

Town Hall, Castle Circus, Torquay, Devon TQ1 3DR Main Switchboard (01803) 201201 Fax (01803) 207006 DX 59006

# FORWARD PLAN

**Complied on behalf of the Mayor of Torbay** 

## Forward Plan Published on 7 November 2012

For information relating to the Forward Plan or to request a copy in another format or language please contact: Teresa Buckley (01803) 207013

Email: teresa.buckley@torbay.gov.uk

#### **Torbay Council**

#### Forward Plan of Key Decisions

#### **Explanatory Note**

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

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

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

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

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

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

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

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

Gordon Oliver Mayor of Torbay

#### Definitions of "significant"

#### Expenditure and savings

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

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

#### Effect of communities

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

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

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

### **Our Pledges**

Working for a healthy, prosperous and happy Bay

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



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#### Acquisition of Torbay and Southern Devon Health and Care Trust (formally Torbay Care Trust) by an NHS Foundation Trust and the commissioning contract for Adult Social Care

Torbay Council to date has successfully provided for adult social care through an integrated model of health and social care which has had national acclaim. As part of the ongoing reforms of the NHS the former care trust are now in a position to be 'acquired' by another NHS Foundation Trust through a technical acquisition process. Council are asked to consider if they wish to continue to commission adult care through a new Foundation Trust in order to continue to provide a joined up system of health and social care for local communities in the Bay.

Wards affected:	All Wards
Consultees:	Mayor and Councillor working group, NHS commissioners, Care Commissioning Group and Scrutiny members
Means of Consultation:	Circulation of papers, presentations.
Documents to be considered:	There are currently no documents published. All documents will normally be published at least five clear working days before the meeting. Where documents are not available five clear working days before the meeting, the documents will be published at the same time as they are made available to the decision maker.
Responsible Executive Lead and Officer:	Executive Lead for Adult Social Care and Older People (Councillor Christine Scouler) Chief Operating Officer/Director of Adult Social Services – Caroline Taylor
Corporate Priority:	Protecting vulnerable children and adults; Value for money
Key Opportunities:	Commissioning Adult Social care through a new NHS Foundation Trust provider will provide further opportunities to build on integrated social and health care and provide opportunities for further innovation for the benefit of local communities against the background of constraints in public sector budgets-this may provide prospects for services to be delivered differently and within our future resource plans.
Key Risks:	The risk is that any NHS Foundation Trust 'bidder' may not be able to meet council requirements for service delivery/future budget constraints and alternative provision may need to be made.
Type of Decision:	Key Decision Council

Decision Maker:	Council
Intended Decision Date:	On or after 6 Feb 2013
If you want to make representations contact:	Caroline Taylor, telephone (01803) 207701, email caroline.taylor@torbay.gov.uk, address Torbay Council, Town Hall, Castle Circus, Torquay, TQ1 3DR

#### Adult Social Care - Fees for Care in The Bay 2012/13 and 2014/15

The provision of residential care in care homes for local people is a key aspect of the provision of adult services as commissioned as part of a range of services through the Torbay, Southern Devon Health Care Trust (formally care trust). The fees for residential care have been subject to ongoing local dialogue with care home representatives and this decision would agree the fee based on evidence of the cost of care up to 2015 in order to give care homes the ability to plan and sustain a quality local market of provision. The decision will also guide our approach to future calculation of the costs of care in consultation with care home providers.

Wards affected:	All Wards
Consultees:	Torbay Care Quality Forum, all care homes in the bay, NHS providers and commissioners.
Means of Consultation:	Circulation of papers, presentations, series of meeting, direct communication with all care homes in the bay by letter.
Documents to be considered:	There are currently no documents published. All documents will normally be published at least five clear working days before the meeting. Where documents are not available five clear working days before the meeting, the documents will be published at the same time as they are made available to the decision maker.
Responsible Executive Lead and Officer:	Executive Lead for Adult Social Care and Older People (Councillor Christine Scouler) Executive Lead for Finance and Audit (Councillor Alan Tyerman) Chief Operating Officer/Director Adult Social Services - Caroline Taylor
Corporate Priority:	Protecting vulnerable children and adults; Value for money
Key Opportunities:	To provide a sustainable and quality offer of provision for residential care in the bay, allowing care homes to plan and respond to changing needs and expectations with more people supported at home for longer.
Key Risks:	The risk of ongoing challenge to fees and the disruption of the market which is a key part of the provision of social care.
Type of Decision:	Key Decision Council
Decision Maker:	Council
Intended Decision Date:	On or after 6 Dec 2012

If you want to make representations contact:
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#### Adult Social Care - Local Account

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

Wards affected:	All Wards
Consultees:	Overview and Scrutiny, Clinical Commissioning Group and key groups.
Means of Consultation:	Meetings, circulation of papers etc.
Documents to be considered:	There are currently no documents published. All documents will normally be published at least five clear working days before the meeting. Where documents are not available five clear working days before the meeting, the documents will be published at the same time as they are made available to the decision maker.
Responsible Executive Lead and Officer:	Executive Lead for Adult Social Care and Older People (Councillor Christine Scouler) Chief Operating Officer/Director of Adult Social Services - Caroline Taylor
Corporate Priority:	Protecting vulnerable children and adults; Value for money
Key Opportunities:	It outlines specific outcomes in relation to a key area of spend and allows members to determine future policy priorities. It is in line with new requirements of central government.
Key Risks:	Torbay Council would not be in line with national requirements and that potential policy changes would not have sufficient transparency and debate.
Type of Decision:	Key Decisions Council
Decision Maker:	Council
Intended Decision Date:	On or after 6 Dec 2012
If you want to make representations contact:	Caroline Taylor, telephone (01803) 2071169, email caroline.taylor@torbay.gov.uk, address Torbay Council, Town Hall, Castle Circus, Torquay, TQ1 3DR

