



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

FORWARD PLAN

Compiled on behalf of the Mayor of Torbay

Forward Plan Published on 26 August 2015

1 September 2015 to 31 December 2015

**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.

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) 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 Director, 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 Assistant Director Corporate and Business Services 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 Director or Assistant Director, in consultation with the relevant Executive 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:

Matter for decision	Expected date of Decision	Decision Maker	Page
Consultation, Communication and Engagement Strategy	22 Oct 2015	Council	1
Corporate Plan 2015-19	24 Sep 2015	Council	3
Formal Adoption of the Torbay Local Plan by Torbay Council	10 Dec 2015	Council	4
Gambling Act Statement of Principles 2016	10 Dec 2015	Council	7
Joint Commissioning and Children's Services	24 Sep 2015	Council	8
Licensing Act Statement of Principles 2016	10 Dec 2015	Council	10
Masterplan Supplementary Planning Documents	1 Jun 2015	Council	11
	10 Dec 2015	Council	
Referendum on Future Forms of Governance	24 Sep 2015	Council	14
Transfer of PLUSS to a Community Interest Company	22 Oct 2015	Mayor	15

Consultation, Communication and Engagement Strategy

This strategy will set out the principles within which the Council will undertake consultation, communication and engagement activity.

Wards affected:	All Wards
Consultees:	Residents of Torbay, Community and Voluntary Groups, including the Community Development Trust, Partner Organisations and Elected Members.
Means of Consultation:	Online consultation on the draft strategy
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 Corporate Services (Councillor Andy Lang) - Assistant Director Corporate and Business Services - Jo Beer
Corporate Priority:	
Key Opportunities:	As the Council changes how it delivers its services in light of expected reductions in funding, the Council needs to ensure effective consultation and communication with the community and our partner organisations. This document will provide a clear framework for how the council will undertake consultation, communication engagement activity.
Key Risks:	Without a clear strategy for how we will consult and communicate with the community and our partners, there is the risk that there is not a consistent and cohesive approach.
Type of Decision:	Policy Framework Plan Council
Decision Maker:	Council
Intended Decision Date:	22 Oct 2015

If you want to make representations contact:

Joanne Beer, Policy, Performance and Review Manager,
Business Services, Town Hall, Castle Circus, Torquay, TQ1
3DR, telephone 01803 207227, email
consultation@torbay.gov.uk

Corporate Plan 2015-19

The Corporate Plan articulates at a strategic level the ambitions of the Council and the principles within which the Council will operate.

Wards affected:	All Wards
Consultees:	The community Partner organisations Overview and Scrutiny Board
Means of Consultation:	The draft Corporate Plan will be subject to consultation with the community and our partner organisations
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:	Mayor and Executive Lead for Finance and Regeneration (Mayor Gordon Oliver) - Executive Director of Operations and Finance - Jo Beer
Corporate Priority:	
Key Opportunities:	The Plan will clearly identify the ambitions the Council intends to deliver during the next four years. Torbay's community will be able to see how successful the Council has been in achieving the ambitions.
Key Risks:	Without a Corporate Plan it becomes difficult to set a coherent direction of travel for the Council over the next four years, especially given reducing resources.
Type of Decision:	Policy Framework Plan Council
Decision Maker:	Council
Intended Decision Date:	24 Sep 2015
If you want to make representations contact:	Jo Beer, Policy and Performance Review Manager, Torbay Council, Town Hall, Torquay, TQ1 3DR, telephone: (01803) 207894, email: consultation@torbay.gov.uk

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.

Wards affected:	All Wards
Consultees:	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.
Means of Consultation:	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.

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 Planning, Transport and Housing (Councillor Mark King) - Assistant Director Corporate and Business Services - Steve Turner
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:	<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>Key Risks:</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>
<p>Type of Decision:</p>	<p>Policy Framework Plan Council</p>
<p>Decision Maker:</p>	<p>Council</p>
<p>Intended Decision Date:</p>	<p>10 Dec 2015</p>
<p>If you want to make representations contact:</p>	<p>Steve Turner, Service Manager Spatial Planning, Torbay Council, Electric House (2nd Floor), Castle Circus, Torquay TQ1 3DR Telephone (01803) 208812, Email steve.turner@torbay.gov.uk</p>

Gambling Act Statement of Principles 2016

Gambling Statement of Principles (Policy) 2016 is how Torbay Council intends to apply the processes and procedures when exercising its functions under the Gambling Act 2005.

