

15 Waterside Road  
Paignton  
Devon TQ4 6LJ

to:

Ms Deborah McCann  
Independent Examiner  
Brixham Peninsula Neighbourhood Plan

care of:

Mr Tom Westrope  
Neighbourhood Plan Program Officer  
NPPprogrammeOfficer@plymouth.gov.uk

Thursday 5 July 2018

Dear Ms McCann,

I apologise for writing to you at this extremely late stage in your examination. However, my family are concerned by incorrect facts which have now just appeared in other extremely late representations on Torbay Council's website.

**First**, we are concerned by the claim in the 2nd July 2018 representation of Mr Dixon that our land was sold by Torbay Council and '*not intended to be built upon*'. This claim is not factually correct.

To evidence this we refer to the following documents:

1. **Document A** is a copy of Council Report 132/2008. This Officer Report considers the disposal of land owned by Torbay Council. Page 5 paragraph A2.2.1 states:

*The assets for possible disposal fall into 'lots' of similar characteristics:*

- *Lot 1 – Small residential parcels of land suitable for one or two dwellings.*
- *Lot 2 – Small parcels of land suitable for residential development or sale to adjoining owners adjacent to existing Registered Social Landlords or with agreement of the commercial developers where "claw back" may exist.*
- *Lot 3 – Major residential development, likely to require LDF and wider consultation or mixed use development sites.*
- *Lot 4 – Buildings.*
- *Lot 5 – Disposal associated with agricultural / industrial uses.*

2. **Document B** is a copy of Appendix C to Council Report 132/2008. Page 3 lists the land comprising 'Lot 3' in a table headed 'Major Commercial/residential developments'.

The entire area of the BPNP allocated site called 'Waterside Quarry' falls within the area of the land called here 'Goodrington Quarry (Quarry Bend), Paignton' with potential for, according to the Torbay Council report, 'Major residential development'.

This is exactly the same land. To evidence this, the adjacent land sold with planning consent of 0.28ha and the Waterside Quarry allocated site in the BPNP of 0.79ha, together equate to the 2.7 acres stated. This corresponds to what is said in the BPNP Housing Site Assessment.

3. **Document C** is an extract from the Torbay Council record of decisions from the week commencing 26 May 2008. It states:

*Decision*

*(iii.) that, having considered all representations, and in particular objections in response to the statutory notice of intended disposal of open space land, to formally declare those assets listed at Appendix C to Report 132/2008... no longer required for service delivery and that these should be disposed of on the open market*

4. **Document D** is an extract from the Herald Express Property section on 26 June 2014 referring to the public Clive Emson land and property auction on 18 June 2014 and quoting the auctioneer. The article says in respect of a different parcel of land:

*...amenity land... offers the potential for development for the new owner subject to necessary consents being gained...*

And in respect of land we bought which forms part of the BPNP allocated site says:

*...there was a fierce bidding war for one particular plot of amenity land. Located in an elevated position it also has roadside frontage and tremendous views... Plot 5 was the plot of land which sold for £106,000 and will need planning consents for any development. Scott [Gray the auctioneer] added "Buyers clearly saw the potential here for the rare opportunity to make a strong return on land in a residential area".*

All of the BPNP allocated site at 'Waterside Quarry' was sold by Torbay Council with potential subject to planning. This includes all of the land owned by my family and part of the land owned by Coyde Construction. A further part of the land bought by Coyde Construction specifically had planning consent.

**Second**, we are concerned by the claim in the 29th June 2018 representation of a group calling themselves the 'Waterside Residents Association' that the land was '*identified for housing in the latest draft of the Neighbourhood Plan*'. This claim, specifically the reference to '*the latest draft*' is used to imply negative insinuations about my, and my family's, character but is not factually correct.

To evidence this we refer to the following documents:

5. **Document E** is a copy of 2 emails sent by John Triance of the Churston Galmpton and Broadsands Community Partnership to Andy Gunter on 16 June 2013 and Tracy Brooks on 26 September 2013, both senior officers in the Torbay Council planning department. These emails contained the original BPNP proposals maps from the November 2012 public meeting, later reproduced in BPNP Consultation Statement on page 22.

This evidences Waterside Quarry was allocated in the emerging BPNP from the very first draft in the earliest consultation event, and predates the purchase of the land by my family by several years. It also evidences Torbay Council were fully aware of this allocation.

6. **Document F** is an email from me to the TDA on 12 March 2014 and the reply received.

This evidences that as soon as I became aware that the Planning Committee had not been informed in March 2014 that the Waterside Quarry site had been allocated in the emerging BPNP since November 2012 for housing, I took steps to suggest the TDA should further engage with the community. No further engagement ever took place.

Again, I apologise for writing to you at this extremely late stage in your examination but wished to ensure you had the full facts.

Separately, as all these documents all appear on the Council website, I also wished to rebut any negative insinuations against both my and my family's character.

I have been active in community groups for the last 9 years as the annually elected Chairman of my local Community Partnership and for the last 6 years as the annually elected Vice Chairman of the BPNP Forum. I have done everything I can to ensure fairness and openness.

Since 18 June 2014 when my family bought land previously allocated in the BPNP for housing, information which was fully already in the public domain, I have had absolutely nothing to do with Forum processes regarding this site. I have declared an interest at every opportunity and at every meeting, I left the room in smaller group meetings, and I have not participated in larger public meetings.

Kind regards,

Adam Billings

Landowner, Waterside Quarry

*Encl. Documents A to F referenced above*

**Document A**



Report No: **132/2008** Public Agenda Item: **Yes**

Title: **Asset Rationalisation Project**

Wards Affected: **All Wards in Torbay**

To: **Cabinet** On: **20 May 2008**

Key Decision: **X7/2008**

Change to Budget: **No** Change to Policy Framework: **No**

Contact Officer: **Steve Parrock**  
Telephone: **01803 208970**  
Email: **steve.parrock@torbay.gov.uk**

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**1. What we are trying to achieve and the impact on our customers**

1.1. To report upon the public consultation process initiated by Cabinet on the 22<sup>nd</sup> January 2008 and to make recommendations relating to asset management efficiency and cost savings.

**2. Recommendation(s) for decision**

2.1 That the feedback from the Public Consultation exercise set out in Appendix A to this report be noted;

2.2 that the assets shown at Appendix B to this report be required for service delivery and be retained at this time;

2.3 that, having considered all representations, and in particular objections in response to the statutory notice of intended disposal of open space land, to formally declare those assets listed at Appendix C to this report as no longer required for service delivery and that these should be disposed of on the open market or to partner organisations;

2.4 that community interest in acquiring or running certain assets be acknowledged and that community asset bids, in particular the asset identified in Appendix D to this report, be considered and assessed in accordance with the Council's Community Asset Transfer Policy 2008;

2.5 that the Estates Services Manager be requested to offer continued use of Bishops Place or new facilities within the Community Hub to South Devon College on terms to be agreed. In the event that no agreement is reached with

South Devon College and if no subsequent Community Asset Transfer request emerges, that the asset be sold or leased on the open market; and

- 2.6 that assets set out in Appendix E be declared no longer required for service delivery and that the Estates Services Manager be requested to liaise with Torbay Coast and Countryside Trust over the disposal of these assets.

### **3. Key points and reasons for recommendations**

- 3.1 Expenditure and repair liability across the Council's assets significantly exceeds available resources.

- 3.2 The Project Team has reviewed the suitability and challenged the present use of council owned assets with a view to reducing running costs and generating capital receipts, which could be used to support the Council's approved Capital Programme. In addition a number of assets not specifically referred to in the report will be subject to further Service Review over the next twelve months. Office accommodation assets are for example under separate review as part of the Accommodation Review Project.

- 3.3 The recommendations take into account the views expressed by the public consultation and explanations as to why the decisions have been reached are shown in Appendix A.

- 3.4 The review has also identified smaller parcels of land which currently attract fly tipping and anti social behaviour. In many instances these were not previously thought commercially viable for development but can now be developed due to current land and/or house values.

