

TORBAY COUNCIL

Report No: 10/2005

Title: Land Transfer to Torbay Coast and Countryside Trust - Ansteys Cove and Redgate Beach, Torquay

To: Executive on 22nd February 2005

1. Purpose

- 1.1 The purpose of this report is to advise Members of ongoing discussions with the Torbay Coast and Countryside Trust regarding the possible transfer by way of a long lease a further areas of land at Ansteys Cove, Redgate Beach and Ansteys Cove Car Park. It is intended that these further areas of land will to be managed by the Trust in conjunction with the established Phases 1, 2 and 3 transfers.

2. Relationship to Corporate Priorities

- 2.1 Torbay Coast and Countryside Trust currently manages some 1700 acres of Council owned land within the Borough and its operation therefore contributes significantly to the Civic Pride and Built and Natural Environment Theme. Its work also impacts on other areas of Council activity including, for example, educational activities that it undertakes in conjunction with school children.

3. Recommendation(s)

- 3.1 That the Director of Finance, in conjunction with the Director of Law and Support, be authorised to conclude negotiations with the Torbay Coast and Countryside Trust for the transfer, by way of a long lease, of the areas of land identified in Appendix 1 to this Report under the terms of the existing Management Agreement with effect from 1st April 2005.
- 3.2 That any necessary budgetary transactions take place to ensure that there is no adverse financial impact on the Council as a result of the transfer.

4. Reason for Recommendation(s)

- 4.1 To gain authority from the Executive for the proposed transfer to be approved and for the necessary negotiations to be finalised.

5. Key Risks associated with the Recommendation(s)

- 5.1 There are no adverse risks to the authority regarding the proposed transfer.

Likelihood	6	6	12	18	24
	5	5	10	15	20
	4	4	8	12	16
	3	3	6	9	12
	2	2	4	6	8
	1	x	2	3	4
		1	2	3	4
		Impact			

Low risk
 Intermediate risk
 High risk

The "x" in the above matrix denotes where the author has assessed the level of final risk to fall

6. Alternative Options (if any)

- 6.1 There is no requirement to transfer this additional area of land to the Trust but it is considered that the proposals outlined in this report represent an appropriate way forward for the future management of this land.

7. Background

- 7.1 At the time of the establishment of the Trust it was envisaged that it may be appropriate to consider the transfer of further areas of land once the Trust had become established. The Trust has now been operating successfully for a number of years and the second and third phases of land transfers took place in 2003.
- 7.2 The land now being proposed for transfer to the Trust is Anstey's Cove, Redgate Beach and the coastal slopes and cliff to the rear of these beaches. This transfer will complete the missing link in the coastal management of the Trust between the areas of Babbacombe Downs & Walls Hill and the Bishops Walk which were previously transferred under Phase 1 to the Trust (as illustrated in Appendix 1). The Trust sees this as an opportunity to further develop their activities in an area where it currently manages a significant amount of the adjoining land.
- 7.3 Included within the proposed transfer is Ansteys Cove Car Park. As with the transfer of other car parks to the Trust it is envisaged that the income generated by this car park will be deducted from the Management Fee that is paid to the Trust. Other adjustments to the Management Fee will also take into account the income that the Trust will receive from the other potential rental stream from the Anstey's Cove Cafe (currently leased to a third party) although this will be offset by the costs that the Trust will incur in managing the additional parcel of land.
- 7.4 The Council has been working with the Ilsham Residents Association (Anstey's Cove Action Group) to improve the Anstey's Cove and Redgate Beach area. Major works have taken place in line with the Access to the Coast Report to allow the area to take on a more rural appearance. Future improvements between the Trust and the group to continue the development of this rural area will benefit both visitors and local residents.
- 7.5 The possibility of the proposed transfer has recently been advertised in accordance with Section 123 of the Local Government Act 1972 and no adverse responses were received.

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IMPLICATIONS, CONSULTATION AND OTHER INFORMATION

Part 1

These sections may have been completed by the Report author but must have been agreed by the named officers in the Legal, Finance, Human Resources and Property Divisions.

Does the proposal have implications for the following issues? If "Yes" - give details. <i>delete as appropriate</i>		Name of responsible officer
Legal	Yes – preparation of legal documentation in connection with the lease.	Tony Chidlow
Financial – Revenue	No net revenue implications	Sue Kane
Financial – Capital Plan	The works to Redgate Beach and Ansteys Cove required prior to the transfer have already been provided for in the Capital Plan Budget - there should be no further capital implications	Lynette Royce
Human resources	No implications	Geoff Williams
Property	See Report	Sam Partridge

Part 2

The author of the report must complete these sections.

Could this proposal realistically be achieved in a manner that would more effectively:		
(i)	promote environmental sustainability?	No
(ii)	reduce crime and disorder?	No
(iii)	promote good community relations?	No
(iv)	promote equality of opportunity on grounds of race, gender, disability, age, sexual orientation, religion or belief?	No
(v)	reduce (or eliminate) unlawful discrimination (including indirect discrimination)?	No

If the answer to any of the above questions is "Yes" the author must have addressed the relevant issue/s in the main report and have included a full justification and, where appropriate, an impact assessment.

Part 3

The author of the report must complete this section.

	<i>delete as appropriate</i>	If "Yes", give details
Does the proposal have implications for any other Directorates?	Yes	Environment – Loss of income from car park.

Part 4

Is this proposal in accordance with (i.e. not contrary to) the Council's budget or its Policy Framework?		<i>delete as appropriate</i>
		Yes
1.	If "No" - give details of the nature and extent of consultation with stakeholders and the relevant overview and scrutiny body.	
2.	If "Yes" - details and outcome of consultation, if appropriate.	

Part 5

Is the proposal a Key Decision in relation to an Executive function?	<i>delete as appropriate</i>	If "Yes" - give Reference Number
	No	

Part 6

Wards

Anstey's Cove and Redgate Beach are located in the Wellswood Ward.

Appendices

Appendix 1 - Proposed Phase 4 Transfer to Torbay Coast & Countryside Trust (EM Plan 1388)

Documents available in Members' Room

Background Papers:

The following documents/files were used to compile this report: