

Clerk: Lisa Antrobus
Telephone: 01803 207013
E-mail address: governance.support@torbay.gov.uk
Date: Friday, 12 June 2020

Governance Support
Town Hall
Castle Circus
Torquay
TQ1 3DR

Dear Member

CABINET - TUESDAY, 16 JUNE 2020

I am now able to enclose, for consideration at the Tuesday, 16 June 2020 meeting of the Cabinet, the following reports that were unavailable when the agenda was printed.

Agenda No	Item	Page
7.	Post COVID Economic Plan	(Pages 44 - 61)
8.	Torbay Local Development Scheme	(Pages 62 - 92)
9.	Budget Monitoring 2019/20 - Quarter Four – Outturn Updated report following comments made at the Overview and Scrutiny Board on 10 June 2020.	(Pages 93 - 106)
11.	TDA Business Plan 2020-2025	(Pages 107 - 136)

Yours sincerely

Lisa Antrobus
Clerk

Meeting: Cabinet

Date: 16th June 2020

Wards Affected: All

Report Title: Post Covid Economic Plan

Is the decision a key decision? No

When does the decision need to be implemented? As soon as possible

Cabinet Member Contact Details: Cllr Swithin Long, Cabinet member for Regeneration, Tourism & Housing.

Director/Assistant Director Contact Details: Alan Denby, Director of Economic Strategy, 01803 20867, alan.denby@tda.uk.net

1. Purpose of Report

- 1.1 The attached document is a draft of the proposed post COVID-19 economic plan. It is work in progress and Cabinet is asked to receive it as such and endorse the direction of travel that is being set out.
- 1.2 The attached draft of the document is the one presented to Overview & Scrutiny Board on 10 June 2020. Following the helpful challenge and consideration from members of the Overview and Scrutiny Board there will be changes to report particularly to the Action Plan. This will also be shared with partners across the community to ensure that there is a common understanding of the issues we face, the opportunity to contribute and a common commitment to repositioning Torbay's economy for the benefit of our community.
- 1.3 An updated plan will be submitted to the Cabinet on 14 July 2020, taking into account further information as the impact of the pandemic and the associated response on our economy becomes clearer.

2. Reason for Proposal

- 2.1 The plan is required to set out an appropriate response to the extraordinary challenges that will face the local economy as a consequence of the pandemic and the associated response.
- 2.2 The plan sets out the high-level issues which we understand will present for the local economy which will include increased levels of unemployment, business failure and challenges to cancel income in various ways.
- 2.3 An action plan is included and sets out three different phases of work and five different themes. The three phases are;

- response – crisis management, signposting, planning
- recovery – measures to regain lost momentum and restart activity
- reposition – designed to move the area past its historic levels of performance

- 2.4 Reposition is a key tenet of the plan is that we must move past our pre-Covid economic performance to do better for the community.
- 2.5 The themes include town centres, culture, visit Academy, wealth building and growth. There is not currently a theme specifically for skills however the improvement of skill levels and development of a clearer skills progression route especially for adults in our community will be extremely important and views from the board on whether skills should be a separate theme would be welcomed.
- 2.6 In developing the plan discussions have taken place and are ongoing with Colleagues in Torbay Council, business representatives and wider community representatives including Torbay community development trust and local spark to ensure that this is as broadly a Torbay plan as possible.
- 2.7 The plan will require additional resources to be committed in support of economic growth work. The cost information is being developed but initial estimates suggest approximately £1.5M of revenue commitments to 2023. While every effort will be made to secure external support Cabinet should recognise this pressure.
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3. Recommendation(s) / Proposed Decision

- (i) Cabinet endorses the Repositioning approach advocated in the draft post covid economic plan (as set out at Appendix 1).
- (ii) Cabinet recognises that there will be a resource implication in committing to delivering this plan.

Appendices

Appendix 1: Draft Post Covid Plan

Post Covid Plan



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Version 1	Discussion draft to Leadership Team	May 26 th
Version 2	OSB	June 5 th
Version 3	Cabinet	June 16 th

Executive Summary

Economic impact

- Torbay's Gross Value Added (GVA)¹ per head, how productive our economy is, is one of the lowest in the country
- Covid19 could lead to a 41% drop in Torbay GVA in worse case scenario
- Torbay could see 18,000 job losses
- Analysts expect the impact of Covid19 to be worse than the recession of 2008/9
- As a coastal economy the impact will be felt harder and take longer to recover in Torbay
- 70% (over 1000) of tourism businesses could close permanently if the summer season is lost entirely
- Fishing sector diversifying into consumer market
- Hi Tech businesses experiencing job growth
- Local and foreign business growth interest in Torbay
- Potential investment of £40m could stimulate town centre transformation in Torquay and Paignton

Planned Objectives

- To minimise the immediate economic impacts of the Covid19 crisis as far as possible
- To accelerate local economy recovery
- To bring about greater resilience in the local economy

Outcome Measures

- Universal Credit (UC) claimant count
- Total number of businesses
- Total number of social enterprises
- No of people in full-time work
- Total number of visitors (including monitoring of shoulder season)
- Total visitor spend
- Value of catch into Brixham
- Value of investment in town centres
- No of businesses committed to community wealth building
- Percentage increase in local purchasing

¹ GVA is a measure of output indicating how productive the economy is

Overview of the Torbay Economy

As the second largest urban area in Devon, with a population of over 135,750 people, Torbay faces some challenges associated with that of a larger town or city. This coupled with the coastal location compounds both the challenges and sensitivities of its economy.

Torbay has historically demonstrated a lower level of resilience to economic shocks compared with other areas across the country. Since experiencing an isolated economic shock in 2004 with the closure of Nortel, Torbay's economy has continued to experience deeper and longer-lasting contraction in economic output. The recession of 2008/ 09 saw output fall by 4.7% with weaknesses remaining in the resilience of Torbay's economy today.

GVA per head in Torbay in 2018 (latest) is £14,599, ranking it the lowest in England by NUT3 areas, slipping from the third lowest in 2017. This represents 51.2% of the UK average, with the gap widening over the last 10 years.

When comparing Torbay's output per full-time equivalent (FTE) worker, economic performance is better but continues to lag behind the UK average.

Torbay is the most deprived local authority in the Heart of the South West and ranked the 48th most deprived in England, with over 36,691 people living in the bottom 20% most deprived areas, equating to 27.4% of the population. The most deprived areas tend to be primarily concentrated around the centres of each of the three towns.

When considering income and employment measures only, Torbay ranks less favourably with it being ranked the 24th and 11th highest for income and employment deprivation respectively across all of the local authorities in England.

Closely linked with Torbay's deprivation is the high number of personal insolvencies. Torbay has the third highest rate of personal insolvencies in England and Wales, accounting for 47.3 per 10,000 adults in 2018. This may reflect low wage rates (mainly due to the economy being dominated by sectors which offer relatively low-paid, and part-time seasonal work) along with relatively high living costs. Many people in Torbay are in unstable part-time employment with relatively high debt levels. Part-time employment in Torbay is above the national and regional averages, accounting for 43.0% of the area's jobs, compared to 32.3% and 36.3% respectively – severely impacting upon people's standards of living.

Torbay lags behind the UK on many economic measures, it has experienced significantly lower levels of business growth of 13.0% compared to 30.6% nationally, employment growth of 9.0% compared to 10.4% nationally, and GVA growth of 7.5% compared to 28.8% nationally, since 2011.

The narrow business base and heavy dominance of employment in three main sectors further impacts on Torbay's economic resilience. Torbay's economy has a strong dependence on the face-to-face service sector, accounting for over 30,125 of

the 48,500 jobs in Torbay equating to around 68.4%. Those sectors which are particularly susceptible are:

- Health and social care employing 10,875 – 23.4% of the workforce
- Tourism and hospitality which generates £550m, employs 12,000 FTE and supports 1500 businesses
- Retail employing 5,500 – 11.8% of the workforce

Whilst employment in the fishing sector is not of significant enough size to feature in the above list, its importance to Brixham's economy cannot be underestimated.

Torbay's economy is fragile and the current Economic Strategy sets out a plan to address these challenges whilst building upon opportunities. Focusing on skills, business, and place, Torbay's current Economic Strategy contains projects and programmes designed to stimulate investment, support local growth and drive job creation. Some progress has been made with Torbay invited to bid for significant investment for Paignton and Torquay and other projects moving forward.

However the challenges to the area as the impact of Covid 19 becomes clear will require more action, more support and more investment to recover and reposition the economy.

Impact of Covid 19

Analysts have predicted that the economic impact of Covid 19 will be worse than the recession of 2008/9 which saw Torbay's economic output fall by 4.7% and around 3,000 people lose their jobs. The International Monetary Fund (IMF) forecasts that Covid-19 could have a greater global economic impact than the Great Depression of the 1930's.

The Office of Budget Responsibility (OBR), which provides independent analysis on public spending, forecasts that Covid-19 lockdown could see the economy shrink by up to 35.1% and unemployment rise to 2.1M – reaching 10% by the end of June.

The OBR does forecast that while the shock of lockdown on the UK economy will be sharp, it will also only be short. Assuming there is the availability of credit to temporarily sustain companies' cash flows, the OBR expects economic growth to return in the second half of the year and get back to its pre-crisis levels by the end of 2020. However, recent history and Torbay's characteristics as a coastal economy means that the bounce back is likely to take longer.²

National government has gone some way to stabilise the economy however it will take local intervention and leadership to recover and reposition Torbay's economy.

² Centre for Towns Covid19 and Towns

Using the Advanced Modelling of Regional Economies (AMORE) for Torbay we have been able to quantify the projected economic impact on the local economy, using the same assumptions within the OBR's forecast.

The modelling does not factor in the impact of govt interventions. Oxford Econometrics is currently undertaking this modelling across the South West so more accurate data will be available shortly.

Table 1: Projected Economic Impact on Torbay's Economy

	Torbay		UK	
	Number	% Change	Number	% Change
GVA	£839.4M	-41.4%	£669,921.4M	-35.1%
Jobs	18,475	-38.6%	1,200,000	-10%

Table 1 shows the projected economic impact on the local economy, in terms of loss of economic output and jobs based on the assumptions highlighted above. It compares the projected impact on Torbay compared to the UK (note this is a worst case scenario).

The model forecasts a potential fall in economic output of up to 41.4% with around 18,475 jobs lost. This compares to a drop in economic output across the UK of 35.1%, further demonstrating the impact on Torbay will be harder, partly due to its lower economic resilience and dependence on sectors such as the social care, retail and tourism.

Table 2 shows the key sectors in Torbay which will be hit the hardest. Job losses will be hardest felt in the wholesale and retail, along with accommodation and food services – accounting for almost 8,000 jobs. In terms of economic output, real estate activities and accommodation and food service providers would be hardest hit seeing a decline of 62.6% and 67.4% respectively.

Table 2: Projected Economic Impact in Key Sectors

Key Sectors	Jobs		GVA	
	Number	% Change	Number	% Change
Wholesale & retail trade	5,197	-91.82%	£161.9M	-25.76%
Accommodation & food service activities	4,780	-23.48%	£147.7M	-91.44%
Real estate activities	239	-24.38%	£141.5M	-36.95%
Construction	2,725	-85.60%	£113.0M	-85.60%
Professional, scientific & technical activities	1,612	-59.75%	£58.0M	-55.14%
Manufacturing	1,464	-66.94%	£53.1M	-66.39%

In terms of job losses, locally the retail, tourism and hospitality sector were amongst the first to announce redundancies and arguably are the hardest hit sector. Currently, 30% of tourism businesses are not expected to survive. If the summer season is lost and businesses face '3 winters', this rises to 70%.

The fishing sector has seen a significant drop in the value of fish since the lockdown, and many overseas markets closing overnight. Support for this sector came late but has helped stabilise the sector. Some businesses diversified into the consumer market and this presents an opportunity to build resilience across the sector.

However, there are opportunities. TDA is working with businesses who despite the pandemic are growing and want to either grow in or relocate into Torbay creating high value jobs. The Hi Tech sector has not seen any reduction in employment and in fact three local companies have been recruiting. Investment of up to £40M into Torquay and Paignton Town Centres is expected through Town Deal and Future High Streets Fund. All of which will bring economic stimulus to the area and through the wealth building approach advocated here support retaining more income in Torbay.

The impacts of Covid19 in Torbay will be felt more deeply compared to cities and other areas. This is due to the nature of the dominant sectors allied with the coastal geography, resulting in Torbay's recovery being longer and slower.

Co-ordinated action is needed now from leaders across the Torbay community to prevent further economic decline, and to set about recovering and repositioning the economy. Action now will help to sustain jobs and businesses and for the Council turn around loss of car parking income, loss of rental income and loss of business rates/council tax income.

The action plan below sets out the additional action needed to recover and reposition the economy.