- 3.5 The disposal of assets not required for service delivery will enable the capital receipts to be reinvested into the Council's priority capital projects, which will contribute to:

- The new economy
- Pride in the Bay
- Learning and skills for the future
- Stronger communities

- 3.6 The reduction of the number of assets held is seen as an important element to achieving a sustainable maintenance regime for future generations. The other elements being to:

- Reduce the number of administrative buildings
  - Increase through Prudential Borrowing expenditure on key assets where further deterioration is expected (in order to avoid larger repair bills in the future)
  - Increase the substantive R&M budget year on year, until a sustainable balance is achieved
  - Work with partners to regenerate or to find alternative uses for certain assets
- Identify Grant and external funding opportunities

- 3.7 At this point it is not possible nor desirable to publicly quantify the expected total receipt but Members are reminded that the currently approved capital

programme, including the funding of the Paignton Community Hub, requires £2.8m in capital receipts which have not yet been generated.

- 3.8 Notice of the intended disposal of open space land has been advertised in accordance with section 123(1), 2(A) of the Local Government Act 1972. The form of notice is attached at Appendix F. Copies of objections can be viewed by contacting the report author. Members must consider these objections.

**For more detailed information on this proposal please refer to the supporting information attached.**

**Steve Parrock**  
**Assistant Director Property and Procurement**

## **Supporting information to Report 132/2008**

### **A1. Introduction and history**

A1.1 The Council has retained a large amount of property and land, much of which is not fit for purpose. It has a large maintenance backlog and a Capital programme which relies on the generation of capital receipts for funding.

A1.2 The Capital Strategy which was approved by Council in November 2007 provides that funding for the Capital Programme will in part be met from asset disposal.

A1.3 The Corporate Asset Management Plan which was also approved by Council in November 2007 provides that the Council will adhere to the following guiding principles in the management of its assets:

- To continuously maintain and improve assets;
- To release value and minimise cost by challenging and reviewing the manner and use of assets;
- To periodically review all assets to identify possible alternative use or disposal;
- To ensure that disposals are effectively managed; and
- To monitor running costs to target potential savings.

### **A2. Risk assessment of preferred option**

#### **A2.1 Outline of significant key risks**

A2.1.1 The disposal of assets not required for service delivery has been identified as one of several initiatives to provide additional funding to tackle the urgent land and building backlog maintenance liability. Inevitably, there may be some objections to the disposal of some of the assets identified. Failure to consult adequately may lead to abortive disposal work should some of the disposals not proceed. This risk has been mitigated by consulting adequately and by advertising the notice of intended disposal of open space land.

A2.1.2 This report highlights the need for the capital receipt from the disposal of assets to be used to supplement in part existing inadequate budgets for repair and maintenance and capital programme. Capital receipts can only be used to finance capital expenditure when repairs and maintenance (which are revenue costs) become so large and significant that the repair enhances and extends the life of the assets. However, this is not generally a desirable approach and regular maintenance is the more acceptable approach.

A2.1.3 From a sustainable asset management perspective it is important that the outcome of this exercise results in an improved solution to the authority's immediate and foreseeable maintenance issues and Members will be aware of the need for capital investment in major repair of infrastructure and key assets which have been highlighted in the current reports on the Annual Review of the Capital Plan. It is recognised that Members will need to use some of these potential receipts to fund the existing approved Capital Programme before applying any balance to new capital schemes or as the Council's contribution to joint funded capital schemes.



A2.1.4 The commercial and residential property markets have been adversely affected by global property issues in recent months. This will make it harder to maximise the receipts over the short term. The disposals project team will therefore need to consider the timing and phasing of disposals.

A2.1.5 Consideration will be given to community needs and in particular the possible transfer of assets not required for service delivery to the community under strict policy criteria, to be prepared for Member approval. In some instances it might be appropriate to ring fence some of the capital receipt from the disposal of some assets to specific capital projects with Community Partnership outcomes, which are complementary to the overall objectives of the rationalisation. Once again, though, this will be for Members to determine.

