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FORWARD PLAN

Compiled on behalf of the Mayor of Torbay

Forward Plan May 2012

1 June 2012 to 30 September 2012

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) 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**



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Article 4 Direction restricting permitted development rights to change from Use Class C3 Dwelling to C4 Small Houses in Multiple Occupation (HMO)

It is proposed to prepare and serve an Article 4 Direction which will remove individual's rights to use permitted development to change dwellings to small houses in multiple occupation (Class C3 Dwellings to C4 Small Houses in Multiple Occupation) without the need for express planning permission. It is recommended that 12 months notice be given prior to the Article 4 Direction taking effect.

Wards affected:	All Wards
Consultees:	Residents of Torbay via Community Partnerships and relevant bodies e.g. Housing Associations and Shelter.
Means of Consultation:	A formal public consultation over a six week period.
Documents to be considered:	A report will be available five days before the meeting.
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:	(All Corporate Priorities)
Key Opportunities:	To enable the Council to require and then determine planning applications for change of use from C3 Dwellings to C4 Small HMO. Permission is currently not required as this is covered under permitted development. Removing permitted development through an Article 4 Direction will enable Council to determine planning applications for this change of use and their potential impact on the area.
Key Risks:	Failure to serve an Article 4 Direction in this matter will allow the uncontrolled change of use of C3 Dwelling Houses to C4 Small HMO, this could create areas with large concentrations of a particular housing type, creating unbalanced communities.
Type of Decision:	Key Decision Council
Decision Maker:	Council
Intended Decision Date:	15 May 2012
If you want to make representations contact:	Alistair Wagstaff, telephone (01803) 208848, email alistair.wagstaff@torbay.gov.uk

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 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 Coast and Countryside Trust have been consulted.
Documents to be considered:	A report will be available five days before the meeting.
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:	12 Jul 2012 12 Jul 2012
If you want to make representations contact:	Iain Masters, telephone (01803) 208975, email iain.masters@torbay.gov.uk for property and project issues. Ian Williams, telephone (01803) 208974, email ian.williams@torbay.gov.uk for sports policy and recreation policy issues. Pat Steward, telephone (01803) 208811, email pat.steward@torbay.gov.uk for planning policy issues.

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:	A report will be available five days before the meeting.
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:	12 Jul 2012
If you want to make 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

Covenant Protecting Paignton Green Against Development

It is proposed that the Council as the landowner of Paignton Green enter into a covenant for the benefit of the residents of all the Paignton wards that it will not permit any permanent structure on the land for the next 100 years without first obtaining the majority of votes in a referendum of the residents.

Wards affected:	Blatchcombe; Clifton with Maidenway; Goodrington with Roselands; Preston; Roundham with Hyde
Consultees:	Ward Councillors, Paignton Community Partnership.
Means of Consultation:	Community Partnership meetings and publication of report to Members.
Documents to be considered:	A report will be available five days before the meeting.
Responsible Executive Lead and Officer:	Deputy Mayor and Executive Lead for Strategic Planning, Housing and Energy (Councillor David Thomas) Director of Adult Services and Resources - Caroline Taylor Executive Head of Commercial Services – Anne-Marie Bond
Corporate Priority:	A cleaner, greener, healthier Bay
Key Opportunities:	The protection of Paignton Green subject to the residents of Paignton being able to allow future development. The ability to continue the present uses of the Green and erect temporary structures on the Green for up to 6 months in any 12 month period.
Key Risks:	No development will be able to take place on Paignton Green without the support of the majority of Paignton's residents.
Type of Decision:	Key Decisions Mayor
Decision Maker:	Mayor
Intended Decision Date:	27 Sep 2012
If you want to make representations contact:	Anthony Butler, telephone (01803) 207155, email anthony.butler@torbay.gov.uk

Food Safety Service Plan

The service plan is required by the Food Standards Agency under their Framework Agreement for food safety enforcement. It informs both residents and the business community alike of the arrangements Torbay Council has in place to regulate food safety.