#### Allocations Policy and Local Tenancy Strategy

The Localism Act 2011 and the statutory guidance on allocation of accommodation issued on 26th June 2012 requires a review of our existing allocations policy be undertaken and the publication of a Local Tenancy Strategy (which is a new requirement). The aim is to ensure we locally shape our approach to allocations, manage waiting lists and make use of tenancies.

Wards affected:	All Wards
Consultees:	Executive Lead Member and other members Senior Leadership Team and stakeholder partners and Housing Providers.
Means of Consultation:	Meetings, circulation of papers etc.
Documents to be considered:	There are currently no documents published. All documents will normally be published at least five clear working days before the meeting. Where documents are not available five clear working days before the meeting, the documents will be published at the same time as they are made available to the decision maker.
Responsible Executive Lead and Officer:	Deputy Mayor Executive Lead for Strategic Planning, Housing and Energy (Councillor David Thomas) Director of Place and Resources – Charles Uzzell Director of Children's Services – Richard Williams
Corporate Priority:	Boosting local employment; Protecting vulnerable children and adults; Sympathetic regeneration; Value for money
Key Opportunities:	The approach will meet housing need and demand locally. Contribute to the wider community objectives, such as health, education, employment and enterprise. Reflect social, economic and household requirements which may arise out of the welfare reform.
Key Risks:	Limited availability of appropriate accommodation will still lead to waiting times for suitable housing, and it's important not to raise expectations that are unrealistic.
Type of Decision:	Policy Framework Plan Council
Decision Maker:	Council
Intended Decision Date:	On or after 6 Dec 2012

If you want to make representations contact:	Julie Sharland, telephone (01803) 208065, email Julie.sharland@torbay.gov.uk, address Torbay Council, Town Hall, Castle Circus, Torquay, TQ1 3DR
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#### Brixham to Torquay Ferry Service – Award of contract

A report requesting delegation by the Mayor to the Director of Place and Resources in consultation with the Executive Head of Finance and Executive Lead for Safer Communities and Transport of the decision to award the Ferry Service contract to the winning tender. There will be no discretion to choose between bids as the evaluation of the tenders will have been undertaken in accordance with a strict scoring system. The winning tender will be that evaluated as the most economically advantageous.

Wards affected:	All Wards
Consultees:	Further consultation is ongoing with Harbour Liaison Groups and the Transport Working Party as well as monthly meetings with the Executive Lead for Safer Communities and Transport.
Means of Consultation:	Extensive consultation has been undertaken. The ferry service was part of the Local Transport Plan 3 (adopted in March 2011) which is a joint plan with Devon County Council. This was subject to statutory public consultation. In addition consultation has been undertaken with Members, the Harbour Committee, Transport Working Party, Harbour Liaison Groups, the Sea Horse Trust, and Sea Torbay.
Documents to be considered:	There are currently no documents published. All documents will normally be published at least five clear working days before the meeting. Where documents are not available five clear working days before the meeting, the documents will be published at the same time as they are made available to the decision maker.
Responsible Executive Lead and Officer:	Executive Lead for Safer Communities and Transport (Councillor Robert Excell) Director of Place and Resources – Charles Uzzell Executive Head of Spatial Planning - Les Crump
Corporate Priority:	All Corporate Priorities
Key Opportunities:	It will enable to the Council to enter into the contract as soon as possible following the evaluation of the tenders.
Key Risks:	A delay in the decision to award the contract could compromise the Service and impact significantly on its commencement date.
Type of Decision:	Key Decisions Mayor
Decision Maker:	Mayor

Intended Decision Date:	On or after 6 Dec 2012
If you want to make representations contact:	Sally Farley, telephone (01803) 207745, email sally.farley@torbay.gov.uk, address Torbay Council, Town Hall, Castle Circus, Torquay, TQ1 3DR

#### Capital Investment Plan Budget 2013/14 to 2016/17

To approve the Capital Plan Budget for 2013/2014 to 2016/2017.