A2.1.6 There is a risk on some assets that Title restrictions may limit or restrict subsequent sales and/or affect the potential value of the assets. However this can be mitigated by providing appropriate and robust legal advice.

## A2.2 Remaining risks

A2.2.1 The project team has identified that the authority does not have the breadth of expertise and the capacity to deliver the disposals within the timescale required. The Project Board therefore recommended that a competitive procurement process be undertaken to appoint property consultants to assist with the programme. After discussion with the Mayor and Deputy Mayor this approach was agreed and this has been undertaken under the Office of Government Commerce (OGC) Buying Solutions Framework and seven nominated firms who had pre qualified were invited to tender on 7<sup>th</sup> March 2008, but 2 declined to bid. The submissions received from the remaining 5 firms have been evaluated on a pre-determined scoring matrix designed for evaluating OGC Estates management bids, including disposals, tested and adopted by another Unitary Authority, for quality and price against our specific requirements. Following this exercise two Agents are to be invited for a detailed interview, following which a recommendation will be made to the Project Board.

The assets for possible disposal fall into 'lots' of similar characteristics:

Lot 1 – Small residential parcels of land suitable for one or two dwellings.

Lot 2 – Small parcels of land suitable for residential development or sale to adjoining owners adjacent to existing Registered Social Landlords or with agreement of the commercial developers where “claw back” may exist.

Lot 3 – Major residential development, likely to require LDF and wider consultation or mixed use development sites.

Lot 4 – Buildings.

Lot 5 – Disposal associated with agricultural / industrial uses.

A2.2.2 The cost of disposals, including any agent's fees, will need to be funded from existing revenue budgets and cannot be funded from the potential capital

receipts. Appropriate short term funding streams have been identified to “kick start” this process but longer term arrangements will need to be put into place.

### **A3. Other Options**

A3.1 The Authority is required to ensure that its assets are fit for purpose and that it only holds assets for its strategic requirements. Whilst the extent of disposals and timing may be subject to further review, to take no action would not be appropriate.

A3.2 The Authority could recruit the necessary additional expertise in house for the duration of the disposal programme but this could possibly delay the programme pending recruitment.

### **A4. Summary of resource implications**

A4.1 The disposal programme will impact on the Legal Service, the Asset Management Team and the Estates Service.

### **A5. What impact will there be on equalities, environmental sustainability and crime and disorder?**

A5.1 Good asset management improves the quality of life and creates safer environments for all. Any future development will be assessed on these criteria and in some instances land presently used for fly tipping and anti social behaviour will be developed.

### **A6. Consultation and Customer Focus**

A6.1 Initial Consultation has taken place: between internal officers (all services represented) and Members; Leader of the Conservative Group; Leader of Liberal Democrats Group; at Executive Asset Management Group, Director of Finance, Director of Performance and various heads of service including the Assistant Director of Planning, the Council’s Conveyance Officer and the Estates Service.

A6.2 Presentations of the assets included within the Asset Rationalisation Project have taken place and have been attended by Members, Community Partnerships and Brixham Town Council:

- Tuesday 19th February – Conservative Members
- Tuesday 26th February – Torquay Town Hall
- Wednesday 5th March – Brixham Town Hall
- Thursday 6th March – Oldway Mansion
- Friday 2<sup>nd</sup> May – Liberal Democratic Members

A6.3 Officers attended the following Community Partnership Committee meetings to provide background information and to outline the assets within their Wards:

- Tuesday 4th March – Meeting of the Tormohun Partnership
- Tuesday 25th March – Meeting of the Wellswood Community Partnership
- Wednesday 26th March – Meeting of the Preston Community Partnership
- Thursday 3rd April – Meeting of the Barton & Watcombe Partnership

A6.4 A Notice of intended disposal of open space land was advertised for two

consecutive weeks in a local newspaper in accordance with Section 123(1), 2(A) of the Local Government Act 1972 in respect of many of the assets (Appendix F).

A6.5 Members of the Estates Service and the Asset Management Team have had considerable direct contact with individual Members and the general public, through e-mails, letters and phone calls.

