

Record of Decisions

Transfer of Brixham Town Hall to Brixham Town Council

Decision Taker

Mayor on 31 October 2011

Decision

- (i) that, subject to receiving the South West Regional Development Agency's consent, the Executive Head Commercial Services be authorised, in consultation with the Chief Executive of the Torbay Development Agency, to transfer the freehold of the Brixham Town Hall to Brixham Town Council (as identified on plan EM2151 of the submitted report) for no capital receipt. The transfer to include provision, satisfactory to the Executive Head Commercial Services, that 50% of any receipt from a disposal of the property, within 15 years of its transfer to Brixham Town Council, be paid to Torbay Council; and
- (ii) that, subject to receiving the South West Regional Development Agency's consent, the Executive Head Commercial Services be authorised, in consultation with the Chief Executive of the Torbay Development Agency and the Executive Head Children, Schools and Communities, to simultaneously enter into a 125-year lease at a peppercorn rent from Brixham Town Council for use by Torbay Council for an area within the Town Hall for the Torbay Youth Service.

Reason for the Decision

To respond to the request from Brixham Town Council to transfer the freehold of the Town Hall (excluding the library and museum) to provide it with a permanent base.

Implementation (resource implications tab to be renamed Implementation)

This decision will come into force and may be implemented on 11 November 2011 unless the call-in procedure is triggered (as set out in the Standing Orders in relation to Overview and Scrutiny).

Information

The Council has received a request from Brixham Town Council to transfer the freehold interest of Brixham Town Hall (excluding the museum and the library) to Brixham Town Council for nil consideration. Under the Local Government Act 1972, Councils may dispose of land for less than the best consideration that can reasonably be obtained. It is considered that the transfer to the Town Hall will have economic and social benefits since it is the local council with direct accountability to the population of Brixham which will have an asset and take control of. It will also provide the Town Council with a permanent base.

The Council's Connections office will be moved into Brixham Library and the Youth Service will continue occupation through a 125 year lease back to the Torbay Council.

The Mayor supported the recommendations of the Council made on 31 October 2011, as set out in his decision above.

Alternative Options considered and rejected at the time of the decision

The alternative options were set out in the submitted report and not discussed at the meeting.

Is this a Key Decision?

Yes – Reference Number: I005097

Does the call-in procedure apply?

Yes

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

Councillor Baldrey declared a personal interest as the Chairman of Brixham Arts and Theatre Society; Councillor Barnby declared a personal interest as a member of Brixham Operatic and Amateur Dramatic Society; and Councillors Ellery, James, Morey and Stockman declared personal interests as members of Brixham Town Council.

Published

3 November 2011

Signed: _____ Date: _____
Deputy Mayor on behalf of the Mayor of Torbay