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FORWARD PLAN

Compiled on behalf of the Elected Mayor of Torbay

Forward Plan published on 7 December 2018

1 January 2019 to 31 March 2019

**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.

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 Elected 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, consultation information, key risks and key opportunities.

Copies of the documents referred to in the Forward Plan may be obtained by contacting the Governance Support Team by telephone (01803 207087), email (governance.support@torbay.gov.uk) or post (Town Hall, Castle Circus, Torquay, TQ1 3DR).

The Forward Plan is available free of charge on request from the Governance Support Team 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
Elected 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 Director, 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 Assistant Director Corporate and Business Services 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 Director or Assistant Director, in consultation with the relevant Executive 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.

Torbay Council's ambition is for Torbay to be prosperous and healthy. This will be achieved through the following targeted actions:

- Protecting all children and giving them the best start in life;
- Working towards a more prosperous Torbay;
- Promoting healthy lifestyles across Torbay;
- Ensuring Torbay remains an attractive and safe place to live and visit; and
- Protecting and supporting vulnerable adults.

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Adult Social Care - Review of Care Homes Fees Model for Older People in Torbay

The Council has a duty to set its 'usual cost' for care homes fees each year. The Council and its NHS partners are looking at options to potentially refresh the existing care homes fees model for older people, to assist with the determination of future fees.

Wards affected:	All Wards
Consultees:	Care Homes in Torbay that support older people and Members.
Means of Consultation:	Letters, survey and supporting documents.
Documents to be considered:	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.
Responsible Executive Lead and Officer:	Executive Lead for Adults (Councillor Julien Parrott) Director of Adult Services and Housing (Caroline Taylor)
Link to targeted actions:	Protecting and supporting vulnerable adults
Reason for inclusion in the Forward Plan:	High level of public interest
Decision Maker:	Council
Intended Decision Date:	21 Feb 2019
If you want to make representations contact:	Caroline Taylor Director of Adults and Housing, Torbay Council, Town Hall, Castle Circus, Torquay, TQ1 3DR, telephone (01803) 208949, email caroline.taylor@torbay.gov.uk

Capital Investment at Paignton Community and Sports Academy (PCSA) to provide Additional Secondary School Places

Children's Services is seeking approval for Capital Investment at Paignton Community and Sports Academy (PCSA) to provide additional Secondary School places. The Local Authority (LA) continues to experience an increase in pupil numbers in the Paignton area and the latest forecasts indicate a shortfall of secondary school places from 2019 onwards. Capital Investment in PCSA will address this shortfall and fulfill the LA's statutory obligation to provide sufficient school places.

Wards affected:	Blatchcombe
Consultees:	Council Officers have consulted with the school and there will be a statutory consultation process to follow for any relevant school organisation changes and for the planning application.
Means of Consultation:	Meetings and website.
Documents to be considered:	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.
Responsible Executive Lead and Officer:	Executive Lead for Children and Housing (Councillor Cindy Stocks), Elected Mayor and Executive Lead for Assets, Finance, Governance and Corporate Services, Economic Regeneration and Transformation (Elected Mayor, Gordon Oliver) Director of Children's Services (Alison Botham)
Link to targeted actions:	Protecting all children and giving them the best start in life
Reason for inclusion in the Forward Plan:	Capital expenditure +£250,000 and outside Capital Plan
Decision Maker:	Council
Intended Decision Date:	31 Jan 2019

If you want to make representations contact:	Nicola Bovey, Schools Capital & Planning Officer, Education Team, TDA, 3rd Floor, Tor Hill House, Union Street, Torquay, TQ2 5QW, telephone: (01803) 208267, email: nicola.bovey@tda.uk.net/Martin Phillips, Chief Finance Officer, Tor Hill House, Union Street, Torquay, TQ2 5QW, telephone: (01803) 207285, email: martin.phillips@torbay.gov.uk
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Council Tax 2019/2020

To approve the Council Tax for 2019/2020.

Wards affected:	All Wards
Consultees:	Overview and Scrutiny Board, Council and key stakeholders.
Means of Consultation:	The Overview and Scrutiny Board will consider the Elected Mayor's budget savings proposals which will form the basis of the Revenue Budget. The Board's final views will be reported to the Elected Mayor to enable him to recommend an appropriate level of Council Tax.
Documents to be considered:	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.
Responsible Executive Lead and Officer:	Elected Mayor and Executive Lead for Assets, Finance, Governance and Corporate Services, Economic Regeneration and Transformation (Elected Mayor, Gordon Oliver) Head of Financial Services (Martin Phillips)
Link to targeted actions:	Corporate support
Reason for inclusion in the Forward Plan:	Revenue Budget variation +£250,000
Decision Maker:	Council
Intended Decision Date:	21 Feb 2019
If you want to make representations contact:	Martin Phillips, Torbay Council, Town Hall, Castle Circus, Torquay, TQ1 3DR, telephone: (01803) 207285, fax: (01803) 207319, email: martin.phillips@torbay.gov.uk

Higher Needs Block Funding

A request was made by the Schools Forum to apply to the Department for Education to request the ability to vire funding from the Central Schools Funding Block to the Higher Needs Funding Block of the Dedicated Schools Grant, to help support children with special educational needs, alternative provision, special schools and excluded pupils.