#### **A7. Are there any implications for other Business Units?**

A7.1 Relevant heads of services have been consulted in the identification of assets for possible disposal.

#### **A8. Additional Information**

A8.1 The Council's capital programme is predicated on the receipts arising from future sales and along with other potential future commitments against the capital programme. Consequently the need to generate capital receipts is paramount. Even if the capital receipts envisaged in this report were applied solely to the backlog it would only be sufficient to fund approximately one quarter of the authority's estimated liability.

The Council's established policy as incorporated in the Corporate Capital Strategy states that "receipts from disposal of surplus assets are generally pooled and used to fund projects from the Reserve List in line with the Capital Prioritisation procedure..." Members are reminded of the significant existing demands for capital resources as outlined in recent reports on the Annual Review of the Capital Plan Budget. Members will also be aware of the Council's need to generate receipts to provide match funding for some of its more ambitious projects currently being considered or seen as a future commitment, such as Torre Abbey Phase 2.

### **Appendices**

- Appendix A Summary of the Feedback from the Public Consultation exercise for each individual asset
- Appendix B List of assets that are deemed to be required for service delivery
- Appendix C List of assets that are deemed to be no longer required for service delivery
- Appendix D List of assets that could be transferred to the Community
- Appendix E Torbay Coast & Countryside Trust assets which are deemed to be no longer required for service delivery
- Appendix F Copy of the 'Notice of intended disposal of open space land'

### **Documents available in members' rooms**

None – all correspondence can be viewed by contacting the report author

### **Background Papers:**

The following documents/files were used to compile this report:

Capital Strategy 2007

Asset Management Plan 2007

**Document B**

## APPENDIX C - List of assets that are deemed to be no longer required for service delivery

Asset List, Correspondence Levels & Recommendations									
Asset Reference	Asset Name	Area	Plan Reference	Number of Letters / Emails received Objecting	Number of Letters / Emails received interested in Acquiring	Number of Other Letters / Emails	Number of Petitions received	Number of Signatures on Petitions	Recommendation

### Lot 1 - Small parcels of land

T1202	Open Land adjacent No. 55 Hawkins Avenue, Torquay	0.2 Acres	EM1688	8	1	0	0	0	Not required for service delivery
T0148	Braddon Street Land adjacent No.27, Torquay	0.04 Acres	EM1684	8	0	1	0	0	Not required for service delivery
T0161	Braddons Street Former Playground DISUSED, Torquay	0.5 Acres	EM1680	9	1	1	1	306	Not required for service delivery
P0039ZZ	Land adjoining 81 Lancaster Drive, Paignton	0.2 Acres	EM1762	1	0	0	0	0	Not required for service delivery
P0916	Higher Hollicombe Former Allotment Land, Paignton	0.7 Acres	EM1745	12	2	0	0	0	Not required for service delivery
P0338	Land Whitstone & Sands Road, Paignton	0.1 Acres	EM1691	8	1	0	1	30	Not required for service delivery
P0494	Land 145-149 Winner Street, Paignton	0.1 Acres	EM1706	1	1	0	0	0	Not required for service delivery
T1026	Land fronting Edginswell Close, Torquay	0.8 Acres	EM1685	7	1	1	0	0	Not required for service delivery
T0691	Land at The Grove, Babbacombe - part, Torquay	0.1 Acres	EM1747	101	1	3	0	0	Not required for service delivery
B0400	Site adjoining 93 Penn Meadows, Brixham	0.1 Acres	EM1705	28	5	1	0	0	Not required for service delivery

Asset Reference	Asset Name	Area	Plan Reference	Number of Letters / Emails received Objecting	Number of Letters / Emails received interested in Acquiring	Number of Other Letters / Emails	Number of Petitions received	Number of Signatures on Petitions	Recommendation
T0994	Land adjacent No.38 West Pafford Avenue, Torquay	0.04 Acres	EM1686a	3	0	0	0	0	Not required for service delivery
T0087ZZ	Land lying between Meadfoot Road Car Park and Torwood Gardens Road (Car Park Meadfoot Road - part), Torquay	0.2 Acres	EM1774	5	2	0	0	0	Not required for service delivery

