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# FORWARD PLAN

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

**PlanTitle**

**StartValidDate to EndValidDate**

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

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# Torbay Council

## Forward Plan of Key Decisions

### Explanatory Note

Torbay Council is required to publish a Forward Plan of all key decisions to be taken in the following four months. The first Plan became effective on 1 March 2002. It is updated monthly.

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

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

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

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

The Forward Plan consists of a brief description of the decisions that are to be made, consultation information, key risks and key opportunities.

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

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

Gordon Oliver  
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:

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### Formal Adoption of the Torbay Local Plan by Torbay Council

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

Consultation on a Draft of the Torbay Local Plan took place in September 2012. A Proposed Submission Plan was published for formal representations in February 2014. The Plan was submitted to the Secretary of State for Independent Examination in July 2014. Examination Hearing Sessions have taken place in November 2014. The appointed Inspector is likely to be sending the Council his Report on the soundness of the Plan in early 2015. On receipt of a positive Report, the Council will be able to finalise the new Local Plan.

The Council is now being asked to agree to the formal Adoption of the Torbay Local Plan on completion of this statutory process.

<b>Wards affected:</b>	All Wards
<b>Consultees:</b>	Plan preparation involves consultation and engagement with a large number and range of individuals and organisations, details of which are held in the Local Plan Consultee Database. This includes residents, Neighbourhood Forums and Community Partnerships, amenity organisations, statutory bodies, utilities, businesses, planning consultants and developers. All Ward Councillors are consultees and have been closely involved in the evolution of the Local Plan.
<b>Means of Consultation:</b>	The preparation of local plans is a statutory process and consultation requirements are prescribed in 'The Town and Country Planning (Local Planning) (England) Regulations 2012' [as Amended], in the context of supporting primary legislation. Further guidance is set out in the Council's Statement of Community Involvement (SCI). A variety of methods of public participation and engagement are used, according to the stage reached in Plan preparation. A Consultation and Engagement Strategy has been developed for each relevant Plan preparation stage. Following Adoption of the Local Plan by the Council, the relevant consultation bodies and other interested parties must be notified by the local planning authority.

<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>Executive Lead for Strategic Planning, Housing, Energy &amp; Environmental Policy (Councillor David Thomas)  Director of Place – Charles Uzzell  Service Manager Spatial Planning - Steve Turner</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>Following the close of the Examination towards the end of 2014, receipt of a Report from the Inspector confirming the soundness of the Local Plan will provide the Council with the opportunity to draw to a conclusion a lengthy and complex statutory Plan-making process. Thereafter, the timely Adoption of the Local Plan will ensure that change, growth and conservation of resources in Torbay continue to take place on a 'Plan-led' basis. The policies and proposals of the Plan have been the subject of extensive public consultation and engagement, which has provided the community with opportunities to influence outcomes to the benefit of local neighbourhoods.</p> <p>Preparation of the Local Plan in parallel with Neighbourhood Plans will enable both types of Plan to be compatible, empowering communities to influence decisions at a local level.</p>
<p><b>Key Risks:</b></p>	<p>Preparation of the Torbay Local Plan is a corporate priority. The key aim of the Plan is to provide a clear direction for sustainable growth in Torbay over the next twenty years or so. Failure to progress the Local Plan to Adoption by the Council following the close of the Independent Examination would result in a high risk of ad hoc speculative development taking place 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 support these concluding stages of work on the Local Plan would also result in a lost opportunity to secure community gains for local areas and lead in turn to a loss of confidence within the community.</p>

<b>Type of Decision:</b>	Policy Framework Plan Council
<b>Decision Maker:</b>	Council
<b>Intended Decision Date:</b>	Thursday, 5 Feb 2015
<b>If you want to make representations contact:</b>	Steve Turner, Service Manager Spatial Planning, Torbay Council, Electric House (2nd Floor), Castle Circus, Torquay TQ1 3DR, Telephone (01803) 208812, Email <a href="mailto:steve.turner@torbay.gov.uk">steve.turner@torbay.gov.uk</a>



