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Date: Tuesday, 17 May 2022

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Dear Member

COUNCIL - TUESDAY, 17 MAY 2022

I am now able to enclose, for consideration at the Tuesday, 17 May 2022 meeting of the Council, the following reports that were unavailable when the agenda was printed.

Agenda No	Item	Page
4.	Appointments to Council Committees and Working Parties and Appointment of Committee Chairmen/women and Vice-Chairmen/women for 2022/2023 Updated Appendices 3 and 4	(Pages 2 - 20)
7.	Members' questions Questions and Answers	(Pages 21 - 48)

Yours sincerely

June Gurry
Clerk

Schedule 4 – Terms of Reference
Overview and Scrutiny Board and Sub-committees, Regulatory and Other Committees,
Area Committees, Working Parties and Other Bodies

Name and Terms of Reference	Membership
<p>Appeals Committee (Transport):</p> <p>To determine appeals in respect of school transport.</p>	<p>7 members of the Council in accordance with the political balance requirements</p> <p>Conservative (3): Cllrs Sykes, David Thomas and Jackie Thomas</p> <p>Liberal Democrat (3): Cllrs Steve Darling, Law and Long</p> <p>Independent Group (1): Cllr Loxton</p>
<p>Audit Committee:</p> <ol style="list-style-type: none"> 1. To consider the Head of Internal Audit’s annual report and opinion, and a summary of Internal Audit activity (actual and proposed) and the level of assurance it can give over the Council’s corporate governance arrangements. 2. To consider summaries of specific Internal Audit reports as requested. 3. To consider reports dealing with the management and performance of the providers of Internal Audit Services. 4. To consider a report from Internal Audit on agreed recommendations not implemented within a reasonable timescale. 5. To consider the External Auditor’s Annual Letter, relevant reports, and the report to those charged with governance. 	<p>7 members of the Council excluding members of the Cabinet, in accordance with the political balance requirements</p> <p>Conservative (3): Cllrs Brooks, Hill and O’Dwyer</p> <p>Liberal Democrat (2): Cllrs Douglas-Dunbar and Johns</p> <p>Independent Group (2): Cllrs Kennedy and Loxton</p>

Name and Terms of Reference	Membership
<p>6. To consider specific reports as agreed with the External Auditor.</p> <p>7. To comment on the scope and depth of external audit work and to ensure it gives value for money.</p> <p>8. To liaise with the Public Sector Audit Appointments Ltd over the appointment of the Council's external auditor.</p> <p>9. To commission work from Internal and External Audit within approved resources.</p> <p>10. To support the Council's compliance with the CIPFA Code of Practice for Treasury Management in Public Services including the role as nominated Committee to be responsible for ensuring effective scrutiny of the capital strategy, treasury management strategy and policies.</p>	
<p>Regulatory Framework</p>	
<p>11. To maintain a strategic overview of the Council's Constitution in respect of contract procedure rules, financial regulations and codes of conduct and behaviour (the primary responsibility for considering and ensuring that the constitution is fit for purpose lies with the Monitoring Officer and the Standards Committee in relation to the codes of conduct).</p>	
<p>12. To maintain a strategic overview of the Council's compliance with the prevailing Accounts and Audit Regulations.</p>	
<p>13. To review any issue referred to it by the Chief Executive, a Director, the Monitoring officer, Section 151 Officer (Chief Finance Officer) or any Council body.</p>	
<p>14. To monitor the effective development and operation of risk management and corporate governance in the Council.</p>	

Name and Terms of Reference	Membership
<p>15. To monitor council policies on ‘Raising Concerns at Work’ and the ‘Anti-fraud and corruption strategy’ and the Council’s complaints process.</p> <p>16. To consider the findings of reviews of the effectiveness of the system of internal control including the Annual Governance Statement and to recommend its adoption.</p> <p>17. To oversee the Council’s arrangements for corporate governance and consider necessary actions to ensure compliance with best practice.</p> <p>18. To review the Code of Corporate Governance.</p> <p>19. To monitor the Council’s compliance with its own and other published standards and controls.</p> <p>20. To maintain a strategic overview of the Council’s compliance with the Regulation of Investigatory Powers Act 2000 (RIPA).</p> <p>Accounts</p> <p>21. To consider the External Auditor’s report to those charged with governance on issues arising from the audit of the accounts.</p> <p>22. On behalf of the Council, to consider and approve the annual statement of accounts.</p>	
<p>Civic Committee:</p> <p>1. To consider nominations for the title of Honorary Freeman and Honorary Alderman and make recommendations to the Council as necessary following unanimous voting on acceptance of any nominations.</p>	<p>7 members of the Council in accordance with the political balance requirements</p> <p>Conservative (3): Cllrs Brooks, Kavanagh and Sykes</p>

Name and Terms of Reference	Membership
	Liberal Democrat (3): Cllrs Douglas-Dunbar, Law and Long Independent Group (1): Cllr Amil
<p>Employment Committee:</p> <ol style="list-style-type: none"> 1. To make recommendations to Council on the appointment of the Head of Paid Service including the terms and conditions of his/her employment. 2. To determine appointments to post of Director or equivalent positions of the Council and senior management positions at Hay Grade 528 or above, or for the most senior management position where this is lower, for its wholly owned companies, including the terms and conditions of contracts, appointment procedures and arrangements. 3. To consider applications for the position of Coroner and to recommend to Council the person to be appointed to that post. 4. To hear and determine appeals in relation to disciplinary matters, in relation to dismissal. 5. To consider any matters referred by the Chief Executive on the appointment of Non-Executive Directors on Council owned companies. 6. To consider any matters referred by the Chief Executive on strategic matters relating to pay and conditions. 7. To consider any disciplinary or grievance matters in relation to the Chief Executive. 8. To consider and determine requests for Flexible Retirement from Senior 	<p>5 members of the Council in accordance with the political balance requirements (to include a Cabinet member)</p> <p>Conservative (2): Cllrs Chris Lewis and David Thomas</p> <p>Liberal Democrat (2): Cllrs Steve Darling and Law</p> <p>Independent Group (1): Cllr Morey</p>

Name and Terms of Reference	Membership
Officers.	
<p>Harbour Committee</p> <p>To determine all matters relating to the strategic management of the Council’s function as a Harbour Authority, in line with the Tor Bay Harbour Port Masterplan, the Council’s Policy Framework. Specifically the Committee will:-</p> <ol style="list-style-type: none"> 1. manage all of the Harbour’s financial matters in accordance with approved financial procedures and the Council’s aspirations for the harbour to be self financing as outlined in the Tor Bay Harbour Port Masterplan and including (but not limited to): <ol style="list-style-type: none"> (a) the setting of harbour charges from time to time (including in-year changes to the schedule) normally following consultation with the relevant Harbour Liaison Forums; (b) approving the annual revenue budgets within the ring-fenced harbour accounts; (c) receiving quarterly budget monitoring reports and to approve variances as appropriate; and (d) monitoring the harbour reserve funds and to seek to ensure that the funds are kept above an appropriate minimum contingency level and ensure the harbour remains self-financing; <p>providing that no decision by the Harbour Committee shall impact adversely on the Council’s general fund or capital budget.</p> 2. to act as Duty Holder for the purposes of the Port Marine Safety Code, the accountability for which cannot be assigned or delegated; 3. approve and monitor a business plan for Tor Bay Harbour, in line with the 	<p>8 members of the Council in accordance with the political balance requirements, plus up to five external non-voting advisors appointed by the Committee on a four year term.</p> <p>(Group Leaders will be asked to take account of the geographical spread of members in making appointments to the Committee)</p> <p>Conservative (3): Cllrs Barrand, Brooks and O’Dwyer</p> <p>Liberal Democrat (2): Cllrs Carter and Dudley</p> <p>Independent Group (3): Cllrs Amil, Ellery and Mills</p>

Name and Terms of Reference	Membership
<p>Council’s policy framework, and address any issues relating to performance;</p> <ol style="list-style-type: none"> 4. review these terms of reference annually and request the Council to make any necessary amendments and/or additions; 5. review annually the powers delegated to the Head of Tor Bay Harbour Authority and refer any proposed changes to the Council for determination. The Committee itself shall not authorise any changes; 6. consider any other matters referred to the Committee by the Head of Tor Bay Harbour Authority; 7. establish any sub-committee or working parties as the Committee sees fit, in particular a Harbour Appointments Sub-Committee for the recruitment of advisors; 8. recommend the format, composition and governance of the Harbour Liaison Forums and keep the arrangements under review; 9. to provide strategic direction to the Head of Tor Bay Harbour Authority and the Leader of the Council in relation to those assets within Tor Bay Harbour and the harbour estate that are managed by Tor Bay Harbour Authority.; and 10. appoint advisors following receipt of recommendations from the Harbour Appointments Sub-Committee. Appointments will be merit based and be in accordance with the Local Protocol for members of the Harbour Committee. 	
<p>Harbour Appointments Sub-Committee</p> <ol style="list-style-type: none"> 1. To consider ad hoc applications for external advisor positions on the Harbour Committee and recommend to the Harbour Committee the persons who should be appointed to those posts as and when vacancies arise, and to determine the rolling programme for advisors tenure. 	<p>5 members of the Council in accordance with the political balance requirements to include the Chairman and Vice-Chairman of the Harbour Committee appointed the Harbour</p>

Name and Terms of Reference	Membership
	<p>Committee.</p> <p>Conservative (2): Cllrs Barrand and O’Dwyer</p> <p>Liberal Democrat (2): Cllrs Carter and Dudley</p> <p>Independent Group (1): Cllr Amil</p>
<p>Marine Safety Sub-Committee</p> <p>1. To ensure appropriate insight and understanding of the organisations marine safety management system and supporting systems and when necessary make recommendations to the Harbour Committee regarding health and safety related matters.</p>	<p>5 members of the Council in accordance with the political balance requirements appointed the Harbour Committee.</p> <p>Conservative (2): Cllrs Barrand and Brooks</p> <p>Liberal Democrat (2): Cllrs Carter and Dudley</p> <p>Independent Group (1): Cllr Amil</p>
<p>Health and Wellbeing Board</p> <p>1. To encourage those who arrange for the provision of any health or social care services in the area to work in an integrated manner for the purpose of advancing the health and wellbeing of the people in its area.</p> <p>2. To provide advice, assistance and support, as it thinks appropriate for the purpose of encouraging the making of arrangements under Section 75 (arrangements between NHS bodies and local authorities) of the National</p>	<p>Membership: Leader of the Council or their nominee: Cllr Stockman</p> <p>Director of Adults and Community Services Director of Children’s Services Director of Public Health A representative of Healthwatch</p>

