

# **FORWARD PLAN**

**Compiled on behalf of the Cabinet**

**Forward Plan to be published on 19 February 2021**

**1 March 2021 to 31 May 2021**

**For information relating to the Forward Plan or to request a copy in another format or language please contact:  
Governance Support (01803) 207087  
Email: [governance.support@torbay.gov.uk](mailto:governance.support@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.

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. It is also available on the Council's website (<http://www.torbay.gov.uk/forward-plan>).

The Leader of the Council and Cabinet

**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 Director of Corporate 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 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.

We want Torbay and its residents to thrive.

We want Torbay to be a place where we have turned the tide on poverty and tackled inequalities; where our children and older people will have high aspirations and where there are quality jobs, good pay and affordable housing for our residents.

We want Torbay to be the premier resort in the UK, with a vibrant arts and cultural offer for our residents and visitors to enjoy; where our built and natural environment is celebrated and where we play our part in addressing the climate change emergency.

The proposals in this Forward Plan help us to deliver this ambition by supporting the delivery of some or all of the following themes:

- thriving people;
- thriving economy;
- tackling climate change;
- Council fit for the future;
- the Council's responsibilities as corporate parents;
- tackling poverty, deprivation and vulnerability;
- people with learning disabilities.

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## Children and Young People's Plan

The Torbay Children and Young People's Plan sets out the priorities of the Council and Children's Services Strategic Partnership in delivering services to children, young people and their families. The existing Plan runs until 2023 and it is not expected to need major amendment, although it is likely that the associated action plan will be updated.

<b>Wards affected:</b>	All Wards
<b>Consultees:</b>	Children's Services Strategic Partnership, Health and Wellbeing Board, Torbay Safeguarding Executive Board, children and young people.
<b>Means of Consultation:</b>	Meetings and circulation of papers.
<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 Cabinet Member and Officer:</b>	Cabinet Member for Children's Services (Councillor Cordelia Law)  Director of Children's Services (Nancy Meehan)
<b>Link to targeted actions:</b>	Thriving economy; Thriving people
<b>Reason for inclusion in the Forward Plan:</b>	Policy Framework
<b>Decision Maker:</b>	Director of Children's Services
<b>Intended Decision Date:</b>	February 2021
<b>If you want to make representations contact:</b>	Nancy Meehan, Director of Children's Services, Torbay Council, Town Hall, Castle Circus, Torquay, TQ1 3DR, email <a href="mailto:alison.botham@torbay.gov.uk">alison.botham@torbay.gov.uk</a>

**Council Tax 2021/2022**

To approve the Council Tax for 2021/2022.

<b>Wards affected:</b>	All Wards
<b>Consultees:</b>	Overview and Scrutiny Board, Council and key stakeholders.
<b>Means of Consultation:</b>	The Overview and Scrutiny Board will consider the Cabinet's budget savings proposals which will form the basis of the Revenue Budget. The Board's final views will be reported to the Cabinet to enable them to recommend an appropriate level of Council Tax.
<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 Cabinet Member and Officer:</b>	Deputy Leader of the Council and Cabinet Member for Finance (Councillor Darren Cowell)  Head of Financial Services (Martin Phillips)
<b>Link to targeted actions:</b>	Council fit for the future
<b>Reason for inclusion in the Forward Plan:</b>	Revenue Budget variation +£250,000
<b>Decision Maker:</b>	Council
<b>Intended Decision Date:</b>	25 Feb 2021
<b>If you want to make representations contact:</b>	Martin Phillips, Head of Finance, Torbay Council, Town Hall, Castle Circus, Torquay, TQ1 3DR, telephone (01803) 207285, email martin.phillips@torbay.gov.uk

## Engagement and Empowerment Strategy

We are submitting this draft policy document for approval by the Cabinet to go out to the wider public and partners for consultation. The intention is for the final policy document to be brought back to full Council for approval once informed by the community consultation. It is currently intended that the consultation of this document will form a significant part of Communities Week (Community Conference).

