

TORBAY COUNCIL

Report No: **TDA/6/04**

Title: **Brixham Regeneration**

To: Executive on 9th November 2004

1. Purpose

- 1.1 The purpose of this Report is to advise Members of the key features of the Brixham Regeneration project, to receive the outcome of the community consultation and to approve the recommendations to advance towards implementation of the project.

2. Relationship to Corporate Priorities

Jobs and Industry – *Towards a prosperous Torbay*

Road Safety and Congestion – *Improving road safety and access to and around Torbay*

Affordable Housing – *Improving access to good quality affordable homes*

3. Recommendation

- 3.1 That the Executive endorses the community's acceptance of the need to regenerate Brixham, and the proposals developed by Brixham 21 to achieve this.
- 3.2 That the Executive agrees to the commencement of work on an implementation strategy for the phased development of new commercial, fishing, leisure and tourism amenities in Brixham.

4. Reason for Recommendation

- 4.1 To ensure the future prosperity of Brixham.

5. Background

- 5.1 Whilst Brixham is a town of great character it is suffering from a decline in its economy and employment with its traditional industries of fishing and tourism being under threat. Consequently, the town centre and its businesses are exhibiting decline with the basic fabric of the town being in need of upgrading.
- 5.2 In recent years there has been some growth in manufacturing in the Brixham area, however the town is still very dependent on the fishing industry for both employment (either directly or indirectly) and tourism. The fishing industry in general and Brixham in particular has been adversely affected by a number of EU restrictions and is likely to face further restructuring in the future.
- 5.3 In the last ten years there has been considerable work carried out into the development potential of key sites in the Brixham harbour area. However, the previous project proposals have not achieved the support of the Brixham community in view of a perceived lack of ownership of the plans.

- 5.4 In consequence, the community itself evolved the concept of Brixham 21 as its own regeneration vehicle, and upon the formation of the Torbay Development Agency, an accord was signed recognising Brixham 21 as the consultative body for the Brixham community. It is through this mechanism that Landscape Design Associates (LDA) have been engaged to re-look at development proposals in accordance with community wishes as identified through working parties. LDA have prepared concept plans which have been exhibited to the community for comment via a questionnaire and through several public meetings culminating in the town meeting of 23rd September at which over 500 attended.
- 5.5 The complete consultation process managed by Brixham 21 has led to the view of the directors of Brixham 21 and the independent chairmen of the working groups, that the regeneration proposals carry the overwhelming support of the Brixham community. Detail of this assessment is contained within the Chairman's letter provided as Appendix A, and this viewpoint is supported by the Torbay Development Agency who now have responsibility for implementation of the proposals. The recommendation to the Executive is therefore to approve commencement of the implementation phase of the Brixham 21 proposals, subject as identified by the Chairman to any evolution due to market forces and the practicalities of the engineering involved.
- 5.6 In view of the length and complexity of this consultation process, Brixham 21 elected to evaluate the process using independent external consultants, Baker Associates of Bristol. Their evaluation has largely focussed on the consultation processes as conducted by Brixham 21, and has not sought to evaluate the viewpoint being expressed by the community. A copy of the Baker report may be found in the Members' Room. Brixham 21 have acknowledged that the evaluation report identifies certain flaws within the consultation process. However, such aspects should be set within the context of a wholly voluntary community group that has operated with inevitably limited resources. The management complexity and the fairness of multiple working groups, multiple town meetings and a full public exposure of all plans should be set against any perceived flaws.

6. The Proposals in Brief

- 6.1 The proposals for the regeneration of Brixham comprise:
- The redevelopment of the existing multi-storey car park in Middle Street with a supermarket, housing and new car parking facilities.
 - The redevelopment of The Lanes between the former multi-storey car park and the inner harbour.
 - Creation of a town square appropriate to the inner harbour.
 - Relocating and upgrading the fish market.
 - Creating employment space adjacent to the new fish market.
 - The development of new housing including affordable homes and commercial units at Freshwater Quarry
 - The creation of a Northern Arm breakwater
- 6.2 Cost of Building Work

Until the final scope of the project has been agreed, the total estimated cost of the whole regeneration project cannot be assessed. The full project could however, be in excess of £100M.