The Council is due to receive a decision on this request in February and the Chief Finance Officer as holder of the funds on behalf of the Schools will need to take a formal decision to vire the money between the two funding blocks.

Wards affected:	All Wards
Consultees:	Torbay Schools, Schools Forum and members of the public.
Means of Consultation:	Meetings and circulation of papers and public consultation via the Council's website.
Documents to be considered:	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.
Responsible Executive Lead and Officer:	Elected Mayor and Executive Lead for Assets, Finance, Governance and Corporate Services, Economic Regeneration and Transformation (Elected Mayor, Gordon Oliver), Executive Lead for Children and Housing (Councillor Cindy Stocks) Chief Finance Officer (Martin Phillips)
Link to targeted actions:	Protecting all children and giving them the best start in life
Reason for inclusion in the Forward Plan:	High level of public interest
Decision Maker:	Chief Finance Officer
Intended Decision Date:	February 2019
If you want to make representations contact:	Martin Phillips, Chief Finance Officer, Torbay Council, c/o Town Hall, Castle Circus, Torquay, TQ1 3DR, email martin.phillips@torbay.gov.uk, telephone (01803) 207825

Joint Supplementary Planning Document (SPD) South Hams Special Area of Conservation (SAC)

To adopt a new joint 'Supplementary Planning Document (SPD) South Hams Special Area of Conservation (SAC)' as part of the Council's Policy Framework. The South Hams SAC is a European designation established under the Conservation of Habitats and Species Regulations 2010 (Habitats Regulation) and is unusual in that it is comprised of several separate but linked component Sites of Special Scientific Interest with significant Greater Horseshoe Bat maternity roost importance located over five local planning authority areas.

The joint SPD will apply to all five local planning authority areas which cover the South Hams SAC and the habitat surrounding it and is designed to assist people who are submitting and determining planning applications with the objective to facilitate the appropriate siting/planning/design of development so as to avoid/mitigate significant impact on the favourable conservation status of the SAC.

Wards affected:	All Wards
Consultees:	Statutory, non-statutory and planning database.
Means of Consultation:	Joint consultation led by Teignbridge Council minimum 6 weeks
Documents to be considered:	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.
Responsible Executive Lead and Officer:	Deputy Mayor and Executive Lead for Planning and Waste (Councillor Derek Mills) Assistant Director Planning & Transport (Andrew England)
Link to targeted actions:	Ensuring Torbay remains an attractive and safe place to live and visit
Reason for inclusion in the Forward Plan:	Policy Framework
Decision Maker:	Elected Mayor Elected Mayor Council

Intended Decision Date:	29 Mar 2018 2 Jul 2018 7 Feb 2019
If you want to make representations contact:	Adam Luscombe, Senior Strategy and Project Delivery Officer, Torbay Council, Town Hall, Castle Circus, Torquay, TQ1 3DR, telephone (01803) 207693, email adam.luscombe@torbay.gov.uk

Memorandum of Understanding for Adult Mental Health

This is a memorandum of understanding between Torbay Council, Torbay and South Devon NHS Foundation Trust and Devon Partnership Trust relating to the roles and responsibilities for delivery of adult mental health services.

Wards affected:	All Wards
Consultees:	Council officers, the Elected Mayor and Executive Leads, Torbay and South Devon NHS Foundation Trust and Devon Partnership Trust officers.
Means of Consultation:	Meetings and circulation of papers.
Documents to be considered:	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.
Responsible Executive Lead and Officer:	Executive Lead for Adults (Councillor Julien Parrott) Director of Adult Services and Housing (Caroline Taylor)
Link to targeted actions:	Protecting and supporting vulnerable adults
Reason for inclusion in the Forward Plan:	High level of public interest
Decision Maker:	Elected Mayor
Intended Decision Date:	7 Jan 2019
If you want to make representations contact:	Caroline Taylor, Director of Adult Services and Housing, Town Hall, Castle Circus, Torquay, TQ1 3DR, email caroline.taylor@torbay.gov.uk; telephone (01803) 207336

Revenue Budget and Capital Plan 2019/2020

To approve the Council's Revenue Budget and Capital Plan Budget for 2019/2020 including the setting of fees and charges for Council services, the Council's Corporate Asset Management Strategy and Capital Strategy.

