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FORWARD PLAN

Compiled on behalf of the Elected Mayor of Torbay

Forward Plan published on 3 April 2018

1 May 2018 to 31 August 2018

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 Elected 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
Elected 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.

Torbay Council's ambition is for Torbay to be prosperous and healthy. This will be achieved through the following targeted actions:

- Protecting all children and giving them the best start in life;
- Working towards a more prosperous Torbay;
- Promoting healthy lifestyles across Torbay;
- Ensuring Torbay remains an attractive and safe place to live and visit; and
- Protecting and supporting vulnerable adults.

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Adult Social Care - Local Account and Annual Adult 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.

Wards affected:	All Wards
Consultees:	Members and local communities.
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 Adults and Children (Councillor Julien Parrott) Director of Adult Services and Housing (Caroline Taylor)
Link to targeted actions:	Protecting and supporting vulnerable adults
Reason for inclusion in the Forward Plan:	High level of public interest
Decision Maker:	Council
Intended Decision Date:	19 Jul 2018
If you want to make representations contact:	Caroline Taylor Director of Adult Social Care, Torbay Council, Town Hall, Castle Circus, Torquay, TQ1 3DR, telephone (01803) 208949, email caroline.taylor@torbay.gov.uk

Brunel Academy Relocation Options Appraisal

In February 2015 the Council agreed that Brunel Academy (formerly known as Torbay School) needed to be relocated for the benefit of the school. As previously proposed sites have not been deliverable, Children Services are reviewing proposals for the future of the academy this includes further relocation options as well as the development of their existing site.

Wards affected:	All Wards
Consultees:	Staff, parents and governors of Brunel Academy
Means of Consultation:	Formal written consultation and partner 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 Adults and Children (Councillor Julien Parrott) Director of Children's Services (Andy Dempsey)
Link to targeted actions:	Protecting all children and giving them the best start in life
Reason for inclusion in the Forward Plan:	High level of public interest
Decision Maker:	Deputy Mayor Elected Mayor
Intended Decision Date:	14 Dec 2017 16 Apr 2018
If you want to make representations contact:	Samantha Poston, Schools Capital & Planning Officer - TDA, Tor Hill House, Torquay, telephone (01803) 208260, email samantha.poston@tedcltd.com / Rachael Williams, Head of Education, Learning and Skills, 1st Floor South, Tor Hill House, c/o Town Hall, Castle Circus, Torquay, TQ1 3DR, telephone (01803) 208743, email rachael.williams@torbay.gov.uk

Children and Young People's Plan

The Children and Young People's Plan will be fundamentally revised to acknowledge the changes in Children's Services following the last Ofsted inspection and the move towards new partnership arrangements. The Plan will also set out the Council's approach to its Corporate Parenting responsibilities. Further, recommendations will be made for corresponding amendments to other Policy Framework documents as appropriate.

Wards affected:	All Wards
Consultees:	Stakeholders and Overview and Scrutiny Board
Means of Consultation:	The draft Children and Young People's Plan will be available online for comment and will be considered by members of the Overview and Scrutiny Board.
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 (Andy Dempsey)
Link to targeted actions:	Protecting all children and giving them the best start in life
Reason for inclusion in the Forward Plan:	Policy Framework
Decision Maker:	Deputy Mayor Council
Intended Decision Date:	14 Dec 2017 19 Apr 2018
If you want to make representations contact:	Andy Dempsey, Director of Children's Services, Torbay Council, 1st Floor (South) Tor Hill House, c/o Town Hall, Torquay, TQ1 3DR, telephone (01803) 208401, email andy.dempsey@torbay.gov.uk

Future of Oldway Mansion, Paignton

To receive an update on the work of the Oldway Mansion and Estate Working Party, to review options for the Mansion and Estate and to agree a way forward.