<b>Wards affected:</b>	All Wards
<b>Consultees:</b>	Senior Leadership Team (SLT) and members of the public.
<b>Means of Consultation:</b>	<ul style="list-style-type: none"> <li>• Annual Community Conference - the format this year will be different this year due to Covid-19. In some ways this provides us with an opportunity to try a range of engagement approaches.</li> <li>• Sharing with networks of community groups and partnerships to invite their feedback and also to ask them to seek the feedback of their members and participants.</li> <li>• Use of our Web and Social Media channels to promote and invite feedback from both organisations and individuals in the Bay.</li> </ul>
<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 Cabinet Member and Officer:</b>	Cabinet Member for Corporate and Community Services (Councillor Christine Carter)  Interim Chief Executive of Torbay Council (Anne-Marie Bond)
<b>Link to targeted actions:</b>	Council fit for the future
<b>Reason for inclusion in the Forward Plan:</b>	Policy Framework



<b>Decision Maker:</b>	Cabinet Cabinet Council
<b>Intended Decision Date:</b>	22 Sep 2020 18 Feb 2021 25 Feb 2021
<b>If you want to make representations contact:</b>	Kate Spencer, Head of Policy, Performance and Community Engagement, Town Hall, Castle Circus, Torquay, TQ1 3DR, email <a href="mailto:kate.spencer@torbay.gov.uk">kate.spencer@torbay.gov.uk</a> or Jude Pinder, Strategic Commissioning Officer, Town Hall, Castle Circus, Torquay, TQ1 3DR, email <a href="mailto:jude.pinder@torbay.gov.uk">jude.pinder@torbay.gov.uk</a>

**Lease arrangements for the Medical Tuition Service & Burton Academy**

In 2018 the Council approved the relocation of MTS to MyPlace and later supported the extension of Burton Academy. As these proposals are now being implemented it is necessary to agree the terms of the lease arrangements for the use of the buildings and land.

<b>Wards affected:</b>	Preston; Shiphay
<b>Consultees:</b>	Consultation and advice from Council Officers including the Strategic Land Task Group, Key stakeholders including staff, the Academy Trust Catch 22 and pupils attending the provisions.
<b>Means of Consultation:</b>	Statutory consultation process for school organisational changes and as part of the planning process. Ongoing consultation and discussions with key stakeholders including staff and pupils attending the provisions.
<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 Cabinet Member and Officer:</b>	Cabinet Member for Children's Services (Councillor Cordelia Law) Assistant Director Education, Learning & Skills (Rachael Williams)
<b>Link to targeted actions:</b>	The Council's responsibilities as corporate parents
<b>Reason for inclusion in the Forward Plan:</b>	Disposal of capital asset valued in excess of £250,000
<b>Decision Maker:</b>	Cabinet Council
<b>Intended Decision Date:</b>	20 Apr 2021 13 May 2021

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

Samantha Poston, Schools Capital & Planning Officer, email: [samantha.poston@tda.uk.net](mailto:samantha.poston@tda.uk.net), address: TDA, 3rd Floor, Tor Hill House, Torquay.

**Lease arrangements for Burton Academy**

In 2018 the Council issued a remit to officers improve the learning environment at Burton Academy. Proposals to extend the accommodation were agreed on the understanding that the Council recompense lost outside play space by leasing an adjoining piece of Council land to the Academy. The building works are now complete and the lease for the Council land needs to be agreed.

<b>Wards affected:</b>	Shiphay
<b>Consultees:</b>	Consultation and advice from Council Officers in developing the proposal including the Strategic Land Task Group and Environmental Services The Academy Trust, staff and pupils.
<b>Means of Consultation:</b>	Ongoing consultation and discussions with key 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 Cabinet Member and Officer:</b>	Cabinet Member for Children's Services (Councillor Cordelia Law)  Assistant Director Education, Learning & Skills (Rachael Williams)
<b>Link to targeted actions:</b>	The Council's responsibilities as corporate parents
<b>Reason for inclusion in the Forward Plan:</b>	Capital expenditure +£250,000 and outside Capital Plan
<b>Decision Maker:</b>	Council
<b>Intended Decision Date:</b>	13 May 2021
<b>If you want to make representations contact:</b>	Samantha Poston Education Team TDA, Torhill House Torquay TQ2 5QW

**Lease arrangements for Medical Tuition Service (MTS)**

In 2018 the Council approved the relocation of MTS to MyPlace. As this proposal is now being implemented it is necessary to agree the terms and conditions of the lease

