**Request Reference: 17180874**

**Date received: 30 August 2017**

**Date response sent: 26 September 2017**

**Reference: Torquay United AFC and the Plainmoor area.**

**1. How long is the lease granted to the owners of TUFC?**

**2. What is included in the lease?**

**3. Does the Council own the stands?**

 The Lease from Torbay Council to Torquay United Association Football Club Limited has around 63 ½ years unexpired.  The Lease expires 31st January 2081. It includes all land, buildings and structures within the leased area.

 Under Section 21 of the Freedom of Information Act 2000, where information is held, the Council is not obliged to release it where the information is already accessible to an applicant via other means, this includes where a fee is payable.

 The extent of ownership can be determined from the Land Registry, (<https://eservices.landregistry.gov.uk>). The areas are divided into Title Numbers which can be downloaded by anyone for a fee. Each Title contains all the covenants, leases etc for that area of land.

 Please see Land Registry Title No(s):

 Freehold: DN521405

         Leaseholds: DN454952

                           DN679738

                                   DN657420

                                   DN620200

                                  DN621755

                                   DN634119

**4. If the Council were prepared to sell the lease, would it be possible for someone other than the current leaseholder to purchase it?**

 If the Council was prepared to sell the freehold, it could sell it to someone other than the current leaseholder.  It cannot directly sell the current leasehold.

 Plainmoor Football Stadium is an approved Asset of Community Value (as per the list maintained by the Council and accessible from the Councils Website):-

 <http://www.torbay.gov.uk/media/8862/assets-of-community-value-table.doc>



**5. Does Swim Torquay own the freehold to their property?**

 No, Swim Torquay leases the property from Torbay Council. Plan EM1437 shows the approximate leased area from Torbay Council to Swim Torquay. For the exact leased area please refer to the Land Registry Plans as mentioned above.

**6. What is the status of the lane behind Bristow’s Bench, known as Plainmoor Lane? Is it part of the lease pertaining to the owners of Torquay United or Spires, or someone else?**

 The lane behind Bristow’s Bench is owned by Torbay Council and is classified as Public Right of Way for pedestrians. It is not part of any leased area to Torquay United Football Club or The Spires Academy or anyone else.

**7. Who owns the Swim Torquay car park and under what conditions do Swim Torquay manage it and charge for parking?**

 Torbay Council owns the land on which the Swim Torquay car park is located, and the land is leased to Swim Torquay. Plan EM1437 shows the approximate leased area from Torbay Council to Swim Torquay. For the exact leased area please refer to the Land Registry Plans as mentioned above.

 It is understood that Swim Torquay Ltd use PPS Premier Parking Solutions to manage the Swim Torquay car park on their behalf. It is understood that swim customers receive 2 hours free parking, otherwise the fees are 50p for first ½ hour and then £1 per hour thereafter.

**8. Who owns the car parking spaces in Plainmoor Lane and who can legally determine who can or cannot park there?**

 The lane behind Bristow’s Bench is owned by Torbay Council and is classified as Public Right of Way for pedestrians. It is understood that, at present, there is no legal parking regulation in force.

**9. Who owns the car parking spaces between Spires and Swim Torquay and who can legally determine who can or cannot park there?**

 It is not completely clear which area is referred to, however, the main access way off the highway adjacent to the Swim Torquay car park is owned by Torbay Council. Plans of the approximate leased areas for Torquay United Football Club and Swim Torquay have been provided for replies above.

 For the ownership please refer to the Land Registry Plans as mentioned above.

 It is understood that, at present, there is no legal parking regulation in force along the main access way off the highway.

**10. Would it be possible to produce a map showing what is or isn’t under the present control of the owners of Torquay United?**

 Plan EM2750 (scale 1:500 at paper size A2) shows the approximate leased area from Torbay Council to Torquay United Association Football Club Limited.

 For the exact leased area please refer to the Land Registry Plans as mentioned above.