**Lot 2 - Small parcels of land suitable for residential development or sale to adjoining owners adjacent to existing Registered Social Landlords or with agreement of the commercial developers where "claw back" may exist**

P0833	Redwell Amenity Area (Smallcombe Scout Field), Paignton	0.6 Acres	EM1687	5	1	0	0	0	Not required for service delivery
P0871ZZ	Land at end of Hoyles Road, Paignton	0.4 Acres	EM1740	0	2	0	0	0	Not required for service delivery
P3041	Land adjacent 63 Ramshill Road, Paignton	0.1 Acres	EM1741	0	1	1	0	0	Not required for service delivery
P0503ZZ	Berry Drive Public Areas - part (former play area adjoining 83 Berry Rd), Paignton	0.1 Acres	EM1749	47	1	7	0	0	Not required for service delivery
P3043	Land adjoining 4 David Road, Paignton	0.1 Acres	EM1811	1	2	0	0	0	Not required for service delivery
T0959	Land adjacent No.115 Exe Hill (adjacent 79 Glebeland Way), Torquay	0.2 Acres	EM1682	28	0	1	0	0	Not required for service delivery
T0956	Land adjacent No.7 & No.60 Weaver Court, Torquay	0.1 Acres	EM1723	25	0	0	0	0	Not required for service delivery
T0040AB	Land Part of Car Park - Meadfoot Sea Road, Torquay	0.1 Acres	EM1771	2	2	0	0	0	Not required for service delivery

Asset Reference	Asset Name	Area	Plan Reference	Number of Letters / Emails received Objecting	Number of Letters / Emails received interested in Acquiring	Number of Other Letters / Emails	Number of Petitions received	Number of Signatures on Petitions	Recommendation
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**Lot 3 - Major Commercial/residential developments**

P0033	Goodrington Quarry (Quarry Bend), Paignton	2.7 Acres	EM1743	12	2	1	0	0	Not required for service delivery
P0124	Tanners Road Site (sloping area of green field adjacent Dartmouth Rd), Paignton	0.7 Acres	EM1709	7	1	0	0	0	Not required for service delivery
P3006	Paignton Library, Paignton	1 Acre	EM1818	7	2	0	0	0	Not required for service delivery
T0012	Beacon Cove, Torquay	0.5 Acres	EM1751	16	1	3	1	28	Not required for service delivery
T0976ZZ	Barton Downs Field - part, Torquay	1.4 Acres	EM1725	33	1	2	1	812	Not required for service delivery (subject to feasibility study)

Asset Reference	Asset Name	Area	Plan Reference	Number of Letters / Emails received Objecting	Number of Letters / Emails received interested in Acquiring	Number of Other Letters / Emails	Number of Petitions received	Number of Signatures on Petitions	Recommendation
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**Lot 4 - Buildings**

P0503AA	Monastery Chapel (Community Centre), Paignton	0.3 Acres	EM1690	61	3	1	0	0	Not required for service delivery
P0454	Store rear of 72 Winner Street, Paignton	84.7m <sup>2</sup>	EM1766	0	2	0	0	0	Not required for service delivery
P3017	Paignton Old Town Hall, Paignton	0.1 Acres	EM1814	0	2	0	0	0	Not required for service delivery
P3026	53 Totnes Road (formerly Halswell House), Paignton	0.2 Acres	EM1809	0	1	0	0	0	Not required for service delivery
T0922AC	Cemetery Lodge & Buildings, Torquay	0.2 Acres	EM1715	1	2	1	0	0	Not required for service delivery
T0570AA	Brunswick Garage, Torquay	66.5m <sup>2</sup>	EM1783	0	2	1	0	0	Not required for service delivery

**Lot 5 - Agricultural / Industrial Uses**

T1259	Land at Teignmouth Road, Maidencombe - part, Torquay	2.2 Acres	EM1736	5	4	1	0	0	Not required for service delivery
T3051	Land at Smalldon Lane, Torquay	13.1 Acres	EM1737	10	5	0	0	0	Not required for service delivery

