

**Meeting: Cabinet**

**Date: 6<sup>th</sup> August 2019**

**Wards Affected: Tormohun Ward**

**Report Title: Freehold Disposal of Land adjacent to Zion Road, Torre, Torquay**

**Is the decision a key decision? Yes**

**When does the decision need to be implemented? As soon as possible.**

**Cabinet Member Contact Details:** Councillor Swithin Long, Cabinet Member for Economic Regeneration, Tourism & Housing, 07419 111618, [Swithin.Long@torbay.gov.uk](mailto:Swithin.Long@torbay.gov.uk)

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## **1. Proposal and Introduction**

- 1.1 The land is adjacent to the adopted public highway and has been used in recent years by Parking Services for off-street parking bays.
- 1.2 The landowner of the adjoining former Zion Road Chapel has obtained planning consent to redevelop the site to form 6 new apartments and now wishes to acquire the identified land for parking and garden/ amenity land in support of the proposed development.

## **2. Reason for Proposal and associated financial commitments**

The proposed purchaser is considered a special purchaser due to his freehold ownership of the land adjacent. The agreed purchase price reflects this, coupled with the anticipated redevelopment of the site, and consequently terms of disposal for this land in isolation are unlikely to be bettered by an advertising campaign on the open market.

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## **3. Recommendation(s) / Proposed Decision**

That the Director of Place, in consultation with the Chief Executive, be authorised to grant be authorised to dispose of the freehold interest of land area 175 sq. m (1884 sq. ft.) adjacent to Zion Road, Torre, Torquay, as shown in Plan EM2901 attached at Appendix 1 to the submitted report.

## **Appendices**

Appendix 1: Site Plan – EM2901

## Section 1: Background Information

1.	<p><b>What is the proposal / issue?</b></p> <p>It is proposed the Council dispose of the freehold interest of land area 175 sq. m (1884 sq. ft.) adjacent to Zion Road, Torre, Torquay.</p> <p>This property on disposal will provide a capital receipt to help supplement the Council's capital programme. It will also reduce the Council's liability of further maintenance spending.</p>
2.	<p><b>What is the current situation?</b></p> <p>The land is adjacent to the adopted public highway and has been used in recent years by Parking Services for off-street parking bays let on individual arrangements to local residents and businesses. Currently only a small number are used.</p> <p>The landowner of the adjoining former Zion Road Chapel has obtained planning consent to redevelop the former Zion Road Chapel. The redevelopment will form 6 new apartments. As part of the redevelopment the owner wishes to acquire the identified land for parking and garden/ amenity land in support of the proposed development.</p>
3.	<p><b>What options have been considered?</b></p> <p>The Council's Corporate Asset Management Plan 2015 to 2019 (2018/19 Revision) makes specific that the Council will 'always seek to maximise the full market receipt for their assets whether by way of freehold disposal or leasehold interest'. The disposal of this asset will meet that requirement.</p> <p>The Council is under no obligation to dispose of the asset and could continue with the current arrangement of leasing individual parking bays. This would continue to produce an annual rent. Although this is not secure as parking requirements at this location change regularly particularly with Brunswick Road Car Park situated just around the corner.</p> <p>Alternatively the Council could look to dispose of individual parking bays. This would provide small capital receipts. There is a strong likelihood not all bays would be sold resulting in a mix of tenures. This would be difficult to manage and would prevent a future disposal of the whole of the site.</p>
4.	<p><b>How does this proposal support the ambitions, principles and delivery of the Corporate Plan?</b></p> <p>Disposing of the land will help to support the ambitions and principles of the Corporate Plan by bringing back into beneficial use an unused building</p>

	helping to create a more prosperous Torbay. The redevelopment of the wider site will improve the locality, ensuring this area of Torre is an attractive and safe place to live.
5.	<p><b>How does this proposal contribute towards the Council's responsibilities as corporate parents?</b></p> <p>n/a</p>
6.	<p><b>How does this proposal tackle deprivation?</b></p> <p>n/a</p>
7.	<p><b>How does this proposal tackle inequalities?</b></p> <p>n/a</p>
8.	<p><b>How does the proposal impact on people with learning disabilities?</b></p> <p>n/a</p>
9.	<p><b>Who will be affected by this proposal and who do you need to consult with?</b></p> <p>n/a</p>
10.	<p><b>How will you propose to consult?</b></p> <p>No consultation is planned.</p>

## Section 2: Implications and Impact Assessment

11.	<p><b>What are the financial and legal implications?</b></p> <p>Financial Impact – It is proposed the land is sold for £32,000 with further provisions in place to cover any future intensification of use and increase in value of the land.</p> <p>Legal Impact – There are no legal implications anticipated with this disposal.</p>
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<p><b>12.</b></p>	<p><b>What are the risks?</b></p> <p>If the proposal within this report is not implemented then it is likely the redevelopment of the adjoining former Zion Chapel would need to be scaled back, reducing the anticipated improvement to the place.</p> <p>The Council would also lose the capital receipt.</p>
<p><b>13.</b></p>	<p><b>Public Services Value (Social Value) Act 2012</b></p> <p>There are no procurement issues as the proposed purchaser is considered a special purchaser due to the freehold ownership of the land adjacent. The agreed purchase price of £32,000 (subject to contract) reflects this, coupled with the anticipated redevelopment of the site, and consequently terms of disposal are unlikely to be bettered by an advertising campaign on the open market.</p>
<p><b>14.</b></p>	<p><b>What evidence / data / research have you gathered in relation to this proposal?</b></p> <p>No research undertaken.</p>
<p><b>15.</b></p>	<p><b>What are key findings from the consultation you have carried out?</b></p> <p>No consultation undertaken.</p>
<p><b>16.</b></p>	<p><b>Amendments to Proposal / Mitigating Actions</b></p> <p>No amendments proposed pursuant to consultation with Torbay Council Legal Services team.</p>

## Equality Impacts

17.	Identify the potential positive and negative impacts on specific groups			
		Positive Impact	Negative Impact & Mitigating Actions	Neutral Impact
	Older or younger people			there is no differential impact
	People with caring Responsibilities			there is no differential impact
	People with a disability			there is no differential impact
	Women or men			there is no differential impact
	People who are black or from a minority ethnic background (BME) <i>(Please note Gypsies / Roma are within this community)</i>			there is no differential impact
	Religion or belief (including lack of belief)			there is no differential impact
	People who are lesbian, gay or bisexual			there is no differential impact
	People who are transgendered			there is no differential impact
	People who are in a marriage or civil partnership			there is no differential impact
	Women who are pregnant / on maternity leave			there is no differential impact

	Socio-economic impacts (Including impact on child poverty issues and deprivation)	The disposal of the land and subsequent redevelopment of wider area is likely to have a positive impact on deprivation.		
	Public Health impacts (How will your proposal impact on the general health of the population of Torbay)			there is no differential impact
<b>16</b>	<b>Cumulative Impacts – Council wide</b> (proposed changes elsewhere which might worsen the impacts identified above)	No		
<b>17</b>	<b>Cumulative Impacts – Other public services</b> (proposed changes elsewhere which might worsen the impacts identified above)	No		