Wards affected:	All Wards
Consultees:	Overview and Scrutiny Board, Council, key stakeholders.
Means of Consultation:	<p>Reports in relation to the final revenue budget will be circulated to the Council's key stakeholders (in accordance with statute).</p> <p>The Elected Mayor will set out draft budget savings proposals for consultation.</p> <p>The Elected Mayor will request the Executive Lead Members and officers to outline the implications for budget savings proposals. The Overview and Scrutiny Board and stakeholders will respond to these proposals. The Elected Mayor will consider these comments before proposing a final budget (including proposals for service change, income generation and efficiencies) which will form part of the revenue budget which will be presented to Council in February 2019.</p>
Documents to be considered:	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.
Responsible Executive Lead and Officer:	<p>Elected Mayor and Executive Lead for Assets, Finance, Governance and Corporate Services, Economic Regeneration and Transformation (Elected Mayor, Gordon Oliver)</p> <p>Head of Financial Services (Martin Phillips)</p>
Link to targeted actions:	Corporate support
Reason for inclusion in the Forward Plan:	Revenue Budget variation +£250,000

Decision Maker:	Elected Mayor Council
Intended Decision Date:	October 2018 13 Feb 2019
If you want to make representations contact:	Martin Phillips, Torbay Council, Town Hall, Castle Circus, Torquay, TQ1 3DR, telephone: (01803) 207285, fax: (01803) 207319, email: martin.phillips@torbay.gov.uk

TOR2 - Replacement of Vehicles and Future Delivery

The Council needs to purchase/lease a number of vehicles to enable continued service delivery.

Wards affected:	All Wards
Consultees:	Senior Leadership Team and Mayor's Executive Group.
Means of Consultation:	Meetings and circulation of papers.
Documents to be considered:	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.
Responsible Executive Lead and Officer:	Deputy Mayor and Executive Lead for Planning and Waste (Councillor Derek Mills) Director of Corporate Services (Anne-Marie Bond)
Link to targeted actions:	Ensuring Torbay remains an attractive and safe place to live and visit
Reason for inclusion in the Forward Plan:	High level of public interest
Decision Maker:	Council
Intended Decision Date:	31 Jan 2019
If you want to make representations contact:	Anne-Marie Bond, Director of Corporate Services, Torbay Council, Town Hall, Castle Circus, Torquay, TQ1 3DR, telephone (01803) 207015, email anne-marie.bond@torbay.gov.uk

Reference: I048542

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

It is a requirement of the Localism Act and Transparency Code to publish an annual pay policy statement, the Equality Act 2010 (Specific Duties and Public Authorities) Regulations 2017 to publish Gender Pay Gap information and the Local Government Pension Scheme Regulations 2013 and The Local Government Pension Scheme (Transitional Provisions & Savings) Regulations 2014 to review pensions discretions annually.

Wards affected:	All Wards
Consultees:	Trade Unions, Chief Executive and other senior officers.
Means of Consultation:	Through the Torbay Joint Consultative Committee (TJCC) meetings with Trades Unions.
Documents to be considered:	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.
Responsible Executive Lead and Officer:	Elected Mayor and Executive Lead for Assets, Finance, Governance and Corporate Services, Economic Regeneration and Transformation (Elected Mayor, Gordon Oliver) Director of Corporate Services (Anne-Marie Bond)
Link to targeted actions:	Working towards a more prosperous Torbay
Reason for inclusion in the Forward Plan:	High level of public interest
Decision Maker:	Council
Intended Decision Date:	21 Feb 2019
If you want to make representations contact:	Anne-Marie Bond - Director of Corporate Services, Town Hall, Castle Circus, Torquay, TQ1 3DR, telephone (01803) 207015, email anne-marie.bond@torbay.gov.uk

Strategic Agreement between Torbay and South Devon NHS Foundation Trust and Torbay Council/South Devon and Torbay Clinical Commissioning Group

This is the Strategic Agreement with Torbay and South Devon NHS Foundation Trust which provides health and care on behalf of two commissioners - Torbay Council and South Devon and Torbay Clinical Commissioning Group. The Agreement outlines the outcomes which will be delivered within the financial envelope agreed and, specifically for the Council, gives transparency to the delivery of Adult Social Services on behalf of the Council.

Wards affected:	All Wards
Consultees:	Overview and Scrutiny Board.
Means of Consultation:	Meetings and circulation of papers.
Documents to be considered:	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.
Responsible Executive Lead and Officer:	Executive Lead for Adults (Councillor Julien Parrott) Director of Adult Services and Housing (Caroline Taylor)
Link to targeted actions:	Protecting and supporting vulnerable adults
Reason for inclusion in the Forward Plan:	Policy Framework
Decision Maker:	Council
Intended Decision Date:	21 Feb 2019
If you want to make representations contact:	Caroline Taylor, Director of Adult Services and Housing, Torbay Council, Town Hall, Torquay, TQ1 3DR, telephone (01803) 208949, email caroline.taylor@torbay.gov.uk

