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# FORWARD PLAN

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

**Forward Plan Published on 16 April 2013**

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

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# Torbay Council

## Forward Plan of Key Decisions

### Explanatory Note

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

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

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

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

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

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

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

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

Gordon Oliver  
Mayor of Torbay

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

## Definitions of "significant"

### Expenditure and savings

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

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

### Effect of communities

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

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

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

## **Our Pledges**

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

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



## Forward Plan Contents:

<b>Matter for decision</b>	<b>Expected date of Decision</b>	<b>Decision Maker</b>	<b>Page</b>
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	18 Jul 2013	Council	1
Adult Social Care - Local Account and Annual Adult's Safeguarding Report	18 Jul 2013	Council	3
Brixham Town Centre Car Park Redevelopment	15 May 2013	Mayor	4
Clennon Valley Sports Facilities Procurement	15 May 2013	Council	5
Disposal of Council Assets	15 May 2013	Mayor	7
New approach to support the community and voluntary sector in Torbay	15 May 2013	Council	9
Proposed Submission (Publication) of Torbay Local Plan	15 May 2013	Council	11
Torbay Economic Strategy	15 May 2013	Council	14

## 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.

<b>Wards affected:</b>	All Wards
<b>Consultees:</b>	Mayor and Councillor working group, NHS commissioners, Care Commissioning Group and Scrutiny members
<b>Means of Consultation:</b>	Circulation of papers, presentations.
<b>Documents to be considered:</b>	There are currently no documents published. All documents will normally be published at least five clear working days before the meeting. Where documents are not available five clear working days before the meeting, the documents will be published at the same time as they are made available to the decision maker.
<b>Responsible Executive Lead and Officer:</b>	Executive Lead for Adult Social Care and Older People (Councillor Christine Scouler) Chief Operating Officer/Director of Adult Services - Caroline Taylor
<b>Corporate Priority:</b>	Protecting vulnerable children and adults; Value for money
<b>Key Opportunities:</b>	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.
<b>Key Risks:</b>	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.
<b>Type of Decision:</b>	Key Decision Council

<b>Decision Maker:</b>	Council
<b>Intended Decision Date:</b>	18 Jul 2013
<b>If you want to make representations contact:</b>	Caroline Taylor, telephone (01803) 207701, email caroline.taylor@torbay.gov.uk, address Torbay Council, Town Hall, Castle Circus, Torquay, TQ1 3DR

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

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

<b>Wards affected:</b>	All Wards
<b>Consultees:</b>	Members, local communities
<b>Means of Consultation:</b>	Meetings, circulation of papers etc.
<b>Documents to be considered:</b>	There are currently no documents published. All documents will normally be published at least five clear working days before the meeting. Where documents are not available five clear working days before the meeting, the documents will be published at the same time as they are made available to the decision maker.
<b>Responsible Executive Lead and Officer:</b>	Executive Lead for Adult Social Care and Older People (Councillor Christine Scouler) Director of Adult Social Care – Caroline Taylor
<b>Corporate Priority:</b>	Protecting vulnerable children and adults
<b>Key Opportunities:</b>	It outlines specific outcomes in relation to a key area of spend and allows members to determine future policy priorities. It is in line with requirements of central government.
<b>Key Risks:</b>	Torbay Council would not be in line with national requirements and that potential policy changes would not have sufficient transparency and debate.
<b>Type of Decision:</b>	Key
<b>Decision Maker:</b>	Council
<b>Intended Decision Date:</b>	18 Jul 2013
<b>If you want to make representations contact:</b>	Caroline Taylor, telephone (01803) 2071169, email caroline.taylor@torbay.gov.uk, address Torbay Council, Town Hall, Castle Circus, Torquay, TQ1 3DR



**Brixham Town Centre Car Park Redevelopment**

A decision from the Mayor is required to amend the contract in light of the decision by the Development Management Committee on 6 March 2013 and the planning obligations required as part of that decision. The amendment is to the purchase price payable by the developer pursuant to the contract to take into account the level of planning contribution payable.

