. Council Offices, Libraries and Connections Offices are used to display Local Plan reference documents. Following agreement by the Council to Submission of the Local Plan, the relevant consultation bodies and other interested parties must be notified of the Submission by the local authority.</p>
<p><b>Documents to be considered:</b></p>	<p>There are currently no documents published. All documents will normally be published at least five clear working days before the meeting. Where documents are not available five clear working days before the meeting, the documents will be published at the same time as they are made available to the decision maker.</p>
<p><b>Responsible Executive Lead and Officer:</b></p>	<p>Deputy Mayor Executive Lead for Strategic Planning, Housing and Energy (Councillor David Thomas) Commissioner of Place and Environment – Charles Uzzell</p>
<p><b>Corporate Priority:</b></p>	<p>A cleaner, greener, healthier Bay; A safer Bay; Boosting local employment; Corporate support; Expansion of our tourism and heritage offer; Protecting vulnerable children and adults; Sympathetic regeneration; Value for money</p>

<p><b>Key Opportunities:</b></p>	<p>Timely approval to the formal Submission of the Local Plan will ensure that change, growth and conservation of resources in Torbay continues to take place on a 'Plan-led' basis. The policies and proposals of the Plan have been the subject of extensive public consultation and engagement, which has provided the community with opportunities to influence outcomes to the benefit of local neighbourhoods. This opportunity is heightened by the close link between the Local Plan and Torbay's three Neighbourhood Plans, which are required to be consistent with the Local Plan. Preparation of the Local Plan in parallel with Neighbourhood Plans will enable both types of Plan to be compatible, empowering communities to influence decisions at a local level, for example through the identification of sites for development, or the improvement and protection of locally important areas.</p>
<p><b>Key Risks:</b></p>	<p>Preparation of the Torbay Local Plan is a corporate priority. The key aim of the Plan is to provide a clear direction for sustainable growth in Torbay over the next twenty years or so. Failure to progress Submission of the Local Plan to the Secretary of State for Independent Examination, and subsequent Adoption by the Council, would result in a high risk of ad hoc speculative development taking place in an uncoordinated way and in unsustainable locations. This is particularly relevant in the context of the National Planning Policy Framework (NPPF), which emphasises the need to produce up-to-date local plans and sets out the risks to local planning authorities that fail to pursue this approach. Failure to continue to support work on the Local Plan would also result in a lost opportunity to secure community gains for local areas, remove the potential benefits to be derived from 'parallel tracking' with the three Neighbourhood Plans, and lead in turn to a loss of confidence within the c</p>
<p><b>Type of Decision:</b></p>	<p>Key Decision Council</p>
<p><b>Decision Maker:</b></p>	<p>Council</p>
<p><b>Intended Decision Date:</b></p>	<p>Thursday, 17 Jul 2014</p>
<p><b>If you want to make representations contact:</b></p>	<p>Steve Turner, Tel: 01803 208812, steve.turner@torbay.gov.uk, Torbay Council, Electric House (2nd Floor), Castle Circus, Torquay TQ1 3DR</p>

**Torbay Hospital and Torbay Council Partnership**

Proposal and Business Case for Torbay Council and South Devon Healthcare Trust to enter in to a formal partnership arrangement to deliver the master plan solution, design, build and operation of the site traffic access, roadways, and car parking facilities. To jointly operate car parking, enforcement, associated security and CCTV operation for the Torbay Hospital site.

<b>Wards affected:</b>	All Wards
<b>Consultees:</b>	Torbay Hospital stakeholders and staff
<b>Means of Consultation:</b>	Consultation process will commence once an 'in principle' decision by Torbay Council and the South Care Health Care Trust Board is approved.
<b>Documents to be considered:</b>	There are currently no documents published. All documents will normally be published at least five clear working days before the meeting. Where documents are not available five clear working days before the meeting, the documents will be published at the same time as they are made available to the decision maker.
<b>Responsible Executive Lead and Officer:</b>	Executive Lead for Safer Communities, Highways, Environment and Sport (Councillor Robert Excell) Commissioner of Place and Environment – Charles Uzzell Executive Head of Residents and Visitor Services - Sue Cheriton
<b>Corporate Priority:</b>	Value for money
<b>Key Opportunities:</b>	To enable the public agencies working through a joint arrangement to bring together expertise and share operational teams to deliver the service maximising benefit to the public purse.
<b>Key Risks:</b>	Potential risks include: No capital financing available to fund the development Failure to deliver the project due to other factors around the infrastructure plans for the Torbay Hospital site Public reaction to joint proposal
<b>Type of Decision:</b>	Key Decision Council
<b>Decision Maker:</b>	Council
<b>Intended Decision Date:</b>	Thursday, 17 Jul 2014

**If you want to make representations contact:**

Sue Cheriton, Residents and Visitor Services, LG Floor, Town Hall, Castle Circus, Torquay, TQ1 3DR, telephone 01803 207972, email [sue.cheriton@torbay.gov.uk](mailto:sue.cheriton@torbay.gov.uk)

**Update to the Community Safety Enforcement and Prosecution Policy**

A new Compliance Code came into effect on 6 April 2014 which all regulators including the councils community safety team must have regard to. This change requires minor amendments to be made to the Community Safety Teams Enforcement and Prosecution Policy.

<b>Wards affected:</b>	All Wards
<b>Consultees:</b>	Consultation with business across Torbay through known business forums to be undertaken
<b>Means of Consultation:</b>	Consultation with business across Torbay through known business forums to be undertaken
<b>Documents to be considered:</b>	There are currently no documents published. All documents will normally be published at least five clear working days before the meeting. Where documents are not available five clear working days before the meeting, the documents will be published at the same time as they are made available to the decision maker.
<b>Responsible Executive Lead and Officer:</b>	Executive Lead for Safer Communities, Highways, Environment and Sport (Councillor Robert Excell) Executive Head of Community Safety - Fran Hughes
<b>Corporate Priority:</b>	A safer Bay
<b>Key Opportunities:</b>	Opportunity to review an existing policy under which the Community Safety Team operates and ensure that the work of the team is compliant with these new requirements.
<b>Key Risks:</b>	No significant risks as this is an update to an existing system of work which have already been accommodated.
<b>Type of Decision:</b>	Key Decision Council
<b>Decision Maker:</b>	Council
<b>Intended Decision Date:</b>	Thursday, 17 Jul 2014
<b>If you want to make representations contact:</b>	Frances Hughes, Executive Head Community Safety, Torbay Council, Town Hall, Castle Circus, Torquay, TQ1 3DR, Telephone 208002, fran.hughes@torbay.gov.uk