Name and Terms of Reference	Membership
<p>Health Service Act 2006 in connection with the provision of such services.</p> <p>3. To encourage those who arrange for the provision of health-related services in its area to work closely with the Health and Wellbeing Board.</p> <p>4. To encourage those who arrange for the provision of any health or social care services in its area and those who arrange for the provision of any health-related services in its area to work closely together.</p> <p>5. To exercise the functions of Torbay Council and South Devon and Torbay Clinical Commissioning Group under sections 116 (health and social care: joint strategic needs assessments) and 116A (health and social care: joint health and wellbeing strategy) of the Local Government and Public Involvement in Health Act 2007, namely:</p> <ul style="list-style-type: none"> • Preparation of a Joint Strategic Needs Assessment; and • Preparation of a Joint Health and Wellbeing Strategy. <p>6. To assess needs for pharmaceutical services in Torbay and publish a statement of its first assessment and of any revised assessment.</p> <p>7. To provide the Council its opinion on whether the local authority is discharging its duty under section 116B (duty to have regard to assessment and strategies) of the Local Government and Public Involvement in Health Act 2007.</p> <p>8. To exercise the statutory duty to promote co-operation between Torbay Council, its relevant partners and other partners or bodies as the Council considers appropriate, to improve the well-being of children in the area.</p> <p>9. To consider the annual report of the Torbay Safeguarding Children’s Board.</p> <p>10. To make any decisions that legislation or government guidance reserves to Health and Wellbeing Board’s and/or proposes that Health and Wellbeing</p>	<p>Torbay A representative of Devon Clinical Commissioning Group A representative of NHS England Cabinet Member for Children’s Services</p> <p>Non-voting Co-opted Members: Torbay and South Devon NHS Foundation Trust Police and Crime Commissioner Devon Partnership NHS Trust Torbay Community Development Trust Chairman of Safer Communities Torbay Chairman of Torbay Safeguarding Children Board Chairman of Torbay Safeguarding Adults Board Chairman of Torbay Together Representative from Devon and Cornwall Police Divisional Director for Community and Customer Services Representative of the Ageing Well Assembly Representative of Primary Care Representative of the Department for Work and Pensions Representative of Torbay Schools</p>

Name and Terms of Reference	Membership
Boards would be appropriate forum for such decisions to be made.	
<p>Licensing Committee:</p> <p>To carry out the Licensing functions of the Council.</p>	<p>15 members of the Council in accordance with the political balance requirements</p> <p>Conservative (6): Cllrs Barnby, Brooks, Kavanagh, Barbara Lewis, Sykes and John Thomas</p> <p>Liberal Democrat (5): Cllrs Atiya-Alla, Dart, Douglas-Dunbar, Johns and Pentney</p> <p>Independent Group (4): Cllrs Amil, Ellery, Manning and Mills</p>
<p>Overview and Scrutiny Board:</p> <ol style="list-style-type: none"> 1. To approve and co-ordinate the work programme for the overview and scrutiny function for the year. 2. To appoint sub-committees and/or working parties to perform the overview and scrutiny function (the membership of such bodies to be in accordance with Standing Order D2 in relation to Overview and Scrutiny). 3. To appoint the Council's representatives to the Heart of the South West Local Enterprise Partnership (LEP) Joint Scrutiny Committee. 4. To review or scrutinise decisions made, or other action taken, in connection with the discharge of functions which are the responsibility of the Cabinet. 5. To make reports or recommendations to the Authority or the Cabinet with respect to the discharge of functions which are the responsibility of the Cabinet. 	<p>9 members of the Council in accordance with the political balance requirements (including the Overview and Scrutiny Co-ordinator and Overview and Scrutiny Lead Members) excluding Members of the Cabinet and the Chairman/woman of the Council plus 2 Diocesan and 2 Parent Governor Representatives</p> <p>Conservative (3): Cllrs Barnby, Barrand and Bye</p> <p>Liberal Democrat (3): Cllrs Atiya-Alla, Douglas-Dunbar and Johns</p>

Name and Terms of Reference	Membership
<p>6. To make reports or recommendations to the Authority or the Cabinet with respect to the discharge of functions which are not the responsibility of the Cabinet.</p> <p>7. To make reports or recommendations to the Authority or the Cabinet or the Council’s partner authorities (as defined by the Local Government and Public Involvement in Health Act 2007) on matters which affect the Authority’s area or the inhabitants of that area.</p> <p>8. To consider all matters and issues arising from the Council’s power to review or scrutinise decisions made, or other action taken, in connection with the discharge by the responsible authorities of their crime and disorder functions in accordance with the Police and Justice Act 2006.</p> <p>9. To review and scrutinise the exercise by risk management authorities of flood risk management functions or coastal erosion risk management functions which may affect the local authority’s area in accordance with Flood and Water Management Act 2010.</p>	<p>Independent Group (3): Cllrs Brown, Kennedy and Loxton</p>
<p>Adult Social Care and Health Overview and Scrutiny Sub-Board:</p> <p>1. to review how the needs and interests of adults are met by all departments, policies, services and decisions; and how performance is evaluated and improved;</p> <p>2. to review universal, targeted and specialist services for adults including:</p> <ul style="list-style-type: none"> • prevention and management of risk; • social care; • adults wellbeing; • education – supporting and enabling learning for adults; • internal and external partnership working for adults; 	<p>This is a Sub-Committee of the Overview and Scrutiny Board and comprises 5 members of the Council in accordance with the political balance requirements (excluding Members of the Cabinet), Chaired by the Scrutiny Lead for Health and Adult Services.</p> <p>Conservative (2): Cllrs Barnby and O’Dwyer</p>

Name and Terms of Reference	Membership
<ul style="list-style-type: none"> • supporting adults and carers; and • relevant financial management; <p>3. to consider all matters and issues arising from the Council’s power of scrutinising local health services in accordance with the Health and Social Care Act 2001, the National Health Service Act 2006 and Health and Social Care Act 2012;</p> <p>4. to assess the effectiveness of decisions of the Cabinet in these areas of the Council’s statutory activity; and</p> <p>5. to make reports and recommendations as appropriate arising from this area of overview and scrutiny.</p>	<p>Liberal Democrat (2): Cllr Douglas-Dunbar and Johns</p> <p>Independent Group (1): Cllr Loxton</p> <p>Non-Voting Co-opted Members:</p> <p>Healthwatch (1):</p> <p>Chair of Voluntary Sector Network (1):</p>
<p>Children and Young People’s Overview and Scrutiny Board:</p> <p>1. to review how the needs and interests of children and young people are met by all departments, policies, services and decisions; and how performance is evaluated and improved;</p> <p>2. to review universal, targeted and specialist services for children and young people including:</p> <ul style="list-style-type: none"> • prevention and management of risk; • social care; • children’s and young people’s wellbeing; • education – supporting and enabling learning for all children and young people; • internal and external partnership working for children and young people; • supporting parents and families; and • relevant financial management; <p>3. to assess the effectiveness of decisions of the Cabinet in these areas of the</p>	<p>This is a Sub-Committee of the Overview and Scrutiny Board and comprises 5 members of the Council in accordance with the political balance requirements (excluding Members of the Cabinet), Chaired by the Scrutiny Lead for Children’s Services.</p> <p>Conservative (2): Cllrs Barnby and Bye</p> <p>Liberal Democrat (2): Cllrs Dudley and Douglas-Dunbar</p> <p>Independent Group (1): Cllr Mills</p> <p>Statutory Education Co-opted Members:</p>

Name and Terms of Reference	Membership
<p>Council’s statutory activity; and</p> <p>4. to make reports and recommendations as appropriate arising from this area of overview and scrutiny.</p>	<p>Statutory parent governor representatives (primary, secondary and academy trust) (3):</p> <p>Statutory Church of England representative (1):</p> <p>Statutory Roman Catholic Diocesan representative (1):</p> <p>Non-Voting Co-opted Members:</p> <p>Devon and Cornwall Police representative (1):</p> <p>Torbay Youth Trust representative (1):</p> <p>Care experienced young person (1):</p> <p>Imagine This Partnership Board representative (1):</p>
<p>Planning Committee:</p> <p>1. At all times to have regard to the Development Plan (as defined in S.38 of the Planning and Compulsory Purchase Act 2004) for Torbay.</p> <p>2. To consider and (if appropriate) determine (unless such determination is</p>	<p>9 members of the Council (excluding the Cabinet Lead with responsibility for Planning, in accordance with the political balance requirements) with membership comprising, if</p>

Name and Terms of Reference	Membership
<p>reserved by law to Council) all applications and all other matters (including issuing notices, making Orders and requesting the Monitoring Officer to issue civil or criminal proceedings) relating to:</p> <p style="padding-left: 40px;">Town and Country Planning, including</p> <ul style="list-style-type: none"> • Conservation Areas • Listed Buildings • Scheduled Ancient Monuments • The display of advertisements • Tree Preservation Orders • Complaints about high hedges • Public Rights of Way • Minerals • Highways matters • Waste • Enforcement; and • Environmental Assessment <p>so far as they are set out in Schedule 2 of this Part 3 of the Constitution (Council Functions) or are identified as Council functions in Schedule 1 of this Part 3 (Local Choice Functions): i.e. so far as they are not Executive functions.</p> <p>3. The Committee shall not determine any application (or other matter) in a manner that would (in the opinion of the Divisional Director Planning, Housing and Climate Emergency or the opinion of the Director of Place) not be in accordance with the Development Plan for Torbay unless they recommend such determination and the determination is consistent with the Divisional Director’s recommendation.</p> <p>If, contrary to officer recommendation, the Committee consider that an application (or other matter) shall be determined not in accordance with the Development Plan for Torbay then (unless their determination is consistent with the recommendation of the Divisional Director Planning, Housing and Climate</p>	<p>reasonably possible, members from the various areas of the Borough</p> <p>Conservative (3): Cllrs Hill, Barbara Lewis and Jackie Thomas</p> <p>Liberal Democrat (3): Cllrs Dart, Dudley and Pentney</p> <p>Independent Group (3): Cllrs Kennedy, Manning and Mills</p>