<b>Wards affected:</b>	Berry Head with Furzeham; St Marys with Summercombe
<b>Consultees:</b>	None
<b>Means of Consultation:</b>	No consultation has been undertaken as the decision does not affect the principle of the lease being granted to the developer
<b>Documents to be considered:</b>	There are currently no documents published. All documents will normally be published at least five clear working days before the meeting. Where documents are not available five clear working days before the meeting, the documents will be published at the same time as they are made available to the decision maker.
<b>Responsible Executive Lead and Officer:</b>	Mayor (Mayor Gordon Oliver) Director of Place and Resources – Charles Uzzell
<b>Corporate Priority:</b>	Boosting local employment
<b>Key Opportunities:</b>	To allow the development to proceed whilst ensuring investment in Brixham Town Centre
<b>Key Risks:</b>	None
<b>Type of Decision:</b>	Key Decisions Mayor
<b>Decision Maker:</b>	Mayor
<b>Intended Decision Date:</b>	15 May 2013
<b>If you want to make representations contact:</b>	Kevin Atkinson, telephone 01803 208572, email kevin.atkinson@torbay.gov.uk, postal address Torbay Development Agency, 3rd Floor, Tor Hill House, Union Street, Torquay, TQ2 5QW

**Clennon Valley Sports Facilities Procurement**

To consider a report with recommendations on the Invitation To Participate in Dialogue (ITPD) submissions that were received from the shortlisted bidders.

<b>Wards affected:</b>	Goodrington with Roselands
<b>Consultees:</b>	Torbay residents, Community Partnerships, Land Owners, Ward Councillors, Sports Council, Neighbourhood Forum,
<b>Means of Consultation:</b>	On line and postal survey of residents, public meetings, face-to-face meetings with stakeholders.
<b>Documents to be considered:</b>	There are currently no documents published. All documents will normally be published at least five clear working days before the meeting. Where documents are not available five clear working days before the meeting, the documents will be published at the same time as they are made available to the decision maker.
<b>Responsible Executive Lead and Officer:</b>	Executive Lead for Safer Communities and Transport (Councillor Robert Excell) Executive Head of Residents and Visitor Services – Sue Cheriton Chief Executive of Economic Development Company - Steve Parrock
<b>Corporate Priority:</b>	A cleaner, greener, healthier Bay
<b>Key Opportunities:</b>	To improve the quality of sports facilities in Torbay thus improving health and sporting outcomes for residents and visitors. To deliver sporting outcomes without cost to Torbay Council. To improve Leisure and Tourism facilities. To promote economic development and employment opportunities.
<b>Key Risks:</b>	Long terms risks to the range and quality of sports facilities would arise from inaction or from the failure of the current tender process. Potential cost to Torbay Council from replacing or improving the facilities at a later date.
<b>Type of Decision:</b>	Key Decision Council
<b>Decision Maker:</b>	Council
<b>Intended Decision Date:</b>	15 May 2013

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

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

**Disposal of Council Assets**

Disposal of the following assets which are no longer required by the Council:

- (i) Approx 500 sq.m. of enclosed land adjoining 45 Stanley Gardens, Paignton.
- (ii) Approx 389 sq.m. of open land adjoining 4 Plym Close, Torquay.
- (iii) Approx 2733 sq.m. of partly open, partly enclosed land to the rear of 2 - 40 Parkfield Road, Torquay.
- (iv) Approx 948 sq.m. of enclosed 'brownfield' land adjoining 7 Rock Road, Torquay.
- (v) 2 derelict garages and adjoining land in front of 3 Rhodanthe Road, Paignton.
- (vi) 6 mostly unused garages and adjoining land off Alpine Road, Torquay.

<b>Wards affected:</b>	Clifton with Maidenway; Ellacombe; Preston; Shiphay with the Willows; Tormohun
<b>Consultees:</b>	Local ward members, local community and Torbay Local Access Forum.
<b>Means of Consultation:</b>	Circulation of explanatory letter and consultation with Local Ward Members, Local Community Partnerships and Torbay Local Access Forum.
<b>Documents to be considered:</b>	There are currently no documents published. All documents will normally be published at least five clear working days before the meeting. Where documents are not available five clear working days before the meeting, the documents will be published at the same time as they are made available to the decision maker.
<b>Responsible Executive Lead and Officer:</b>	Mayor and Executive Lead for Employment and Regeneration, Finance and Audit (Mayor Gordon Oliver) Director of Place and Resources - Charles Uzzell Chief Executive of Economic Development Company – Steve Parrock
<b>Corporate Priority:</b>	Corporate support
<b>Key Opportunities:</b>	Disposal of land to obtain a capital receipt and reduce expenditure on management and maintenance.
<b>Key Risks:</b>	Continued cost of maintenance and management and loss of capital receipt.

