

Record of Decisions

Regeneration Partnership and appointment of preferred Partner

Decision Taker

Cabinet on 17 October 2023

Decision

1. That proposal A (as set out at exempt Appendix 1 to this report) is approved be appointed as the Council's Regeneration Partner, as the preferred way forward for the delivery of strategically important growth and regeneration projects in Torbay for a period of at least five years which could be extended, against performance criteria yet to be established;
2. That the Director of Pride in Place, in consultation with the Cabinet Member for Place Development and Economic Growth and the Director of Finance, be given delegated authority to establish the Partnership and to include additional projects for delivery by the Regeneration Partner which will further facilitate the growth and regeneration of Torbay; and
3. That the Overview and Scrutiny Board be requested to include in their work programme six monthly updates (as a minimum or as projects require) on delivery with the Regeneration Partner as to progress.

Reason for the Decision

Having reviewed its approach to delivery of the Town Deal for Torquay and the Future High Street Fund programme for Paignton, in late 2022 the Council attended the UK Real Estate Investment and Infrastructure Forum (UKREiIF) in order to raise the profile of the opportunities that exist in Torbay.

The positive reception translated into receiving proposals over the summer from two prospective partners in the delivery of relevant Towns Fund regeneration projects. These proposals have been assessed and Cabinet was asked to agree the appointment of a preferred Regeneration Partner.

Implementation

This decision will come into force and may be implemented on 30 October 2023 unless the call-in procedure is triggered (as set out in the Standing Orders in relation to Overview and Scrutiny).

Information

Following the approval of the Towns Centres Regeneration Strategy in 2017 and the award of funding, delivery has been slower than desired. The Council has worked with partners and government officials to explore how a Regeneration Partner could help accelerate the successful delivery.

The proposal for a whole place approach to growth and regeneration had found interest from

the developer market with several developers demonstrating active interest in a long-term commitment to development across Torbay.

The Council received two proposals in respect of the Towns Fund programme delivery, with both proposals being the product of several meetings and visits from each of the parties. Each proposal provided distinct benefits to the Council with both party's being recognised in their fields at a national level, being credible developers with a strong track record of delivering complex strategic developments in towns and cities elsewhere within the UK. Their engagement has demonstrated their commitment to the Torbay Story and their formal submissions clearly states this.

At the meeting Councillor Chris Lewis proposed and Councillor David Thomas seconded a motion that was agreed unanimously by the Cabinet, as set out above.

Alternative Options considered and rejected at the time of the decision

The alternative options were:

- **Do nothing:**

A do-nothing option would see the status quo persist with progress potentially limited. There are procurement compliant routes that would enable appointment of developers or contractors to deliver the Towns Fund schemes but the challenges that are being experienced around cost, viability and funding of the scheme would be considered without the benefit of market expertise. The likelihood is that this will prolong the project development stage and delay starts on site. This would in turn increase the risk that the projects would lose their grant funding leading to a lack of delivery and the various negative outcomes of that. This option was therefore not recommended.

- **Run a more formal competitive procurement process:**

The Council has the option to conduct a competitive procurement to seek a development partner to deliver the projects or become the development partner.

A competitive process would allow the Council more control over the procurement and the future development and delivery of the projects when compared to the preferred option in that it has clarity over the individual delivery routes. It is a safe and recognised route to delivering complex capital projects and programmes in a procurement compliant manner reducing the likelihood of any challenges for non-compliance.

However Government requires that all Towns Fund grants are spent by March 2026 and in Torbay's case the agreed position with Government is currently March 2024 meaning that the urgency is pressing. This immediacy of the Towns Fund deadlines and the need to accelerate delivery makes a time-consuming option impractical and this option would likely result in the loss of the Towns Fund. Therefore, this option was not recommended.

- **Appoint the preferred delivery partner set out in Exempt Appendix 1:**

Not to follow this option would secure the negative outcomes referenced above. In accepting this recommendation, the prospects for successful delivery of the changes desired in the town centres will be significantly enhanced. The presence of a credible recognised regeneration partner in Torbay will assist the Council in negotiations with Government, reassure the community that the regeneration plans they wish to see delivered are viable and provide confidence to funders and occupiers.

Is this a Key Decision?

No – Reference Number: I100563

Does the call-in procedure apply?

Yes

Declarations of interest (including details of any relevant dispensations issued by the Standards Committee)

None.

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Signed: _____ Date: _____
Leader of Torbay Council on behalf of the Cabinet