6.3 Timetable

Assuming that the funding and all relevant planning approvals are secured the proposed timetable for two of the proposed elements is as follows;

New multi-storey car park development

January 2005	Demolition of existing car park
September 2005	Commence construction
September 2006	Complete construction

Fish market relocation and employment space

March 2006	Commence construction
September 2008	Complete construction

7. Funding

7.1 **Internal Funding**

It is not planned that there would be any call on Council capital funding other than the Brixham Harbour reserve fund and for the demolition of the existing car park, which is already earmarked in the Capital Plan Budget. However, the South West Regional Development Agency generally requires proponent match funding on all projects. This may mean that the Council will have to identify some of its own resources to support those elements of the regeneration project where there is no private sector contribution. Currently, no such match funding is identified in the Capital Budget.

As regards revenue issues, the loss of income during the demolition phase of Brixham multi-storey car park is provided for within current Council budgets whereas the impact of reduced parking provision resulting from construction of the replacement surface level car park will need to be addressed as part of the 2005/06 revenue budget considerations. The longer-term budgetary impact of the redevelopment associated with car parking provision will need to be addressed as the scheme develops. In addition, resourcing support for the regeneration project overall has still to be addressed but could impact on revenue budgets.

7.2 **External Funding**

The planned external-funding programme is as follows:

<i>Project & Funder</i>	<i>Private Developer</i>	<i>Objective 2</i>	<i>SWRDA</i>	<i>English Heritage</i>	<i>Heritage Lottery Fund</i>	<i>FIFG</i>	<i>English Partnerships</i>
Supermarket/ Housing & Car Parking	Yes	No	No	No	No	No	No
The Lanes	No	Yes	Yes		Possible	No	No
Relocated Fish Market	No	Yes	Yes	No	Works which honour or interpret heritage could be included	Cannot match Objective 2 but could do fit out	No

Employment Units	No	Yes	Yes	No	No	No	In their remit but proving difficult to engage
Housing & Commercial Units	Yes	No	No	No	No	No	

8. Risks

- 8.1 The risks associated with the project have been evaluated using the new Risk Assessment Matrix system. The risks are thus assessed using a measure of the **likelihood** of the risk event coming about (measured from 1-6) multiplied by the **impact** of that event if it does occur (measured from 1-4). The possibilities to mitigate the effect of that event are shown.

Likelihood	6	6	12	18	24
	5	5	10	15	20
	4	4	8	12	16
	3	3	6	9	12
	2	2	4	6	8
	1	1	2	3	4
		1	2	3	4
		Impact			

Low risk
 Intermediate risk
 High risk

8.2 Risk Assessment of Implementing the Project

Risk Description	Likelihood	Impact	Initial Risk	Mitigation
Funding difficulties.	4	3	12	Negotiate plus adapt private sector contribution
Project programme overruns.	4	3	12	Contingency. Specification.
Problems with planning process.	4	3	12	Negotiate and reassess scope if needed
Hostility to proposals from local community.	5	3	15	Negotiate via Brixham 21.
Technical problems.	4	3	12	Specification.
Final costs exceed budgets.	4	3	12	Contingency.

The final overall risk after mitigation is judged to be 12 (maximum score of 15 reduced to 12 by negotiation).

8.3 Risk Assessment of NOT Implementing the Project

Risk Description	Likelihood	Impact	Initial Risk	Mitigation
Continuous decline of fishing industry due to lack of space and modern facilities	5	4	20	Limited since modernisation is H&S driven
Continuous decline of tourism.	4	4	16	Limited.
Continuous economic decline.	5	4	20	Limited.
Continuous urban environmental decline.	4	4	16	Limited.
Continuous transport conflicts.	4	3	12	Limited.

The final overall risk after mitigation of NOT doing the project is judged to be 18 (maximum score of 20 reduced to 18 by limited mitigation possibilities).

9. Alternative Options (if any)

- 9.1 Do not implement a regeneration programme in Brixham. The consequences would be an ongoing decline in almost all economic aspects of the town with particular damage to the fishing industry and thus the tourism product.
- 9.2 Implement a partial programme by eliminating those aspects (such as housing) that may be regarded as contentious. Such a partial programme could undermine or invalidate the proposed funding structure.

Richard Morgan
Chief Executive, Torbay Development Agency

Contact Officer: Keith Humphreys
Extension: 2356

IMPLICATIONS, CONSULTATION AND OTHER INFORMATION

Part 1

These sections may be completed by the Report author but must be agreed by named officers in the Legal, Finance, Human Resources and Property Divisions.