Name and Terms of Reference	Membership
Emergency) the item shall be referred to Council for determination.	
<p>Standards Committee:</p> <ol style="list-style-type: none"> 1. To promote and maintain high standards of conduct by councillors, co-opted members and church and parent governor representatives. 2. To assist councillors, co-opted members and church and parent governor representatives to observe the Members’ Code of Conduct. 3. To advise the Council on the adoption or revision of the Members’ Code of Conduct. 4. To monitor the operation of the Members’ Code of Conduct. 5. To advise, train or arrange to train councillors, co-opted members and church and parent governor representatives on matters relating to the Members’ Code of Conduct. 6. To assist the Monitoring Officer in carrying out his/her responsibilities pursuant to the Code of Conduct and its protocols. 7. To review the Council’s local protocols as contained in the Constitution. 8. To review the Constitution in relation to ethics and probity issues. 9. To advise others on probity and ethics. 10. To consider any alleged breaches of local protocols by members. 11. To share experience with other standards committees. <p>The Council may arrange for the Standards Committee to exercise such other functions as the Council considers appropriate.</p>	<p>7 members of Torbay Council in accordance with the political balance requirements</p> <p>Conservative (3): Cllrs Barbara Lewis, Jackie Thomas and John Thomas</p> <p>Liberal Democrat (2): Cllrs Atiya-Alla and Carter</p> <p>Independent Group (2): Cllrs Mills and Morey</p>
Airshow Working Party	5 members of the Council in

Name and Terms of Reference	Membership
<ol style="list-style-type: none"> 1. To enable Members to be kept fully briefed on the progress of the Torbay Air Show 2. To monitor the budget allocated for the Torbay Air Show. 3. To consider how the Torbay Air Show can provide an opportunity to create greater benefits which support the Council’s broader corporate objectives (including providing opportunities for the Council’s Looked After Children). 	<p>accordance with the political balance requirements</p> <p>Conservative (2): Cllrs Barrand and Barbara Lewis</p> <p>Liberal Democrat (2): Cllrs Carter and Dart</p> <p>Independent (1): Cllr Amil</p>
<p>Community Asset Transfer Panel</p> <p>To assess applications made at Stage 1 and Stage 2 of the Community Asset Transfer process in accordance with the criteria set out in the Community Asset Transfer Policy.</p>	<p>4 members of the Council in accordance with the political balance requirements, to include the appropriate Cabinet Member</p> <p>Conservative (2): Cllrs Brooks and Chris Lewis</p> <p>Liberal Democrat (1): Cllr Long</p> <p>Independent (1): Cllr Loxton</p>
<p>Corporate Parenting Board</p> <ol style="list-style-type: none"> 1. To provide a forum for regular, detailed discussions of issues in relation to, and a positive link with, our Children Looked After, in accordance with the Council’s Children Looked After and Corporate Parenting Strategy. 	<p>5 members of the Council in accordance with the political balance requirements</p> <p>Conservative (2): Cllrs Barnby and Bye</p> <p>Liberal Democrat (2): Cllrs Steve Darling and Law</p>

Name and Terms of Reference	Membership
<p>Harbour Asset Working Party (plus external advisors)</p> <ol style="list-style-type: none"> 1. To review all assets within Tor Bay Harbour and the Harbour Estate. 2. To establish how each asset is performing. 3. To identify any assets that are surplus. 	<p>Independent Group (1): Cllr Mills</p> <p>5 members of the Council in accordance with the political balance requirements</p> <p>Conservative (2): Cllrs Brooks and O'Dwyer</p> <p>Liberal Democrat (1): Cllr Carter</p> <p>Independent Group (2): Cllrs Amil and Ellery</p>
<p>Harbour Budget Working Party (plus external advisors)</p> <ol style="list-style-type: none"> 1. To scrutinise the draft Tor Bay Harbour Authority budget prior to presentation to the Harbour Committee and to review the full range of harbour charges. 2. To assist Officers to monitor and review the budget ahead of each quarterly Harbour Committee meeting. 	<p>5 members of the Council in accordance with the political balance requirements</p> <p>Conservative (2): Cllrs Brooks and O'Dwyer</p> <p>Liberal Democrat (2): Cllrs Carter and Pentney</p> <p>Independent Group (1): Cllr Amil</p>
<p>The Oldway Mansion and Grounds Steering Group (Working Party)</p> <ol style="list-style-type: none"> 1. To review any condition surveys for buildings on the site. 2. To review proposals for use of buildings and grounds. 3. To ascertain community views in respect of these matters. 	<p>5 members of the Council in accordance with the political balance requirements</p> <p>Conservative (2): Cllrs Sykes and John Thomas</p> <p>Liberal Democrat (2): Cllrs Johns</p>

Name and Terms of Reference	Membership
<p>4. To make recommendations about how future use of building should be taken forward.</p> <p>5. To identify relevant members from the local community and relevant representatives from the business, public and voluntary sectors to be invited to meetings.</p> <p>6. To specify, fully cost and prioritise the works to Oldway as identified in Phase 1 of the DCA report (presented to Council on 21 June 2018).</p> <p>7. To explore with the community all potential sources of funding for the entirety of the Phases, including, but not limited to:</p> <ul style="list-style-type: none"> • Grant funding • Fund raising events • Crowd funding • Business opportunities and investment • Legacies • Philanthropic contributions <p>8. To produce a flexible programme of proposed delivery of restoration works which aligns with the availability of funding.</p> <p>9. To provide strategic oversight of commissioning and delivery of any restoration works.</p>	<p>and Long</p> <p>Independent Group (1): Cllr Cowell</p>
<p>Transport and Parking Working Party</p> <p>1. To consider current and emerging highways and transportation issues and to make recommendations to the appropriate decision-maker.</p>	<p>9 members of the Council in accordance with the political balance requirements</p> <p>Conservative (3): Cllrs Barnby,</p>

Name and Terms of Reference	Membership
<p>2. To consider current and emerging parking issues and to make recommendations to the appropriate decision maker.</p>	<p>Hill and Chris Lewis</p> <p>Liberal Democrat (3): Cllrs Atiya-Alla and Long</p> <p>Independent Group (3): Cllrs Amil, Loxton, Mills and Morey</p> <p>Note: Cllr Morey is representing the Liberal Democrats.</p>

Nominations for Chairmen/women and Vice-Chairmen/women of Committee's 2022-2023

Committee	Chairman/woman	Vice-Chairman/woman
Audit Committee	Councillor Loxton	Councillor Kennedy
Harbour Committee	Councillor Amil	Councillor Dudley
Health and Wellbeing Board (Note: In accordance with Standing Order H3.1 nominations reflect the members of the Health and Wellbeing Board which includes officers and partners.)	Councillor Stockman	Matt Fox (Clinical Commissioning Group)
Licensing Committee	Councillor Ellery	Councillor Barbara Lewis
Overview and Scrutiny Board	Councillor Douglas-Dunbar	Councillor Bye
Children and Young People Overview and Scrutiny Board (Sub-Committee of Overview and Scrutiny)	Councillor Bye (note position to be held by the Scrutiny Lead for Children)	Councillor Mills
Adult Social Care and Health Overview and Scrutiny Sub-Board (Sub-Committee of Overview and Scrutiny)	Councillor Johns (note position to be held by the Scrutiny Lead for Health and Adult Services)	Councillor Barnby
Planning Committee	Councillor Pentney	Councillor Dudley
Standards Committee	Councillor Carter	Councillor Mills

(Note: In accordance with Committees and Sub-Committees Standing Order B1, Committees that meet on an ad hoc basis and require a different Chairman/woman are not included.)

Questions Under Standing Order A12

A member may only submit three questions for consideration at each Council Meeting. Each member will present their first question in turn, when all the first questions have been dealt with the second and third questions may be asked in turn. The time for member's questions will be limited to a total of 30 minutes.

First Round

<p>Question (1) from Councillor Douglas-Dunbar to the Cabinet Member for Infrastructure, Environment and Culture (Councillor Morey)</p>	<p>Please could the Cabinet Member for Infrastructure, Environment and Culture explain the rationale behind the method that trees are purchased for Torbay Council. Are they purchased directly by Swisco or by a third party on their behalf. Please include in your response the following details of the purchase contract:</p> <ul style="list-style-type: none"> • When was the contract instigated; • Does the contract contain a clause to ensure that where possible trees are sourced from UK growers, if so what percentage of the trees have been bought from Uk growers; • What premium, if any, is added to the cost of the tree purchase by the third party; • What has been the total cost since this practice was established; • Are the trees that have been purchased, British natives, if not why not; • Does the qualified arboriculturist employed by Swisco advise the third party on tree orders • What measures have been taken to measure the carbon footprint of transporting trees from outside the UK.
<p>Councillor Morey</p>	<p>I can confirm that the SWISCo arborist provides advice on our approach to our tree species selection and where possible this is also informed by the wider community as to their ideas for tree species they would like to see.</p> <p>The approach is typically to purchase native trees. Wherever possible we will use native species as the benefits of biodiversity associated with native trees is well known. Although there are exceptions where we will plant non-native trees, but this is only done for landscape or resilience reasons or where a non-native tree offers a uniqueness not found in UK natives.</p> <p>The provision for the purchase and planting of trees is included in the Green Infrastructure Contract that was let in April of this year.</p> <p>There is no specific clause within the contract to specify that trees should be sourced from UK growers, however at the pre-order stage where the trees come from is identified. SWISCo will always ensure that where possible trees are sourced from UK growers – who have grown them from seed in this country.</p> <p>There is no percentage uplift or premium added to the cost of the tree or administration involved in doing so by the third party. As part of the social</p>

	<p>value element of the contract a number of trees have also been planted at no charge by the contractor including some of the Covid tree trail</p> <p>For any trees that are brought from abroad, there are challenges with measuring the Carbon Footprint as when a consignment of trees comes in from the continent it will not just be our trees on the lorry. There will be trees for other nurseries, and other suppliers, and so the carbon footprint is difficult to accurately assess. It is something that does need addressing and quantifying so we are able to show how we can offset the associated carbon footprint.</p>
<p>Question (2) from Councillor O'Dwyer to the Cabinet Member for Economic Regeneration, Tourism and Housing (Councillor Long)</p>	<p>The council secured funding from the Land Release Scheme (LRF) a few years ago for Little Blagdon Farm, Land at Preston Down Road and Garfield Road, Paignton to support the area in providing additional homes to meet the determined need.</p> <p>Please could the Cabinet Member for Economic Regeneration, Tourism and Housing provide:</p> <ul style="list-style-type: none"> • details from the land Registry of who now owns the identified sites? • How the monies awarded were spent or are still to be spent and when they need to be spent by under the LRF scheme criteria. • Is there planning permission for any of the sites and how many new homes have been built so far and how many are anticipated to be social/affordable homes. • To aid the understanding of the level of homes required and the benefit the development of these sites would bring, could you also provide the current housing land supply in 'years' for Torbay and when will the public's response to the consultation on the five Housing Growth Scenarios be shared with Members.
<p>Councillor Long</p>	<p>The Land Registry details for the sites are set out in Appendix 1. The LRF monies are to be spent, and have been spent, in accordance with criteria agreed with the Cabinet Office. The criteria for complying with LRF terms relates to its release for housing development. The LRF grant does not have a 'spend by' date in its criteria. Preston Down Road was sold in December 2020 and all LRF terms have been complied with. Terms have been agreed for disposal of Collaton St Mary (also known as Little Blagdon Farm) and the land release date has been agreed as February 2023. The Council transferred the Garfield Road site to Torbay Economic Development Company Limited on 28 May 2021.</p> <p>It is anticipated that the planning application for Preston Down Road will be submitted during the summer 2022. Planning consent for the new access road and building demolition at Collaton St Mary was obtained in September 2019 and contractors are currently on site demolishing the buildings. We are anticipating that the developer for Collaton St Mary will submit its planning application for residential development Autumn/Winter 2022.</p> <p>The Garfield Road site forms part of the wider redevelopment proposals for the whole of Victoria Centre and the timings of a planning application is unknown pending a procurement and delivery strategy for the site.</p>