All Wards
Overview and Scrutiny Board
Traditionally the Mayor would request the Overview and Scrutiny Board to consider options for new capital investment and potential additions to the Capital Plan, in the light of projected resources, in January 2013. However, Council approved a four year allocation in February 2012, therefore there is no need to approve a new Capital Investment Plan for 2013/14. The Overview and Scrutiny Board and Council will continue to receive quarterly update reports which will include any new funding announcements or new capital pressures.
There are currently no documents published. All documents will normally be published at least five clear working days before the meeting. Where documents are not available five clear working days before the meeting, the documents will be published at the same time as they are made available to the decision maker.
Executive Lead for Finance and Audit (Councillor Alan Tyerman) Chief Operating Officer/Director of Adult Social Services – Caroline Taylor Executive Head of Finance - Paul Looby
All Corporate Priorities
To review the use of capital resources for investment in line with the Council's identified priorities, as set out in the Corporate Plan and Community Plan.
The main risks associated with reviewing the Capital Plan Budget are the robustness of estimates of likely resources, realistic assumptions of costs and therefore the effect on service provision of not undertaking certain high priority projects.
Budget Decision Council
Council
On or after 13 Feb 2013

•	Martin Phillips, telephone (01803) 207285, fax (01803) 207492, email martin.phillips@torbay.gov.uk, address Torbay Coupcil, Town Hall, Castle Circus, Torquay, TO1 4 IP
	Council, Town Hall, Castle Circus, Torquay, TQ1 4JP.

#### Community Sport and Recreation in Brixham and Churston

To consider alternative options for meeting the communities need for sporting and recreation facilities in the Churston and Brixham area.

Wards affected:	Berry Head with Furzeham; Churston with Galmpton; St Marys with Summercombe
Consultees:	Local Community Partnerships Sports Clubs Ward Councillors The Neighbourhood Forum
Means of Consultation:	The issue has been discussed at the Churston & Galmpton with Broadsands Community Partnership. The Brixham and Churston Neighbourhood Forum. Brixham Town Council and it will be the Subject of further community consultation. Meeting with all sports clubs effected have or will be held and the Torbay Sports Council will be consulted. The Torbay Coat and Countryside Trust have been consulted.
Documents to be considered:	There are currently no documents published. All documents will normally be published at least five clear working days before the meeting. Where documents are not available five clear working days before the meeting, the documents will be published at the same time as they are made available to the decision maker.
Responsible Executive Lead and Officer:	Executive Lead for Safer Communities and Transport (Councillor Robert Excell) Director of Place and Resources - Charles Uzzell Executive Head of Residents and Visitor Services - Sue Cheriton
Corporate Priority:	A cleaner, greener, healthier Bay; Value for money
Key Opportunities:	To consider two alternative options that both aim to provide additional sporting and recreation facilities to meet the needs of the local community. The alternative option that members are asked to consider involves selling a minor part of land previously allocated for sport use at Brokenbury for housing so as to fund the delivery of an environmental and farm shop scheme on the remaining land at Brokenbury and better overall environmental, tourism and sporting facility outcomes elsewhere.

Key Risks:	There is a risk that if the alternative land that is to be acquired for the delivery of the proposed sports pitches cannot be used for that purpose that there may be a loss of provision for sports facilities in the community.
Type of Decision:	Key Decisions Mayor
Decision Maker:	Mayor Council
Intended Decision Date:	On or after 15 May 2013 On or after 15 May 2013
If you want to make representations contact:	For property and project issues contact lain Masters, telephone (01803) 208975, email iain.masters@torbay.gov.uk, address Torbay Council, Town Hall, Castle Circus, Torquay, TQ1 3DR. For sports policy and recreation policy issues contact lan Williams, telephone (01803) 208974, email ian.williams@torbay.gov.uk, address Torbay Council, Town Hall, Castle Circus, Torquay, TQ1 3DR. For planning policy issues contact Pat Steward, telephone (01803) 208811, email pat.steward@torbay.gov.uk, address Torbay Council, Town Hall, Castle Circus, Torquay, TQ1 3DR.

#### Corporate Plan 2012 - 2015

The Corporate Plan articulates at a strategic level the key priorities and actions the Council will undertake in the short to medium-term, including those activities that deliver its responsibilities within the current Community Plan.

Wards affected:	All Wards
Consultees:	Overview and Scrutiny Board
Means of Consultation:	Meetings and circulation of papers.
Documents to be considered:	There are currently no documents published. All documents will normally be published at least five clear working days before the meeting. Where documents are not available five clear working days before the meeting, the documents will be published at the same time as they are made available to the decision maker.
Responsible Executive Lead and Officer:	Executive Lead for Business Planning and Governance (Councillor Ken Pritchard) Director of Adult Services and Resources - Caroline Taylor Executive Head of Business Services - Mark Bennett
Corporate Priority:	All Corporate Priorities
Key Opportunities:	The Plan will clearly identify the priorities the Council intends to deliver during the lifetime of the document. Torbay's community will be able to see how successful the Council has been as well as the further challenges that remain in delivering its priorities.
Key Risks:	A key risk is that the Corporate Plan for 2012 - 2015 will not meet the priorities of residents. To overcome this risk consultation results will be used to help inform the development of the Council priorities. A further risk is that, once the Corporate Plan is agreed, the Council does not deliver against the priorities that have been identified. To mitigate against this, monitoring arrangements will be put in place to ensure that the plan is delivered. This will include using the Balanced Scorecard approach to monitor against key projects and performance indicators.
Type of Decision:	Policy Framework Plan Council
Decision Maker:	Council
Intended Decision Date:	On or after 6 Dec 2012

representations contact:	Claire Barrow, telephone (01803) 208832, email claire.barrow@torbay.gov.uk or Mark Bennett, telephone (01803) 207360, email mark.bennett@torbay.gov.uk, address Tarbay Council Town Hall Coatle Circus Targuay TO1 2DB
	Torbay Council, Town Hall, Castle Circus, Torquay, TQ1 3DR

