

Record of Officer Decision

Compulsory Purchase of Crossways Shopping Centre, Paignton

Decision Taker and Date Decision Taken:

Chief Executive in consultation with the Leader of the Council on 28 February 2024

Summary of Matter or Issue Requiring Decision:

Council on 26 September 2019, resolved to seek the compulsory purchase of Crossways Shopping Centre, Paignton. In doing so the Chief Executive was given delegated authority to (minute 65 (ii)(d) refers) to pay all necessary compensation either as agreed or as determined by the Lands Chamber of the Upper Tribunal in relation to the acquisition of land and other interests or for the overriding or acquisition of rights.

An agreed position has been reached with the landowner thereby giving effect to the decision above and negating the need for a determination from the Lands Chamber of the Upper Tribunal.

Decision Taken:

To pay the agreed compensation as set out in exempt appendix 1 to the owners of Crossways Shopping Centre, Paignton.

Summary of Reason(s) for Decision Taken:

Firstly, to give effect to the decision made by Council on 26 September 2019. Secondly agreeing terms and compensation enables the Council to avoid costs and the uncertainty of a decision by the Lands Chamber of the Upper Tribunal.

Summary of Alternatives or Options considered and rejected and Background Papers:

An alternative option would have been to seek a determination from the Lands Chamber of the Upper Tribunal. However, this option was discounted as a negotiated position regarding compensation had been agreed.

Details of any conflict of interest and dispensation granted to the Officer taking the decision or by any Member of the Council in delegating responsibility for any specific express delegation:

None.

Implementation:

This decision will be implemented immediately.

A copy of this decision and any supporting documentation considered by the Officer taking this decision may also be available for inspection by the public at the Council's offices or posted upon payment of any copying and postage charges. Any member of the public wishing to take up either of these options is asked to please ring (01803) 207087 or email governance.support@torbay.gov.uk

Signed: _____ Date: 28 February 2024
Chief Executive