	<p>The current Housing Land Supply figure is below 3 years, these sites would all bring considerable benefit to the supply of homes. The feedback from the first consultation on the Housing Growth Scenarios and the proposal for a further Regulation 18 Consultation, will be considered by Cabinet in due course.</p>
<p>Question (3) from Councillor Kennedy to the Cabinet Member for Infrastructure, Environment and Culture (Councillor Morey)</p>	<p>At the Council meeting held on 3 March 2022, I asked the Cabinet Member for Infrastructure, Environment and Culture a question regarding the LCWIP for which I have yet to receive an answer. Please would you provide the answers required by my residents tonight and numerate the answers as shown below:</p> <ol style="list-style-type: none"> 1. Residents of the Churston with Galmpton Ward were informed that, due to separate funding having been available for some time, the improvements to America Lane for cycling and walking would be one of the first of the walking and cycling route projects in the Bay. Please provide a timeline for these works. 2. Please also provide the date by which the funds provided in a Section 106 for America Lane have to be spent as those details are still not publicly available on our website. 3. Please provide an update with timescales regarding the proposed cycling and walking routes within the Galmpton with Churston Ward and how these will connect up with the routes in the neighbouring Wards.
<p>Councillor Morey</p>	<p>We are not currently able to give a detailed programme for the delivery of the works but reiterate that the proposal is a priority, the residents will have seen the works with wildflower meadow that are part of enhancing this route for all, including for biodiversity. Discussions are taking place between the Council and SWSICO to set a delivery programme and ensure appropriate resources are allocated. This route, in contrast to the other sections of the Beaches Trail has an existing design with which we can work from.</p> <p>There are a variety of Section 106 agreements related to the implementation of walking and cycling improvements between Brixham and Windy Corner, and some of those agreements can also cover other sustainable transport improvements in that area if required. Some of the agreements are currently not fully paid to the Council and some do not have express time limits within the agreement, though we are aware of the need to act responsibly and appropriately in spending these contributions in accordance with the agreements for the purposes set out. This will include spending the money in a timely manner and ensuring it is relevant to the development.</p> <p>As well as Americas Lane, we are working with the Liveable Towns Officer, who is working in partnership with us and Sustrans, reviewing the options to improve routes between Windy Corner and Brixham. This will be reported shortly with community consultation a key part of the next step. The LCWIP further identifies the route along Dartmouth Road to the north, connecting to Paignton, and as we develop our proposals we will move into reviewing schemes in that section of the route. This section is</p>

	noted as a short term delivery timescales in the LCWIP and that remains the intention.
Question (4) from Councillor Chris Lewis to the Cabinet Member for Infrastructure, Environment and Culture (Councillor Morey)	Can the Cabinet Member for Infrastructure, Environment and Culture please provide an update on the position of the North Toilets on Preston Seafront. In particular, can he confirm that no arrangements will be made to give a lease/licence on the green to the south of the toilets before a full consultation has taken place with the local ward Councillors, Community Partnership and the Beach Hut Users Group. Also, will any of the beach huts be moved to accommodate the new development.
Councillor Morey	<p>The redevelopment of the north toilets on Preston seafront are currently at the design stage, although a preferred tenant has been identified and is informing the process.</p> <p>I can confirm that should a lease/licence on the green to the south of the toilets be sought careful consideration shall be given, including consultation with the local ward Councillors, Community Partnership and the Beach Hut Users Group. Currently there are no plans to move any of the beach huts to accommodate the new development.</p>

Second Round

Question (5) from Councillor O'Dwyer to the Cabinet Member for Corporate and Community Services (Councillor Carter)	Torbay Council as one of the Bays largest employers is currently offering substantial relocation payments of up to £11k, along with £500 'golden hello's' and £500 refer a friend bonuses for specific jobs within the authority, along with a £2000 annual retention payments for some roles. It is also offering permanent home working to others who can, as well as differing pensions offers across its subsidiary companies. How is the Council currently demonstrating and evidencing job evaluation, equality and fairness within the Council and across its different subsidiary companies in hiring and retaining staff?
Councillor Carter	<p>The Council, as with other employers, is facing increased challenges in recruiting to many positions. In order to ensure that we are able to effectively deliver services for our residents, we need to have the flexibility in our Recruitment and Retention policy to attract and retain employees.</p> <p>Council has in place a robust equality proofed job evaluation scheme and associated pay processes, which apply to Torbay Council and wholly owned companies – including recruitment and retention approaches. In relation to any pay, whether it be basic or additional payments, there are clear and concise policies and procedures have that to be followed to ensure equality and fairness to all.</p> <p>For example, any requests for market supplement, refer a friend and golden hello, all have to be requested by the manager/head of service through a business case with evidence to support the request, the business case in appropriate cases must also supply a genuine material factor defence in terms of equal pay before any payments are agreed. All payments are approved by the Head of HR in conjunction with the Head of Paid Service, taking into account the business case and evidence provided for all organisations.</p>

	HR has also recently had the current processes reviewed to ensure robustness of approach by external legal practice and that indicates that the Council is taking an appropriate approach in relation to pay.
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Third Round

<p>Question (6) from Councillor O'Dwyer to the Cabinet Member for Infrastructure, Environment and Culture (Councillor Morey)</p>	<p>Considering the continued struggles of Swisco in delivering waste collection services during these difficult times. Could the Cabinet Member for Infrastructure, Environment and Culture advise if overtime payments have been made to staff to ease the current service and the current or expected costs of doing so. Please could you provide a per head of population comparison with our statistically equivalent and direct neighbouring local authorities of the cost of waste and recycling services.</p>																																
<p>Councillor Morey</p>	<p>Overtime payments are made to staff to facilitate the completion of the service to both collect and dispose of waste in line with Torbay Councils statutory duty. Any associated costs related to this are managed within SWISCO's overall commissioning fee. Overtime costs in 21-22 for the Collection Team (Residual & Recycling) is circa £195k pa.</p> <p>In respect of comparators, it is important that we do compare with unitary authorities, and the CIPFA comparators are the most appropriate.</p> <p>CIPFA Comparators</p> <table border="1" data-bbox="470 996 1380 1646"> <thead> <tr> <th></th> <th>Per Head Of Population 2020/21</th> </tr> </thead> <tbody> <tr> <td>Isle of Wight UA</td> <td>£ 25.52</td> </tr> <tr> <td>Sefton</td> <td>£ 26.03</td> </tr> <tr> <td>Wirral</td> <td>£ 26.36</td> </tr> <tr> <td>North Somerset UA</td> <td>£ 40.36</td> </tr> <tr> <td>Darlington UA</td> <td>£ 53.31</td> </tr> <tr> <td>Bournemouth, Christchurch and Poole UA</td> <td>£ 58.82</td> </tr> <tr> <td>North Tyneside</td> <td>£ 60.91</td> </tr> <tr> <td>Southend-on-Sea UA</td> <td>£ 61.26</td> </tr> <tr> <td>Blackpool UA</td> <td>£ 63.89</td> </tr> <tr> <td>Redcar & Cleveland UA</td> <td>£ 65.28</td> </tr> <tr> <td>North East Lincolnshire UA</td> <td>£ 65.99</td> </tr> <tr> <td>Torbay UA</td> <td>£ 72.07</td> </tr> <tr> <td>East Riding of Yorkshire UA</td> <td>£ 74.92</td> </tr> <tr> <td>Northumberland UA</td> <td>£ 87.43</td> </tr> <tr> <td>Cornwall UA</td> <td>£ 114.74</td> </tr> </tbody> </table>		Per Head Of Population 2020/21	Isle of Wight UA	£ 25.52	Sefton	£ 26.03	Wirral	£ 26.36	North Somerset UA	£ 40.36	Darlington UA	£ 53.31	Bournemouth, Christchurch and Poole UA	£ 58.82	North Tyneside	£ 60.91	Southend-on-Sea UA	£ 61.26	Blackpool UA	£ 63.89	Redcar & Cleveland UA	£ 65.28	North East Lincolnshire UA	£ 65.99	Torbay UA	£ 72.07	East Riding of Yorkshire UA	£ 74.92	Northumberland UA	£ 87.43	Cornwall UA	£ 114.74
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Official copy
of register of
title

Title number DN13535

Edition date 13.08.2007

- This official copy shows the entries on the register of title on 30 APR 2012 at 14:33:53.
- This date must be quoted as the "search from date" in any official search application based on this copy.
- The date at the beginning of an entry is the date on which the entry was made in the register.
- Issued on 30 Apr 2012.
- Under s.67 of the Land Registration Act 2002, this copy is admissible in evidence to the same extent as the original.
- For information about the register of title see Land Registry website www.landregistry.gov.uk or Land Registry Public Guide 1-A *guide to the information we keep and how you can obtain it*.
- This title is dealt with by Land Registry, Plymouth Office.

A: Property Register

This register describes the land and estate comprised in the title.

TORBAY

- 1 The Freehold land shown edged with red on the plan of the above Title filed at the Registry and being being land on the South side of Totnes Road, Paignton.
- 2 The land in this title has the benefit of the following rights reserved by a Transfer of the land tinted yellow on the filed plan dated 12 April 1927 made between (1) The County Council of the Administrative County of Devon and (2) Edward Albert Vinen:-

"A right for the Council or other the owner or owners occupier or occupiers for the time being of the land situate on the South side of the land hereby transferred to take water from the stream on the land hereby transferred and for this purpose to have access to such stream through the fence marked "A" "B" on the said plan."

NOTE:- The letters A and B referred to have been marked on the filed plan.