#### Council Tax for 2013/2014

To approve the Council Tax for 2013/2014

Wards affected:	All Wards
Consultees:	Overview an Scrutiny Board, Council and key stakeholders.
Means of Consultation:	The Overview and Scrutiny Board will consider the Mayor's proposals in relation to the Revenue Budget. The Board's views will be reported to the Mayor to enable him to recommend an appropriate level of Council Tax.
Documents to be considered:	There are currently no documents published. All documents will normally be published at least five clear working days before the meeting. Where documents are not available five clear working days before the meeting, the documents will be published at the same time as they are made available to the decision maker.
Responsible Executive Lead and Officer:	Executive Lead for Finance and Audit (Councillor Alan Tyerman) Chief Operating Officer/Director of Adult Social Services – Caroline Taylor Executive Head of Finance - Paul Looby
Corporate Priority:	All Corporate Priorities
Key Opportunities:	This is a statutory requirement.
Key Risks:	If the level of Council Tax is not set, the Council wil be unable to collect income and therefore will not be able to provide services.
Type of Decision:	Budget Decision Council
Decision Maker:	Council
Intended Decision Date:	On or after 28 Feb 2013
If you want to make representations contact:	Paul Looby, telephone (01803) 207283, fax (01803) 207319, email paul.looby@torbay.gov.uk, address Torbay Council, Town Hall, Castle Circus, Torquay, TQ1 3DR

#### Disposal of Town Hall Car Park for Redevelopment

To provide a recommendation for the Council to enter into an agreement for lease and lease to allow the development of the Town Hall Car Park.

Wards affected:	Tormohun
Consultees:	Councillors and the Regeneration and Town Centre Steering Group.
Means of Consultation:	Circulation of papers, presentations and meetings.
Documents to be considered:	There are currently no documents published. All documents will normally be published at least five clear working days before the meeting. Where documents are not available five clear working days before the meeting, the documents will be published at the same time as they are made available to the decision maker.
Responsible Executive Lead and Officer:	Deputy Mayor Executive Lead for Strategic Planning, Housing and Energy (Councillor David Thomas) Director of Place and Resources – Charles Uzzell Chief Executive of Economic Development Company - Steve Parrock
Corporate Priority:	All Corporate Priorities
Key Opportunities:	To support and enhance the Town Centre and enable improvements to the local economy.
Key Risks:	Failure to deliver a project to support Torquay's Town Centre could further the decline of the economy in Torbay.
Type of Decision:	Key Decisions Mayor
Decision Maker:	Mayor
Intended Decision Date:	On or after 6 Dec 2012
If you want to make representations contact:	Steve Parrock, telephone (01803) 208970, email steve.parrock@tedcltd.com, address, Torbay Council, Town Hall, Castle Circus, Torquay, TQ1 3DR

#### Future of Chestnut Children's Centre Nursery

The demand for placements from the number of families has declined following the closure of Chestnut Primary School. As a result the Local Authority are consulting on the future of the nursery to inform the decision regarding its viability.

Wards affected:	St Marys with Summercombe
Consultees:	Full consultation will be undertaken with parents, staff, unions, Brixham Town Council and local early years and childcare providers.
Means of Consultation:	Public and staff consultation exercise including, letters and meetings and opportunities to make individual representations.
Documents to be considered:	There are currently no documents published. All documents will normally be published at least five clear working days before the meeting. Where documents are not available five clear working days before the meeting, the documents will be published at the same time as they are made available to the decision maker.
Responsible Executive Lead and Officer:	Executive Lead for Children, Schools and Families (Councillor Chris Lewis) Director of Children's Services – Richard Williams Head of Schools - Suzie Franklin
Corporate Priority:	All Corporate Priorities
Key Opportunities:	The childcare market in Brixham becomes sustainable with a reduced financial subsidy being provided by the Local Authority.
Key Risks:	Local Authority provision deemed not sustainable resulting in increased cost and continued budget pressures.
Type of Decision:	Key Decisions Mayor
Decision Maker:	Mayor
Intended Decision Date:	On or after 6 Dec 2012
If you want to make representations contact:	Early Years and Childcare Advisory Service on (01803) 208328, email earlyyears@torbay.gov.uk, postal address Early Years and Childcare Advisory Service, Tor Hill House 2nd Floor North, c/o Town Hall, Castle Circus, Torquay, TQ1 3DR

#### **Gambling Statement of Principles 2013**

The Gambling Statement of Principles is written as a requirement of the Gambling Act 2005. It lays down how Torbay Council will address the issues that are raised through the Gambling Act, most notably the principles that will apply during the licensing of gambling premises. It will also advise on the procedures and criteria to be applied to the Small Casino bidding process.