<b>Type of Decision:</b>	Key
<b>Decision Maker:</b>	Mayor and Executive Lead for Employment and Regeneration, Finance and Audit
<b>Intended Decision Date:</b>	15 May 2013
<b>If you want to make representations contact:</b>	Garth Millard telephone (01803) 207805, email garth.millard@tedcltd.com, address Torbay Development Agency, 3rd Floor Tor Hill House, Union Street, Torquay. TQ2 5QW.

**New approach to support the community and voluntary sector in Torbay**

Report outlining the Council's strategic approach to supporting the community and voluntary sector and in particular the Council's support to the creation of a Community Development Trust.

<b>Wards affected:</b>	All Wards
<b>Consultees:</b>	Community and voluntary sector, 'Force for Change' events and Communities Policy Development Group.
<b>Means of Consultation:</b>	The proposal is submitted jointly by the Council and representatives from the community and voluntary sector. Consultation has occurred through two "Force for Change" events organised by the sector, and has been debated at the Communities Policy Development Group (which includes community representatives).
<b>Documents to be considered:</b>	There are currently no documents published. All documents will normally be published at least five clear working days before the meeting. Where documents are not available five clear working days before the meeting, the documents will be published at the same time as they are made available to the decision maker.
<b>Responsible Executive Lead and Officer:</b>	Executive Lead for Safer Communities and Transport (Councillor Robert Excell) Director of Public Health – Debbie Stark Executive Head of Community Safety - Fran Hughes
<b>Corporate Priority:</b>	Value for money
<b>Key Opportunities:</b>	There will be opportunity to work with the community and voluntary sector in a different way, and support the sector as we collectively deal with the range of challenges presented by overall public sector reductions, welfare reform and the ongoing impacts of the recession.
<b>Key Risks:</b>	The proposal details the key opportunities from supporting this new partnership arrangement, and the proposal already has the broad support from the community and voluntary sector locally. If this opportunity is not supported, then we will not be able to sustainably provide support to the essential services provided in the community and voluntary sector.
<b>Type of Decision:</b>	Key Decision Council
<b>Decision Maker:</b>	Council

<b>Intended Decision Date:</b>	15 May 2013
<b>If you want to make representations contact:</b>	Frances Hughes telephone (01803) 208002, email frances.hughes@torbay.gov.uk, postal address Town Hall, Castle Circus, Torquay, TQ1 3DR

### **Proposed Submission (Publication) of Torbay Local Plan**

The new Torbay Local Plan ('A landscape for Success – The Plan for Torbay to 2032 and beyond') is the Council's key development plan document. It will eventually replace the 'Saved' Adopted Torbay Local Plan 1995 – 2011 and will form the basis for decisions on spatial planning matters within Torbay up until 2032 and beyond. The Plan sets out the preferred approach to change and growth in the Bay, through a Constrained Balanced Strategy, which will be delivered by meeting the Plan's key aspirations and related objectives.

The Plan sets out broad development provision and targets for development in Torbay, including housing and jobs, and identifies strategic site allocations and major growth areas. It has been informed by the community and in turn sets a planning policy framework for the three neighbourhood Plans being prepared for Torbay. The Plan therefore provides the basis for consideration of planning applications for the development, use and conservation of land in Torbay and includes a wide range of policies covering key spatial planning issues.

Following consultation on an earlier Draft Torbay Local Plan Consultation Draft in September 2012, the Council is now being asked to agree the final version of the Plan for formal Publication and Submission to the Planning Inspectorate for Independent Examination.

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



<p><b>Means of Consultation:</b></p>	<p>The preparation of local plans is a statutory process and consultation requirements are prescribed in 'The Town and Country Planning (Local Planning) (England) Regulations 2012', in the context of the Planning and Compulsory Purchase Act 2004 and the Localism Act 2011. A variety of methods of public participation and engagement are used, according to the stage reached in Plan preparation. A Consultation and Engagement Strategy is produced at each stage and is usually held over a period of six weeks. It involves widespread use of the press and other local media, websites, community liaison, posters, email and paper correspondence. Council Offices, Libraries and Connections Offices are used to display Local Plan reference documents.</p> <p>The impending stage [Proposed Submission (Publication) of Torbay Local Plan] is expected to be launched via a formal Public Notice in the local newspaper, dedicated space on the Council's website and a press release.</p>
<p><b>Documents to be considered:</b></p>	<p>There are currently no documents published. All documents will normally be published at least five clear working days before the meeting. Where documents are not available five clear working days before the meeting, the documents will be published at the same time as they are made available to the decision maker.</p>
<p><b>Responsible Executive Lead and Officer:</b></p>	<p>Deputy Mayor Executive Lead for Strategic Planning, Housing and Energy (Councillor David Thomas)  Director of Place and Resources - Charles Uzzell  Executive Head of Spatial Planning - Les Crump</p>
<p><b>Corporate Priority:</b></p>	<p>A cleaner, greener, healthier Bay; A safer Bay; Boosting local employment; Corporate support; Expansion of our tourism and heritage offer; Protecting vulnerable children and adults; Sympathetic regeneration; Value for money</p>