- 3 The land adjoining the western boundary of the land tinted pink on the filed plan has the benefit of the following rights reserved by a Transfer of the land tinted pink on the filed plan dated 2 March 1960 made between (1) The County Council of the Administrative County of Devon and (2) Nancy Lee Lockyer:-

"The right of the owner for the time being of the premises immediately adjoining on the west to the free passage and running of water and soil from the said adjacent premises into the septic tank situate in the property hereby transferred through and along the drain or pipes used for the purpose in and under the property hereby transferred the approximate position of which said tank and drain is indicated respectively by the letter "E" and a blue line on the said plan with power for the owner of the said adjoining premises to enter for the purpose of cleansing repairing and renewing the said drain doing as little damage as possible to the premises entered upon and making good the surface without unnecessary delay at his own expense and making

A: Property Register continued

compensation for any damage done or occasioned by the exercise of this right provided that the owner of the said adjoining premises shall contribute a moiety of the cost of maintenance of the said tank including the overflow therefrom."

NOTE:- The septic tank referred to is marked on the filed plan. The drain shown by a blue line on the transfer plan is shown by a blue broken line on the filed plan.

4 The land edged and numbered in green on the filed plan has been removed from this title and registered under the title number or numbers shown in green on the said plan.

5 (06.11.1995) The land has the benefit of the following rights reserved by a Transfer of the land edged and numbered DN362007 in green on the filed plan dated 16 October 1995 made between (1) Devon County Council (Transferor) and (2) Torbay Holiday Motel Limited (Transferee):-

"Excepting and Reserving unto the Council in fee simple for the benefit of the remainder of the Council's retained land comprised in title number DN13535 the right to drain surface water into the channel on the land hereby transferred together with the right to enter onto the Property with or without workmen plant and materials to maintain and improve the drainage channel"

6 (13.10.2005) The land has the benefit of the rights reserved by but is subject to the rights reserved by a Transfer of the land edged and numbered DN520322 in green on the title plan dated 23 September 2005 made between (1) The Council of the Borough of Torbay and (2) Kevin Anthony Paine and Jennifer Ann Paine.

NOTE: Copy filed under DN520322.

B: Proprietorship Register

This register specifies the class of title and identifies the owner. It contains any entries that affect the right of disposal.

Title absolute

1 (19.04.1921) Proprietor(s): THE COUNCIL OF THE BOROUGH OF TORBAY of Town Hall, Castle Circus, Torquay TQ1 3DR.

C: Charges Register

This register contains any charges and other matters that affect the land.

1 The land is subject to a perpetual yearly rentcharge of 13s.4d payable to The Lord of the Manor and Borough of Paignton referred to in a Conveyance dated 24 March 1921 made between (1) George Lee (Vendor) and (2) The County Council of The Administrative County of Devon (Purchaser)

NOTE 1:- The Deed dated 24 March 1921 referred to above contains a covenant by the Vendor by way of indemnity to pay the annual sum of 9s.10d an apportioned part of the said rentcharge.

NOTE 2:- Copy in Certificate.

2 The land is subject to the rights reserved by the Conveyance dated 24 March 1921 referred to above.

3 The land is subject to the following rights granted by a Transfer of the land tinted blue on the filed plan dated 25 March 1927 made between (1) The County Council of the Administrative County of Devon (Council) and (2) Thomas Evan Griffiths (Purchaser):-

"TOGETHER ALSO with a right for the Purchaser or other the owners or occupiers of the land hereby transferred for all purposes to pass and repass with or without horses cattle and other animals carts carriages

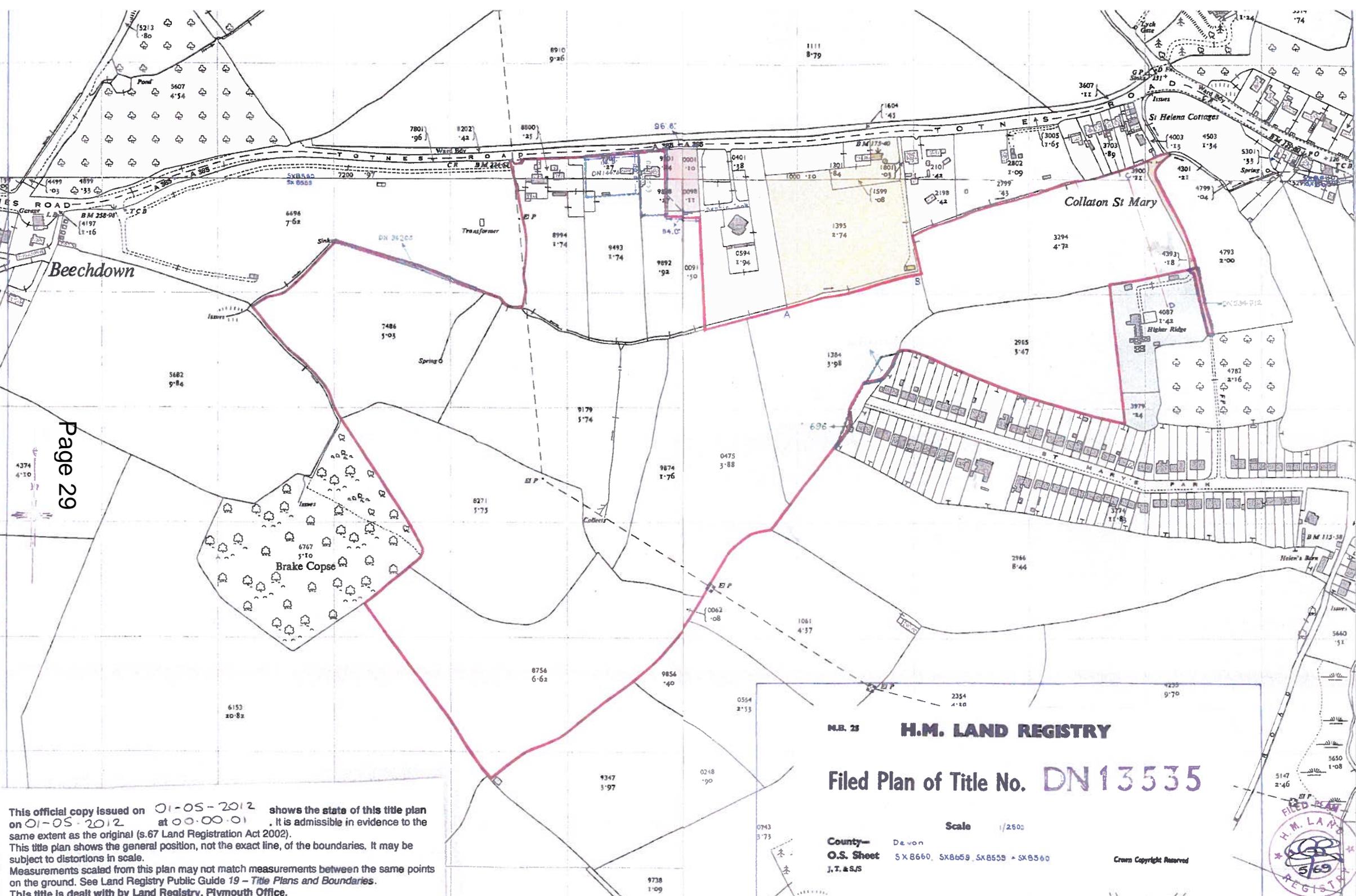
Title number DN13535

C: Charges Register continued

and other vehicles over and along the road coloured Brown on the said Plan the Purchaser paying one-sixth part of the cost of repairing and maintaining such road TOGETHER ALSO with a right for the same persons to enter into and upon the adjoining land numbered 1080 on the said Plan for all purposes of inspecting renewing repairing and cleansing the water pipe thereunder as indicated on the said Plan by the dotted red lines between the letters "C" and "D" the Purchaser making good all damage caused thereby to the surface."

NOTE:- The road coloured brown, the pipe shown by dotted red lines and the letters C and D on the transfer plan are respectively shown tinted brown, by a brown broken line and by the points marked C and D on the filed plan.

End of register



Page 29

This official copy issued on 01-05-2012 shows the state of this title plan on 01-05-2012 at 00:00:01. It is admissible in evidence to the same extent as the original (s.67 Land Registration Act 2002). This title plan shows the general position, not the exact line, of the boundaries. It may be subject to distortions in scale. Measurements scaled from this plan may not match measurements between the same points on the ground. See Land Registry Public Guide 19 - Title Plans and Boundaries. This title is dealt with by Land Registry, Plymouth Office.

N.B. 25 **H.M. LAND REGISTRY**
 Filed Plan of Title No. **DN13535**

Scale 1/2500
 County— Devon
 O.S. Sheet SX.8660, SX.8659, SX.8558 + SX.8560
 J.T. & S.S.

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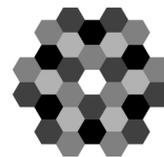


Agenda Item 7 Appendix 3

The electronic official copy of the register follows this message.

Please note that this is the only official copy we will issue. We will not issue a paper official copy.

Applications are pending in HM Land Registry, which have not been completed against this title.



Official copy of register of title

Title number DN178565

Edition date 15.05.2017

- This official copy shows the entries on the register of title on 15 APR 2021 at 16:52:49.
- This date must be quoted as the "search from date" in any official search application based on this copy.
- The date at the beginning of an entry is the date on which the entry was made in the register.
- Issued on 16 May 2022.
- Under s.67 of the Land Registration Act 2002, this copy is admissible in evidence to the same extent as the original.
- This title is dealt with by HM Land Registry, Plymouth Office.

A: Property Register

This register describes the land and estate comprised in the title.

DEVON : SOUTH HAMS

- 1 (01.07.1985) The Freehold land shown edged with red on the plan of the above Title filed at the Registry and being land on the North and South sides of Cockington Road and Preston Down Road, Paignton.
- 2 The land has the benefit of the rights granted by but is subject to the rights reserved by a Conveyance of the land in this title dated 3 May 1985 made between (1) The Council of the Borough of Torbay and (2) Devon County Council.
NOTE: Copy filed.
- 3 (30.01.2012) The land edged and numbered in green on the title plan has been removed from this title and registered under the title number or numbers shown in green on the said plan.

B: Proprietorship Register

This register specifies the class of title and identifies the owner. It contains any entries that affect the right of disposal.

Title absolute

- 1 (25.01.2012) PROPRIETOR: THE COUNCIL OF THE BOROUGH OF TORBAY of Town Hall, Castle Circus, Torquay TQ1 3DR.

C: Charges Register

This register contains any charges and other matters that affect the land.

- 1 A consent dated 12 July 1965 made between (1) Ortem Estates Limited and (2) South West Devon Water Board relates to the laying of water mains.
NOTE: Copy filed.
- 2 A Deed dated 19 December 1969 made between (1) Torbay Corporation and (2) South Western Gas Board relates to gas mains and ancillary apparatus

Title number DN178565

C: Charges Register continued

NOTE: Copy filed.

- 3 A Deed dated 22 November 1982 made between (1) The Council of The Borough of Torbay and (2) British Gas Corporation relates to gas mains and ancillary apparatus.

NOTE: Copy filed.