Wards affected:	All Wards
Consultees:	Licensing Committee, residents of Torbay, representatives of businesses, faith groups, addiction services, Police, Torbay and Southern Devon Health and Care NHS Trust, Gambling Industry.
Means of Consultation:	Through the press, website, individual contact with organisations and businesses, and circulation of papers.
Documents to be considered:	There are currently no documents published. All documents will normally be published at least five clear working days before the meeting. Where documents are not available five clear working days before the meeting, the documents will be published at the same time as they are made available to the decision maker.
Responsible Executive Lead and Officer:	Executive Lead for Safer Communities and Transport (Councillor Robert Excell) Director of Public Health – Debbie Stark Executive Head of Community Safety - Fran Hughes
Corporate Priority:	A safer Bay; Protecting vulnerable children and adults
Key Opportunities:	To review the policy to bring the policy up to date for 2013.
Key Risks:	The key risk is the need for the policy to be printed and published by early 2013 as this is a statutory requirement.
Type of Decision:	Policy Framework Plan Council
Decision Maker:	Council
Intended Decision Date:	On or after 6 Dec 2012
If you want to make representations contact:	Mandy Guy, telephone (01803) 208124, email mandy.guy@torbay.gov.uk, address Torbay Council, Town Hall, Castle Circus, Torquay, TQ1 3DR

# Great Parks, Paignton - Planning Brief 'A Guide to the Development of a Sustainable Community at Great Parks'

#### 'A guide to the development of a sustainable community at Great Parks'

The Great Parks, Paignton: Planning Brief SPD is one of a series of Local Development Documents that forms part of the emerging Torbay Local Development Framework (LDF). The LDF will eventually replace the Adopted Torbay Local Plan 1995 – 2011 and will form the basis for decisions on spatial planning and land use within Torbay up to 2026.

Great Parks is a residential area to the west of Paignton allocated for further development in the Adopted Torbay Local Plan (Policies H1.11, H1.12 and H1.13 apply). The proposed Planning Brief provides guidance on the way in which the remaining phases of the current housing development should be implemented. It puts forward proposals to secure a sustainable residential development that is accessible, served by an appropriate level of community facilities, built to a high standard of urban design and energy efficient. It also sets out guidance on the way in which affordable housing is to be provided on this site. This SPD is subject to a Sustainability Appraisal.

Wards affected:	Blatchcombe
Consultees:	Ward Councillors, the Local Development Framework Working Party, Torbay Strategic Partnership, Community Partnerships, Torbay Care Trust, Place Policy Development Group and local pharmacists.
Means of Consultation:	Informal four week and formal six week consultation and public participation periods in accordance with Development Plan Regulations, using press, Connections, Libraries and specific Council offices. Variety of means of consultation used including leaflets, consultation forms (paper copy and online) – further details set out in the SPD.
Documents to be considered:	There are currently no documents published. All documents will normally be published at least five clear working days before the meeting. Where documents are not available five clear working days before the meeting, the documents will be published at the same time as they are made available to the decision maker.
Responsible Executive Lead and Officer:	Deputy Mayor Executive Lead for Strategic Planning, Housing and Energy (Councillor David Thomas), Mayor and Executive Lead for Employment and Regeneration (Mayor Gordon Oliver) Director of Place and Resources - Charles Uzzell Executive Head of Spatial Planning - Les Crump

Corporate Priority:	All Corporate Priorities
Key Risks:	Failure to prepare the SPD would result in non-compliance with the statutory obligations set out in The Town and Country Planning (Local Development) (England) Regulations 2004 and be in conflict with the adopted Torbay Local Development Scheme (LDS). There would be a risk to the ability of the Council to secure a development of an acceptable standard and to deliver appropriate levels of affordable housing in the absence of clear and detailed planning guidance for developers and decision makers.
Type of Decision:	Policy Framework Plan Council
Decision Maker:	Council
Intended Decision Date:	On or after 6 Feb 2013
If you want to make representations contact:	Steve Turner, telephone (01803) 208812, fax (01803) 20882, email steve.turner@torbay.gov.uk, address Torbay Council, Town Hall, Castle Circus, Torquay, TQ1 3DR

#### Joint Health and Wellbeing Strategy

The Council and the South Devon and Torbay Clinical Commissioning Group must, through the Health and Wellbeing Board, agree a Joint Health and Wellbeing Strategy.

The Joint Health and Wellbeing Strategy sets out how organisations in Torbay will work together to meet the needs identified in the Joint Strategic Needs Assessment. It explains what the health and wellbeing priorities are in Torbay and how joint action will be taken to make a real impact on people's lives.

Once agreed, the Strategy will be used to inform the commissioning plans of the Council, the Clinical Commissioning Group and the NHS Commissioning Board.

Wards affected:	All Wards
Consultees:	Stakeholder organisations General public
Means of Consultation:	Since the establishment of the Shadow Health and Wellbeing Board, a number of discussions have taken place to discuss the possible outcomes and priorities which should be included in the Strategy.
	A wider consultation has been launched with all stakeholder organisations in Torbay. An online survey is available to the whole community at www.torbay.gov.uk/consultation.
Documents to be considered:	There are currently no documents published. All documents will normally be published at least five clear working days before the meeting. Where documents are not available five clear working days before the meeting, the documents will be published at the same time as they are made available to the decision maker.
Responsible Executive Lead and Officer:	Executive Lead for Children, Schools and Families - Councillor Chris Lewis Director of Public Health (Debbie Stark) Overview and Scrutiny Manager - Kate Spencer
Corporate Priority:	A cleaner, greener, healthier Bay; Protecting vulnerable children and adults
Key Opportunities:	To ensure that all partner organisations work effectively together.
Key Risks:	That partner organisations are not committed to the outcomes and priorities in the Joint Health and Wellbeing Strategy.