Does the proposal have implications for the following issues?		Name of Responsible Officer
Legal	Yes. If the proposed funding bids are successful several contracts will need to be let in accordance with Contracts Standing Orders, Financial Regulations and Harbour Consents and Regulatory processes to procure the delivery of the various projects. The costs of undertaking this work will need to be included in the overall project budget.	Bill Norman
Financial – Revenue	Yes. As outlined in 7.1 of this report.	Adrian O'Rourke
Financial – Capital Plan	Yes. As set out in 7.1 of this report.	Lynette Royce
Human Resources	Yes. Sufficient resources within the Council will need to be identified to ensure that the project can be adequately implemented.	Geoff Williams
Property	Yes. The Estates Service and Director of Marine Services should be called upon to advise on any consequences for the Councils Harbour and Estate portfolio resulting from the development proposals.	Sam Partridge Kevin Mowat

Part 2

The author of the report must complete these sections.

Could this proposal realistically be achieved in a manner that would more effectively:		
(i)	Promote environmental sustainability?	No
(ii)	Reduce crime and disorder?	No
(iii)	Promote good community relations?	No
(iv)	Promote equality of opportunity on grounds of race, gender, disability, age, sexual orientation, religion or belief?	No
(v)	Reduce (or eliminate) unlawful discrimination (including indirect discrimination)?	No

If the answer to any of the above questions is "Yes" the author must have addressed the relevant issue/s in the main report and have included a full justification and, where appropriate, an impact assessment.

Part 3

The author of the report must complete this section.

Does the proposal have implications for any other Directorates?	Yes	Environment Services – engineering support services. Corporate Services – finance and legal support services. Torbay Development Agency – delivery of project.
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Part 4

Is this proposal in accordance with (i.e. not contrary to) the Council's budget or its Policy Framework?		Yes
1.	If "No" - give details of the nature and extent of consultation with stakeholders and the relevant overview and scrutiny body.	
2.	If "Yes" - details and outcome of consultation, if appropriate. Over the last 20 months Brixham 21, the recognised representative body for the Brixham community in respect of regeneration and renewal projects, has been publicising these proposals in the area to residents and members of local industry and commerce.	

Part 5

Is the proposal a Key Decision in relation to an Executive function?		If "Yes" - give Reference Number
	Yes	X48/2004

Part 6

Wards

Berry Head with Furzeham,

Appendices

Appendix A – Letter from Jon Andrewes, Chairman of Brixham 21

Documents available in Members' Room

Brixham 21 – Note on Review of Public Consultation Process - Baker Associates
Brixham 21 – Addendum to Note on Review of Public Consultation Process - Baker Associates

Letter from Jon Andrewes, Chairman of Brixham 21

Directors and Attendees - Nominating Organisations

Jon Andrewes (Brixham Regeneration Forum - D)
Sandie Armstrong (Brixham Harbour Users - D)
Peter Bushell (Brixham Chamber of Commerce – D)
John Coysh (Brixham Amenity Society and Residents Association -D)
Christine Guy (co-opted) (Brixham Youth Enquiry Service - D)
Peter Killick (Torbay Council -D)
Chris Lomas (Torbay Council - D)
Rick Smith (Brixham Fishing Industry -D)
Richard Morgan (CEO Torbay Development Agency – A)

**Correspondence From:
TheChairman**

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Tel: 07816 845422

BRIXHAM 21

01 November 2004.

Councillor Chris Harris
Leader Torbay Council
The Town Hall
Torquay
Devon

TQ1 3DR

Dear Councillor Harris

Brixham Regeneration Proposals

I understand that the Executive of Torbay Council will be considering proposals for the regeneration of central Brixham and the harbour area, on 9 November 2004. As you know, the concept plans which were the subject of a month long consultation exercise during August of this year were prepared to a brief drawn up in consultation with Brixham 21, based upon the aspirations of the local community. The Architects worked alongside approximately 40 community members in three workshops lasting an average of 4 hours on each occasion.