End of register

These are the notes referred to on the following official copy

The electronic official copy of the title plan follows this message.

Please note that this is the only official copy we will issue. We will not issue a paper official copy.

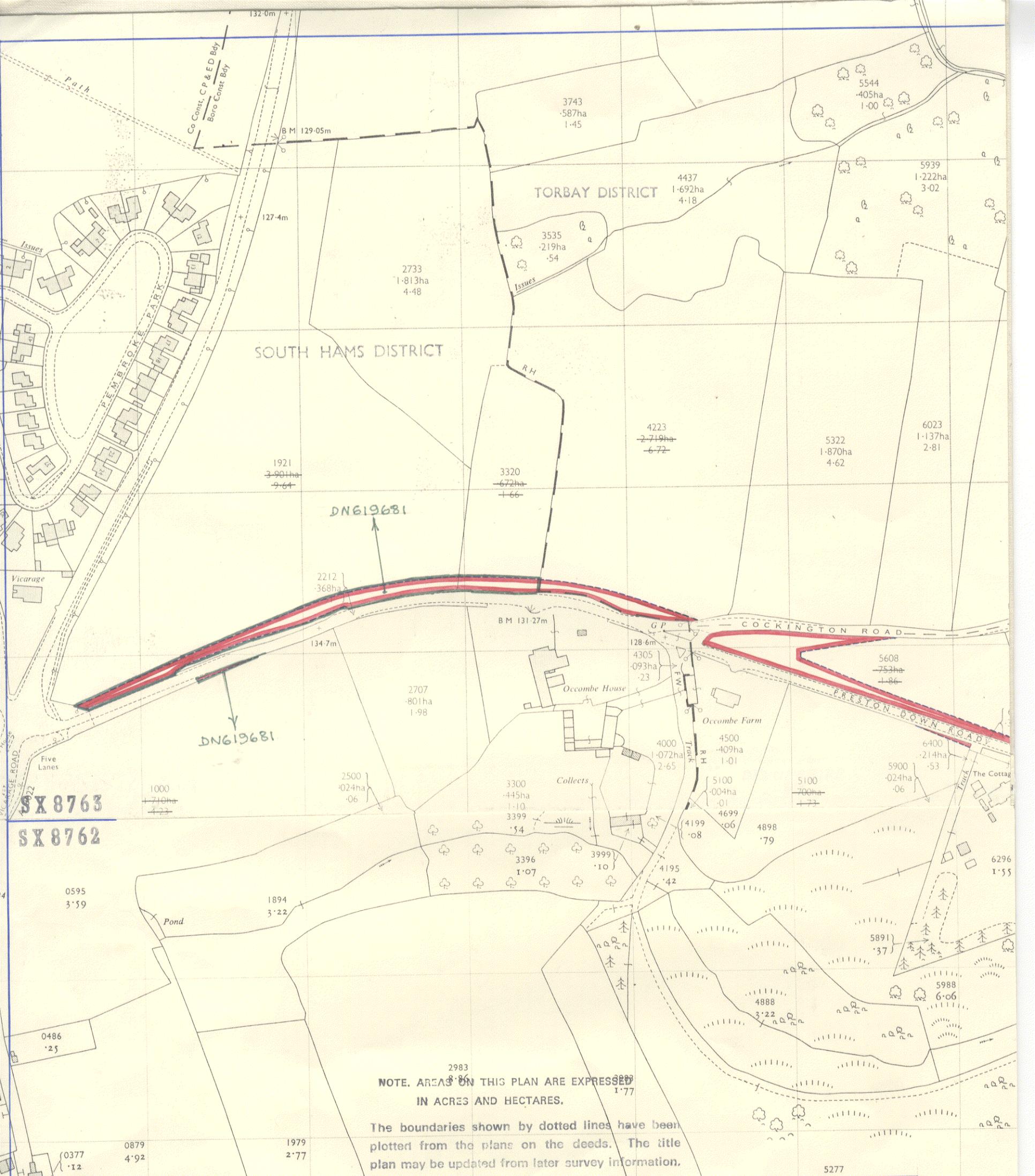
This official copy was delivered electronically and when printed will not be to scale. You can obtain a paper official copy by ordering one from HM Land Registry.

There is an/are application(s) pending in HM Land Registry and if we have only completed the mapping work for a pending application affecting the title concerned, such as a transfer of part:

- additional colour or other references, for example 'numbered 1', may appear on the title plan (or be referred to in the certificate of inspection in form CI), but may not yet be mentioned in the register
- colour or other references may also have been amended or removed from the title plan (or not be referred to in form CI), but this may not be reflected in the register at this stage.

This official copy is issued on 16 May 2022 shows the state of this title plan on 15 April 2021 at 16:52:49. It is admissible in evidence to the same extent as the original (s.67 Land Registration Act 2002). This title plan shows the general position, not the exact line, of the boundaries. It may be subject to distortions in scale. Measurements scaled from this plan may not match measurements between the same points on the ground. This title is dealt with by the HM Land Registry, Plymouth Office .

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NOTE. AREAS ON THIS PLAN ARE EXPRESSED IN ACRES AND HECTARES.

The boundaries shown by dotted lines have been plotted from the plans on the deeds. The title plan may be updated from later survey information.

H.M. LAND REGISTRY		TITLE NUMBER	
		DN 178565	
ORDNANCE SURVEY PLAN REFERENCE	SX 8763	SX 8762	SX 8862 SX 8863
COUNTY DEVON	DISTRICT		Scale 1/2500
			© Crown copyright





Official copy of register of title

Title number DN521239

Edition date 17.01.2013

- This official copy shows the entries in the register of title on 5 August 2015 at 14:33:35.
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- Issued on 5 August 2015.
- Under s.67 of the Land Registration Act 2002, this copy is admissible in evidence to the same extent as the original.
- For information about the register of title see Land Registry website www.landregistry.gov.uk or Land Registry Public Guide 1 - *A guide to the information we keep and how you can obtain it.*
- This title is dealt with by Land Registry Durham Office.

A: Property register

This register describes the land and estate comprised in the title.

TORBAY

- 1 The Freehold land shown edged with red on the plan of the above title filed at the Registry and being Land lying to the north and south of Preston Down Road, Paignton.

NOTE: The land tinted green on the title plan is not included in the title.

- 2 (28.10.2005) The land has the benefit of rights of drainage in respect of water and electricity supply services reserved in the Conveyances of the land tinted blue on the title plan made by Paignton and District Land Development Company Limited and their successors in title.

- 3 (28.10.2005) The land edged and numbered 1 in blue on the title plan has the benefit of the rights granted by but is subject to the rights reserved by a Conveyance of the land edged and numbered 1 in blue and other land dated 14 September 1946 made between (1) Bertha Ellen Spencer and (2) Roger George Cookson.

NOTE: Copy filed.

- 4 (28.10.2005) The land has the benefit of the rights granted by a Deed dated 24 April 1963 made between (1) Paignton and District Land Development Company Limited and (2) Ortem Estates Limited.

NOTE: Copy filed.

- 5 The land tinted yellow and tinted brown on the title plan has the benefit of the following rights granted by the Transfer dated 31 December 1973 referred to in the Charges Register:-

"(a) The full right for the Transferee and its successors in title in



A: Property register continued

common with all others entitled thereto at all times and for all purposes with or without vehicles to pass and repass over the roads and paths now or within a period of 80 years hereafter forming part of the Windmill Green Development so far only as is necessary for the proper enjoyment of the property hereby transferred and excluding paths within the curtilages of the plots on the Development

(b) The full right in common with others entitled thereto to the free and uninterrupted passage and running of water and soil through the sewers or drains now laid or within a period of 80 years hereafter to be laid in or under the adjoining and neighbouring premises on the Development with the right to enter upon such adjoining and neighbouring premises for the purpose of inspecting repairing and maintaining the said sewers or drains as occasion may require doing no unnecessary damage in the exercise of such right and making good any damage caused

(c) The right to lay within a period of 80 years hereafter and maintain in on and under such adjoining and neighbouring premises pipes wires and cables for the supply of water gas and electricity and other domestic services for the purpose of supplying the buildings erected or to be erected on the land hereby transferred with the right to enter upon such adjoining and neighbouring premises for the purpose of inspecting repairing and maintaining the said pipes wires and cables doing no unnecessary damage in the exercise of such right and making good any damage caused thereby."

- 6 (28.10.2005) The land has the benefit of the following rights reserved by but is subject to the following rights granted in a Conveyance of Pound House dated 10 August 1978 made between (1) The Council of the Borough of Torbay (Vendor) and (2) Anthony Cyril Langley Churchward and Janet Mary Churchward (Purchasers):-

"TOGETHER WITH a right of way at all times and for all purposes over and along the track coloured brown on the said plan EXCEPTING AND RESERVING unto the Vendor and its successors and assigns (in common with all others now or hereafter entitled to the like rights) the right at any time or times hereafter (a) of free passage and running of water and soil by and through the sewers drains channels water courses and pipes now laid or hereafter to be laid within twenty-one years of the date hereof in or under the land hereby conveyed (b) with or without workmen to enter into and upon the land hereby conveyed to inspect repair cleanse maintain divert and renew the said sewers drains channels water courses and pipes and to construct and lay down sewers drains channels water courses thereunder doing no unnecessary damage thereby and making good any damage that may be occasioned thereby and (c) to enter into and upon the land hereby conveyed with or without workmen to carry electric cables under the said land and the right of access thereto for the purpose of inspecting and repairing the same doing no unnecessary damage thereby and making good any damage that may be occasioned thereby."

NOTE: The land coloured brown referred to above is hatched blue on the title plan.

- 7 (28.10.2005) The land has the benefit of the rights reserved by but is subject to the rights granted by a Conveyance of the land tinted green on the title plan dated 22 November 1982 made between (1) The Council of the Borough of Torbay and (2) British Gas Corporation.

NOTE: Copy filed.

A: Property register continued

8 The 9 inch surface water drain referred to in the Conveyance dated 18 November 1965 referred to in the Charges Register is excluded from the registration insofar as it may be affected thereby.

9 (30.11.2006) The land has the benefit of the following rights granted by a Transfer of the land edged and numbered DN542715 in green on the title plan dated 23 October 2006 made between (1) The Council of the Borough of Torbay and (2) The Parish Council of Marldon:-

"Rights reserved for the benefit of other land being the Retained Land hereinafter referred to:-

13.2.1

(a) The right of free passage and running of water and soil by and through the sewers drains channels watercourses and pipes now laid or hereafter to be laid within the Perpetuity Period in or under the Property

(b) The right for the Transferor and its agents or contractors to enter into and upon the Property with or without workmen to inspect repair cleanse maintain connect divert and renew the said sewers drains channels watercourses and pipes and to construct and lay down sewers drains channels watercourse thereunder doing no unnecessary damage thereby and making good any damage that may be occasioned thereby

(c) All rights and easements and quasi rights and quasi easements now used or enjoyed

NOTE: The land in this title is the "Retained Land" referred to above.