Type of Decision:	Policy Framework Plan Council
Decision Maker:	Council
Intended Decision Date:	On or after 28 Feb 2013
If you want to make representations contact:	Kate Spencer, telephone (01803) 207014, email kate.spencer@torbay.gov.uk or consultation@torbay.gov.uk, address Torbay Council, Town Hall, Torquay, TQ1 3DR

#### Localised Council Tax Support Scheme

At the Spending Review 2010 the government announced that it would localise support for council tax benefit from 2013/14 reducing expenditure by 10% and saving the government £500m a year. On 17 February 2011 the government published the Welfare Reform Bill, containing provisions for the abolition of council tax benefit from April 2013 and paving the way for new localised schemes. Since February 2012 Torbay has worked as part of a Devon wide group to develop schemes on a cost neutral basis, reflecting each Local Authorities demographic community.

Wards affected:	All Wards
Consultees:	Tax payers - Not in receipt of Council Tax Support Pensioners on Council Tax Support Working age on Council Tax Support Other interested parties e.g. Landlords and third parties such as CAB, Devon Wide Compact and Community voluntary Sector and Brixham Town Council
Means of Consultation:	Meetings, questionnaires etc.
Documents to be considered:	There are currently no documents published. All documents will normally be published at least five clear working days before the meeting. Where documents are not available five clear working days before the meeting, the documents will be published at the same time as they are made available to the decision maker.
Responsible Executive Lead and Officer:	Executive Lead for Finance and Audit (Councillor Alan Tyerman) Director of Place and Resources - Charles Uzzell Executive Head of Finance - Paul Looby
Corporate Priority:	Boosting local employment; Protecting vulnerable children and adults
Key Opportunities:	The government's localisation of support for council tax is taking place within a wider programme of Welfare Reform. The intention of the changes being to help move people back into work as well as making significant savings on the welfare reform bill.

Key Risks:	A localised council tax support scheme needs to be in place by the 31 January 2013. Failure to do so will result in an automatic default scheme becoming Torbay Council's Support scheme from April 2013, less 10% funding reduction of approximately £1.6 million that the Council would need to meet from its own resources. Working Age Customers claiming local council tax support from April 2013 may have difficulties meeting their new or additional council tax liabilities. The increase in financial burden places additional pressures on the Corporate Debt Recovery department. Cumulative effects of the wider welfare reforms could see increases in child poverty, anti social behaviour and homelessness as people face reductions in their overall incomes and increases in household costs/ reductions in benefit and support entitlements. Rising case load would increase Corporate financial pressures
Type of Decision:	Key Decision Council
Decision Maker:	Council
Intended Decision Date:	On or after 6 Dec 2012
If you want to make representations contact:	Linda Owen, telephone: (01803) 207572, email: linda.owen@torbay.gov.uk, address Torbay Council, Town Hall, Castle Circus, Torquay, TQ1 3DR

# Neighbourhood Planning in Torbay: Applications for Neighbourhood Forums and Plan Areas

Torbay is promoting coverage of the entire local authority area with neighbourhood plan areas, with a Neighbourhood Plan and related Forum for each of the three towns. The Council has liaised with the Forums over a period of many months to pave the way for this work.

Neighbourhood Plans are regulated by the Localism Act 2011. They have to go through several prescribed stages, including consultation, independent examination and local referendum. Under the related Neighbourhood Planning (General) Regulations 2012), organisations are required at the outset to submit their proposals for preparation of neighbourhood plans to the local authority, setting out details of plan areas and forums to co-ordinate this work.

Torbay Council has now received applications for neighbourhood planning areas, together with details of forums and constitutions for each of its three towns. The Council is required to consider these applications, to advertise them, to address the representations received and to agree a way forward.

When adopted, neighbourhood plans will be part of the statutory development plan, along with the new Torbay Local Plan 'A Landscape for Success', and will have formal weight in determining planning applications.

Wards affected:	All Wards
Consultees:	Ward Councillors, Neighbourhood Forums, Community Partnerships
Means of Consultation:	Consultation requirements for preparation of neighbourhood plans are set out in the Localism Act and Neighbourhood Planning (General) Regulations 2012. A variety of methods are used according to the stage reached in Plan preparation, including press and local media, websites, community liaison, email and paper correspondence, plus use of Council Offices, Libraries and Connections Offices for reference documents. The current stage (publication of receipt of applications for preparation of Neighbourhood Plans) involved placing a formal Notice in the Herald Express, dedicated space on the Council's website and a press release.