Action Plan

Respond	Themes	Recover (now - 6 months)	Reposition (6-24 months)
<p>1) Gather intelligence from business community:</p> <ul style="list-style-type: none"> a. Weekly intelligence report for Incident Management Team, Cabinet and HotSW b. Develop local modelling to measure impact c. Respond to national enquiries (eg DMCS call for evidence) <p>2) Support local business community:</p> <ul style="list-style-type: none"> a. Communicate support available to maximise take up/ survival b. Prioritise claims where required c. Lobby where businesses, other organisations and self-employed are not able to access support d. Gather good news stories e. Facilitate space for sectors to come together for mutual support f. Work with elected/business leaders to ensure regional and national positioning 	<p>Town Centres</p>	<p>4) Work with partners to co-ordinate the safe and efficient re-opening of town centres & other retail space:</p> <ul style="list-style-type: none"> a. Develop an action plan to safely open the high streets. b. Develop a communications and marketing plan aimed at residents and businesses. c. Business support package to help (independent) retailers open up safely and efficiently. d. Public realm measure to keep people safe and develop consumer confidence. e. Integrate town centre recovery with Community Wealth Building to build resilience as well as driving residents to the town centres. f. Implement car parking incentives to attract residents back into the town centres whilst growing car parking revenue. g. Develop new planning policies, as part of Local Plan review, to support greater diversity and resilience in town centres. <p>5) Submit Torquay Town Investment Plan.</p>	<p>24) Use new planning policies and Invest in Torbay brochure, alongside existing masterplans and funding, to attract investment for transformational projects in town centres.</p> <p>25) Begin delivery of Towns Investment Plan</p> <p>26) Deliver Future High Streets Fund programme</p> <p>27) Ensure that the great Place scheme legacy is used to improve cultural offer in town centres</p> <p>28) Ensure maximum broadband coverage & seek to be testbed for new technologies.</p>

<p>g. Align with campaigns (e.g. Creative Industries Federation #OurWorldWithout, Visit England/Visit Britain domestic campaigns)</p>		<p>6) Submit Paignton Future High Streets Fund bid.</p>	
<p>3) Emergency response funding: a. Seek and enable appropriate emergency funding for respective sectors. Bids may be led by TDA, Council or by other partners best placed to lead and/or deliver</p>	<p>Cultural Development</p>	<p>7) Support cultural sector partners and creative businesses to operate and be able to provide cultural programming and events for residents, day visitors and staying visitors.</p> <p>8) Support cultural assets (arts/heritage venues, amenities) to recover and reopen safely and efficiently and rebuild the offer to residents and visitors.</p>	<p>29) Through Torbay Culture continue to lead the cultural sector to rebuild audiences and produce quality programming during continued social distancing and beyond to generate increased footfall and drive the visitor economy season in the shoulder seasons, building resilience across the sector.</p>
	<p>Visitor Economy</p>	<p>9) Support tourism businesses to re-open safely in line with the Government's Recovery Plan.</p> <ul style="list-style-type: none"> a. Help the sector to source PPE equipment. b. Lead the wider HotSWLEP visitor economy sector with economic recovery and growth, demonstrating partnership working and our ambitions for Tourism Zone status. <p>10) Work with Council's Food and Safety team and Public Health team to share and promote the adoption of guidance/</p>	<p>30) Work with English Riviera Destination Management Group to implement the recommendations from 'Building Resilience in the Visitor Economy' research to build a more resilient, year round tourism sector and build in the English Riviera's destination aspirations into the SW Tourism Zone prospectus.</p> <p>31) Support the ERBID to implement the HotSWLEP Tourism and Visitor Economy Recovery Plan, reflecting working in partnership.</p>

		<p>practical toolkit (aligned to national guidance).</p> <p>11) As part of Place positioning, work in partnership to share and adopt key messages with businesses and the public, operating as a ‘responsible destination’, to manage expectations and encourage consumer confidence.</p> <p>12) As part of the place positioning, support businesses to adopt ERBID Co marketing messages aligned with national campaigns, encouraging visitors back to the destination.</p> <p>13) Accelerate Be the Business workshops/action learning programme across Torbay and wider LEP building resilience in the sector. Integrate the innovation and best practice that has evolved since lockdown into the programme through peer to peer learning.</p>	<p>32) Build on the Be the Business Programme (subject to initial evaluation)</p>
	<p>Wealth Building</p>	<p>14) Implement Community Wealth Building Programme:</p> <ul style="list-style-type: none"> a. anchor institutions and Torbay’s larger employers/aftercare businesses working towards spending more of their revenue in the Torbay economy. b. anchor institutions and Torbay’s larger employers/aftercare businesses to adopt good employment charter. 	<p>33) Continue to build on the Community Wealth Building model:</p> <ul style="list-style-type: none"> a. annual growth in local purchasing from anchors and local employers b. securing 20 new employers annually c. deliver meet the buyer events

		<p>c. Establish a good employment charter to set out foundation for skills progression for working age</p> <p>d. Buy Local campaign to encourage residents back to the high street (as part of the safe re-opening of the town centres)</p> <p>e. Integrate the Keep It Local initiative into the wider CWB programme</p>	<p>d. continue to evolve the Keep It Local platform</p> <p>e. 2 Buy Local Campaigns each year</p> <p>34) Support Community Development Trust to further enable local communities to build on the community cohesion evident during the lockdown</p>
	<p>Growth</p>	<p>15) Work with the Fisheries sector to raise awareness of selling direct to consumers as a route to a new market, encouraging local businesses to get involved.</p> <p>16) Seek funding opportunities for Brixham fish market extension</p> <p>17) Review the business case for developing fish processing in Torbay</p> <p>18) Continue to deliver aftercare support for our strategically important businesses, including anchor cultural/visitor assets under wealth, growth, tourism headings.</p> <p>19) Build upon the relationships developed with Chambers and Forum to gather intel and support; further develop relationship with other business led organisations</p>	<p>35) Continue to support the Fisheries sector through the Fishing Intelligence Group, building resilience and market diversification whilst accelerating digital skills.</p> <p>36) Working with the careers hub to raise awareness of career opportunities and benefits working with our key sectors including the fisheries sector.</p> <p>37) Develop the electronics and photonics sectors capitalising on new opportunities:</p> <p>a. Develop and implement a sector skills and recruitment action plan including:</p> <ul style="list-style-type: none"> • skills summit including employer engagement teams and heads of photonics

		<p>20) Review and refine the Torbay Economic Growth Fund (TEGF) to support economic regeneration post covid. Support those businesses who have registered an interest in (TEGF) or those identified by TDA ec dev team</p> <p>21) Work with HotSW LEP to support Torbay's economic recovery aligning local priorities to the LEP's recovery plan</p> <p>22) Continue to manage and monitor economic data/trends to inform reports/actions and emerging trends. Invest in data systems (eg. Burning glass) to provide accurate trends and insights</p> <p>23) Continue to Lobby government for support for coastal towns to enable recovery before 'levelling up'</p>	<p>/electronics departments from UK Universities</p> <ul style="list-style-type: none"> • benchmark and develop best practice training courses in photonics • Develop Career Days using Gooch and Housego as an example • Development of a higher apprenticeship framework in photonics working with SDC <p>b. Continue to promote EPIC as a centre of excellence for the Photonics and Micro Electronics sector to attract inward investors and support local cluster growth through developing the High Potential Opportunity (HPO) designation, marketing campaigns and events</p> <p>38) Continue to seek public & private investment into Torbay esp for infrastructure investment i.e. employment space – including Yalberton Road, Edginswell gateway, Edginswell Station, Cultural assets</p> <p>39) Support local growth, helping local companies to expand and also encourage inward investment in key sectors.</p>
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40) Develop a skills and employability plan to address anticipated redundancies, new ways of working and structural changes in some sectors.

- a. Intensify both start up programme and Ready for Work to get people into employment/self-employment and recruitment projects
- b. Inform planning for sector based work academy's (construction, visitor economy, health and social care, food and drink)
- c. Identifying and building on sector specific training packages
- d. Strengthen careers, information, advance and guidance (CIAG) by supporting the Careers Hub
- e. Digital skills
- f. Marketing skills
- g. HR (recruitment and induction)
- i. Increase number of in work apprenticeships using the lessons from Apprenticeship Pilot:
 - Torbay Apprenticeships Fair
 - Development of Torbay Young Apprentice Ambassador Network

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			41) Work with the HotSWLEP to ensure close alignment of Torbay's strategic needs
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Resources

The impact of Covid 19 will be felt deeper in Torbay and take longer to recover.

Resource and leadership will be needed to steer Torbay out of the economic crisis it faces.

The action needed isn't about doing more of the same but building on what works, best practice and new ideas. In developing this plan the relevant actions which are planned or succeeding locally are being retained and provide a foundation. Development and delivery of this plan will require additional resources to ensure the Torbay economy comes through this crisis and repositions for the future.

This action plan will put the control of economic growth into local hands. Community wealth building will drive local companies to develop local supply chains, encourage residents to buy locally and employers to employ local people – this has the added advantage of reducing road miles leading to a cleaner and greener local economy.

A new skills and employment plan will be developed to ensure those at risk of losing their jobs can retrain, lessons from the apprenticeship pilot help develop a new approach to skills progression throughout working ages so that our businesses can benefit from new skills adapt and innovate to emerging opportunities. Our town centres will be transformed attracting our residents, visitor and future investment. Our bedrock sectors will be supported to grow back better and be more resilient and our growth sectors will flourish. Investing in Torbay's economy not only secures its future but also drives income to Torbay Council as it will lead to increased car parking income, rental income and business rates income.

Core staffing – 5.5

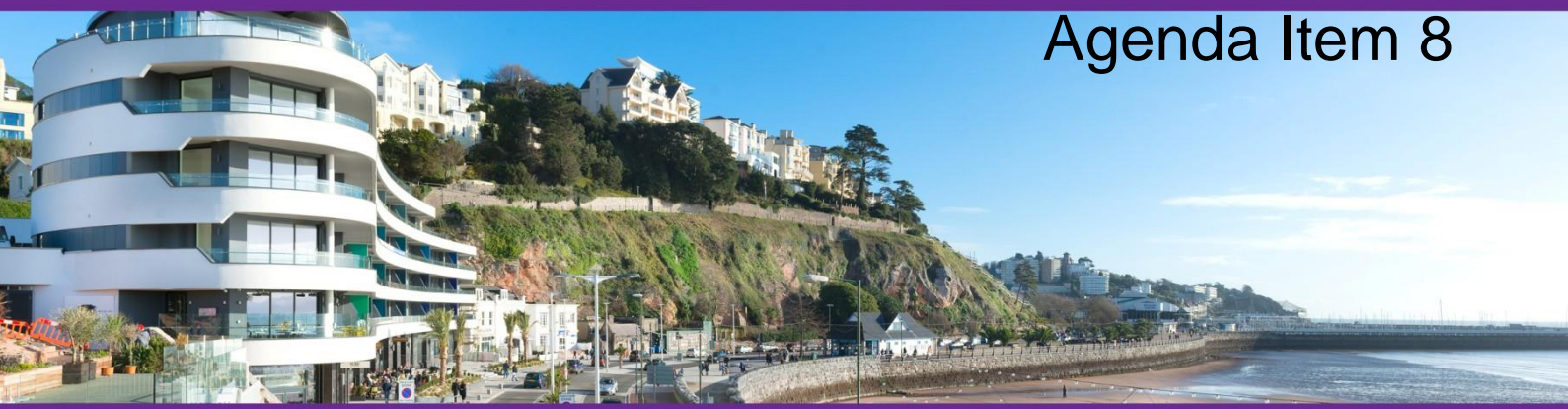
Additional Staffing requirement – 2 FTE

Estimated additional revenue costs (per year) for plan delivery

2020/21	2021/22	2022/23
£388,000	£460,000	£460,000

Risk Assessment

	Probability	Impact	Risk	Mitigation
Insufficient capacity or structure in Torbay i.e. partners and community	3	4	Medium	Work with partners to encourage collaboration
Insufficient capacity in TDA	4	4	High	Work to secure additional resource to complement core
Public Investment (Town Deal, FHSF etc) is not secured	3	5	High	Continue to work with local, regional and national partners to make the case for Torbay
Disproportionate economic impact of Covid on female residents i.e. female entrepreneurs closing businesses to seek “safe” employment	3	4	Medium	To be determined
Disproportionate economic impact on most disadvantaged areas of Torbay	4	4	High	Work with partners to understand community impacts. Adopt community wealth building approach
Torbay fails to resolve “place identity” hampering efforts to attract private sector investment	3	4	Medium	Encourage debate across Torbay to ensure that local assets & opportunities are well understood and promoted.



Torbay Local Development Scheme

June 2020

The Torbay Local Development Scheme (LDS) is available...

on the Torbay Council Website:

www.torbay.gov.uk/council/policies/planning-policies

and at Torbay Council's Spatial Planning Office at:

2nd Floor North Tor Hill House, Union Street, Torquay, TQ2 5QW

If you would like any further information about this document or any aspect of the Torbay Local Plan please use the contact details below:

telephone: (01803) 208804

email: future.planning@torbay.gov.uk

Other links that will provide more detailed background information on the spatial planning system include:

The Planning System including National Planning Policy Framework:

<https://www.gov.uk/housing-local-and-community/planning-system>

The Planning Portal (www.planningportal.gov.uk) is the Government's online service for planning which includes advice and information on the plan-led system

To request this document in an alternative format or language, please contact the Future Planning Team on (01803) 208804.

