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Dear Member

**COUNCIL - TUESDAY, 18 DECEMBER 2018**

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

Agenda No	Item	Page
5.	<b>Land at Little Blagdon Farm, Collaton St Mary and Land at Preston Down Road, Paignton</b>	(Pages 4 - 10)

Yours sincerely

June Gurry  
Clerk



**Meeting: Council**

**Date: 18 December 2018**

**Wards Affected: Blatchcombe and Preston**

**Report Title: Land at Little Blagdon Farm, Collaton St Mary and Land at Preston Down Road, Paignton**

**Is the decision a key decision?** no

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

**Supporting Officer Contact Details:** Anne-Marie Bond, Director of Corporate Services, anne-marie.bond@torbay.gov.uk, (01803) 207015

## 1. Proposal and Introduction

- 1.1 At the Council meeting held on 18 October 2018, Members considered a report on a proposal to acquire the leasehold interest in the land that was leased to Torbay Coast and Countryside Trust (TCCT) at Little Blagdon Farm, Collaton St Mary, and Preston Down Road, Paignton, under, if necessary, a compulsory purchase order (CPO). It was noted that the Council had been awarded £3,076,000 of Land Release Fund by the Government to secure the release of the land at both sites to enable residential development.

Following an amendment, the Council resolved (Minute 96/10/18 refers):

- “(i) that delegated authority be given to the Chief Executive to agree heads of terms with TCCT to acquire by agreement the land identified red (Appendix 1 to the submitted report) at Preston Down Road and Collaton St Mary, in consultation with the Elected Mayor, Group Leaders and s.151 Officer and on the basis that the heads of terms reflect the contents of exempt information (circulated separately under Part 3 of Schedule 12A to the Local Government Act 1972); and
- (ii) that Council delegate to the Chief Finance Officer the approval of the expenditure of monies (including by prudential borrowing if necessary) required to cover the acquisition of Preston Down Road and Collaton St Mary by agreement, on the basis that there is a clear business case which demonstrates how the monies are to be repaid from the development of the sites.”

## 2. Reason for Proposal and associated financial commitments

- 2.1 On behalf of the Chief Executive, the Director of Corporate Services has concluded negotiations with Torbay Coast and Countryside Trust for the surrender of the land.

The Chief Executive has consulted the Elected Mayor and Group Leaders on the proposed decision to exercise his delegated powers, reflecting the negotiations. As part of the consultation process the Elected Mayor formally requested that the Chief Executive did not exercise his delegated authority and the matter be referred back to Full Council.

- 2.2 To proposal will enable the Council to acquire the leasehold interest in the land to meet the requirements of the Land Release Fund for the redevelopment of these two sites.

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

- 3.1 That the Heads of Terms (as set out in Exempt Appendix 1 to the submitted) for the surrender of the land at Little Blagdon Farm, Collaton St Mary and Land at Preston Down Road, Paignton entered into by the Council and Torbay Coast and Countryside Trust (TCCT).

### **Appendices**

Exempt Appendix 1: Overview and Draft Heads of Terms for the surrender of the land at Little Blagdon Farm, Collaton St Mary and land at Preston Down Road, Paignton

### **Background Documents**

Report on Compulsory Purchase of Land at Little Blagdon Farm, Collaton St Mary and Land at Preston Down Road, Paignton to Council 18 October 2018 -

<https://www.torbay.gov.uk/DemocraticServices/ieListDocuments.aspx?CId=163&MId=8384&Ver=4>

## Section 1: Background Information

1.	<p><b>What is the proposal / issue?</b></p> <p>The Council needs to acquire the leasehold interest in the land at Little Blagdon Farm, Collaton St Mary and Land at Preston Down Road, Paignton to meet the requirements of the Land Release Fund for the redevelopment of these two sites.</p>
2.	<p><b>What is the current situation?</b></p> <p>The land is currently leased to the Torbay Coast and Countryside Trust who have now agreed to surrender their interest in the land in accordance with the heads of terms set out at Appendix 1 to this report.</p>
3.	<p><b>What options have been considered?</b></p> <p>The Council had previously considered Compulsory Purchasing the land at its meeting held on 18 October 2018 and Members agreed to give the Chief Executive delegated authority to negotiate with the Trust in order to acquire the leasehold interest in the land.</p>
4.	<p><b>How does this proposal support the ambitions, principles and delivery of the Corporate Plan?</b></p> <p>Ambitions: Prosperous and Healthy Torbay</p> <p>Principles:</p> <ul style="list-style-type: none"><li>• Use reducing resources to best effect</li><li>• Integrated and joined up approach</li></ul> <p>Targeted actions:</p> <ul style="list-style-type: none"><li>• Working towards a more prosperous Torbay</li><li>• Ensuring Torbay remains an attractive and safe place to live and visit</li></ul>
5.	<p><b>How does this proposal contribute towards the Council's responsibilities as corporate parents?</b></p> <p>Not applicable as this is a technical report.</p>
6.	<p><b>How does this proposal tackle deprivation?</b></p> <p>The proposals will enable the Council to access government funding from the Land Release Fund in order to make the sites ready for redevelopment which will provide additional housing in Torbay.</p>

<b>7.</b>	<b>How does this proposal tackle inequalities?</b>  Not applicable as this is a technical report.
<b>8.</b>	<b>How does the proposal impact on people with learning disabilities?</b>  Not applicable as this is a technical report.
<b>9.</b>	<b>Who will be affected by this proposal and who do you need to consult with?</b>  Not applicable as this is a technical report.
<b>10.</b>	<b>How will you propose to consult?</b>  Not applicable as this is a technical report.

## Section 2: Implications and Impact Assessment

11.	<b>What are the financial and legal implications?</b>  In signing the heads of terms set out at Exempt Appendix 1, the Council is agreeing to pay the Torbay Coast and Countryside Trust on those terms.
12.	<b>What are the risks?</b>  There is a risk that the Council will be unable to secure a development partner or planning permission to develop the two sites for housing.
13.	<b>Public Services Value (Social Value) Act 2012</b>  Not applicable
14.	<b>What evidence / data / research have you gathered in relation to this proposal?</b>  Not applicable
15.	<b>What are key findings from the consultation you have carried out?</b>  Not applicable
16.	<b>Amendments to Proposal / Mitigating Actions</b>  Not applicable

## 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)		There is no differential impact
	Public Health impacts (How will your proposal impact on the general health of the population of Torbay)		There is no differential impact
16	<b>Cumulative Impacts – Council wide</b> (proposed changes elsewhere which might worsen the impacts identified above)	None	
17	<b>Cumulative Impacts – Other public services</b> (proposed changes elsewhere which might worsen the impacts identified above)	None	