Wards affected:	All Wards
Consultees:	Trade bodies, Overview and Scrutiny.
Means of Consultation:	Meetings ,circulation of papers and website.
Documents to be considered:	A report will be available five days before the meeting.
Responsible Executive Lead and Officer:	Executive Lead for Safer Communities and Transport (Councillor Robert Excell) Director of Adult Services and Resource – Caroline Taylor Executive Head of Community Safety – Fran Hughes
Corporate Priority:	A cleaner, greener, healthier Bay
Key Opportunities:	To ensure that effective food safety enforcement remains a priority in Torbay thereby helping to improve the health and wellbeing of both residents and visitors to Torbay alike.
Key Risks:	This forms the basis of protecting the public who use these food premises. It also forms part of the statutory requirement on Torbay Council to enforce food safety in the Bay and without it this may lead to government intervention.
Type of Decision:	Policy Framework Plan Council
Decision Maker:	Council
Intended Decision Date:	12 Jul 2012
If you want to make representations contact:	Helen Perkins, telephone (01803) 208009, email helen.perkins@torbay.gov.uk

Future Libraries Report - Regional Joint Working Programme for Cultural Services

The report will look at recommendations due to be published in February 2011 by the South West Local Authorities Cultural Forum on their Adapt to Survive efficiency and improvement programme. A number of areas were identified to explore options to provide a sub regional and/or regional working arrangements which would reduce cost and make the services run more efficiently. The programme is looking at options for cross border working for libraries, arts and museum curatorial support services, and locality frameworks within the Big Society programme model to support service areas across the South West region. This forms part of the Council's programme – 'People, Place, Partnership, Productivity' which will reshape the continuity and service provision over the next four years.

Wards affected:	All Wards
Consultees:	All Wards (once the report has been completed) and Place Policy Development Group
Means of Consultation:	Circulation of the final report with the recommendations from the South West Local Authorities Cultural Partnership
Documents to be considered:	A report will be available five days before the meeting.
Responsible Executive Lead and Officer:	Executive Lead for Tourism and Environment (Councillor Jeanette Richards) Director of Place and Resources - Charles Uzzell Executive Head of Residents and Visitor Services - Sue Cheriton
Corporate Priority:	Protecting vulnerable children and adults; Value for money
Key Opportunities:	The proposals will look at regional and sub regional structures to deliver services across local authority areas or in partnership arrangements with neighbouring authorities. This is expected to deliver improved and more efficient services within the cultural departments.
Key Risks:	With the different local authorities involved, there will be priorities, different structures, systems and delivery models. It is important to ensure all authorities are signed up to a contract arrangement so that long term delivery can be secured on the services that are proposed are shared across boundaries.
Type of Decision:	Key Decisions Mayor
Decision Maker:	Council

Intended Decision Date:	27 Sep 2012
If you want to make representations contact:	Sue Cheriton, telephone (01803) 207972, fax (01803) 207981, email sue.cheriton@torbay.gov.uk

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:	A report will be available five days before the meeting.
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:	27 Sep 2012
If you want to make representations contact:	Steve Turner, telephone (01803) 208812, fax (01803) 20882, email steve.turner@torbay.gov.uk

Health and Safety Service Plan

There is a requirement for a Statutory Service Plan under the Health and Safety at Work Act 1974, which covers the work to be undertaken in the coming year. This includes support for businesses, targeted interventions based on risk and intelligence.

Wards affected:	All Wards
Consultees:	Trade bodies, Overview and Scrutiny.
Means of Consultation:	Meetings, circulation of papers and website.
Documents to be considered:	A report will be available five days before the meeting.
Responsible Executive Lead and Officer:	Executive Lead for Safer Communities and Transport (Councillor Robert Excell) Director of Adult Services and Resource – Caroline Taylor Executive Head of Community Safety – Fran Hughes
Corporate Priority:	A cleaner, greener, healthier Bay
Key Opportunities:	To improve the health, safety and welfare of residents and visitors to Torbay.
Key Risks:	This helps and supports businesses protect both people at work and those members of the public who use those premises. It also forms an important part of the partnership working both with the Health and Safety Executive and other Local Authorities and without it may lead to Government intervention.
Type of Decision:	Policy Framework Plan Council
Decision Maker:	Council
Intended Decision Date:	12 Jul 2012
If you want to make representations contact:	Helen Perkins, telephone (01803) 208009, email helen.perkins@torbay.gov.uk.