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1 INTRODUCTION

1.1 Background & summary

- 1.1.1** The LDS is the project management document for an authority's Development Plan, setting out the range of documents that will be prepared and the timescales for their production.
- 1.1.2** The requirement to produce an LDS was introduced by the Planning and Compulsory Purchase Act 2004¹. The Act sets out what the LDS should contain as summarised in paragraph 1.1.5 below. Up-to-date information showing the state of the Council's compliance should be made publicly available. This LDS takes effect from June 2020, superseding the previous LDS from March 2017.
- 1.1.3** The aim of this LDS is to prioritise and facilitate the delivery of the Local Plan Review and provide an effective framework to support the projects and proposals identified in the Plan in accordance with realistic timescales.
- 1.1.4** The LDS objectives are to:
- reflect an understanding of ongoing resource requirements;
 - ensure effective and timely input from all key partners;
 - create certainty for the Authority and key partners;
 - balance the desirability for speed with the requirement for soundness and quality spatial planning documents.
- 1.1.5** The Council must prepare and maintain an up to date LDS and the following document sets out:
- Documents which are to be 'Development Plan Documents' (i.e. Local Plan policies);
 - What and where the documents relate to;
 - Which (if any) are to be prepared jointly with one or more other Local Planning Authorities;
 - Any matter or area in respect of which the authority has agreed (or proposes to agree) to the constitution of a joint committee;
 - The timetable for the preparation and revision of the documents; and
 - Other general matters as required by legislation.
- 1.1.6** The preparation or revision of a Local Plan document must be "in accordance with" the LDS. Section 2 details the Documents Forming the Development Plan and Section 3 of this LDS includes documents that support the delivery of the Local Plan.
- 1.1.7** A number of Local Development Documents (LDDs) which formed part of the former Local Development Framework (LDF) have been adopted (and 'saved') and as a consequence, some have been removed from the LDS work programme. Details of these and their replacements, where relevant, are identified in Section 3.
- 1.1.8** The LDS has taken into account a number of factors, each of which has a bearing on the identification, content and timing of the Council's development plan documents and its overall direction including changes in relevant government legislation; Regional and sub-regional policy context including Duty to Co-operate/Statements of Common Ground with neighbouring

authorities; Adequacy of evidence base and impact of related strategies; local democracy and neighbourhood planning; resources; previous Local Plan programme management experience

1.1.9 The content and timescales for the LDS reflect a detailed assessment of current and anticipated spatial planning policy issues, carried out in the context of prevailing internal and external policy influences. A broad risk assessment ([Section 8](#)) has been undertaken for the key issues referred to above to ensure that, as far as is practicable, the most relevant likely impacts have been addressed and subsequently reflected in the allocated timescales. Particular emphasis has been placed on the need to ensure the delivery of key documents through a manageable workload and within realistic timescales, and with a reducing resource.

¹ Planning and Compulsory Purchase Act 2004 (as amended)

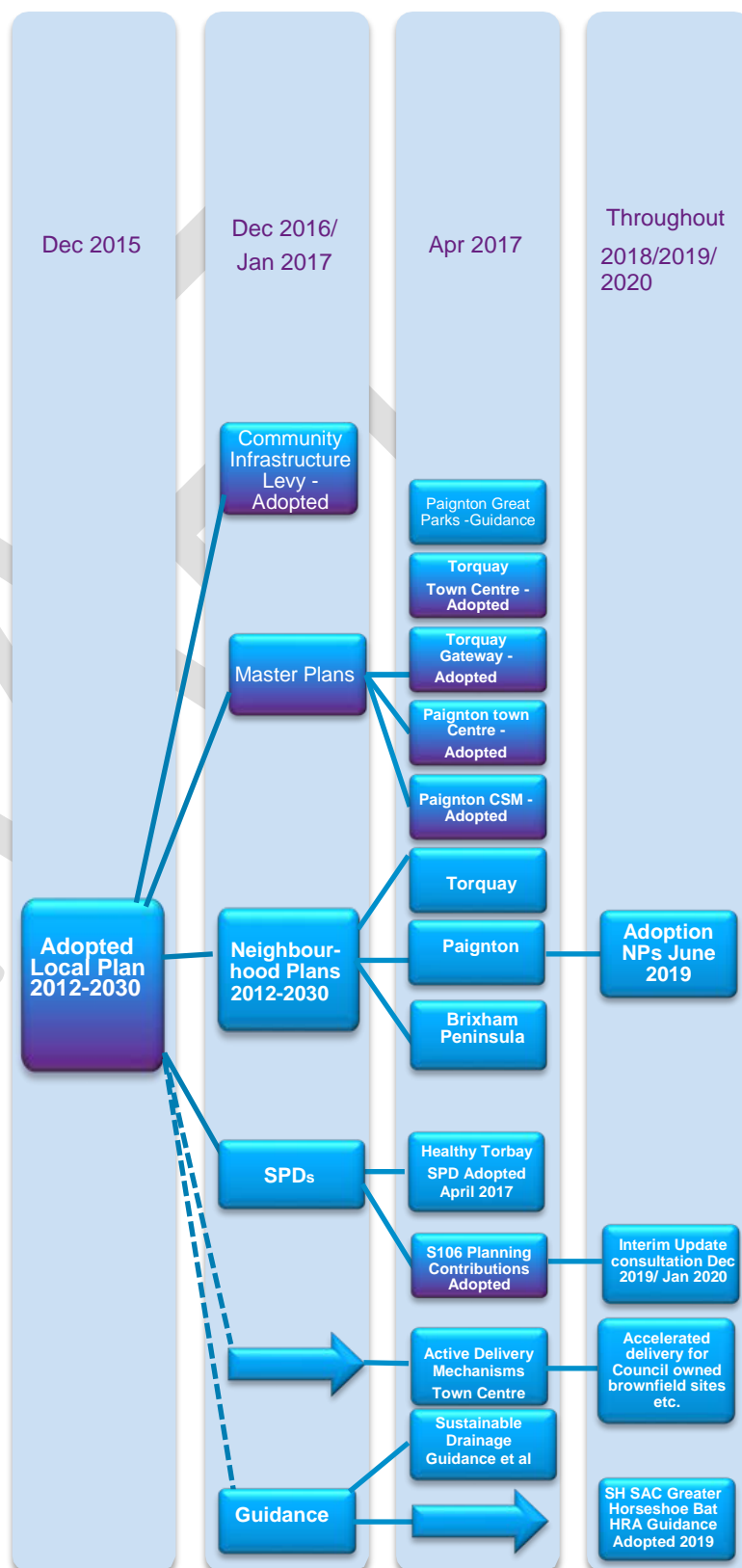
² (and previous LDSs from 2010, 2008, 2005 and 2014)

³ The HotSW, Devon and Somerset (17) Local Authorities all three Clinical Commissioning Groups.

2 TORBAY LOCAL DEVELOPMENT SCHEME

2.1 Torbay Local Plan 2012-2030 - 'A landscape for success'

- 2.1.1 The Local Plan contains policies and proposals that provide a relevant policy framework and a sound basis for decision making.
- 2.1.2 The Local Plan can be found on the Council's Spatial Planning web page via the link: www.torbay.gov.uk/newlocalplan. A summary of the recent stages is shown in the table below. A full list of all the Local Plan stages are available in Appendix A.
- 2.1.3 The purpose of the Local Plan is to be locally distinctive, conserving and enhancing Torbay's 'unique selling points', as well as meeting its 'under-sold potential'. It therefore plans for success and plays to the strengths of the Bay to achieve that success.
- 2.1.4 This document, along with the adopted neighbourhood plans, form the Development Plan. Planning applications should be determined in accordance with the Development Plan unless material considerations indicate otherwise (see NPPF paragraph 2). The Local Plan provides the framework for development in Torbay and sets out what is needed spatially to 2030.



2.1.5 It states 5 aspirations for the Bay:

1. Secure economic recovery and success.
2. Achieve a better connected, accessible Torbay and essential infrastructure.
3. Protect and enhance a superb environment.
4. Create more sustainable communities and better places.
5. Respond to climate changes.

Each aspiration and related set of objectives will be delivered through sustainable growth, using the Local Plan policies, neighbourhood plans, associated masterplans and any DPDs; supported by SPDs and Guidance to steer that growth (see Diagram above).

- 2.1.6** The document contains broad quantified development provision and targets for development within Torbay, including housing and employment provision, and sets out Strategic Delivery Areas and Future Growth Areas. As a unitary authority, the Plan also includes policies on minerals and waste.
- 2.1.7** The Local Plan has developed a Constrained Balanced Strategy for development in Torbay by setting out a series of broad strategic delivery policies, a suite of place-making policies and more detailed criteria-based development management policies relating to specific topics for the period up to 2030. These policies in turn provide a context for more detailed site specific policies and proposals included within the three Neighbourhood Plans for Torbay.
- 2.1.8** Delivery of the Plan is assessed through the Authority Monitoring Report. A review of the Plan will be undertaken, at least every 5 years (the first by December 2020). An indicative timetable for reviewing the Local Plan is provided in LDS chart at the end of [Section 5](#).
- 2.1.9** The Local Plan takes account of other strategies including Torbay Council's Corporate Plan, Economic Strategy, Tourism Strategy, Local Transport Plan, Climate Change Strategy, Marine Action Plan, Tor Bay Harbour Authority Ports Masterplan, Green Infrastructure Delivery Plan etc.
- 2.1.10** Since adoption of the Local Plan many of these documents have been updated or have become out-dated. Neighbourhood plans have also be 'made' (adopted) across Torbay. An updated National Planning Policy Framework (NPPF) was also published in February 2019. The Council is updating its Housing Strategy and has produced a new Community and Corporate Plan (One Torbay: Working for all Torbay Community and Corporate Plan 2019 – 2023) which has four visions: thriving people; thriving economy; tackling climate change and a council that is fit for the future. The emphasis on working together with our communities and partners to address our challenges and work to achieve Torbay's potential includes links to 'Torbay Together' by Torbay Community Development Trust and Ageing Well Torbay to share activities, information and skills in Torbay.

Insert Diagram LDS (Local Plan) and various strategies above.

Issues and challenges over the next five years

- 2.1.11** Torbay Council declared a 'Climate Emergency' on 24 June 2019 and is a partner the Devon Climate Emergency Response Group, which is aiming to produce a collaborative Devon-wide response to the climate emergency to help achieve net zero carbon emissions by 2050 at the latest and also prepare Devon for the necessary adaptation to infrastructure and services required to respond to climate change. Changes to our climate on this scale will have wide

ranging impacts on our water resources, coastal defences, transport, public health, farming practices, wildlife, landscape, and Torbay’s economy. The Local Plan Review will need to be assess its current efficacy in terms of reducing greenhouse emissions, improving resilience and sustainability of our communities.

- 2.1.12** The revised NPPF has reiterated the Government’s policy on significantly boosting housing numbers. A number of accompanying tests including Housing Delivery Test, Five Year Housing Land Supply and standard methodology for calculating local housing need will all exert pressure on to Torbay boost housing numbers.
- 2.1.13** At the time of writing the long term consequences of the COVID-19 Pandemic are unknown. However, it seems likely that there will be significant economic disruption that will impact upon the planning system and require adjustments to the development plan. In particular it is likely that measures will be needed to aid the construction sector to recover and any measures related to public health including the provision and design of health care facilities, care homes and housing standards.

Adopted Torbay Local Plan 2012-2030			
Status:	Evidence base:	Geographic coverage:	Conformity:
Adopted 10/12/15	See Section 6 – a full range of existing and proposed evidence base and Appendix B	Whole of Torbay Unitary Authority area	National Planning Policy Framework (NPPF)
Outline timetable/ key stages (see Project Plan diagram for further details) (*actual dates)			
<p>Nov 2011 to August 2012 Drafting, internal consultation and approval of Draft Regulation 18 Torbay Local Plan ‘A Landscape for Success – The plan for Torbay to 2032 and beyond). Approval of Draft Regulation 18</p> <p>February 2014* Public participation on Reg. 18 Consultation Draft Torbay Local Plan Publication and public participation on the Proposed Submission Plan</p> <p>November 2014* Examination</p> <p>2015* Modifications</p> <p>December 2015* Adoption</p> <p>Local Plan First Five Year Review completed December 2020</p>			

Local Plan Review

- 2.1.14** The Government requires (through legislation¹ and the NPPF 2019), Local Planning Authorities to undertake a review of their local plans at least once, every five years and no later than five years from adoption (i.e. December 2020) – which should then be updated as necessary. This review should take into account changing circumstances affecting the area, or any relevant

¹ Reviews at least every five years are a legal requirement for all local plans (Regulation 10A of the Town and Country Planning (Local Planning) (England) Regulations 2012).

changes in national policy. Paragraph 33 of the NPPF also stipulates that relevant strategic policies will need updating at least once every five years if their applicable local housing need figure has changed significantly; and they are likely to require earlier review if local housing need is expected to change significantly in the near future.

2.1.15 There has been a change to the way in which the NPPF (February 2019) requires Local Planning Authorities to calculate the local housing need figure. Torbay does not currently have a five year supply of deliverable housing sites. At May 2020 Torbay's Local Housing Need figure is about 585 dwellings per year; but this will change when the 2018 Based Household Projections are published later in 2020. There is therefore a need for this LDS to identify what measures will be/are being taken in terms of document preparation and revision to ensure a rolling supply of development land and appropriate updating of Strategic Polices. The NPPF sets out a framework for preparing and Reviewing Plans²

2.1.16 The Local Plan Review is currently underway in order to meet the December 2020 deadline (see table above). It will be important to understand the nature of Torbay's housing need in terms demographic trends and market signals as Torbay's growth has historically been driven by domestic inward migration, principally by older age groups; Given the national changes to policy it is very clear that an update to the Local Plan will be required. As more information is known a further LDS update will be produced as appropriate.

