

Record of Decisions

Torquay Waterside Regeneration - Marina Car Park, The Pavilion and Cary Green, Torquay

Decision Taker

Mayor on 1 February 2012

Decision

- (i) that the Chief Executive of Torbay Development Agency, in consultation with the Mayor and Executive Lead for Employment and Regeneration, the Commissioner for Place and the Environment, the Executive Head of Tor Bay Harbour Authority and the Chair of the Harbour Committee, be instructed to negotiate and agree terms for the sale of a long lease or leases to the Marina Car Park, The Pavilion and Cary Green to the Nicholas James Group (or a subsidiary company) ('the Developer'). Such terms to include an obligation on the Developer to obtain planning consent and carry out and complete the redevelopment of the Marina Car Park, the restoration of The Pavilion and redevelopment of Cary Green;
- (ii) that before any agreement is entered into, the Torbay Development Agency shall obtain a satisfactory independent valuation from a firm of Chartered Surveyors with the requisite experience in valuing such developments, demonstrating that the proposed terms represent best value that Torbay Council can reasonably obtain;
- (iii) that the Executive Head of Commercial Services, in consultation with the Chief Executive of Torbay Development Agency and the Executive Head of Tor Bay Harbour Authority, be authorised to enter into such documentation as may be necessary with the Council's present tenant, Marina Developments Limited ('MDL'), to allow the development to proceed, including but not limited to the acceptance of the surrender of part or all of MDL's existing leases and the grant of a new lease or leases to MDL or such other party on acceptable terms;
- (iv) that the new leases referred to in (i) and (iii) contain provisions to ensure that Torbay Council as Harbour Authority continues to receive at least the existing levels of income from the development and the marina and that, subject to the outcome of the valuation outlined in (ii) above, negotiations address the need to preserve this level of income during the construction phase; and
- (v) that the Commissioner for Place and the Environment with the Executive Head of Spatial Planning be instructed to determine the Council's exposure to flood risk liability in respect of the proposed development and ongoing Environment Agency funding for Haldon Pier and Princess Pier.

Reason for the Decision

To enable a major regeneration project to be delivered which capitalizes on the prime waterside location of the existing Marina Car Park, which safeguards the long term viability of The Pavilion, allows appropriate development of the Cary Green and preserves the level of car parking and revenue to the Council and Harbour Authority.

Implementation

This decision will come into force and may be implemented on Wednesday, 15 February 2012 unless the call-in procedure is triggered (as set out in the Standing Orders in relation to Overview and Scrutiny).

Information

The submitted report set out a proposal in respect of the regeneration and development of the Marina Car Park, The Pavilion and Cary Green, Torquay.

The Mayor supported the recommendations of the Council made on 1 February 2012, as set out in his decision above.

Alternative Options considered and rejected at the time of the decision

Alternative options were set out in the submitted report and not discussed at the meeting.

Is this a Key Decision?

Yes – Reference Number: I007661

Does the call-in procedure apply?

Yes

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

None

Published

7 February 2012

Signed: _____
Mayor of Torbay

Date: 6 February 2012