

**Record of Decisions**  
**Disposal of Council Assets**

**Decision Taker**

Mayor on 15 May 2013

**Decision**

- (i) that the feedback received from Ward Members to the disposal of the 6 Assets listed in Appendix 1 to the submitted report be noted;
- (ii) that the 6 Assets listed in Appendix 1 to the submitted report be declared no longer required for service delivery, with the exception of Asset T1061 (land and unused garages adj Alpine Road, Torquay) and that the Head of Commercial Services be requested to advertise their intended individual disposal in accordance with both the Council's Community Asset Transfer Policy 2008 and where appropriate Section 123(2A) of the Local Government Act 1972;
- (iii) that, subject to any expressions of interest received from the Community and any objections received to any disposal advertised pursuant to s123 of the Local Government Act 1972 and subject to paragraph 2.3, the Assets listed in Appendix 1 to the submitted report (excluding Asset T1061) be individually disposed on such terms as are acceptable to the Executive Head Commercial Services in consultation with the Head of Asset Management of the Torbay Development Agency;
- (iv) that the disposal of asset reference T200 (Land adj to 7 Rock Road, Torquay) be conditional upon planning permission be obtained within an acceptable timeframe and that if possible, without significantly impacting the capital receipt, an obligation be included in the disposal documentation that the development of the asset in accordance with such planning permission be completed by a fixed date;
- (v) that the Executive Head Commercial Services in consultation with the Head of Asset Management of the Torbay Development Agency be delegated authority to consider any objections received on the advertisement of any of the proposed disposals pursuant to s123 of the Local Government Act 1972; and
- (vi) that the decision to dispose of Asset Ref T1061 (land and unused garages adj Alpine Road, Torquay) be deferred to enable the feedback provided by Ward Councillors to be explored further and an accurate plan to be prepared.

**Reason for the Decision**

The disposal of assets not required for service delivery will enable capital receipts to be reinvested into the Council's capital programme which will contribute towards achieving the Council's objectives. The expenditure and repair liability across the Council's assets exceeds the available resources. The delay in determining the disposal of land off Alpine Road, Torquay will enable the feedback by ward councillors to be explored further.

## **Implementation**

This decision will come into force and may be implemented on Wednesday, 29 May 2013 unless the call-in procedure is triggered (as set out in the Standing Orders in relation to Overview and Scrutiny).

## **Information**

The following assets were considered for disposal which are no longer required by the Council:

- (i) Approx 500 sq.m. of enclosed land adjoining 45 Stanley Gardens, Paignton.
- (ii) Approx 389 sq.m. of open land adjoining 4 Plym Close, Torquay.
- (iii) Approx 2733 sq.m. of partly open, partly enclosed land to the rear of 2 - 40 Parkfield Road, Torquay.
- (iv) Approx 948 sq.m. of enclosed 'brownfield' land adjoining 7 Rock Road, Torquay.
- (v) 2 derelict garages and adjoining land in front of 3 Rhodanthe Road, Paignton.
- (vi) 6 mostly unused garages and adjoining land off Alpine Road, Torquay.

The disposal would generate capital receipts and cost savings.

The Mayor considered the recommendations of the Council made on 15 May 2013 and his decision is set out above.

## **Alternative Options considered and rejected at the time of the decision**

Alternative options were set out in the submitted report and the Mayor considered the feedback given by a ward member at the meeting.

## **Is this a Key Decision?**

Yes – Reference Number: I013152

## **Does the call-in procedure apply?**

Yes

**Declarations of interest** (including details of any relevant dispensations issued by the Standards Committee)

None

**Published**

20 May 2013

Signed: \_\_\_\_\_  
Mayor of Torbay

Date: 20 May 2013