² NPPF paragraphs 31 to 33

2.2 Neighbourhood Plans

- 2.2.1** The Localism Act 2011 provided a new statutory regime for neighbourhood planning. Neighbourhood Plans form a new tier of planning in Torbay at a local level, produced by the community to shape local neighbourhoods. Such Plans must be positive about change and growth, ensuring that this happens in the right place, at the right time and with community support.
- 2.2.2** The decision was taken by Community Partnerships and Torbay Council (2012) for communities to prepare separate Neighbourhood Plans for Torquay, Paignton and Brixham Peninsula (including Brixham Town Council, Broadsands, Galmpton and Churston). The Plans collectively have complete coverage of the local authority landmass.
- 2.2.3** The Qualifying Bodies prepared their draft Neighbourhood Plans in the context of the adopted Torbay Local Plan (SDT, SDP and SDB Policies). The Local Plan also sought the Neighbourhood Plans to meet the requirements of Local Plan Policy SS1 Growth Strategy for a prosperous Torbay, in particular, by including a proportion of housing and employment land allocations. These allocations were made in both the Torquay and Brixham Plans.
- 2.2.4** The production of Neighbourhood Plans is set out in the table below. The Independent Examiners considered that all three Neighbourhood Plans could meet the required basic conditions, with modifications and could proceed to referendum. Following approval by Council of all three Plans with modifications, they successfully passed Referendum in May 2019 and were 'made' (adopted) at full Council in June 2019. They now form part of the statutory Torbay Development Plan and have been brought into legal force by the planning authority and have an influence over decisions on planning applications.. Further details are available on the Torbay Council at www.torbay.gov.uk/neighbourhood-plans .

Neighbourhood Plans: Torquay,(TNP) Paignton(PNP) and Brixham Peninsula (BPNP)			
Note: The production of NPs is the responsibility of the Neighbourhood Forums. The indicative outline timetable/key stages reflect advice from Neighbourhood Forums			
Status:	Evidence base:	Geographic coverage:	Conformity:
Adopted 2019 Area and Forums Designated (6th December 2012) and renewed December 2017	Local Plan Evidence Base plus bespoke evidence and Community Consultation prepared by respective Neighbourhood Forums	Whole of Torbay Unitary Authority area divided into: •Torquay NP (LP Policy SDT1) •Paignton NP (Policy SDP1) •Brixham Peninsula NP (Policy SDB1)	NPPF Neighbourhood Planning Regulations 2012 (as amended) and 2014. General Conformity with Strategic Policies of Local Plan. EU Habitats Regs. and Human Rights National
Outline timetable/ key stages (see Project Plan diagram for further details) (actual dates)			
Regulatory stages required by the Neighbourhood Planning (General) Regulations 2012 (as amended) ('the Regulations'):			

Paignton Neighbourhood Plan Key Dates are as follows:

- **December 2012: Neighbourhood Forum and Area Designated**
- **April - May 2017: Pre-submission consultation on the draft (Regulation 14)**
- **August 2017: Submission to Torbay Council as the LPA.**
- **November - December 2017: Public Consultation (Regulation 16)**
- **December 2017: Neighbourhood Forum and Area reaffirmed for statutory five years.**
- **April 2018 Independent Examination commenced**
- **July 2018: Final Examiners Report received** (recommends subject to modifications, the Plan does meet 'basic conditions' and should proceed to a referendum)
- **November 2019: Council approved modified Plan and Decision Statement to be submitted to Referendum.**
- **May 2019: successfully passed Referendum**
- **June 2019 : Made (adopted) by Council**

Torquay Neighbourhood Plan Key dates are as follows:

- **December 2012: Neighbourhood Forum and Area Designated**
- **August – September 2017: Pre-submission consultation on the draft (Regulation 14)**
- **October 2017: Submission to Torbay Council as the LPA**
- **November - December 2017: Public Consultation (Regulation 16)**
- **December 2017: Forum and Area re-affirmed for statutory five years**
- **April 2018: Independent Examination commenced**
-
- **July 2018: Final Examiner's Report received** (recommends subject to modifications, the Plan does meet 'basic conditions' and should proceed to a referendum)
- **November 2019: Council approved modified Plan and Decision Statement to be submitted to Referendum.**
- **May 2019: successfully passed Referendum**
- **June 2019: Made (adopted) by Council**

Brixham Peninsula Neighbourhood Plan Key dates are as follows:

- ***December 2012: Neighbourhood “Forum” and Area Designated.***
- ***January to March 2017: Pre-submission consultation on the draft (Regulation 14)***
- ***August 2017: Submission to Torbay Council as the LPA.***
- ***November to December 2017: Public Consultation (Regulation 16)***
- ***December 2017: Neighbourhood Area re-affirmed (Note: The Town Council is a parish council within the terms of the Local Government Act 1972 and is therefore the relevant, or ‘Qualifying Body’, for the purposes of section 38A (12) of the 2004 Act.)***
- ***April 2018: Independent Examination commenced***

- ***July 2018: Final Examiners Report received (recommends subject to modifications, the Plan does meet ‘basic conditions’ and should proceed to a referendum)***
- ***November 2019: Council approved modified Plan and Decision Statement to be submitted to Referendum.***
- ***May 2019: successfully passed Referendum***
- ***June 2019 : Made (adopted) by Council***

3.4 Supplementary Planning Documents (SPDs)

- 3.4.1** SPDs can be used to provide further guidance for development on specific sites, or on particular issues. SPDs are capable of being a material consideration in planning decisions, but are not part of the Development Plan.
- 3.4.2** The Council has produced a series of masterplans and three SPDs adopted in 2015.. Adopted SPDs are available on the Councils webpages:
<https://www.torbay.gov.uk/council/policies/planning-policies/local-plan/spd/>

⁵ The Council approved the retention of the existing planning guidance and Adopted Supplementary Planning Documents pending their review, consolidation or replacement (Council Minute 10th December 2015).

Planning Guidance

3.4.3 The Local Plan refers to emerging **Supplementary Planning Guidance (SPG)** to provide additional guidance for a number of areas/topics in the Plan. It is considered that, for the following points, SPD is not the appropriate route at this time and so are not included in the current LDS refresh.

- **South Hams Special Area of Conservation Greater Horseshoe Bats – Habitats Regulations Assessment Guidance:** This relates to Local Plan Policy NC1 *Biodiversity and Geodiversity* and providing additional guidance in relation to offsetting and mitigation measures for the South Hams Special Area of Conservation (SAC) designated for Greater Horseshoe bat species. [Findings have been fed into the interim update of the Planning Contributions and Affordable Housing SPD \(Which was the subject of consultation December 2019- February 2020\).](#)
- **Sustainable Drainage Guidance:** Torbay has been identified as a Critical Drainage Area. Tor Bay has also been designated as a Marine Special Area of Conservation primarily for the marine reefs which should be protected from any 'Likely Significant Effects' from the combined sewer overflows in Torquay. Local Plan Policies ER1 (Flood Risk) and ER2 (Water Management) set out the need to minimise flood risk and ensure flood resilience and resistance. A Sustainable Urban Drainage System (SUDS) and Water Sensitive Urban Design System (WSUDS) guidance document has therefore been published which sets out how sustainable water management can be incorporated into development and retrofitted into the urban area. This 'SUDS' guidance document has been prepared as technical guidance and has been made available to support and advise the planning application process. Its effectiveness will be reviewed to ascertain if a SPD is needed.

Masterplans

3.4.4 The Council has adopted a number of Masterplans as SPDs with the exception of Great Parks Phase 2 which is a planning brief to guide the development of areas identified in the Local Plan. These are listed chronologically below:

- Great Parks, Paignton – Planning Guidance, published November 2013
- Torquay Town Centre – adopted as SPD, June 2015
- Paignton Town Centre – adopted as SPD, June 2015
- Torquay Gateway (Edginswell) – adopted as SPD, December 2015
- Collaton St. Mary – adopted as SPD, February 2016

3.4.5 The Council set up a masterplan programme board which convened in July 2015. The Masterplans are fundamentally about delivering successful regeneration and revitalisation of Torbay's town centres with masterplans for Paignton and Torquay. [Brixham Town Centre Masterplan](#) has been introduced as a supporting document to the [Brixham Peninsula Neighbourhood Plan \(2019\)](#).

3.4.6 The existing Great Parks Masterplan was published in November 2013. The report presents the masterplan and guiding principles for the second phase of development at Great Parks, Paignton including over 300 dwellings and approximately 500sqm of commercial floorspace. The independent recommendations of the report were established through a collaborative and inclusive design process (Enquiry-by-Design) with the local community

and key stakeholders, leading to the production of a site vision and masterplan.

Status:	Evidence base:	Geographic coverage:	Conformity:
<p><i>Most Masterplans adopted as SPD.</i></p> <p><i>(short term 5 year) Delivery Programme</i></p>	<p>SHLAA Torbay Local Plan 2012- 2030</p>	<p>Torquay Town Centre and Gateway site</p> <p>Paignton Town Centre</p> <p>Note: (Brixham Town Centre) -see Brixham Peninsula Neighbourhood Plan (adopted 2019) Policy J6:Brixham Town Centre (and supporting Masterplan -Document 10)</p>	<p>NPPF Local Plan</p>
Outline timetable/ key stages (*actual dates)			
<p>Masterplan Programme Board established: July 2015 Delivery Team Regeneration Director Post Created: Autumn 2016 Short term delivery programme for key sites to progress delivery.</p>			

Healthy Torbay SPD

3.4.7 This SPD adds guidance to the key related policies in the Local Plan (in particular, Policy SC1 Healthy Bay and Policy SS11 Sustainable Communities) which are fundamental to supporting the objective for new development to create a ‘Healthy Torbay’. This helps developers to better understand how they can meet the Council’s Local Plan requirements and will provide development management planning officers with further guidance to aid effective decision-making based on local evidence and need. The SPD is available on the Council’s website.³ Review of the SPD will be carried out in autumn /winter 2020 in parallel with the Local Plan with a view to updating as necessary. Note that it is envisaged that, as a minimum, modifications to add further guidance on accommodation for care and support including older peoples housing will be included, as identified by the Councils Housing Strategy Delivery Plan 2020-2025.;

³ <https://www.torbay.gov.uk/council/policies/planning-policies/local-plan/spd/>

Healthy Torbay SPD			
Status:	Evidence base:	Geographic coverage:	Conformity:
SPD	Local Plan Evidence Base plus bespoke evidence JSNA, Torbay Joint Health and Well Being Strategy	Whole of Torbay Unitary Authority area	NPPF Local Plan.
Outline timetable/ key stages (see Project Plan diagram for further details) (*actual date)			
<p>SPD preparation: October 2016 -February 2017*</p> <p>Formal consultation (4 weeks): 20th February – 20th March 2017*</p> <p>Review Final Amendments: March/April 2017*</p> <p>Adoption by LPA: The Healthy Torbay Supplementary Planning Document (SPD) was adopted by Torbay Council on 6 April 2017 *</p> <p>Review of the SPD will be carried out in autumn /winter 2020 in parallel with the Local Plan Review with a view to updating as necessary. Note that it is envisaged that, as a minimum, modifications to add further guidance on accommodation for care and support including older peoples housing will be included, as identified by the Councils Housing Strategy Delivery Plan 2020-2025.</p>			

3.5 Adopted Local Development Documents

3.5.1 The following Local Development Documents SPDs have been adopted by Torbay Council and are a formal part of the Torbay Local Development Plan⁴ (formerly the Local Development Framework). The following SPDs were saved following Adoption of the Torbay Local Plan 2012-2030:

- **LDD1** Statement of Community Involvement DPD (Adopted 2014); Now subject to this refreshed LDS
- **LDD7** Urban Design Guide (Adopted 07/02/07 including the reinstated parts of the former Adopted Local Plan 1995-2011 Supplementary Guide). Now subject to this refreshed LDS;
- **LDD8** Greenspace Strategy (Adopted 14/12/06). Not a subject of this refreshed LDS.

The Greenspace Strategy is considered to be still substantially relevant however the Council's Natural Environment Team intend to update the Greenspace Strategy as a management document which will provide updated evidence base to the Local Plan and supporting documents, but not as a SPD itself. Part of the key greenspace evidence has been incorporated into the refreshed Planning Contributions SPD (see paragraph 3.5.2 below). The greenspace/open space contributions have been informed by the adopted and 'saved' Greenspace Strategy (2007) with additional updated evidence. This will provide a refreshed evidence base to the Local Plan and supporting documents, but will not form an SPD itself and, at the time of writing, is being updated.

⁴ Saved as part of the Torbay Local Plan 2012-2030 Adoption (Council Minute 10th December 2015).

Planning Contributions and Affordable Housing SPD

- 3.5.2** The Adopted Planning Contributions and Affordable Housing SPD which sets out the Council's approach to planning obligations and was adopted by Full Council on 2nd February 2017.⁵ The document has been subject to an interim update, which has been prepared to take account of legal and other changes since 2017. The update consultation has been carried out from December 2019 to February 2020. .
- 3.5.3** This document provides additional detail to deliver the Local Plan as set out in Policy SS7 *Infrastructure, phasing and delivery* and paragraph 4.3.35-36 of the Plan and Policy H2 *Affordable Housing*. The PCAH SPD also advises on matters such as housing tenure mix, calculation of affordable housing contributions, viability testing and deferred payments arrangements, custom-build and self build housing (Policy H3 self-build and affordable housing exception sites). The purpose of this document is to help deliver sustainable development, not to stifle desirable schemes whilst seeking contributions (primarily through Section 106 Agreements) to provide the infrastructure necessary to make development acceptable in planning terms, including the provision of wider community infrastructure.
- 3.5.4** Planning Contributions SPD has been considered in conjunction with preparation of the Community Infrastructure Levy (CIL). Details of the CIL Draft Charging Schedule are set out in Section 4.2.

Planning Contributions and Affordable Housing SPD			
Status:	Evidence base:	Geographic coverage:	Conformity:
SPD	Local Plan Evidence Base	Whole of Torbay Unitary Authority area	NPPF Local Plan
Outline timetable/ key stages (*actual dates)			
SPD preparation: May – August 2016* Formal consultation (6 weeks): September - October 2016* Review final amendments: September-December 2016* Adoption by LPA: 2nd February 2017* (*actual dates) Interim Update preparation – Autumn /Winter 2019* Consultation Interim update: 13 th December -3 rd February 2020 Review and Final Amendments: May-June 2020 Cabinet Committee Report : July 2020 Adoption by LPA: July 2020			

⁵ The previous Planning Contributions SPD (adopted 28/02/08) plus subsequent amendments was saved at full Council.