<b>Wards affected:</b>	Preston
<b>Consultees:</b>	Consultation and advice from Council Officers in developing the proposal including the Strategic Land Task Group. Key Stakeholders as above.
<b>Means of Consultation:</b>	Ongoing consultation and discussions with key stakeholders including the Parkfield User Group, staff and pupils attending the provision.
<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 Cabinet Member and Officer:</b>	Cabinet Member for Children's Services (Councillor Cordelia Law)  Assistant Director Education, Learning & Skills (Rachael Williams)
<b>Link to targeted actions:</b>	The Council's responsibilities as corporate parents
<b>Reason for inclusion in the Forward Plan:</b>	Disposal of capital asset valued in excess of £250,000
<b>Decision Maker:</b>	Council
<b>Intended Decision Date:</b>	13 May 2021
<b>If you want to make representations contact:</b>	Samantha Poston Schools Capital & Planning Officer TDA, 3rd Floor, Tor Hill House Torquay, TQ2 5QW

**Proposed 25 year Lease to Eat that Frog (ETF) of land at Parkfield**

ETF is commissioned by the Local Authority to deliver key support services to some of the most vulnerable young people in the bay. The services need a long term base from which to establish itself and operate.

In addition, providing ETF with a 25 year lease enables the service to access external grant funding. This additional funding will subsidise its limited income and enable the service to create new opportunities for local young people.

<b>Wards affected:</b>	Preston
<b>Consultees:</b>	Children Services as the commissioner Parkfield User Group including MTS Preston/Paignton Community Partnership Torbay Green Spaces ETF staff, young people and their families and other service users.
<b>Means of Consultation:</b>	The proposal has been raised and discussed at various local forums; and directly with interested parties and those affected by the proposal.
<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 Cabinet Member and Officer:</b>	Cabinet Member for Children's Services (Councillor Cordelia Law)  Assistant Director Education, Learning & Skills (Rachael Williams)
<b>Link to targeted actions:</b>	The Council's responsibilities as corporate parents
<b>Reason for inclusion in the Forward Plan:</b>	High level of public interest
<b>Decision Maker:</b>	Cabinet

<b>Intended Decision Date:</b>	18 Feb 2021
<b>If you want to make representations contact:</b>	Clare Talbot, Education Team Manager, TDA, 3rd Floor, Tor Hill House, Torquay. Email: <a href="mailto:clare.talbot@tda.uk.net">clare.talbot@tda.uk.net</a> .

**Resources and Waste Strategy**

The Resources and Waste Strategy will inform both members and residents of Torbay's direction of travel regarding recycling waste collection, residual waste collection, waste disposal, associated climate change issues and future possible alignment with neighbouring authorities.

<b>Wards affected:</b>	All Wards
<b>Consultees:</b>	All councillors and residents.
<b>Means of Consultation:</b>	Circulation of papers.
<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 Cabinet Member and Officer:</b>	Cabinet Member for Infrastructure, Environment and Culture (Councillor Mike Morey) Director of Place (Kevin Mowat)
<b>Link to targeted actions:</b>	Council fit for the future
<b>Reason for inclusion in the Forward Plan:</b>	Policy Framework
<b>Decision Maker:</b>	Cabinet Cabinet Council
<b>Intended Decision Date:</b>	22 Sep 2020 18 Feb 2021 25 Feb 2021
<b>If you want to make representations contact:</b>	Ian Hartley, Service manager Waste & Natural Environment, Torbay Council, Town Hall, Castle Circus, Torquay, TQ1 3DR, Telephone: 01803 208895, Email: ian.hartley@torbay.gov.uk



**Revenue and Capital Budget 2021/2022**

To approve the Council's Revenue Budget and Capital Plan Budget for 2021/2022 including the setting of fees and charges for Council services, the Council's Corporate Asset Management Strategy and Capital Strategy.

<b>Wards affected:</b>	All Wards
<b>Consultees:</b>	Overview and Scrutiny Board, Council and key stakeholders.
<b>Means of Consultation:</b>	<p>Reports in relation to the final Revenue Budget will be circulated to the Council's key stakeholders (in accordance with statute).</p> <p>The Cabinet will set out draft budget savings proposals for consultation.</p> <p>The Leader of the Council will request Cabinet Members and officers to outline the implications for the budget savings proposals. The Overview and Scrutiny Board and stakeholders will respond to these proposals. The Cabinet will consider these comments before proposing a final budget (including proposals for service change, income generation and efficiencies) which will form part of the Revenue Budget which will be presented to Council in February 20201.</p>
<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 Cabinet Member and Officer:</b>	<p>Deputy Leader of the Council and Cabinet Member for Finance (Councillor Darren Cowell)</p> <p>Head of Financial Services (Martin Phillips)</p>
<b>Link to targeted actions:</b>	Council fit for the future
<b>Reason for inclusion in the Forward Plan:</b>	Revenue Budget variation +£250,000