Wards affected:	Preston
Consultees:	Oldway Mansion Working Party, Councillors, Community Partnership.
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:	Elected Mayor and Executive Lead for Assets, Finance, Governance and Corporate Services, Economic Regeneration and Transformation (The Elected Mayor, Gordon Oliver) Executive Head Assets and Business Services (Kevin Mowat)
Link to targeted actions:	Ensuring Torbay remains an attractive and safe place to live and visit
Reason for inclusion in the Forward Plan:	High level of public interest
Decision Maker:	Council
Intended Decision Date:	14 May 2018
If you want to make representations contact:	Kevin Mowat, Executive Head Assets and Business Services, telephone: (01803) 292429, email: kevin.mowat@torbay.gov.uk, Town Hall, Castle Circus, Torquay, TQ1 3DR

Joint Supplementary Planning Document (SPD) South Hams Special Area of Conservation (SAC)

To adopt a new joint 'Supplementary Planning Document (SPD) South Hams Special Area of Conservation (SAC)' as part of the Council's Policy Framework. The South Hams SAC is a European designation established under the Conservation of Habitats and Species Regulations 2010 (Habitats Regulation) and is unusual in that it is comprised of several separate but linked component Sites of Special Scientific Interest with significant Greater Horseshoe Bat maternity roost importance located over five local planning authority areas.

The joint SPD will apply to all five local planning authority areas which cover the South Hams SAC and the habitat surrounding it and is designed to assist people who are submitting and determining planning applications with the objective to facilitate the appropriate siting/planning/design of development so as to avoid/mitigate significant impact on the favourable conservation status of the SAC.

Wards affected:	All Wards
Consultees:	Statutory, non-statutory and planning database.
Means of Consultation:	Joint consultation led by Teignbridge Council minimum 6 weeks
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 Planning (Councillor Derek Mills) Executive Head Assets and Business Services (Kevin Mowat)
Link to targeted actions:	Ensuring Torbay remains an attractive and safe place to live and visit
Reason for inclusion in the Forward Plan:	Policy Framework
Decision Maker:	Elected Mayor Council

Intended Decision Date:	29 Mar 2018 21 Jun 2018
If you want to make representations contact:	Adam Luscombe, Senior Strategy and Project Delivery Officer, Torbay Council, Town Hall, Castle Circus, Torquay, TQ1 3DR, telephone (01803) 207693, email adam.luscombe@torbay.gov.uk

Land adjacent to 4 Berry Head Road (known as Jubilee Gardens)

At the Council meeting on 23 February 2017 the Assistant Director of Corporate and Business Services was requested to explore the potential of transferring the land adjacent to 4 Berry Head Road (known as Jubilee Gardens), either as a short or medium term leasehold to Brixham Town Council, on the basis that they will be responsible for maintenance and make recommendations to the Council accordingly. This report will set out the outcome of that work.

Wards affected:	Berry Head with Furzeham
Consultees:	Brixham Town Council Town Clerk and Councillors and Torbay Councillors
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:	Elected Mayor and Executive Lead for Assets, Finance, Governance and Corporate Services, Economic Regeneration and Transformation (The Elected Mayor, Gordon Oliver) Executive Head Assets and Business Services (Kevin Mowat)
Link to targeted actions:	Ensuring Torbay remains an attractive and safe place to live and visit
Reason for inclusion in the Forward Plan:	High level of public interest
Decision Maker:	Council
Intended Decision Date:	14 May 2018
If you want to make representations contact:	Kevin Mowat, Executive Head Assets and Business Services, telephone: (01803) 292429, email: kevin.mowat@torbay.gov.uk, Town Hall, Castle Circus, Torquay, TQ1 3DR

Licensing of Houses in Multiple Occupation (HMOs)

To consider a business case on selective and/or additional licensing of HMOs.

Wards affected:	All Wards
Consultees:	The Mayor and Councillors
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:	Deputy Mayor and Executive Lead for Planning (Councillor Derek Mills) Executive Head Assets and Business Services (Kevin Mowat)
Link to targeted actions:	Ensuring Torbay remains an attractive and safe place to live and visit
Reason for inclusion in the Forward Plan:	High level of public interest
Decision Maker:	Council
Intended Decision Date:	21 Jun 2018
If you want to make representations contact:	Kevin Mowat, Executive Head Assets and Business Services, telephone: (01803) 292429, email: kevin.mowat@torbay.gov.uk, Town Hall, Castle Circus, Torquay, TQ1 3DR

Neighbourhood Plans

Following the outcome of the Independent Examination of the Neighbourhood Plans for Brixham, Paignton and Torquay the Council is required to consider what action to take in response to the recommendations of the Examiner in respect of each of the Neighbourhood Plans.