(Urban) Design Guide Supplementary Planning Document

- 3.5.5** The Urban Design Guide SPD (adopted 07/02/07) was saved at Full Council⁴. Whilst still relevant, the aim of Torbay Council's new Urban Design Strategy will be to guide the general form and design of future development within Torbay, with consideration to Torbay's unique environment, townscape character and urban form and heritage.
- 3.5.6** It is intended that a refreshed Urban Design SPD will consider and the objectives of Good Urban Design and Local Plan Policies The Urban Design Guide will aim to contain guidance for specific regeneration areas in the adopted masterplan SPDs (including public space, building frontages etc) and a residential design guide for the identified Future Growth Areas (Policy SS2 *Future Growth Areas*). [The Brixham Neighbourhood Plan Contains Policies relating to the Town Centre, Oxen Cove and Harbour and Design Guides \(and supporting Masterplan -Document 10\)](#)
- 3.5.7** The MHCLG has also produced National Design Guide (Planning Practice Guidance) in October 2019. Local planning authorities will be expected to develop their own design codes or guides, taking in to consideration the National Model Design Code. Review of the SPD will be carried out after the Local Plan Review in 2020.

Status:	Evidence base:	Geographic coverage:	Conformity:
Emerging SPD to replace saved UDG(2007)	Local Plan Evidence Base	Whole of Torbay Unitary Authority area	NPPF Local Plan.
Outline timetable/ key stages (see Project Plan diagram for further details)			
<ul style="list-style-type: none"> • SPD preparation: Autumn/Winter 2017 • Formal consultation (4 weeks): Spring/Summer 2018 • Review final amendments: Summer/Autumn 2018 • Adoption by LPA: Autumn /Winter 2018 			

3.6 Authority Monitoring Report

- 3.6.1** The **Authority Monitoring Report** (AMR) (formerly the Annual Monitoring Report)⁶ is produced by the Council to assess the manner in which the Council's Local Development Scheme (LDS) has been implemented and also to review actual plan progress in relation to the targets and milestones for preparation set out in the LDS (i.e. the extent to which the policies set out in local development plan are being achieved).
- 3.6.2** It provides an opportunity to assess key planning policy issues and priorities, and to review the content of the LDS. Monitoring of housing and employment delivery and other key indicators are also an important feature of the monitoring process. The AMR will be updated on a regular

⁶ The AMR provides a monitoring framework. As required by Section 35 of the Planning and Compulsory Purchase Act 2004 (amended by the Localism Act 2011). The Local Planning Regulations 2012 provide more detail as to the required content of AMRs.

basis and published on the Council's website⁷. There is the option to update the LDS as new information /data becomes available, where resources permit. Thus both documents could be updated with greater regularity than has previously been the case, subject to available resources.

- 3.6.3** The Council is required to set out details of the timetable for preparation of local plan or SPDs specified in its LDS and the stages reached. The AMR is also required to monitor and review their preparation. This process forms a key element of the 'plan, monitor and manage' approach to the planning system.
- 3.6.4** The Council has a well-established programme of monitoring which includes annual monitors of housing land and retail development. Relevant National Indicators and other Council performance management systems provide a context for this process. The last AMR (to date) was published in September 2019. The AMR covers the period 1st April 2018 – 31st March 2019.

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⁷ <https://www.torbay.gov.uk/council/policies/planning-policies/evidence-base-and-monitoring>

4 ADDITIONAL KEY DEVELOPMENT PLAN WORK AREAS

4.1 Delivering the Local Plan's strategy

4.1.1 The Spatial Planning Team is actively involved in delivering the Local Plan and the requirement to Review by December 2020 with any necessary update of the Plan to expeditiously follow this Review. In addition there is a parallel programme of related documents and monitoring as required by Government.

Brownfield Register and Permission in Principle (PiP)

4.1.2 Torbay participated in the pilot brownfield register project, working with other local authorities and DCLG to shape and develop policy with regards to brownfield registers. This became mandatory for all councils as part of the Housing and Planning Act 2016. Brownfield Registers will be kept up-to-date and made publicly available⁸ to help provide certainty for developers and communities and encourage investment in local areas.

4.1.3 The Government has pledged to ensure that 90% of suitable brownfield sites have planning permission for housing by 2020. Other measures in the Housing and Planning Act enable 'permission in principle' to be granted for suitable housing-led development sites listed on the new brownfield registers, or housing-led sites allocated in a development plan (not retrospectively), therefore providing certainty on 'in principle issues' of land use, location and the amount of development.

4.1.4 To be considered suitable for housing, sites must meet the definition of previously developed/ brownfield land -as set out in the NPPF and be⁹:

- Available (willing landowner);
- In a suitable location for housing (in accordance with policies in the Local Plan 2012-2030 and the NPPF) and free from constraints that cannot be mitigated;
- Viable and capable of being delivered within 5 years or developed later on (e.g. between 6 and 10 years);
- Capable of supporting 5 or more dwellings or more than 0.25 hectares.

4.1.5 The [Brownfield Register](http://www.torbay.gov.uk/brownfield-register) has been published on the Council's website (www.torbay.gov.uk/brownfield-register) as a tool to promote and enable suitable development sites. The Brownfield Register does not affect the status of sites that already have planning permission. The inclusion of other sites on the Brownfield Register (Part 1) does not give them any formal status, or grant permission in principle. This Register must be updated annually. This may affect the status of sites included on future Brownfield Registers prepared by the Council.

⁸ <https://www.torbay.gov.uk/council/policies/planning-policies/local-plan/brownfield-register/>

⁹ The pilot Brownfield Register does not affect the status of sites that already have planning permission. The inclusion of other sites on the pilot Brownfield Register does not give them any formal status, or grant permission in principle. Planning applications on these sites will be considered on their merits in accordance with the local plan, national policy and any other material considerations.

4.2 Community Infrastructure Levy (CIL)

- 4.2.1** The CIL is a planning charge, introduced by the Planning Act 2008 as a tool for local authorities in England and Wales, to help deliver infrastructure to support the development of their area. It came into force through the Community Infrastructure Levy Regulations 2010 (as amended).
- 4.2.2** A CIL Draft Charging Schedule¹⁰ was adopted on 2nd February 2017. It relates closely to the Planning Contributions and Affordable Housing SPD as it sets out the Council's approach to Section 106 Planning Obligations and related matters. The charging of CIL in Torbay began in June 2017.
- 4.2.3** A review of the CIL Charging Schedule and polices will take place following any update of the Local Plan.

¹⁰ The CIL is a tax levied on development of more than 100sqm of floorspace, or new-build dwellings. It is intended to help fund the infrastructure needed to support growth in Torbay (identified in the key infrastructure projects list - "Regulation 123" List). It is regulated by the Community Infrastructure Levy Regulations 2010 (as amended).

4.3 Sustainability Appraisal and Habitats Regulations Assessment

- 4.3.1** The Planning and Compulsory Purchase Act 2004 requires local development documents to be prepared with a view to contributing to the achievement of sustainable development (Section 39). Under Section 19(5) (b) of the 2004 Act, the Council is required to produce a sustainability appraisal report. There is a parallel requirement for the Council to comply with the European Union Directive 2001/42/EC which stipulates the need for formal strategic environmental assessment of certain plans and programmes impacting on the environment.
- 4.3.2** There is a legal requirement to consider whether new planning policy documents are likely to have a significant effect on European sites of nature conservation importance, prior to the Plan being given effect. Habitats Regulations Assessment (HRA) will be produced for development Plan where necessary¹⁰.
- 4.3.3** In addition, the Council is currently required to comply with the EU Habitats Directive by carrying out Appropriate Assessment under the Habitats Regulations Assessment. These requirements apply to all of the plans being prepared as part of the Torbay Development Plan. Currently, the NPPF sets out a presumption in favour of sustainable development.
- 4.3.4** Any Review and Update of the Development Plan will require appropriate assessments.

4.4 Local Development Order (LDO)

- 4.4.1** South Devon College LDO has been approved (2016). This provides a positive framework for the delivery of a new campus over 15 years in accordance with the Local Plan Policy and Council's corporate ambitions.

¹⁰ <https://www.torbay.gov.uk/council/policies/planning-policies/local-plan/local-plan> Sustainability Appraisal and Habitats Regulations Assessment of the Local Plan are available on the Council's website.

5 PUBLIC PARTICIPATION

5.1 Statement of Community Involvement (SCI)

5.1.1 The SCI was adopted in 2014 and sets out the key stages of Development Plan preparation and the opportunities for consultation and engagement by individuals, communities and other stakeholders. It also outlines the opportunities for local people to comment on planning applications. This is in accordance with the legal requirements set out in the Planning Acts and Regulations.

5.1.2 Below is a timeline and key milestones for the production of an updated Local Plan. As a general principle, this programme reflects available resources, timescales for completion of the various strands of the evidence base, the importance of Member and stakeholder involvement, and the related cycle of Council meetings. This is an estimation and will change following the review when the scope of any update is known.

5.1.3 There have been both legislative changes and internal procedural changes that will consequently require an update of the SCI. This will take place in the context of the corporate consultation approach.

Project / Task	2 0 2 0				2 0 2 1				2 0 2 2				2 0 2 3				2 0 2 4																			
	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D
TLP ADOPTION, REVIEW & RELATED POLICY DELIVERY																																				
Torbay Local Plan (adopted Dec 2015)																																				
First Five Year Review*																																				
Overall Update Process (if necessary)																																				
Options Paper (Reg 18) consultation																																				
Regulation 19 Consultation (Consideration of Pre-Sub Revisions*)																																				
Submission Regulation 22**																																				
Submission Regulation 22**																																				
Examination**																																				
Adoption of Updated Local Plan																																				
Neighbourhood Plans																																				
Torquay Neighbourhood Plan - 'made' June 2019																																				
Paignton Neighbourhood Plan - 'made' June 2019																																				
Brixham Peninsula Neighbourhood Plan - 'made' June 2019																																				

Key : P Pre-submission S Submission E Examination A Adoption M Made (adopted) * (ongoing, for completion by December 2020) ** Submission delayed if separate revisions' consultation.

6 EVIDENCE BASE

6.1 Scope

- 6.1.1** The Development Plan draws on a variety of data and information sources. This evidence base comprises a wide range of documents that also provide a source of baseline data for preparation of the Sustainability Appraisal (SA) and Strategic Environmental Assessment (SEA) process. Good practice indicates that local plan evidence base should be proportionate to the scope and complexity of the specific Development Plan Document. The Local Plan Review will therefore need to consider what elements of the current evidence base are adequate and what needs refreshing if a Local Plan update is required.
- 6.1.2** When refreshing the evidence base the Council will seek to secure appropriate involvement of local communities and other key stakeholders such as utilities, statutory bodies, landowners, developers and other commercial interests. Studies will be managed in the context of the LDS time-scale and input of data and findings co-ordinated accordingly. Studies currently being undertaken include:
- Strategic Housing and Employment Land Availability and needs assessments (to be updated from 2017/18) in 2020; the land availability for both Housing and Employment Land has been initiated with a 'Call for Sites' December 2019 - to February 2020
- 6.1.3** A number of studies and documents provide relevant evidence and guidance for the policy framework of the adopted Torbay Local Plan. A list of the Key Evidence base is included in Appendix B. Most documents are available on the Council's website¹¹.

6.2 Other material considerations

- 6.2.1** The Council will have regard to policy guidance, Ministerial Statements, research and technical documents produced by the government and key statutory and non-statutory bodies as well as the community of Torbay.

¹¹Details of the technical studies and reports used to prepare the Local Plan in Torbay are available via the Local Plan Examination (2014/2015) Library: <https://www.torbay.gov.uk/council/policies/planning-policies/local-plan/examination-library/> and <https://www.torbay.gov.uk/council/policies/planning-policies/evidence-base-and-monitoring/>

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¹¹ Torbay and South Devon NHS Foundation Trust was created on 1 October 2015, when South Devon Healthcare NHS Foundation Trust merged with Torbay and Southern Devon Health and Care NHS Trust, the Trust that provided community health and social care services.

7 RESOURCE MANAGEMENT

7.1 Resources

- 7.1.1** Development Plan preparation requires thorough and realistic resource management. This applies particularly to the availability and deployment of staff and financial allocations through relevant budget systems. Both aspects need to be embedded within an effective and transparent organisational and decision-making framework to ensure deliverability.
- 7.1.2** The Strategy and Project Management Team within the Spatial Planning Business Unit is responsible for the Development Plan. The current unit was established in 2015 from the combination of former Strategic Planning, Strategic Transport and Environmental Policy Teams. It comprises a Service Manager, three Senior Officers (one supported by Public Health, one substantially involved in DM duties), three Officers (two currently vacant) and Sustainability Officer.
- 7.1.3** Alongside the production and review of the Local Plan, the planning function of the team are responsible for production of supporting documents set out above, evidence gathering and research, policy advice and other day to day responsibilities.
- 7.1.4** The responsibility for Transport policy and implementation, includes regional collaborations, funding bids, and implementation of the Local Transport Plan. The Council's Climate Change Strategy is now out of date and following the declaration of a Climate Emergency in June 2019 the team are working with the Devon Climate Emergency Tactical Group. **A new post Climate Change officer post is currently being proposed. This post will be partially assigned to the Strategy Team.**
- 7.1.5** The Team maintains an active and continuing dialogue with key partners at local, regional and national level regarding emerging best practice. It works closely with the development management staff within the same Business Unit and provides specialist planning and transport advice on development management matters.
- 7.1.6** Close liaison between officers and Members helps to ensure and maintain a high level of political awareness and input to the plan-making and policy process.
- 7.1.7** Development Plan and LTP work involves cross-cutting links with relevant officers from other Business Units, and teams within the Council contribute advice and expertise as required, and particularly in the following areas:
- Highways – detailed transport and highways issues;
 - Torbay Development Agency/ Economic Development Company (public / private partnership regeneration body) – economy, regeneration and estates matters;
 - Engineering – drainage, flooding, sea defences, land stability;
 - Environmental Health / Consumer Protection – ground contamination, pollution and licensing;
 - Communities - in relation to affordable housing issues, stakeholder and community engagement;
 - Legal Services - guidance on the interpretation of legal matters, Section 106 agreements;
 - Corporate Governance - administration of Scrutiny, Committees, Council, Community Plan;

- Communications – involvement in SCI and media / consultation matters.