10 (30.11.2006) The Transfer dated 23 October 2006 referred to above contains the following provision:-

"Agreements and Declarations

.....

It is hereby agreed that all the boundaries shall belong to the Transferee and the Transferees for themselves and their successors in title hereby covenant with the Transferors and their successors in title that they will at their own expense provide and thereafter maintain in good condition boundary hedges and fences to the Property."

11 (30.11.2006) A new title plan based on the latest revision of the Ordnance Survey Map has been prepared.

B: Proprietorship register

This register specifies the class of title and identifies the owner. It contains any entries that affect the right of disposal.

Title absolute

1 PROPRIETOR: THE COUNCIL OF THE BOROUGH OF TORBAY of Town Hall, Castle Circus, Torquay TQ1 3DR.

2 The Transfer dated 31 December 1973 referred to in the Charges Register contains vendors personal covenant(s) details of which are set out in the schedule of personal covenants hereto.



B: Proprietorship register continued

- 3 The Transfer to the proprietor of the land tinted yellow and tinted brown on the title plan contains a covenant to observe and perform the covenants in the Conveyance dated 17 June 1963 referred to in the Charges Register and of indemnity in respect thereof.
- 4 (28.10.2005) The Conveyance dated 31 January 1973 to the proprietor contains a covenant to observe and perform the covenants in the Deed dated 17 March 1969 referred to in the Charges Register and of indemnity in respect thereof.
- 5 (28.10.2005) The Conveyance dated 31 January 1973 referred to in the Charges Register contains purchasers personal covenant(s) details of which are set out in the schedule of personal covenants hereto.

Schedule of personal covenants

- 1 The following are details of the personal covenants contained in the Transfer dated 31 December 1973 referred to in the Proprietorship Register:-

"The Transferor hereby covenants with the Transferee that the Transferor will (a) Construct the roadway and footpath forming part of the Windmill Green Development upon which the premises hereby transferred abut to the satisfaction of the appropriate Authority and will maintain the same in repair until adopted and will indemnify the Transferee and its successors in title against all costs and expenses in respect thereof and

(b) erect and thereafter maintain a fence between the points A-B on the plan annexed hereto of tanalised timber post and rail construction comprising 4"x4" posts with three 3" deep rails 1" thick constructed to a height of four feet to be stained with a wood stain to match the remainder of the fencing on the development."

NOTE: The points marked A and B referred to are reproduced on the title plan.

- 2 The following are details of the personal covenants contained in the Conveyance dated 31 January 1973 referred to in the Proprietorship Register:-

"THE Purchaser hereby covenants with the Vendors (a) that the Purchaser and its successors in title will at all times hereafter keep all the boundary hedges and fences surrounding the land hereby conveyed in a good and stock proof condition"

C: Charges register

This register contains any charges and other matters that affect the land.

- 1 The land tinted yellow and tinted brown on the title plan is subject to rights of entry for the purpose of maintaining and repairing any building or buildings erected on adjoining land and which cannot be so maintained or repaired from the said adjoining land.
- 2 (28.10.2005) The land edged brown on the title plan is subject to the rights reserved by a Conveyance of the land edged brown on the title plan and other land dated 28 January 1932 made between (1) Thomas Place and (2) Daniel Cane.

NOTE: Copy Abstack filed.

C: Charges register continued

- 3 (28.10.2005) By a Conveyance dated 17 September 1934 made between (1) Daniel Cane (2) George Banbury and (3) Ferderick Rowland Absalom the land edged brown on the title plan was conveyed subject as follows:-

"subject to all rights and privileges hitherto used and enjoyed (and in particular in respect of drainage) by way of easement or quasi easement in connection with any adjacent hereditaments now or hereafter forming part of the Compton Castle Estate or any part thereof over or against the premises hereby conveyed or any part thereof and so as to reserve unto the vendor and his successors in title and other the owner or owners for the time being of the land of the Compton Castle Estate or any part thereof the benefit of such rights and privileges so far as the same may be enjoyable in connection with any hereditaments which on the execution hereof may remain vested in the predecessors in title of the Vendor (so far as the premises may be affected by such rights and privileges) "

- 4 (28.10.2005) The parts of the land affected thereby are subject to the rights granted by a Conveyance of the land tinted mauve on the title plan and other land dated 26 March 1935 made between (1) Paignton and District Land and Development Company Limited (2) Torbay Proprietary Limited and (3) Frank George Newnham.

NOTE: Copy filed.

- 5 (28.10.2005) The parts of the land affected thereby are subject to the rights granted in a Deed dated 28 May 1954 made between (1) Torbay Proprietary Limited (2) Paignton and District Land and Development Company limited and (3) The Plymouth Breweries Limited.

NOTE: Copy filed.

- 6 (28.10.2005) The parts of the land affected thereby are subject to the following rights granted by a Conveyance of land adjoining the southernmost boundary of the land in this title dated 7 August 1962 made between (1) Paignton and District Land and Development Company Limited (Vendor) and (2) L..G. Bennetto Limited (Purchaser):-

" AND TOGETHER with a right to lay and thereafter maintain a drain or sewer in the position indicated by a red line on the said plan with a right to enter on to so much of the adjoining land of the Vendor known as Browse's Brake as shall be necessary for such purposes the Purchaser or its successors in title doing no unnecessary damage by the exercise of such rights and making good all damage occasioned thereby AND TOGETHER ALSO with the right to connect with and run sewerage and water through any sewers or drains for the time being vested in the Vendor and laid in any land of the Vendor immediately adjoining the land hereby conveyed the Purchaser or its successors in title doing no unnecessary damage by the exercise of such rights and making good all damage occasioned thereby"

NOTE: Copy plan filed.

- 7 A Transfer of the land tinted yellow and tinted brown on the title plan and other land dated 17 June 1963 made between (1) L G Bennetto Limited (Transferor) and (2) Bryant Homes Limited (Transferee) contains covenants details of which are set out in the schedule of restrictive covenants hereto.

- 8 The land tinted yellow and tinted brown on the title plan is subject to the following rights excepted and reserved by the Transfer dated 17 June 1963 referred to above:-

"Excepting and reserving to the Transferor and its successors in title and



C: Charges register continued

assigns owners and occupiers for the time being of the remainder of the land comprised in title Number DN2662 the free passage and running of water and soil through the sewers and drains constructed or to be constructed within twenty-one years from the date of the decease of Leslie Gordon Bennetto a Director of the Transferor through or adjoining the land hereby transferred with power for the Transferor and its successors in title and assigns owner or owners of the remainder of the land comprised in title Number DN2662 or any part or parts thereof to enter for the purpose of connecting to cleansing repairing and renewing the said sewers and drains or any of them doing as little damage as possible to the property entered upon and making good the surface without unnecessary delay at its own cost."

NOTE: The land in title DN2662 referred to above is south of the land tinted yellow and tinted brown on the title plan.

- 9 (28.10.2005) The land edged brown on the title plan is subject to the rights granted by a Deed dated 17 March 1969 made between (1) Charles Frederick Pearse and James Henry Pearse and (2) South Western Gas Board.

The said Deed also contains restrictive covenants by the grantor.

NOTE: Copy filed.

- 10 The land tinted yellow on the title plan is subject to the following rights reserved by a Transfer dated 18 December 1970 made between (1) Selleck Nicholls Williams (E.C.C) Limited (Transferor) and (2) M JP Kent Limited (Transferee):-

"EXCEPT AND RESERVING Unto the Transferor and its successors in title the benefit of the rights set out in the Third Schedule hereto

THE THIRD SCHEDULE before referred to

(Exceptions and reservations to the Transferor and its successors in title)

- 1.
- 2. The right to enter upon the red land at any time within eighty years of the date hereof to lay through under or over the said land (but not through under or over any dwelling) all such drains sewers water pipes electric and other service pipes wires and cables as may be necessary for the development of the yellow land and the blue land doing no unnecessary damage in the exercise of such right and making good any damage caused thereby to the satisfaction of the Transferee or its successors in title
- 3. The right to enter upon the red land to connect to any drains sewers pipes electric and other service pipes wires and cables now or within eighty years from the date hereof laid in under or over the red land doing no unnecessary damage in the exercise of such right and making good any damage caused thereby.
- 4. The right to the free passage and running of water soil gas and electricity through all sewers drains channels pipes watercourses wires and cables and mains now or within eighty years from the date hereof laid in under or over the red land Subject to the payment of a fair proportion (if any) according to user of the cost of keeping the said sewers drains channels pipes water courses wires and cables and mains in good repair order and condition until taken over by the Local or other appropriate Authority and any dispute which may arise between the Transferor and the

C: Charges register continued

Transferee as to the proportion payable shall be referred to an arbitrator appointed in accordance with the provisions of the Arbitration Act 1950 or any statutory modification or re-enactment thereof whose decision shall be final and binding on both parties.

5. The right to enter upon the red land as need shall require for the purpose of repairing maintaining or renewing or replacing all drains sewers water pipes electric and other service pipes wires and cables now or within eighty years from the date hereof laid in under or over the red land doing no unnecessary damage in the exercise of such rights and making good all damage caused thereby.

6. The right to enter upon the red land for the purpose of plastering or otherwise treating maintaining or repairing the exterior treating maintaining or repairing the exterior of any building or buildings erected or which may be erected on the yellow land and the blue land and which cannot be so plastered treated maintained or repaired from the yellow land the Transferor or its successors in title doing no unnecessary damage by the exercise of such right and making good all damage occasioned thereby."

NOTE: The land tinted yellow and tinted brown on the title plan forms part of the red land referred to above. The yellow land referred to lies to the east of the land tinted yellow and tinted brown on the title plan and the blue land lies to the west.

11 The land tinted brown on the title plan is subject to the following rights reserved by a Transfer thereof and other land dated 14 December 1971 made between (1) Selleck Nicholls Williams (E.C.C.) Limited (Transferor) and (2) M.P. Kent Limited (Transferee):-

"EXCEPT AND RESERVING unto the Transferor and its successors in title the benefit of the rights set out in the Third Schedule hereto

THE THIRD SCHEDULE before referred to

(Exceptions and reservations to the Transferor and its successors in title)

1.....

2. The right to enter upon the blue land at any time within eighty years of the date hereof to lay through under or over the said land (but not through under or over any dwelling) all such drains sewers water pipes electric and other service pipes wires and cables as may be necessary for the development of the yellow land doing no unnecessary damage in the exercise of such right and making good any damage caused thereby to the satisfaction of the Transferee or its successors in title.