Wards affected:	All Wards
Consultees:	Statutory consultees in respect of Neighbourhood Plans, members of the public and other interested parties.
Means of Consultation:	Meetings, circulation of consultation 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:	Deputy Mayor and Executive Lead for Planning (Councillor Derek Mills) Executive Head Assets and Business Services (Kevin Mowat)
Link to targeted actions:	Working towards a more prosperous Torbay
Reason for inclusion in the Forward Plan:	High level of public interest
Decision Maker:	Council
Intended Decision Date:	21 Jun 2018
If you want to make representations contact:	Kevin Mowat, Executive Head Assets and Business Services, telephone: (01803) 292429, email: kevin.mowat@torbay.gov.uk, Town Hall, Castle Circus, Torquay, TQ1 3DR

Review of Leases to Torbay Coast & Countryside Trust

Given the financial challenges that face the Torbay Coast & Countryside Trust, as well as the Council, it is appropriate for certain amendments to be agreed to the areas of land leased to the Trust, together with a renegotiation of the existing financial arrangements between both parties.

Wards affected:	All Wards
Consultees:	Torbay Coast & Countryside Trust, Mayor, Mayors Executive Group, Group Leaders, Overview & Scrutiny Board and Senior Leadership Team
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:	Elected Mayor and Executive Lead for Assets, Finance, Governance and Corporate Services, Economic Regeneration and Transformation (The Elected Mayor, Gordon Oliver) Director of Corporate Services and Operations (Anne-Marie Bond)
Link to targeted actions:	Working towards a more prosperous Torbay
Reason for inclusion in the Forward Plan:	Revenue Budget variation +£250,000
Decision Maker:	Council
Intended Decision Date:	14 May 2018
If you want to make representations contact:	Kevin Mowat, Executive Head Assets and Business Services, telephone: (01803) 292429, email: kevin.mowat@torbay.gov.uk, Town Hall, Castle Circus, Torquay, TQ1 3DR

Review of Parking Charges

To undertake a review of parking charges in Torbay to come into force from November 2018, including consideration of a year-round tariff system.

Wards affected:	All Wards
Consultees:	Local Chambers of Trade and Commerce, Overview and Scrutiny Board, Business Forum, Brixham Town Council and English Riviera Business Improvement District.
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 Community Services (Councillor Robert Excell) Executive Head Assets and Business Services (Kevin Mowat)
Link to targeted actions:	Corporate support
Reason for inclusion in the Forward Plan:	High level of public interest
Decision Maker:	Council
Intended Decision Date:	19 Jul 2018
If you want to make representations contact:	Kevin Mowat, Executive Head Assets and Business Services, telephone: (01803) 292429, email: kevin.mowat@torbay.gov.uk, Town Hall, Castle Circus, Torquay, TQ1 3DR

South Quay, Paignton Harbour

Leasehold disposal and delivery of a mixed use development at South Quay, Paignton Harbour.

This follows the Council's approval, in October 2017, to procure a development partner for the delivery of a mixed use redevelopment of South Quay, Paignton Harbour. The procurement process requires the Elected Mayor to make a decision about the nature of the disposal (i.e. long leasehold) to a development partner and the terms of a partnership arrangement between the Council and development partner.

Wards affected:	All Wards
Consultees:	Statutory consultees, Tenants, Local residents and businesses, Community Partnership and Neighbourhood Forum.
Means of Consultation:	<p>Consultation about the principle of redevelopment has already taken place via masterplanning, local plan and neighbourhood plan preparation.</p> <p>There has been ongoing engagement with existing tenants.</p> <p>There will be further consultation as part of the design and planning processes.</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:	<p>Elected Mayor and Executive Lead for Assets, Finance, Governance and Corporate Services, Economic Regeneration and Transformation (The Elected Mayor, Gordon Oliver)</p> <p>Executive Head Assets and Business Services (Kevin Mowat)</p>
Link to targeted actions:	Ensuring Torbay remains an attractive and safe place to live and visit
Reason for inclusion in the Forward Plan:	Disposal of capital asset valued in excess of £250,000
Decision Maker:	Council