7.1.8 The Team will continue to keep the LDS under review through tracking against its in-house detailed Local Plan Work Programme and the assessment process that forms part of the AMR.

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8 RISK ASSESSMENT

8.1 Key Areas of Risk

8.1.1 Against this background, the key areas of risk associated with delivery of the Torbay LDS relate to the following issues:

- **Timetable and work programme slippage:** it is essential that time-scales are realistic, appropriate resources are in place, the decision making process is clear and reliable and that allowance is made for workloads arising from other core areas of work undertaken by the team. At the time of writing, the wider and long term consequences of the COVID-19 Pandemic are unknown. However, it seems likely that there will be significant economic disruption that will impact upon the planning system which could, potentially impact the timetable.
- **Late delivery of specific research studies and other out-sourced contracts:** failure to produce important documents to provide evidence based research and provide detailed guidance for policy implementation can seriously impede progress; this can be offset with realistic work programmes and effective project management.
- **Inadequate resources:** local authority budget constraints, unfilled staff vacancies, team resilience, unforeseen additional local planning transport and environmental work requirements and unforeseen gaps in specific areas of expertise may need to be offset by use of consultants, contract staff or seconded in-house staff.
- **Capacity of the Planning Inspectorate (PINS) to accommodate demands of examination process:** Close liaison with PINS should help to minimise problems. Certain documents can be examined by Independent Examiners (e.g. CIL and Neighbourhood Plans) as well as the Planning Inspectorate.
- **Failure of the Local Plan to meet its duty to co-operate and the tests of soundness:** monitoring compliance with the Regulations and tests of soundness, awareness of best practice, benchmarking and close, continuous liaison with DCLG, PINS and neighbouring local planning authorities will help to reduce this risk. Failure to maintain a rolling five year housing supply will mean that Local Plan policies most relevant for the determination of housing applications cannot be considered 'up to date' (NPPF 2019). The Courts have held that a policy that is not up to date may still be afforded considerable weight. However, in practice a lack of five year housing supply is likely to result in planning by appeal.
- **Legal challenges:** working closely with DCLG and PINS, production of a sound evidence base, sound SA, awareness of good practice and appropriate community involvement will be essential to reduce risk in this area. The current adopted Local Plan and neighbourhood Plans were not subject to a legal challenge.
- **Reduction in budget:** promoting the corporate role of the Local Plan and its close association with achievement of wider corporate objectives should ensure that this area of work continues to secure local authority funding. However, the public sector generally will continue to suffer budgetary difficulties over the next few years.

APPENDIX A PREVIOUS STAGES OF THE LOCAL PLAN

Previous stages, when being produced as Torbay Core Strategy - See Section 3 current details

Document	Date	Outline timetable/ key stages
<i>Torbay Core Strategy (2004 Local Planning Regulations):</i>	Apr - May 2006	Consultation on Draft Core Strategy (Regulation 25) Issues and Options
	Sept - Oct 2009	Public participation on Draft Regulation 25 Consultation 'Vision, Objectives and Growth Options'
<i>Recent stages, when being produced as Torbay Local Plan (2012 Local Planning Regulations)</i>	Sept 2011 – Aug 2012	Drafting, internal consultation and approval of Draft Regulation 18 Torbay Local Plan 'A Landscape for Success – The plan for Torbay to 2032 and beyond)
	Sept 2012 – Nov 2012	Public participation on Regulation 18 Consultation Draft Torbay Local Plan
	Feb 2014 - Apr 2014	Publication and public participation on the Proposed submission Plan
	July 2014	Submission of Local Plan to the Secretary of State
	Nov 2014	Local Plan Examination Hearing sessions
	Feb 2015 - Mar 2015	Main and Additional Modifications published for consultation.
	June - Aug 2015	Replacement main and additional Modifications published for consultation following consideration of representations on Modifications.
	Oct 2015	Receipt of Inspector's Final Report
	10 Dec 2015	Adoption of Local Plan at full Council ¹²

¹² The Adopted Local Plan replaced the Previous Torbay Local Plan 1995-2011 which ceased to be a 'saved' plan from 11th December 2015

APPENDIX B EVIDENCE BASE

<i>Document</i>	Outline timetable/ key stages (see Project Plan diagram for further details)
<p><i>NATIONAL AND REGIONAL SUPPORTING INFORMATION AND GUIDANCE</i></p>	<p>Localism Act 2011 Planning and Housing Act 2016 National Planning Policy Framework (MHCLG, 2019). plus Technical Guidance Planning Practice Guidance (CLG, Online) Planning Practice Guidance for Renewable and Low carbon Energy (DCLG, 2013) The Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) The Neighbourhood Planning (General) Regulations 2012 as amended The Community Infrastructure Levy Regulations 2010 (as amended) Written Ministerial Statements, Court Rulings and other Material Considerations UK Climate Change Projections (http://ukclimateprojections.defra.gov.uk) The Carbon Plan: Delivering our low carbon future (HM Government, 2011) The Stern Review on the Economics of Climate Change (Sir Nicholas Stern, 2006) National Design Guide (MHCLG) October 2019 Planning policy for traveller sites (DCLG) August 2015</p> <p>Waste Strategy for England 2007 (National Waste Planning Policy Review in progress at 2013) Regional Waste Strategy 2004 National Planning Policy for Waste (DCLG) October 2014</p> <p>Water for life and livelihoods: River Basin Management Plan - South West River Basin District (Environment Agency, 2009) Flood Risk Regulations 2009 Flood and Water Management Act 2010 Water Framework Directive (EU 2000 – implementation ongoing to 2013) South Devon Catchment Flood Management Plan - Summary (Environment Agency, 2009) Shoreline Management Plan Review (SMP2) Durlston Head to Rame Head (South Devon and Dorset Coastal Advisory Group, 2011). Marine Management Plan</p> <p>Statutory Schedule of Ancient Monuments Statutory Lists of Buildings of Special Architectural or Historic Interest Statutory Register of Historic Parks and Gardens Historic Environment Planning Practice Guide (English Heritage, 2010) Guidance on Tall Buildings (CABE / English Heritage, 2007) Manual for Streets 2 (DfT, 2010) ONS Population projections and CLG household projections NOMIS and other economic data Land Registry data on the housing market.</p>
<p><i>TORBAY / DEVON STUDIES</i></p>	<p>Community and health Torbay Consultation and Engagement Strategy (Torbay Council, 2005, revised 2009) Torbay Community Plan 2011(Working for a healthy, prosperous and happy Bay) Torbay Council Public Health Annual Report 2013 (Torbay Council/NHS) Torbay’s Play Strategy 2005 -10 (Torbay Council, undated) Torbay Playing Pitch Strategy (Torbay Council, 2013) Torbay Sports Facilities Strategy (Torbay Council, 2013)</p>

	<p>Strategy for the Arts and Creative Industries in Torbay 2006-2016 (Torbay Council, undated)</p> <p>Housing Devon-wide Gypsy and Traveller Housing Needs Assessment (2006) Private Sector House Condition Survey (Torbay Council, 2009) Exeter and Torbay Strategic Housing Market Assessment (ORS, 2007; 2011 update) Torbay Strategic Housing Land Availability Assessment (PBA, August 2013) Torbay Housing Requirement Study (PBA, August 2013) Torbay Whole Plan and CIL Viability Study (PBA, January 2014) Torbay CIL Viability Update (PBA January 2016) CIL Viability Update study (forthcoming 2016)</p> <p>Economy Torbay Tourism Strategy 2010-2015 (Torbay Council, 2009) and refresh (forthcoming) Torbay Employment Land Review (PBA, November 2013) Torbay Economic Strategy 2010-2015 (TDA, 2013) Tor Bay Harbour and Maritime Strategy 2007-2017 “Catching the Wave” (undated) Tor Bay Harbour Authority Port Masterplan (Royal Haskoning DHV, July 2013) Torbay Retail Study Update (GVA Grimley, 2011) Torbay Retail Study Update (GVA Grimley, January 2014)</p> <p>Transportation Torquay Central Area Transportation Study (2002) Paignton Central Area Transportation Study (2002) Brixham Central Area Transportation Study (2004) Western Corridor Saturn Modelling Study (Parsons Brinkerhof 2010) Torbay Parking and Transportation Study (Atkins, 2010) Torbay Local Transport Plan 2006-26 (LTP3) (2011)</p> <p>Infrastructure and resource management Torbay Contaminated Land Strategy (Torbay Council, 2001; reviewed 2005) Local Planning Guidance Note: A guide for Developers to the Assessment and Remediation of Land Affected by Contamination in Devon (Devon Contaminated Land Working Group, 2006) Devon Waste Plan [Pre-Submission Version] (Devon County Council, December 2013) Torbay Municipal Waste Management Strategy (Torbay Council, 2008) Devon Minerals Plan 2011 – 2031 (Options Consultations Paper, March 2011; Cross-boundary Minerals Issues Scoping Report, June 2012) Strategic Stone Study - A Building Stone Atlas of Devon (English Heritage, September 2012) Torbay Carbon Management Plan (Torbay Council, 2008) Torbay Climate Change Strategy 2008-2013 (Torbay Council, 2008) Strategic Flood Risk Assessment Level 1 (Torbay Council, 2008) Strategic Flood Risk Assessment Level 2 (Torbay Council, 2010) Torbay Green Infrastructure Delivery Plan (TCCT / Torbay Council / Natural England, 2011) Torbay Sustainable Energy Assessment (AECOM, 2011) Torbay Infrastructure Study [including Viability Report] (Baker Associates, 2011) Torbay Water Cycle Study (Torbay Council, 2012) Torbay Assessment of Future Sewer Capacity (Hydraulic Modelling (AECOM 2014)</p>
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	<p>Environment Torbay Wildlife Study (DWT, 1998) Torbay Biodiversity and Geodiversity Action Plan (TCCT, 2007) Torbay Landscape Character Areas Assessment (Enderby Associates, 2010) Brixham Urban Fringe Study (Enderby Associates 2011) Torbay Building Heights Strategy 2011 Torbay Historic Environment Record (Torbay Council) Adopted Conservation Area Appraisals (Torbay Council) Torbay Heritage Strategy (Torbay Council, April 2011) –Note: work on a new Torbay Heritage Strategy begun April/May 2020</p>
	<p>Monitoring (Annual)Authority Monitoring Report (Torbay Council, Sept 2019) Torbay Housing Land Monitors (Torbay Council, produced annually) Torbay Retail Monitors (Torbay Council, produced annually) Torbay Joint Strategic Needs Analysis (Torbay Council / NHS Torbay, ongoing)</p>
	<p>Other The evidence base underpinning preparation of the Regional Spatial Strategy Proposed Modifications document that relates to Torbay may be of relevance to preparation of the Council’s Development Plan.</p>

Meeting: Cabinet

Date: 16 June 2020

Wards Affected: All Wards

Report Title: Budget Monitoring 2019/20 – Quarter Four – Outturn

Is the decision a key decision? No

When does the decision need to be implemented? n/a

Cabinet Lead Contact Details: Darren.cowell@torbay.gov.uk

Supporting Officer Contact Details: **Sean Cremer**, Deputy Head of Finance,
Sean.Cremer@torbay.gov.uk, 01803 207553