Documents to be considered:	There are currently no documents published. All documents will normally be published at least five clear working days before the meeting. Where documents are not available five clear working days before the meeting, the documents will be published at the same time as they are made available to the decision maker.
Responsible Executive Lead and Officer:	Deputy Mayor and Executive Lead for Strategic Planning, Housing and Energy (Councillor David Thomas) Director of Place and Resources – Charles Uzzell Executive Head of Spatial Planning - Les Crump
Corporate Priority:	A cleaner, greener, healthier Bay; A safer Bay; Boosting local employment; Corporate support; Expansion of our tourism and heritage offer; Protecting vulnerable children and adults; Sympathetic regeneration; Value for money
Key Opportunities:	Neighbourhood plans are an important part of the Government's programme of localism. They provide a unique opportunity for Torbay's communities to help shape the development and growth of local areas, in the context of emerging Local Plan. Their preparation in parallel with the new Local Plan will enable both types of Plan to be the mutually compatible, empowering communities to influence decisions at a local level, for example through the identification in Neighbourhood Plans of sites for development.
	Torbay Council was successful in an initial bid (2011) to take part in the DCLG Neighbourhood Planning Front Runners Scheme, to secure funding from central government to help create a neighbourhood plan for Brixham. Subsequent bids for the Torquay and Paignton Neighbourhood Forums have also been successful with the fifth wave of frontrunners announced in March 2012. All Torbay Forums, in partnership with the Council, have been working with the Prince's Foundation.

Failure to continue to work with Neighbourhood Forums on preparation of Neighbourhood Plans would result in a lost opportunity to secure community benefits for local areas. This course of action would also remove the potential benefits to be derived from 'parallel tracking' with the new Torbay Local Plan.
However, the Government has been clear that localism should not be a vehicle for stopping development. A plan that does not meet objectively assessed needs is unlikely to be supported by an independent examination. Thus if any of the three Neighbourhood Plans fail to identify sufficient development sites, this could seriously undermine the new Local Plan.
If parts of a neighbourhood area were to withdraw from its respective Forum, this would undermine the validity of a Neighbourhood Plan and significantly reduce its chance of being successfully adopted.
The three Neighbourhood Plans, following independent examination, need to be agreed by referendum.
Key Decision Council
Council
On or after 6 Dec 2012
David Pickhaver - Telephone 01803 208814; email david.pickhaver@torbay.gov.uk, address - Spatial Planning, Roebuck House (Floor 2), Abbey Road, Torquay TQ2 5TF

#### Pay Policy and Annual Statement

The Localism Act requires local government to prepare an annual statement setting out policy for remuneration of Chief Officers and all staff for the subsequent financial year. The statement must be approved by Council for the financial year 2013/14. This policy is prepared in the context of outcomes from the Leading Through Austerity document.

Wards affected:	All Wards
Consultees:	Trade Unions, Senior Staff and Employment Committee.
Means of Consultation:	Through normal Trade Union process and meetings.
Documents to be considered:	There are currently no documents published. All documents will normally be published at least five clear working days before the meeting. Where documents are not available five clear working days before the meeting, the documents will be published at the same time as they are made available to the decision maker.
Responsible Executive Lead and Officer:	Executive Lead for Business Planning and Governance (Councillor Ken Pritchard) Chief Operating Officer/Director of Adult Social Services – Caroline Taylor Executive Head of Business Services - Mark Bennett
Corporate Priority:	Corporate support
Key Opportunities:	This is an opportunity to ensure a transparent process for agreeing Chief Executive and staff pay in line with the expectations of the Localism Act.
Key Risks:	The risk is that lack of agreement would make the authority not compliant with the expectations outlined in the Localism Act.
Type of Decision:	Key Decision Council
Decision Maker:	Council
Intended Decision Date:	On or after 6 Dec 2012
If you want to make representations contact:	Jo Sandbrook, telephone (01803) 207366, email jo.sandbrook@torbay.gov.uk, address Torbay Council, Town Hall, Castle Circus, Torquay, TQ1 3DR

#### Revenue Budget Proposal 2013/2014

To approve the Council's Revenue Budget for 2013/14 including the setting of fees and charges for Council services.

Wards affected:	All Wards
Consultees:	Overview and Scrutiny Board, Council and key stakeholders.
Means of Consultation:	Reports in relation to the budget proposals will be circulated to the Council's key stakeholders (in accordance with statute). The Mayor will set provisional spending targets. The Mayor will request Executive Leads and officers to prepare reports on the implications of the provisional spending targets for consideration by the Overview and Scrutiny Board in accordance with its published timetable. The Overview and Scrutiny Board will report back their comments and recommendations to the Mayor and Council in 2013 before the Mayor proposes a revenue budget to Council on 6 February 2012
Documents to be considered:	There are currently no documents published. All documents will normally be published at least five clear working days before the meeting. Where documents are not available five clear working days before the meeting, the documents will be published at the same time as they are made available to the decision maker.
Responsible Executive Lead and Officer:	Executive Lead for Finance and Audit (Councillor Alan Tyerman) Chief Operating Officer/Director of Adult Social Services – Caroline Taylor Executive Head of Finance - Paul Looby
Corporate Priority:	All Corporate Priorities
Key Opportunities:	This is a statutory requirement.
Key Risks:	If no budget is approved, the Council will not be able to allocate resources to individual services and therefore services would not be able to be delivered.
Type of Decision:	Budget Decision Council
Decision Maker:	Council

Intended Decision Date:	On or after 13 Feb 2013
If you want to make representations contact:	Paul Looby, telephone (01803) 207283, fax (01803) 207319, email paul.looby@torbay.gov, address Torbay Council, Town Hall, Castle Circus, Torquay, TQ1 3DR.

#### Third Party Planning Contributions towards the South Devon Link Road

The Council has a legal obligation to ensure that third party contributions are collected to help meet its funding commitments for the South Devon Link Road.