<b>Decision Maker:</b>	Cabinet Cabinet Council
<b>Intended Decision Date:</b>	20 Oct 2020 19 Jan 2021 11 Feb 2021
<b>If you want to make representations contact:</b>	Martin Phillips, Head of Finance, Torbay Council, Town Hall, Castle Circus, Torquay, TQ1 3DR, telephone (01803) 207285, email martin.phillips@torbay.gov.uk

**School Term Dates 2022-23 and 2023-24**

To consider approving the calendar for school terms and holidays for community and voluntary controlled schools for the 2022-2023 and 2023-2024.

<b>Wards affected:</b>	All Wards
<b>Consultees:</b>	Head teachers and chairs of governors of Torbay schools and academies, union reps, Members of the Children's Services Joint Consultative Committee, Devon County Council, Church of England Diocese and Roman Catholic Diocese.
<b>Means of Consultation:</b>	Letters emailed to consultees inviting feedback during a four week consultation.
<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 Cabinet Member and Officer:</b>	Cabinet Member for Children's Services (Councillor Cordelia Law)  Director of Children's Services (Nancy Meehan)
<b>Link to targeted actions:</b>	Council fit for the future; The Council's responsibilities as corporate parents; Thriving people
<b>Reason for inclusion in the Forward Plan:</b>	High level of public interest
<b>Decision Maker:</b>	Director of Children's Services
<b>Intended Decision Date:</b>	February 2021
<b>If you want to make representations contact:</b>	Paula Prince, Acting Senior Admissions Officer, c/o Town Hall, Castle Circus, Torquay, TQ1 3DR, telephone (01803) 208253, email paula.prince@torbay.gov.uk

## Torbay Council Annual Pay Policy Statement including Gender Pay

The publication of the Annual Salary Statement is a statutory requirement under Section 38 (1) of the Localism Act 2011. If Council does not approve the Salary Statement then the Council will be in breach of the legislation.

The Equality Act 2010 (Specific Duties and Public Authorities) Regulations 2017 requires local authorities and other public, private and voluntary sector organisations to publish their gender pay gap data. The Council must also publish a written statement on their public website and Government website using the gender pay gap reporting service.

Under the current Pensions Regulations, Torbay Council is able to exercise a range of discretions in regard to how the Local Government Pension Scheme (LGPS) is applied to its employees who are members of the Scheme. The Employers Pensions Discretions must be reviewed and approved by Council annually in line with Local Government Pension Scheme regulations.

At the Cabinet meeting on 18 February 2021, the Interim Chief Executive advised that the Annual Pay Policy Statement 2021-22 made reference to the Public Sector Exit Payment Regulations which came into force on 4 November 2020. Since the report was published, the Government's Treasury Department had issued a direction on 12 February 2021 to dis-apply, with immediate effect, Public Sector Exit Payment Regulations and it was noted the report to Council would be revised to reflect this.

<b>Wards affected:</b>	All Wards
<b>Consultees:</b>	Torbay Council employees and those within the Council's Maintained Schools, including all employees who are members of the Local Government Pension Scheme.
<b>Means of Consultation:</b>	Trade Unions representing staff within Torbay Council and its' Schools will be consulted at Joint Consultative meetings.
<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 Cabinet Member and Officer:</b>	Cabinet Member for Corporate and Community Services (Councillor Christine Carter)  Interim Chief Executive of Torbay Council (Anne-Marie Bond)
<b>Link to targeted actions:</b>	Council fit for the future

<b>Reason for inclusion in the Forward Plan:</b>	High level of public interest
<b>Decision Maker:</b>	Cabinet Council
<b>Intended Decision Date:</b>	18 Feb 2021 25 Feb 2021
<b>If you want to make representations contact:</b>	Anne-Marie Bond, Interim Chief Executive of Torbay Council, Town Hall, Castle Circus, Torquay, TQ1 3DR, email <a href="mailto:anne-marie.bond@torbay.gov.uk">anne-marie.bond@torbay.gov.uk</a> , telephone (01803) 207015

