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Report No: **195/2009** Public Agenda Item: **Yes**
Title: **Accommodation at Brixham Harbour for Brixham 21**
Wards Affected: **Berry Head with Furzeham**
To: **Harbour Committee** On: **14 September 2009**

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1. Key points and Summary

- 1.1 The Committee is asked to note the action of the Executive Head of Harbour & Marine Services to grant a new lease to Brixham 21 Ltd in respect of 'portacabin' space at Brixham Harbour.
- 1.2 This action will help to ensure the continuity of the work carried out by Brixham 21, including 'drop in' facilities for the public to view the town's regeneration plans and the opportunity to provide further information on the progress of the fish quay redevelopment project.
- 1.3 Brixham 21 Ltd is working closely with Torbay Council and the Torbay Development Agency in connection with the Brixham regeneration project providing an important role within the community.
- 1.4 The redevelopment programme has now reached the stage where the Council is serving various notices on tenants to achieve vacant possession of relevant parts of the existing Fish Quay building.
- 1.5 Brixham 21 Ltd will enjoy the same arrangements currently offered to them by Torbay Council. They will not pay any rent or for electricity, telephones, water, etc. It may also be possible for Brixham 21 to seek assistance in respect of business rates for which they may become liable.
- 1.6 In December 2010 the lease will end and the Brixham 21 'portacabin' will need to be removed from the Brixham harbour estate.

2 Introduction

- 2.1 Brixham 21 currently occupy office accommodation at the existing Fish Quay, under a lease for three years running from 6 March 2008 and which (in common with other leases entered into in connection with the redevelopment proposals)

contains a right for the Council to terminate.

- 2.2 The lease contains a right for the Council to use the accommodation and in this regard the space is frequently used in connection with formal update meetings, project meetings and liaison sessions with tenants, at no cost to the Council.
- 2.3 Some tenants are leaving the Fish Quay altogether whilst others are being temporarily relocated into 'portacabins' pending ultimate relocation into their new premises.
- 2.4 In the short term Brixham 21 has a continuing need for premises for use as offices, a drop in facility and for their own meetings. The Council's Project Team also have a need to convene meetings on the site.
- 2.5 Terms have been agreed with Brixham 21 for a new lease of a 'portacabin' and the Heads of Terms are attached as an exempt Appendix 1 to this report.
- 2.6 This decision has not exposed the Council to any greater risk than is now experienced with the current arrangement.
- 2.7 It was not really an option for the Executive Head of Harbour & Marine Services not to give the concession/grant assistance. In this regard Brixham 21 has no income flow and is made up of unpaid volunteers. It is understood that they would not have resources to meet any outgoings if such were imposed.
- 2.8 Brixham 21 have been informed that for harbour operational reasons the 'portacabin' cannot remain on the quayside beyond the end of the lease; consequently they have been advised to seek alternative accommodation options beyond the end of November 2010.

For more detailed information on this proposal please refer to the supporting information attached.

Capt Kevin Mowat
Executive Head of Harbour & Marine Services
Tor Bay Harbour Master

Mike Palfreman
Valuer

Appendices

Appendix 1 (Exempt) – Brixham 21 Lease Heads of Terms

Documents available in members' rooms
None

Background papers: None