Wards affected:	All Wards
Consultees:	Businesses locally and nationally, Councillors, members of the public, partners.
Means of Consultation:	12 week 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 Community Services (Councillor Robert Excell) - Assistant Director Community and Customer Services - Steve Cox
Corporate Priority:	A safer Bay
Key Opportunities:	To set out the Council's position on what it will require and expect of applicants and licence/permit holders, within the boundaries of the statutory guidance, especially with regard to children and vulnerable adults.
Key Risks:	Statutory requirement for Statement of Principles to be agreed and published by 30 January 2016.
Type of Decision:	Key Decision Council
Decision Maker:	Council
Intended Decision Date:	10 Dec 2015
If you want to make representations contact:	Licensing and Public Protection Team, Community Safety, Torbay Council, Castle Circus, Torquay TQ1 3DR, email licensingconsultation@torbay.gov.uk

Joint Commissioning and Children's Services

The report will outline a new structure for the Joint Commissioning team alongside parallel developments in Children's Services.

Wards affected:	All Wards
Consultees:	staff and partners
Means of Consultation:	Formal consultation with staff will begin at the beginning of July.
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 Adults and Children (Councillor Julien Parrott) - Director of Children's Services -
Corporate Priority:	Protecting vulnerable children and adults
Key Opportunities:	The proposals will rationalise existing resources across Children's and Adult's Services with those in Public Health. It will illustrate how this can be achieved through developments in Children's Services. It will ensure the most effective use of diminishing resources to maximise impact and further partnership opportunities. The proposals will seek to achieve savings in phase one and will bring forward further proposals in phase 2 in the autumn.
Key Risks:	A balance will need to be found between the reduction of resources beyond that required to deliver an effective service and the necessary financial reductions required. This will best be achieved by where possible retaining experienced and qualified staff.
Type of Decision:	Key Decision Council
Decision Maker:	Council
Intended Decision Date:	24 Sep 2015

If you want to make representations contact:

Richard Williams, Director of Special Projects and Innovation, Torbay Council, Tor Hill House (South), Torquay, telephone (01803) 208401, email richard.williams@torbay.gov.uk

Licensing Act Statement of Principles 2016

Licensing Statement of Principles (policy) 2016 is how Torbay Council intends to apply the processes and procedures when exercising its functions under the Licensing Act 2003

Wards affected:	All Wards
Consultees:	Businesses locally and nationally, Councillors, Members of the Public, Partners
Means of Consultation:	12 weeks public 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 Community Services (Councillor Robert Excell) - Assistant Director Community and Customer Services - Steve Cox
Corporate Priority:	A safer Bay
Key Opportunities:	To set out the Council's position on what it will require and expect of applicants and licence holders, within the boundaries of statutory guidance, with regard to alcohol and entertainment licensing.
Key Risks:	Statutory requirement for Statement of Principles to be agreed and published by 7th January 2016.
Type of Decision:	Key Decision Council
Decision Maker:	Council
Intended Decision Date:	10 Dec 2015
If you want to make representations contact:	Licensing and Public Protection team, Community Safety, Torbay Council, Castle Circus, Torquay TQ1 3DR, email licensingconsultation@torbay.gov.uk

Masterplan Supplementary Planning Documents

Torbay Council has commissioned the preparation of four Masterplans to assist the delivery of key elements of both the existing Adopted Torbay Local Plan and the new emerging Local Plan for Torbay (A landscape for success). These Masterplans have now been completed and it is the intention that they should be brought into the planning system on a formal basis as Supplementary Planning Documents (SPDs).

The relevant documents are as follows:

1. Torquay Town Centre Masterplan SPD (approved on 1 June);
2. Paignton Town Centre Masterplan SPD (approved on 1 June);
3. Torquay Gateway Masterplan SPD (to be approved on 10 December); and
4. Collaton St.Mary (Paignton) Masterplan SPD (to be approved on 10 December).

Each document sets out detailed proposals for development in the context of broader strategic policies set out in the Adopted and emerging Local Plans. These SPDs will therefore provide detailed guidance for the delivery of proposals in the two Local Plans.

Wards affected:	All Wards
Consultees:	Ward Councillors; Neighbourhood Forums, Community Partnerships; residents, land owners, developers, businesses and other interested parties.
Means of Consultation:	<p>The four Masterplans have been prepared by the Council's appointed consultants, in liaison with the Council's officers and Members, local communities and the three Neighbourhood Forums.</p> <p>There has been a considerable amount of consultation and engagement from the early stages of Masterplan preparation through to the completion of final drafts. This has included a range of meetings, exhibitions, surveys and workshops.</p> <p>As part of the transition to Supplementary Planning Document (SPD) status, Masterplans have been published formally for consultation for four weeks during October and November 2014, together with their respective Statements of Consultation. These are available to download from the Council's bespoke Masterplan webpage and hard copies have been deposited at the Council's Libraries and Connections Offices for reference. All documents are available as free downloads or to purchase as hard copies. Representations are being invited in writing and by email. Comments will be analysed and taken into account before the SPDs are finally Adopted by Council in early 2015.</p>