<p><b>Key Opportunities:</b></p>	<p>The timely approval of the proposed Submission Version will ensure that change and conservation of resources in Torbay takes place on a 'Plan-led' basis as soon as possible. The policies and proposals of the Plan have been the subject of extensive public consultation and engagement, which has provided the community with the opportunity to influence its outcome to the benefit of local neighbourhoods.</p> <p>This opportunity is heightened by the close link between the Local Plan and Torbay's three Neighbourhood Plans, which are required to be consistent with the Local Plan. Preparation of the Local Plan in parallel with Neighbourhood Plans will enable both types of Plan to be mutually compatible, empowering communities to influence decisions at a local level, for example through the identification of sites for development.</p>
<p><b>Key Risks:</b></p>	<p>Preparation of the emerging Torbay Local Plan is a corporate priority. The key aim of the Plan is to provide a clear direction for the way in which Torbay will grow in a sustainable way over the next twenty years or so. Failure to progress the preparation of the Local Plan to formal Adoption would result in a very high risk of ad hoc speculative development taking place in an uncoordinated way and in unsustainable locations. This is particularly relevant in the context of the National Planning Policy Framework (NPPF), which emphasises the need to produce up-to-date local plans and sets out the risks to local planning authorities that fail to pursue this approach.</p> <p>Failure to continue to support work on the Local Plan would also result in a lost opportunity to secure community gains for local areas, remove the potential benefits to be derived from 'parallel tracking' with the three Neighbourhood Plans, and lead in turn to a loss of confidence within the community.</p>
<p><b>Type of Decision:</b></p>	<p>Policy Framework Plan Council</p>
<p><b>Decision Maker:</b></p>	<p>Council</p>
<p><b>Intended Decision Date:</b></p>	<p>15 May 2013</p>
<p><b>If you want to make representations contact:</b></p>	<p>Steve Turner, telephone (01803) 208812, email <a href="mailto:steve.turner@torbay.gov.uk">steve.turner@torbay.gov.uk</a>, postal address Torbay Council, Electric House (2nd Floor), Castle Circus, Torquay TQ1 3DR</p>

**Torbay Economic Strategy**

Report summarising the updated Torbay Economic Strategy 2013-18 reflecting the need to prioritise job creation. The recommendation is that members approve the adoption of the strategy.

<b>Wards affected:</b>	All Wards
<b>Consultees:</b>	Businesses Overview and Scrutiny Councillors
<b>Means of Consultation:</b>	The business community have been consulted through the Business Barometer questionnaire and will be consulted again prior to the strategy going to Council. The strategy will be going to overview and scrutiny on 13th March.
<b>Documents to be considered:</b>	There are currently no documents published. All documents will normally be published at least five clear working days before the meeting. Where documents are not available five clear working days before the meeting, the documents will be published at the same time as they are made available to the decision maker.
<b>Responsible Executive Lead and Officer:</b>	Mayor and Executive Lead for Employment and Regeneration, Finance and Audit (Mayor Gordon Oliver) Director of Place and Resources, Chief Executive of Economic Development Company - Charles Uzzell, Steve Parrock
<b>Corporate Priority:</b>	Boosting local employment
<b>Key Opportunities:</b>	The strategy sets out the economic challenges faced by Torbay and how these can be addressed with an overarching aim of job creation. It suggests a comprehensive package of activity which if implemented will support the Torbay economy to grow.
<b>Key Risks:</b>	There have been significant changes since the last economic strategy was approved in 2010. Failure to address this could result in Torbay being less competitive in securing funding for projects which will create jobs.
<b>Type of Decision:</b>	Key Decision Council
<b>Decision Maker:</b>	Council
<b>Intended Decision Date:</b>	15 May 2013

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

Suzie Masterman, Postal address 3rd Floor Torhill House,  
Torquay, TQ2 5QW, Tel 01803 207922, email  
suzie.masterman@tedcltd.com