3. The right to enter upon the blue land to connect any drains sewers pipes electric and other service pipes wires and cables now or within eighty years from the date hereof laid in under or over the blue land doing no unnecessary damage in the exercise of such right and making good any damage caused thereby.

4. The right to the free passage and running of water soil gas and electricity through all sewers drains channels pipes watercourses wires and cables and mains now or within eighty years from the date hereof laid in under or over the blue land Subject to the payment of a fair proportion (if any) according to user of the cost of keeping the said sewers drains channels pipes water courses wires and cables and mains in good repair



C: Charges register continued

order and condition until taken over by the Local or other appropriate Authority and any dispute which may arise between the Transferor and the Transferee as to the proportion payable shall be referred to an arbitrator appointed in accordance with the provisions of the Arbitration Act 1950 or any statutory modification or re-enactment thereof whose decision shall be final and binding on both parties

5. The right to enter upon the blue land as need shall require for the purpose of repairing maintaining renewing or replacing all drains sewers water pipes electric and other service pipes wires and cables now or within eighty years from the date hereof laid in under or over the blue land doing no unnecessary damage in the exercise of such rights and making good all damage caused thereby."

NOTE: The land tinted brown on the title plan forms part of the blue land referred to. The yellow land referred to lies to the east of the land tinted brown on the title plan.

- 12 (28.10.2005) The land edged brown on the title plan is subject to the following rights reserved by a Conveyance of the land edged brown dated 31 January 1973 made between (1) Charles Frederick Pearse and James Henry Pearse (Vendors) and (2) The Mayor Aldermen and Burgesses of the Borough of Torbay (Purchaser):-

"EXCEPT AND RESERVING unto the Vendors and their successors in title in fee simple the right to lay a water pipe from the piece of land being Ordnance Survey Number 2781 formerly number 331 to other adjoining property through the property hereby conveyed in a position to be agreed between the parties hereto or their successors in title with the right at all times hereafter to enter upon the land hereby conveyed with workmen and others for the purpose of inspecting repairing maintaining and relaying the said water pipe doing no unnecessary damage thereby and making good all damage so done"

NOTE: Ordnance Survey Number 2781 referred to lies to the north west of the land edged brown on the title plan.

- 13 The land tinted yellow and tinted brown on the title plan is subject to the following rights reserved by a Transfer which included the land in this title dated 31 December 1973 made between (1) M.P. Kent Limited and (2) Torbay Corporation:-

"The right for the Transferor and its successors in title the owners and occupiers of the remainder of the premises on the Development

(a) To enter the property hereby transferred for the purpose of laying within a period of 80 years from the date hereof and thereafter maintaining such sewers drains pipes wires and cables as may be necessary for the completion of the Development the Transferor or its successors in title doing no unnecessary damage and making good all damage caused thereby

(b) The right to use any sewers drains pipes wires or cables now laid or which may within a period of 80 years hereafter be laid in or under the property hereby transferred for the free passage and running of water soil gas and electricity and other domestic services and

(c) Full right and liberty for the South Western Electricity Board to place underground electric lines and if appropriate conduits under the property hereby transferred and thereafter to use the same Provided Always that the said Board shall make good any damage caused as soon as practicable and shall not break open the surface of any land covered by a building."

C: Charges register continued

- 14 (28.10.2005) The parts of the land affected thereby are subject to the rights granted in a Deed dated 12 June 1979 made between (1) The Council of the Borough of Torbay and (2) Devon County Council.

NOTE: Copy filed.

- 15 (28.10.2005) The parts of the land affected thereby are subject to the rights granted in a Deed dated 18 May 1982 made between (1) The Council of the Borough of Torbay and (2) Devon County Council.

NOTE: Copy filed.

- 16 (28.10.2005) The land edged mauve on the title plan is subject to the rights granted by a Deed dated 22 November 1982 made between (1) The Council of the Borough of Torbay and (2) British Gas Corporation.

The said Deed also contains restrictive covenants by the grantor.

NOTE: Copy filed.

- 17 (28.10.2005) The parts of the land affected thereby are subject to the rights granted in a Deed dated 11 May 1988 made between (1) The Council of the Borough of Torbay and (2) Devon County Council.

NOTE: Copy filed.

- 18 (28.10.2005) The land edged yellow on the title plan is subject to the rights granted by a Deed dated 22 June 1990 made between (1) The Council of the Borough of Torbay and (2) British Gas plc.

The said Deed also contains restrictive covenants by the grantor.

NOTE: Copy filed.

- 19 (28.10.2005) The parts of the land affected thereby are subject to the rights granted by a Transfer of land lying to the west of the land in this title dated 28 March 1991 made between (1) The Council of the Borough of Torbay and (2) Devon County Council.

NOTE: Copy filed under DN298201.

- 20 (28.10.2005) The parts of the land affected thereby are subject to the leases set out in the schedule of leases hereto.
The leases grant and reserve easements as therein mentioned.

- 21 By a Conveyance dated 24 January 1963 made between (1) Paignton and District Land and Development Company Limited and (2) Ortem Estates Limited the land edged and numbered 3, 4 and 5 on the title plan and other land was conveyed subject to the following:

The rights of drainage granted by a Conveyance dated the Seventh day of August One thousand nine hundred and sixty two and made between the Vendor of the one part and L G Benetto Limited of the other part

To such of the covenants contained in a Conveyance dated the Fifth day of September One thousand nine hundred and forty six and made between Torbay Proprietary Limited of the first part the Vendor of the second part and Vera Millicent Shepherd of the third part as are still subsisting and capable of taking effect and affect the property hereby conveyed

The rights granted by a Licence dated the Twenty ninth day of December One thousand nine hundred and thirty nine and made between Torbay Proprietary



C: Charges register continued

Limited of the one part and Estates Development (Torquay) Limited of the other part

NOTE: The rights of drainage in the Conveyance dated 7 August 1962 are referred to in the Charges Register above. No further particulars of the Deed dated 7 September 1946 were supplied on first registration. Copy Licence dated 29 December 1939 filed under DN521254.

- 22 By a Conveyance dated 14 March 1979 made between (1) The County of the Borough of Torbay (Vendor) and (2) Devon County Council (Purchaser) the land edged and numbered 3, 4 and 5 in blue on the title plan was conveyed subject as follows:-

"Subject to the exceptions and reservations rights easements privileges and agreements contained or referred to in a Conveyance dated the eighteenth day of November one thousand nine hundred and sixty five and made between Ortem Estates Limited of the one part and The Mayor Aldermen and Burgesses of the Borough of Torquay of the other part so far as the same relate to the land hereby conveyed and are still subsisting and capable of taking effect."

NOTE 1: No further particulars of the deeds referred to in the second Schedule of the Conveyance dated 18 November 1965 were supplied on first registration

NOTE 2: Copy Conveyance 18 November 1965 filed under DN86916.

Schedule of restrictive covenants

- 1 The following are details of the covenants contained in the Transfer dated 17 June 1963 referred to in the Charges Register:-

"The Transferee so as to bind the land hereby transferred and to benefit the remainder of the land comprised in Title Number DN2662 hereby covenants with the Transferor as follows:-

To observe and perform the restrictions set out in the Second Schedule hereto so as to bind the land hereby transferred and all future owners and occupiers thereof and to the intent that the said restrictions shall enure for the benefit and protection of adjoining lands retained by the vendor and the owners and occupiers for the time being thereof.

THE SECOND SCHEDULE hereinbefore referred to

RESTRICTIONS

1. No portion of the land nor any building or buildings now or hereafter to be erected thereon shall at any time be used for the purpose of any trade or business nor for any purpose which may be or become a nuisance or annoyance to the owner or occupiers of any adjoining property or the Transferor or the neighbourhood.

2. No buildings or erections of any description shall be erected on the land except private dwellinghouses or bungalows with garages and greenhouses according to plans drawings elevations and specification previously approved in writing by the Transferor and the Transferee shall pay to the Transferor for each such set of plans drawings elevations and specification approved a fee of three guineas the approval of the Transferor not to be unreasonably refused or withheld.

Schedule of restrictive covenants continued

3. The front garden or gardens of any dwellinghouses erected shall be kept and maintained exclusively as flower or ornamental gardens and no trees or shrubs which may be planted in front of the buildings between the said buildings and the road shall be allowed to grow to a height exceeding four feet six inches.

4. Not at any time hereafter to keep or permit to be kept any pigs or poultry or domestic animals other than dogs or cats on the land the subject of this Transfer or in any buildings or building erected or to be erected thereon nor to do or suffer to be done in or upon the land hereby transferred or in any building structure or erection now or hereafter erected thereon any act deed matter or thing whatsoever which may be or become a nuisance damage annoyance disturbance grievance inconvenience or eyesore to the Transferor its successors or assigns or its tenants or the owner or owners occupier or occupiers for the time being of any part of the land of the Transferor adjoining or in the neighbourhood of the land hereby transferred.

5. Not at any time hereafter without the consent in writing of the Transferor to permit or suffer any article of personal wear or attire or other washing to be hung out of the window of any building on the said land or exposed on the said land except on the land at the rear of any permitted dwellinghouse erected on the said land.

6. Not at any time hereafter without the consent in writing of the Transferor to convert any house or building now or hereafter erected on the land hereby transferred into nor to use the same as flats maisonettes or separate tenements.

7. Not at any time hereafter without the consent in writing of the Transferor to erect or place or permit or suffer to be erected or placed on the land hereby transferred or any part thereof any hut shed tent caravan or other temporary building or structure of any kind other than sheds and/or workshops to be used only for works incidental to the erection of a private dwellinghouse thereon.

8. No dwellinghouse to be erected on the land shall be erected at a cost of less than Two Thousand Two Hundred and Fifty Pounds such sum to be excluding the cost of any garage or greenhouse or the value of the site on which said dwellinghouse is erected."

Schedule of notices of leases

	Registration date and plan ref.	Property description	Date of lease and term	Lessee's title
1	28.10.2005 Tinted pink, yellow and brown	Land lying to the north of Green Park Road, Paignton	11.09.2002 60 years from 1 December 1999	DN472185
	NOTE: The lease dated 11 September 2002 referred to above has been determined as to the land edged and numbered 6 in blue on the title plan.			
2	28.10.2005 Edged and numbered 2 in blue	Land and Barns at Occombe	14.02.2003 999 years from 14 February 2003	DN478389



Schedule of notices of leases continued

	Registration date and plan ref.	Property description	Date of lease and term	Lessee's title
3	17.01.2013 Edged and numbered 6 in blue	Land on the south east side of Cockington Road	21.12.2012 125 years from 21 December 2012	DN630716

End of register