Post 2014 and adoption of the new Torbay Local Plan, Community Infrastructure Levy (CIL) will be used to pay for key infrastructure. Until this time, an interim arrangement is required to use S106 Planning Contributions to contribute towards the South Devon Link Road.

Where new strategic development impacts on, or contributes to the need for, the South Devon Link Road, a Section 106 Contribution would be sought towards funding it. In order to meet the Council's financial commitments, contributions to the South Devon Link Road will need to be given a high priority when negotiating Section 106 Contributions.

In the current economic climate, it is not realistic to increase the overall amount of contribution sought from development. Therefore seeking a contribution for the South Devon Link Road will reduce the priority given to other contributions such as affordable housing or sustainable development contributions.

Consequently there is a need to realign Section 106 Contributions to reflect current infrastructure spending priorities and the sum the Council has underwritten for the South Devon Link Road.

Wards affected:	All Wards
Consultees:	All Councillors and Planning Agents Group
Means of Consultation:	Circulation of papers and meetings.
Documents to be considered:	There are currently no documents published. All documents will normally be published at least five clear working days before the meeting. Where documents are not available five clear working days before the meeting, the documents will be published at the same time as they are made available to the decision maker.
Responsible Executive Lead and Officer:	Deputy Mayor and Executive Lead for Strategic Planning, Housing and Energy (Councillor David Thomas) Director of Place and Resources - Charles Uzzell Executive Head of Spatial Planning - Les Crump
Corporate Priority:	A cleaner, greener, healthier Bay; A safer Bay; Boosting local employment; Corporate support; Expansion of our tourism and heritage offer; Protecting vulnerable children and adults; Sympathetic regeneration; Value for money

Key Opportunities:	Agreement to an interim arrangement to use Section 106 Planning Contributions to contribute towards the South Devon Link Road will ensure that a mechanism is in place to enable the Council to contribute to its South Devon Link Road funding commitments. These arrangements will mean that it will be possible to seek contributions towards the South Devon Link Road from all key strategic developments with bay-wide significance that have an impact on the need for the new road. Such a mechanism would allow the implementation of key strategic Local Plan allocations to contribute to the delivery of a major element of essential infrastructure. Prioritisation of levels of contribution would be decided on a case by case basis having regard to the tests of lawfulness, viability and
	related corporate priorities. The South Devon Link Road is a clear commitment, and
	Torbay Council has underwritten third party contributions towards it. Not raising contributions from development will mean that a higher proportion is ultimately borne by Council Tax.
Key Risks:	Section 106 Agreements must not undermine development viability and require choices to be made about Section 106 priorities. Increasing the priority given to the South Devon Link Road is likely to reduce the level of contributions available for other important matters, especially sustainable transport and affordable housing. However, focusing on the South Devon Link Road should not be at the expense of other key infrastructure items.
	Section 106 Agreements must meet the tests of lawfulness and must therefore be sought on a case by case basis.
Type of Decision:	Key Decision Council
Decision Maker:	Council
Intended Decision Date:	On or after 6 Dec 2012
If you want to make representations contact:	David Pickhaver, telephone (01803) 208814; email david.pickhaver@torbay.gov.uk, postal address, Torbay Council, Spatial Planning, Roebuck House (Floor 2), Abbey Road, Torquay, TQ2 5TF

#### **Torquay Inner Harbour Pontoon Berthing Project**

The installation of piled pontoon moorings in Torquay Inner Harbour to replace the existing chain moorings. The project would make further improvements to harbour facilities and infrastructure.

Wards affected:	Ellacombe; Tormohun; Wellswood
Consultees:	Harbour Committee Torquay and Paignton Harbour Liaison Forum
Means of Consultation:	Correspondence and/or meetings with consultees. Meeting with harbour user representatives and circulation of papers.
Documents to be considered:	There are currently no documents published. All documents will normally be published at least five clear working days before the meeting. Where documents are not available five clear working days before the meeting, the documents will be published at the same time as they are made available to the decision maker.
Responsible Executive Lead and Officer:	Executive Lead for Tourism and Environment (Councillor Jeanette Richards) Director of Place and Resources - Charles Uzzell Executive Head of Tor Bay Harbour Authority - Kevin Mowat
Corporate Priority:	Value for money
Key Opportunities:	The project would make further improvements to harbour facilities and infrastructure. It should also increase the occupancy rate and improve access to boats which in turn allows for better maintenance and quality of craft using this part of the harbour.
Key Risks:	There is a risk that the harbour account may not be able to meet the cost of the prudential borrowing. However, a financial sensitivity analysis has been undertaken. There is a risk that the inner harbour half-tide cill could fail and boats moored on the new pontoons would subsequently sustain damage if the water level fell too low. To mitigate against this risk the inner harbour half-tide cill is the subject of a clear planned maintenance regime which includes regular underwater inspections. Furthermore, harbour staff are trained to operate emergency procedures, with an alternative power pack in the event of a power failure.
Type of Decision:	Key Decision Council

Decision Maker:	Council
Intended Decision Date:	On or after 6 Dec 2012
If you want to make representations contact:	Kevin Mowat, telephone (01803) 292429, fax. (01803) 299257, email: Kevin.Mowat@torbay.gov.uk, address, Torbay Council, Town Hall, Castle Circus, Torquay, TQ1 3DR