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 Planning, Transport and Housing (Councillor Mark King) - Assistant Director Corporate and Business Services - Steve Turner
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:	The Masterplans provide a unique opportunity to promote the positive economic, social and environmental enhancement of four key areas of strategic significance to Torbay. These SPDs will facilitate the delivery of lasting economic, cultural and social change in the context of a clear vision and strategic objectives. Progression of the four Masterplan SPDs will provide the detail necessary to deliver the broader umbrella policies and proposals set out in the Local Plan, to ensure that these areas have sustainable futures. Adoption of the Masterplans as Supplementary Planning Documents will enable the achievement of these opportunities.
Key Risks:	A considerable amount of resources, creative energy and input from consultants, local communities and Councillors has gone into the preparation of each Masterplan. Failure to progress this work would result in a lost opportunity to help secure significant economic and community benefits for local areas. Failure to formalise this work in the form of SPDs would represent a lost opportunity to secure appropriate weight in policy terms for the implementation of the detailed guidance set out in each document. The absence of detailed guidance to supplement broader planning policies for these areas would place at risk the community's ability to help influence the evolution of change and shaping of place in these key locations.
Type of Decision:	Policy Framework Plan Council
Decision Maker:	Council Council

Intended Decision Date:	1 Jun 2015 10 Dec 2015
If you want to make representations contact:	Steve Turner, Service Manager, Spatial Planning, Strategic Planning Team, Electric House, Town Hall, Castle Circus, Torquay TQ1 3DR, telephone 01803 208812, email steve.turner@torbay.gov.uk

Referendum on Future Forms of Governance

The Council currently operates an Elected Mayor form of Governance. The Council resolved on 23 July 2015 to hold a referendum on the future form of governance and requested a consultation exercise to be undertaken on the different forms of governance. The Council will consider the outcome of the consultation exercise and determine the next steps to be taken and which form of governance will be included in the referendum.

Wards affected:	All Wards
Consultees:	Members of the public, councillors, Viewpoint Panel.
Means of Consultation:	Consultation events in Torquay, Paignton and Brixham. Questionnaires available in the four libraries in Torbay and three connections offices and on the Council's website.
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 Corporate Services (Councillor Andy Lang) - Assistant Director Corporate and Business Services -
Corporate Priority:	Corporate support
Key Opportunities:	To enable the public to have their say on how the Council is run (Elected Mayor/Leader and Cabinet or Committee system of governance).
Key Risks:	The referendum will cost approximately £80,000 and there is a risk that the referendum will result in a no change decision.
Type of Decision:	Key Decision Council
Decision Maker:	Council
Intended Decision Date:	24 Sep 2015
If you want to make representations contact:	June Gurry, Governance Support Manager, Torbay Council, Town Hall, Castle Circus, Torquay, TQ1 3DR, telephone (01803) 207537, email june.gurry@torbay.gov.uk

Transfer of PLUSS to a Community Interest Company

Currently PLUSS is a wholly owned company of Torbay, Devon, Plymouth and Somerset Councils. The proposal is to transfer ownership of PLUSS to a Community Interest Company (CIC) by April 2016.

Wards affected:	All Wards
Consultees:	Four local authorities who are presently the owners of PLUSS, board and staff of PLUSS.
Means of Consultation:	Pluss and Owner Board meetings and staff via trade union process.
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 Adults and Children (Councillor Julien Parrott) - Director of Adult Services - Lisa Finn
Corporate Priority:	Protecting vulnerable children and adults
Key Opportunities:	The Pluss Organisation Ltd offers employment, development and training opportunities for people in Devon who have disabilities. The organisation wishes to change its governance and form to become a Community Interest Company (CIC) from the current form - which is the ownership by four local authorities. The Pluss board believes this form offers more opportunity for the organisation to thrive and matches its business plan which is already delivering work outside of Devon. The council has the ability to reduce any future risk by no longer being an owner of the company. This does not prevent the council contracting with Pluss now, or in future, for the delivery of services, in the normal way.
Key Risks:	The four local authorities do not agree within an agreed timescale and the transaction does not go ahead and the benefits do not take place. There is a risk to Pluss regarding future success of its business plan, but that would not be a risk to the council if the decision for the organisation to become a CIC is transacted.

Type of Decision:	Key
Decision Maker:	Mayor
Intended Decision Date:	22 Oct 2015
If you want to make representations contact:	Caroline Taylor, Director of Adult Services, Telephone (01803) 208949, Email caroline.taylor@torbay.gov.uk .