1. Purpose and Introduction

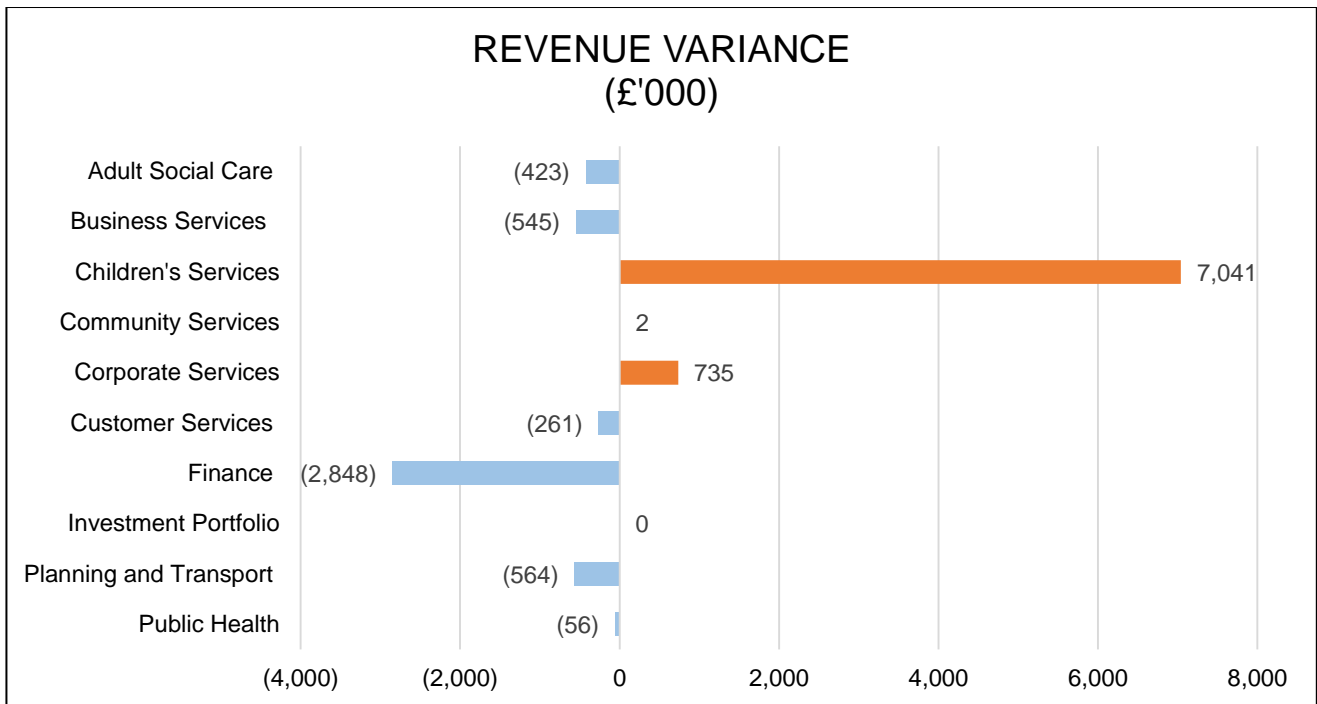
- 1.1. This report provides a **high level** budget summary of the Council's revenue and capital income and expenditure for the financial year 2019/20.
- 1.2 As at the end of 2019/20 the Council's **Revenue** budget is reporting an over spend of £3.08m for the financial year. This whole Council position is in the context of the overspend within Children's Services increasing to be £7.0m by the end of the year.
- 1.3 The Capital Plan Budget totals £395m over the 4 year period. Capital expenditure of £115m was incurred in 2019/20 of which £77m related to the Investment Fund.

2. Recommendation (s) / Proposed Decision

- 2.1 That Cabinet notes the outturn position

3. 2019/20 Revenue Budget Summary Position

- 3.1 As at year end the Council's revenue budget is reporting an over spend for 2019/20 of £3.08m after the application of one off funding. Within this position there is a £7.0m overspend in Children's Services, offset by under spends in other services and the application of one off funding. A bar chart summarising the budget variance by service for 2019/20 is as follows:



Children's Social Care

- 3.1. The overspend of £7.0m represents an increase of £0.3m since Quarter 3.
- 3.2. The main pressure area is the full year impact of the costs of Looked After Children (LAC). The overall LAC numbers remain between 355 – 360.
- 3.3. Residential placements as at the 31st March 2020 totaled 31. This is a decrease since September 2019 of 13 placements. This demonstrates that during the second half of the financial year there has been a significant and sustained focus on returning Children and Young people to family based settings.
- 3.4. Given the average placement cost of £4,700 per week this scale of reduction is expected to have a significant impact on the 2020/21 budget.
- 3.5. This is testament to the continued work of the Director of Childrens Services and all of the team's working to ensure the best possible outcome for Children and Young People in Torbay.

Higher Needs Block – Special Education Needs

- 3.6. The schools' higher needs block in the Dedicated Schools Grant (DSG) has been under financial pressure as a result of an increasing level of referrals from schools for higher needs support for children. For 2019/20 there was an in-year overspend of £1.12m, after the one off £1.4m "disapplication" transfer of funds between the funding blocks in the DSG. The Council does not receive any funding for schools therefore the over spend will remain in the DSG to be funded from DSG in future years and is therefore not a cost that the Council has to fund. This position is now confirmed by the School and Early Year Finance (England) Regulations 2020. As a result the DSG reserve is a £3.8m **deficit** at the end of 2019/20.

- 3.7. Representatives from the Council and the School Forum continue to work with the Education & Skills Funding Agency (ESFA) to discuss the proposed financial recovery plan that was submitted to the ESFA earlier in the 2019/20 financial year.

£300m Investment fund

- 3.8. Investment Fund has spent £155m in previous years, and has spent £77m in 2019/20. This brings the total spend on Investment properties to £231m.
- 3.9. This leaves £69m to be spent in future years. However HM Treasury issued a consultation on future PWLB borrowing terms in March 2020 which would, in effect, prohibit the use of PWLB to fund this type of purchase, known as “debt for yield”. At the same time CIPFA issued a statement that the intent of the consultation should be adhered to with immediate effect and applied to all forms of borrowing not just PWLB. As a result the Council is no longer seeking such assets to purchase.
- 3.10. At Cabinet on 1st October 2019 the criteria for use of the Economic Growth Fund was approved. Approval of projects brought forward has been delegated to Cabinet.
- 3.11. £17m has been spend on Regeneration Projects in 2019/20 and in early 2020/21 the Debenhams property in Torquay was purchased.

4. Service Budgets

4.1 The budget position for each service is shown in the table below:

Torbay Council Revenue Q4 2019/20	Budget £000s	Outturn £000's	Variance £000's	Variance reported at Q3 £000's	Movement £000's
1. Adult Social Care	38,103	37,680	(423)	(307)	(116)
2. Public Health	9,689	9,633	(56)	(40)	(16)
3. Children's Services	36,039	43,080	7,041	6,706	335
4. Community Services	1,824	1,826	2	(90)	92
5. Corporate Services	5,227	5,962	735	605	130
6. Customer Services	2,798	2,537	(261)	(576)	315
7. Investment Portfolio	(4,135)	(4,135)	0	0	0
Sub Total – Corporate Services	5,714	6,190	476	(61)	537
8. Finance	1,019	(1,829)	(2,848)	(2,300)	(548)
9. Business Services	13,523	12,978	(545)	(614)	69

10. Planning and Transport	7,282	6,718	(564)	(510)	(54)
Sub Total - Place	20,805	19,696	(1,109)	(1,124)	15
Revenue total	111,369	114,450	3,081	2,874	207

Mitigating Actions	£'000
11. Use of Reserves	(3,081)
Net Overspend / (underspend)	0

4.2 A narrative of the position in each service area is as follows;

1. Adult Social Care - Underspend £423k

The majority of this budget is spent against a fixed contract with the ICO. Within the remaining discretionary budgets there are a number of identified contractual savings as well as some savings associated with client budgets and impairment.

2. Public Health – Underspend £56k

No material variances

3. Children's Services – Overspend £7.041m

There was an overspend of £6.6m associated with placements. At the end of March, there were 38 FTE vacant within the Children's Safeguarding service which resulted in use of agency staff. As a result the total spend on agency and temporary staff was £3.8m which is offset, in part, by savings in the permanent staffing.

4. Community Services – On budget

5. Corporate Services – Overspend £735k

Legal services also made use of Agency staff, with a spend of £264k. These staff are required to enable the service to meet the caseload requirements of the organisation, namely Children's and Adult Social work.

As a result of the merging of Coroners districts in 2018 the Torbay's Coroner service is administered by Plymouth City Council. This service is currently more expensive and as a result there is an £105k overspend. In line with the corporate position, all non-essential spend has been ceased.

Within Corporate Services there are shortfalls of income in a number of areas. The Print & Post service has a shortfall of £202k. In order to address the future sustainability of this service there is a tender opportunity currently advertised seeking a delivery partner. There is also a shortfall of £80k on income targets associated with work of the transformation team.

6 Customer Services – Underspend £261k

Revenues and Benefits have a number of staff vacancies and have received one-off funding resulting in an underspend of £268k. Within IT there is a forecast underspend of £276k brought about by revised recruitment and spending plans this year and further savings identified with software licenses. The movement within this service area compared to Quarter 3 relates to the final level of Housing Benefit payments and eligible subsidy as more recipients move from Housing Benefit over to Universal Credit there is a change in the level of subsidy that is received.

7 Investment Properties – Breakeven £0k

Overall Investment properties met its income target.

8. Finance – Underspend £2.8m

A number of “corporate” budget changes are being reported under the Finance service, these include;

- the transfer from the Comprehensive Spending Review Reserve released in 2019/20 for issues in Children’s Social care
- savings associated with Treasury Management activities including MRP and effective capital management resulting in savings on interest.
- additional monies from the Devon wide business rates retention pool
- the release of the contingency set aside during the 2019/20 budget process to be used to fund known pressures
- savings based on the actual payments to the Devon County Pension Fund for both the secondary pension rate and for historic pension payments.

9. Business Services – Underspend £545k

The forecast for Business Services has continued to improve.

Overall car parking income achieved a surplus of £133k. This represents a £130k movement from the Quarter 3 position due to the changes to the public behavior and restrictions on movement during March.

There are also savings from waste collection and disposal, amounting to £471k as a result of reduced household waste being sent to the Energy from Waste plant and payments due under the contract.

10. Planning & Transport – Underspend £564k

A reduced contribution for concessionary fares of £471k has been achieved. Due to the increased level of capital work delivered and therefore increased recharges to capital there is a saving of £137k within Highways.

11. Use of Reserves –£3.08m

In order to fund the net in year projected overspend a number of reserves will be applied or drawn down in year. This does not require use of the General Fund reserve which stands at £4.6m.

5 Statement of Accounts 2019/20

- 5.1 The Council’s statutory accounts for 2019/20 are being prepared and will be available on the Council’s website. The Accounts will be audited by the Council’s external auditor, Grant Thornton. Linked to COVID resource pressures the deadlines

for the issuing of the Council's 2019/20 statutory accounts is now end of August 2020 with the external audit to be completed by end of November 2020, (due to be stated in October 2020).

Council Subsidiary Companies

- 5.2 The Council has interests in a number of companies. The financial performance for 2019/20 will be included in the Council's statement of accounts once published.
- 5.3 All of these companies form part of the Council's group boundary, therefore Members should be aware of the assets and liabilities of these companies.

6 Debtor – Write offs

6.1 The total value of debtor "write offs" for the quarter will be reported in the quarter one budget monitoring report in July 2020.

6.2 For the full year, the total percentage of the current year liability collected was:

Collection Fund	2018/19	2019/20	movement
Council Tax	96.3%	95.7%	-0.7%
NNDR	96.6%	95.1%	-1.5%

7 Capital Plan Summary Position

- 7.1 The Capital Plan Budget totals £395m over the 4 year period. Capital expenditure of £115m was incurred in 2019/20 of which £77m related to the Investment Fund
- 7.2 Appendix One shows the expenditure on each scheme in 2019/20 compared to level of spend estimated at quarter three. The final column shows the balance that will be carried forward as capital expenditure budget in future years.

7.3 Protecting Children

7.4 Nearly £3m was spent in 2019/20 including ongoing repairs and maintenance for schools, enhancements at Brunel and Paignton Community and Sports academies and relocation of the Medical Tuition Service to Parkfield.

The Council's contribution towards the provision of a new Free School in Paignton was not required in the year but is expected to be spent in 2020/21 with the school now planned to open in September 2021.

7.5 More Prosperous Torbay

7.6 There was expenditure of over £10m in 2019/20 on these schemes. Work commenced on the Claylands site redevelopment and work was finalised on the completion of the EPIC building at White Rock which became operational during the

year. Each of these schemes incurred costs of over £1m in 2019/20. The Oxen Cove Jetty was completed with expenditure of £1.8m. There were ongoing major highway works at Western Corridor (£1.9m) and other highways spend (£2.3m) including payments in relation to the South Devon Highway.

- 7.7 A loan of £1.5m agreed by Council to the TDA to acquire a further industrial unit in Paignton was drawn down in year.

There was a significant variation in the payment due to Devon County Council for payments in relation to South Devon Highway compared to previous forecasts supplied. The remaining costs are expected to be in respect of compensation claims but these have been slow in progressing.

- 7.8 Spend in year was lower than forecast on a number of schemes including some delays in Highways expenditure which was hampered towards year end by adverse weather.

7.9 Attractive and Safe Place

- 7.10 Spend of £3.5m was incurred on a wide range of schemes including £2.5m on a number of projects to enhance facilities at the Harbours.

- 7.11 A significant number of other schemes continued in the year including toilet refurbishment, CCTV system replacement, Princess Pier and Flood Defence work. Work to protect Brixham Victoria breakwater was completed with further expenditure of £1.25m in the year and the redevelopment of Harbour Light restaurant at Paignton Harbour was also finished.

7.12 Supporting Vulnerable Adults

- 7.13 Spend of £1.2m in 2019/20 including spend of £0.9m on Disabled Facilities Grants and £0.25m on enhancements to care homes. Expenditure on these schemes will continue in 2020/21.

- 7.14 There was some further expenditure towards the provision of extra care housing and affordable housing in the Bay however this is likely to become more significant in coming years. In addition although the actual spend on disabled facilities grants was close to the 2019/20 allocation, there remains an underspend carried forward from previous years was not fully spent in the year and is available in addition to a further Government allocation for 2020/21.

7.15 Corporate Support

- 7.16 Spend of £3.8m including a further £1m on IT investment and £2.6m on replacement waste collection vehicles.

7.17 Investment Properties

- 7.18 Spend of £76.5m in the year. The expenditure reflects the acquisition of investment properties at Chippenham, Exeter (2 properties), Didcot and Taunton.

- 7.19 Some of the expenditure represents loans including for the hotel development in Torwood Street which was drawn down in 2019/20 and a loan to a local company to enable it to remain in the area.

