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Dear Member

COUNCIL - THURSDAY, 18 OCTOBER 2018

I am now able to enclose, for consideration at the Thursday, 18 October 2018 meeting of the Council, the following reports that were unavailable when the agenda was printed.

Agenda No	Item	Page
6.	Public question time Revised statement	(Pages 139 - 140)

Yours sincerely

June Gurry
Clerk

Revised Statement for Council Meeting – 18 October 2018

We, the trustees of Torbay Coast & Countryside Trust, wish to speak to you regarding the proposal to use compulsory purchase powers to force the Trust to surrender land at Preston Down Road and urge the Council to seek negotiated settlements instead.

We believe that compulsory purchase has considerable risks, which have been down-played in the report to Council:

- a) It is not guaranteed to be cheaper for the Council than a negotiated settlement;
- b) It will severely damage relations, undermine trust and capacity for future partnership working;
- c) It is likely to severely undermine the Trust's future capacity to manage land on behalf of the Council (achieved at significantly less than it would otherwise cost the Council); and
- d) Lastly, it could have more serious unforeseen consequences including jeopardising the future viability of the Trust.

We believe that fair negotiated settlement is possible and is vital for both parties. It appears counter-productive to the trustees that the Council is taking action that undermines the partnership ethos of Torbay Together, when the Trust has been asked to join and contribute to achieving the collective aspirations of that strategic partnership.

We consider that a fair negotiated settlement could put the Trust resolve liabilities that are preventing it for achieving its potential. Furthermore, a fair settlement could provide the means to convert Ocombe Farm into what it should be, a profitable retail and visitor enterprise, providing substantial revenue that would secure the Trust's future and reduce reliance on Council funding.

In respect of Preston Down Road, a settlement appears eminently possible. On 8th October, our respective agents agreed a compromise compensation figure which each considered they could recommend and which sits broadly in the middle of a range approved by the District Valuer. The trustees are minded to settle if the Council puts an offer in writing at that level. This would avoid unnecessary waste of time and scarce resources for both parties in respect of compulsory purchase proceedings for Preston Down Road.

In respect of Little Blagdon Farm, the Trust has only been in discussion with the Council regarding early surrender since officers informed us of the Land Release Fund award in spring 2018. We wish to remind you that Little Blagdon Farm was leased to the Trust until 2059 to replace land given up at Ocombe to facilitate the retention of Suttons Seeds in Torbay. At the time, the Council down-played the likelihood of breaking the lease after fifteen years and the Trust has invested in the land on the basis that we would be farming this land until 2059.

The loss of Little Blagdon Farm will severely damage the Trust's farming operation, an operation through which 38% of the land leased to the Trust by the Council is managed without recourse to council funding. Given the consequences of Torbay losing the LRF grant, the trustees elected to ask the Council to prioritise securing alternative land rather than financial compensation. Progress has been frustratingly slow but recent developments suggest a solution is achievable. We urge you to prioritise securing alternative land over compulsory purchase in respect of Little Blagdon Farm.

We assure you that the Trust will work with the Council to achieve a fair settlement as long as the Council remains reasonable and does not adopt an adversarial approach. However, please understand that the Trust will resist most strongly, and by any appropriate means, action by the Council that seeks to force the Trust to surrender land.