Intended Decision Date:	14 May 2018
If you want to make representations contact:	Katharine West, Town Centre Regeneration Project Manager, Tor Hill House, Torquay, email katharine.west@tda.uk.net /Kevin Mowat, Executive Head Assets and Business Services, telephone: (01803) 292429, email: kevin.mowat@torbay.gov.uk , Town Hall, Castle Circus, Torquay, TQ1 3DR

Strategic Agreement between Torbay and South Devon NHS Foundation Trust and Torbay Council/South Devon and Torbay Clinical Commissioning Group

This is the Strategic Agreement with Torbay and South Devon NHS Foundation Trust which provides health and care on behalf of two commissioners - Torbay Council and South Devon and Torbay Clinical Commissioning Group. The Agreement outlines the outcomes which will be delivered within the financial envelope agreed and, specifically for the Council, gives transparency to the delivery of Adult Social Services on behalf of the Council.

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 Adults and Children (Councillor Julien Parrott) Director of Adult Services and Housing (Caroline Taylor)
Link to targeted actions:	Protecting and supporting vulnerable adults
Reason for inclusion in the Forward Plan:	Policy Framework
Decision Maker:	Council Council
Intended Decision Date:	22 Feb 2018 19 Jul 2018
If you want to make representations contact:	Caroline Taylor, Director of Adult Services, Torbay Council, 1st Floor South, Tor Hill House, c/o Town Hall, Torquay, TQ1 3DR, telephone (01803) 208949, email caroline.taylor@torbay.gov.uk

Torre Abbey Regeneration Phase 3 Heritage Lottery Fund (HLF) Bid

Having completed 2 phases of a 3 phase regeneration programme to transform the Abbey into a high quality heritage attraction. We now need to submit a 1st Stage Heritage Lottery Fund (HLF) Bid for the 3rd phase of this programme to carry out urgent repairs, improve commercialisation, and position the Abbey as a cultural hub along with improving access and visibility from the sea front.

Wards affected:	All Wards
Consultees:	Council, SLT, Ward Councillors, residents
Means of Consultation:	Press articles, meetings, 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:	Elected Mayor and Executive Lead for Assets, Finance, Governance and Corporate Services, Economic Regeneration and Transformation (The Elected Mayor, Gordon Oliver) Director of Corporate Services and Operations (Anne-Marie Bond)
Link to targeted actions:	Ensuring Torbay remains an attractive and safe place to live and visit
Reason for inclusion in the Forward Plan:	Revenue Budget variation +£250,000
Decision Maker:	Council
Intended Decision Date:	14 May 2018
If you want to make representations contact:	Norma Paynton, TDA Programme Manager, TDA, Tor Hill House, Torquay, TQ2 5QW, telephone (01803) 208697, email norma.paynton@tedcltd.com / Kevin Mowat, Executive Head Assets and Business Services, telephone: (01803) 292429, email: kevin.mowat@torbay.gov.uk, Town Hall, Castle Circus, Torquay, TQ1 3DR

Transformation Project - Torbay Youth Trust Business Plan Proposal

In light of the decision made at Council on 25 February 2016 regarding the relocation of Torbay School, a revised business plan for the Torbay Youth Trust will be presented to Council for approval.

Wards affected:	All Wards
Consultees:	Councillors, young people, staff, partners and Government.
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 Adults and Children (Councillor Julien Parrott) Director of Children's Services (Andy Dempsey)
Link to targeted actions:	Protecting all children and giving them the best start in life
Reason for inclusion in the Forward Plan:	Partnership involving transfer of Council services or element of risk transfer
Decision Maker:	Council
Intended Decision Date:	19 Apr 2018
If you want to make representations contact:	Andy Dempsey, Director of Children's Services, telephone: (01803) 208401, email: andy.dempsey@torbay.gov.uk, address Torbay Council, 1st Floor (South) Tor Hill House, c/o Town Hall, Torquay, TQ1 3DR