7.20 Regeneration projects

- 7.21 In addition to the schemes under paragraph 7.5 above (More Prosperous Torbay) the Council has committed specific allocations of future borrowing to fund particular Regeneration (£25m) and Economic Growth (£100m) in the area.
- 7.22 In 2019/20 the Council spent £16.7m on related schemes.
- 7.23 There have been delays at Harbour View project resulting in the recent approval of a higher level of borrowing for the project. There are also works in progress to redevelop the Old Toll House on Torquay seafront.

8 Funding

- 8.1 A summary of the funding of the 2019/20 Capital Plan is shown in the Table below:

2019/20 Funding	Totals @ Q4 £m
Unsupported Borrowing	99
Grants	12
Contributions	1
Revenue	1
Reserves	1
Capital Receipts	1
Total	115

9. Grants

- 9.1 The Council has been notified of the following new capital grant allocations, since the last monitoring report.
- Department for Education – School Condition Allocation 2020/21 - £417,887. Provided to authorities for major repairs and maintenance of school estates.
 - Department for Education– Devolved Formula Capital Grant 2020/21 - £83,309. This is a ring-fenced grant and will be paid to appropriate schools as required.
 - Department for Education – Basic Need allocation 2021/22 - £8,609,731. Note this is a future year allocation to enable planning for future demands for school places. Part of this grant has already been earmarked and agreed for ongoing expansion at Paignton Community and Sports Academy and further proposals are in development to increase pupil capacity at St Cuthbert Mayne.
 - Department for Transport – Highways Grants – Potholes Action Fund and Challenge Fund 2020/21 allocation - £1,212,000. This allocation incorporates two funding pots from DfT including the Challenge Fund which invited bids from Council's for specific projects but because of the Covid-19 issues it has been decided to distribute the funds on a formulaic basis.
 - Department for Transport – Incentive Element 2020/21 - £244,000. Grant paid to authorities following effective asset management and adopting efficiency and best practice principles for local highway maintenance

- f) Department for Transport – Active Travel Fund 2020/21 - £276,000. Grant to be used to quickly capitalise on changes to modes of travel following Covid-19, in particular to support walking and cycling routes. The funding is dependent on the Council providing meaningful plans of how the funds will be used to reallocate road space to cyclists and pedestrians.
- g) Ministry of Housing Communities and Local Government – Disabled Facilities grants 2020/21 £1,876,070. This grant allocation is used to support our DFG expenditure but also includes the former Adult Social Care capital grant. In recent years £1m has been allocated by members to DFGs with the balance to Adult Social Care which will be used to support the proposed Crossways redevelopment.

9.2 As well as the above new grant allocations the Council received confirmation of previously announced indicative allocations:

- a) Department for Transport – Structural Maintenance 2020/21 allocation £1.174m and Integrated Transport Block 2020/21 allocation £1.063m. Confirmation of indicative amounts of grant (£1.174m and £1.063m respectively) has also been received. The previously announced indicative figures are already included in the Council's approved Capital Plan.

9.3 All the above grants will be included in the Council's 20/21 capital budget and have been allocated to the intended services.

10. Capital Receipts

10.1 In 2019/20 just under £0.5m of capital receipts have been generated from asset disposals, with a further £0.25m from right to Buy Clawback and £0.9m from capital loan repayments, giving total receipts of £1.6m. The RTB Clawback and repaid loans are earmarked resources and are not available to fund the general Capital Plan. Currently, primarily linked to the expenditure on the surrender of land from the TCCT and future extra care housing provision, the approved Plan relies upon the generation of a total of £7.4 million additional capital receipts from asset sales.

10.2 Capital receipts of £1.033m were used to finance capital expenditure in 2019/20.

11. Capital Contributions – S106 & Community Infrastructure Levy

11.1 In 2019/20 £1.8m of capital contributions were generated. Of this value, £0.8m was from Section 106 Planning agreements with nearly £0.5 from Community Infrastructure Levy and the balance £0.5m being contributions to specific schemes by other partners.

11.2 The Council's Community Infrastructure Levy (CIL) scheme came into effect in 2017/18. The main capital project identified for funding from CIL receipts is the South Devon Highway. The Council used £0.18m CIL receipts to fund its South Devon Highway expenditure in 2019/20. The "neighbourhood proportion" of CIL receipts has been allocated to an earmarked reserve.

12 COVID 2019 Implications

- 12.1 The COVID 2019 pandemic started to impact on the UK during March 2020 with the full impact on 2020/21, future years longer term impact and the final level of central government funding still unknown. Aside from car parking income there was limited (financial) impact on the 2019/20 revenue and capital budgets, however the provision for the level of impairment of outstanding debt as at 31st March 2020 was increased and there was an impact on the final two weeks of collection of NNDR. In addition the first tranche of central government COVID grant funding of £5.4m was received in late March and carried forward in an earmarked reserve.
- 12.2 The impact on 2020/21 along with the level of central government report announced to date will be reported in the Quarter 1 monitoring report in July 2020.

CAPITAL PLAN - OUTTURN 2019/20 - EXPENDITURE

Appendix 1

						Revised 4-year Plan				
		Latest Est Scheme Cost	Expend in Prev Years (active schemes only)	Total 2019/20 Revised	Outturn 2019/20	Slippage to c/f to 20/21	2020/21	2021/22	2022/23	Total for Plan Period
PB = Approved Prudential Borrowing schemes		£'000	£'000	£'000	£'000		£'000	£'000	£'000	£'000
Protecting children and giving them the best start in life										
	Barton Academy - Nursery provision	527				0	527			527
	Brookfield Site / Brunel Academy Phase 1	1,050	1,008	55	13	42				42
	Brunel Academy Ph 2 Vocation Classrooms	1,000	366	578	344	234	400			634
	Capital Repairs & Maintenance 2018/19	378	227	154	3	151				151
	Capital Repairs & Maintenance 2019/20	269	139	269	139	130				130
	Devolved Formula Capital			304	176	128				128
	Early Years - Ellacombe Academy Nursery	907	892	16	1	15				15
	Early Years - White Rock Primary Nursery	420	420	11	11	0				0
	Education Review Projects			82	36	36				36
PB	Medical Tuition Service - relocation	601	518	558	475	83				83
	New Paignton Primary school	609	7	602	0	602				602
	Pgn CS Academy Expansion	879	836	500	831	(331)	374			43
	Roselands Primary - additional classroom	599	454	502	357	145				145
	Secondary School places	2,194	2,192	55	53	2				2
	Special Provision Fund (SEND)	849	371	517	206	311	167			478
	Torbay School Relocation (Expansion Burton Acad Hillside site)	1,200	279	316	95	221	700			921
	IT replacement - Childrens Case Management System	1,000	232	175	232	(57)	825			768
		20,423	7,941	4,694	2,972	1,712	2,993	0	0	4,705
Working towards a more prosperous Torbay										
PB	Claylands Redevelopment	10,400	1,855	1,967	1,132	835	6,748	962		8,545
	DIT Better Bus Areas	1,147	1,095	15	0	15	37			52
PB	Edginswell Business Park	6,620	2,983	183	46	137	3,500			3,637
PB	Employment Space, Torbay Business Park	6,737	6,737	0	92					0
PB	Innovation Centre Ph 3 (EPIC)	6,635	6,420	1,154	1,114	40	175			215
	Land acq adj Beechdown Collaton St Mary	246	246	241	246					0
PB	Oxen Cove Landing Jetty	2,500	2,483	1,762	1,745	17				17
PB	South Devon Highway - Council contribution	20,224	18,641	400	347	53	1,530			1,583
PB	TEDC Capital Loans/Grant	4,040	3,465	1,500	1,500	0	575			575
	Transport Highways Structural Maintenance			1,948	1,568	380	1,424			1,804
	Transport Integrated Transport Schemes			403	316	87	886			973
	Transport - Torquay Gateway Road Improvements	2,927	1,198	121	92	29	1,550	150		1,729
	Transport - Tweenaway Junction	4,903	4,905	0	2	(2)				(2)
	Transport - Western Corridor	12,271	11,645	2,312	1,886	426	200			626
		78,650	61,673	12,006	10,086	2,017	16,625	1,112	0	19,754
Ensuring Torbay remains an attractive and safe place to live and visit										
	Babbacombe Beach Road	260	0	10	0	10	250			260
PB	Brixham Harbour - Breakwater	3,892	3,783	1,357	1,248	109				109
	Brixham Harbour - CCTV upgrade		79	86	79	7				7
	Brixham Harbour - Fendering	306	306	300	306					0
	Brixham Harbour - Fork Lift truck replacement	22	22	21	22					0
	Brixham Harbour - Infrastructure Repairs	165	92	165	92	73				73
	Brixham Harbour - Water Meters	110	72	110	72	38				38
PB	CCTV equipment	521	518	295	292	3				3
	Clennon Valley Sport Improvements	70	32	0	0	0	38			38
	Flood Alleviation - Cockington	328	82	135	39	96	150			246
	Flood Alleviation - Monksbridge	412	51	30	2	28	333			361
	Hollicombe Cliffs Rock Armour	1,351	1,351	0	0	0				0
	Paignton Coastal Defence Scheme	3,142	69	75	69	6	280	1,485	1,302	3,073
PB	Paignton Harbour Light Redevelopment	800	714	722	636	86				86
	Princess Gardens Fountain	186	186	4	4	0				0

CAPITAL PLAN - OUTTURN 2019/20 - EXPENDITURE

Appendix 1

						Revised 4-year Plan				
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		£'000	£'000	£'000	£'000		£'000	£'000	£'000	£'000
PB	= Approved Prudential Borrowing schemes									
	Princess Pier - Structural repair (with Env Agency)	1,665	846	109	40	69	750			819
PB	Public Toilets Modernisation Programme	1,779	1,050	621	492	129	600			729
PB	RICC Improvements (re Parkwood)	2,699	31	0	31	(31)	2,699			2,668
	Torbay Community Partnership	50	40	0	20	(20)	30			10
	Torbay Leisure Centre (Parkwood Loan)						300			300
	Torre Abbey Renovation - Phase 2	5,000	5,000	8	8	0				0
	Torre Valley North Enhancements	40	36	0	(4)	4	0			4
	Torquay Harbour - South Pier Pontoon Runner Guides	40	35	40	35	5				5
	Torquay Harbour - Town Dock Pontoons Replacement	287	287	0	11					0
		23,125	14,682	4,088	3,494	612	5,430	1,485	1,302	8,829
Protecting and supporting vulnerable adults										
	Adult Social Care			500	259	241	0			241
PB	Crossways, Paignton - Regen and Extra Care Hsg	22,359	13		13	(13)	13,637	8,722		22,346
	Extra Care Housing	2,250	1,315	98	13	85	850			935
	Disabled Facilities Grants			851	922	(71)	1,391			1,320
		24,609	1,328	1,449	1,207	242	15,878	8,722	0	24,842
Corporate Support										
PB	Corporate IT Developments	1,801	1,715	500	1,056	(556)	642			86
	IT Equipment - TOR2	150	22	100	22	78	50			128
PB	Council Fleet Vehicles	4,771	2,973	2,824	2,640	184	1,614			1,798
PB	Essential Capital repair works	871	49	0	(11)	11	811			822
	Enhancement of Development sites	310	110	203	3	200				200
	Flexible Use of Capital Receipts (NB. Not Capital expenditure)	714	714	57	57	0				0
	Office Rationalisation Project - Electric House refurbishment	590	590	120	10					0
	General Capital Contingency	718	0	0	0	0	718			718
		9,925	6,173	3,804	3,777	(83)	3,835	0	0	3,752
Investment Fund										
PB	Investment Fund	300,200	231,431	80,293	76,524	3,769	0	65,000		68,769
		300,200	231,431	80,293	76,524	3,769	0	65,000	0	68,769
Regeneration Projects										
PB	Regeneration Programme (inc Econ Gwth Fd)	112,500		0	0	0	0	62,500	50,000	112,500
PB	Regeneration Programme-Retail Opportunity	16,700	15,941	16,700	15,941	759				759
PB	Regeneration Programme-Harbour View Hotel Developmt	11,316	1,002	1,600	691	909	9,405			10,314
PB	Old Toll House (Econ Growth Fund)	1,200	74	100	74	(2)	1,100			1,098
		141,716	17,017	18,400	16,706	1,666	10,505	62,500	50,000	124,671
Affordable Housing										
	Affordable Housing	1,164	1	0	0	0	1,163			1,163
PB	Housing Rental Company - Loan	25,000		0	0	0	25,000			25,000
	Housing Rental Company - Aff Hsg Developments	100	11	100	11	89				89
		26,264	12	100	11	89	26,163	0	0	26,252
TOTALS			340,257	124,834	114,777	10,024	81,429	138,819	51,302	281,574
CAPITAL PLAN - OUTTURN 2019/20 - FUNDING										

CAPITAL PLAN - OUTTURN 2019/20 - EXPENDITURE

Appendix 1

		Revised 4-year Plan							
	Latest Est Scheme Cost	Expend in Prev Years (active schemes only)	Total 2019/20 Revised	Outturn 2019/20	Slippage to c/f to 20/21	2020/21	2021/22	2022/23	Total for Plan Period
PB	= Approved Prudential Borrowing schemes	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000
	Unsupported Borrowing		105,775	98,943	6,072	64,126	128,011	50,000	248,209
	Grants		14,449	11,715	2,735	12,231	6,291	1,302	22,559
	Contributions		1,913	1,382	679	726	95		1,500
	Revenue		440	355	86	43			129
	Reserves		1,472	1,292	51	1,844			1,895
	Capital Receipts		785	1,090	401	2,459	4,422		7,282
	Total		124,834	114,777	10,024	81,429	138,819	51,302	281,574

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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