Although it would have been helpful if we could have presented the proposals to you with the clear and unequivocal support of Brixham residents, it was perhaps inevitable that regeneration on the scale proposed would attract a degree of opposition. The board of directors of Brixham 21 are nevertheless satisfied that our proposals enjoy the support of a majority of local people, and it is our hope that the Executive will endorse our view that the authority should now be given to proceed with the full plan, albeit that it will evolve due to market forces and the practicalities of the

engineering involved.

The consultation which we conducted during August was not perfect in every respect, but such exercises rarely are. We did, however, set up two consultation points in Brixham, and ensured that they were staffed by well briefed volunteers at all times.

We also took the opportunity to take the consultation to the Torbay Steam Fair and the Brixham Fish Market Open Day, the two major public events which took place in Brixham during August. Questionnaires were available to people who took the trouble to attend the consultation, and we are confident that the responses received are based upon a clear understanding of the nature of the regeneration proposals. Although views on the various aspects of the plans varied slightly, it is clear that the 850 respondents to the questionnaire were strongly in favour of the concept plans.

Opposition to the community regeneration plans has centered around the proposed construction of 250 houses in Freshwater Quarry. The reason for the inclusion of this element of the scheme will, of course, be well understood by members of the Executive, although it seems probable that a significant proportion of the signatories to the Brixham for Brixham petition were unaware of the consequences of excluding the housing plans from the overall harbour redevelopment scheme.

The opposition has been entirely negative, with no alternative suggestions having emerged. It is also inflexible, in that the Brixham for Brixham spokesman, Mr Robinson has made it clear to us that his group's policy would be to oppose any housing development on any scale within Freshwater Cove which, of course also includes the 70 units allocated for affordable housing.

We have made every attempt to be inclusive and recently invited Mr. Robinson to a board meeting to discuss his points to see if we could reach an understanding with him about why the housing was a critical element of the scheme. He failed to accept this and had no alternative solutions to ensuring the regeneration programme, which he openly admits he fully supports, goes ahead. We believe Mr. Robinson will have every opportunity to put his case during the planning process. He should not, however, be able to place in jeopardy the last and only opportunity Torbay Council will have to access the necessary funding from EU sources, RDA and Defra to create a sustainable and thriving community in Brixham for generations to come.

The individuals responsible for collecting the signatures on the petition had scant knowledge of the reason for the inclusion of the housing proposals, and no attempt was made to explain the consequences of their exclusion to those invited to sign. Their agreement to sign the petition is, therefore, we believe, of limited value as an indication of public opinion.

At the exceptionally well attended public meeting held at Brixham Community College on 23

September, Mr. Robinson was given 15 minutes to make his case, and there is no doubt that at that stage of the meeting, he enjoyed a good measure of support. As the evening progressed, however, the implications of his negative stance were clearly explained, and it became evident that by the conclusion of the proceedings, his supporters were outnumbered by a significant margin.

Since its establishment in 2002, Brixham 21 has effectively been conducting an ongoing consultation with local people. We have involved around 150 individuals as members of working groups or volunteers. We began with a month long consultation in November 2002, and we have issued two detailed newsletters and held three public meetings. We have a website, brixham21.co.uk which is kept up to date and we have attracted and created extensive coverage in local newspapers and on local radio. Minutes of all of our meetings have been made public, and our office in the harbour building has been staffed for six days each week for most of the time since it was made available to us. All of this has been achieved by unpaid volunteers, many of whom are in full-time employment.

It is the view of the directors of Brixham 21 and the independent chairmen of the working groups, that the regeneration proposals that we are now commending to you carry the overwhelming support of the Brixham community. The funding deadline applicable to the Objective 2 bid for the harbour redevelopment lends additional urgency to the need to progress the scheme without delay. We believe that a failure to endorse the proposals at this stage would constitute a rejection of the best prospect for regeneration that has been available to Brixham for a generation, a prospect which is unlikely to recur in the foreseeable future.

The Brixham 21 plan is supported by the TDA and has been well received by the Government office and the RDA. There comes a time when we need to move forward and ensure that Torbay is able to secure the substantial funding that will ensure employment for the young people of Brixham for many years to come, affordable housing for those who so desperately need it and last but extremely important, a major boost to the fishing industry which is the lifeblood of our community on this side of the Bay.

We sincerely hope that members of the Executive will bear the above comments in mind when considering this matter on 9 November.

Yours sincerely

Jon Andrewes

Chairman

CC Richard Painter, Richard Morgan & Directors and working Party Chairmen of Brixham 21