**Notes:** In addition to the above, 12 objections were received objecting to the disposal of all 43 assets.



**Document C**



Town Hall, Castle Circus,  
Torquay, Devon TQ1 3DR  
Main Switchboard (01803) 201201  
Fax (01803) 207006 DX 59006

# RECORD OF DECISIONS

**Decisions made in the week  
commencing 26 May 2008**

**Issue 172**

**For information relating to the Record of Decisions or to request a copy in  
another format or language please contact:**

**June Godsalue (01803) 207012**

Fax: (01803) 207012 Email: [june.godsalue@torbay.gov.uk](mailto:june.godsalue@torbay.gov.uk)

## Asset Rationalisation Project

### Decision Taker

The Mayor at the adjourned Cabinet meeting held on 27 May 2008.

### Decision

- (i) That the feedback from the Public Consultation exercise set out in Appendix A to Report 132/2008 be noted;
- (ii) that the assets shown at Appendix B to Report 132/2008 be required for service delivery and be retained at this time;
- (iii) that, having considered all representations, and in particular objections in response to the statutory notice of intended disposal of open space land, to formally declare those assets listed at Appendix C to Report 132/2008, subject to the deletion of the land at Whitstone and Sands Road, as no longer required for service delivery and that these should be disposed of on the open market or to partner organisations in accordance with the respective papers set out in Appendix 1B to Report 132/2008;
- (iv) that community interest in acquiring or running certain assets be acknowledged and that community asset bids, in particular the asset identified in Appendix D to Report 132/2008 and the addition of the land at Whitstone and Sands Road, be considered and assessed in accordance with the Council's Community Asset Transfer Policy 2008;
- (v) that the Estates Services Manager be requested to offer continued use of Bishops Place or new facilities within the Community Hub to South Devon College on terms to be agreed. In the event that no agreement is reached with South Devon College and if no subsequent Community Asset Transfer request emerges, that the asset be sold or leased on the open market; and
- (vi) that assets set out in Appendix E to Report 132/2008 be declared as no longer required for service delivery and that the Estates Services Manager be requested to liaise with Torbay Coast and Countryside Trust over the disposal of these assets.

### Reason for Decision

To respond to a public consultation exercise and to enable the disposal of assets no longer required for service delivery to provide capital receipts to be invested in the Council's priority capital projects.

### Information

The expenditure and repair liability of Council owned assets was significantly higher than available resources. The asset rationalisation project reviewed the suitability and present use of the Council's assets with a view to reducing running costs and generating capital receipts.

Following the decision of the Mayor at the Cabinet meeting on 22 January 2008, the Council undertook a consultation exercise in respect of the disposal of assets that had been identified as surplus.

Report 132/2008 set out the results of the consultation exercise and proposals for asset management efficiency and cost savings. The disposal of surplus assets would enable the capital receipts to be reinvested into the Council's priority capital projects. The reduction of the number of assets was also an important element for achieving a sustainable maintenance regime for future generations.

During the meeting the Mayor invited the following to make representations:

Collette O'Brian objecting to the disposal of land at Hookhills Road, Bridle Close and Goodrington Quarry, Paignton;

James Campbell on behalf of Maidencombe Residents' Association objecting to the disposal of land at Maidencombe and Bowden Meadows, Torquay; and

Mick Warner on behalf of Friends of Barton Downs in support of the Acorn Centre, Torquay.

Representations from Brixham Town Council were also received in respect of land adjoining 93 Penn Meadows, Brixham.

**Alternative options considered and rejected at the time of the decision**

To take no action.

To recruit additional in house expertise for the disposal programme, but any recruitment process would delay the programme's implementation.

To deem land at Whitstone and Sands Road, Paignton as no longer required for service delivery.

**Is this a Key Decision?** (Give reference number if applicable)

Yes- Reference Number X7/2008

**Does the call-in procedure apply?** (If no, please give reason)

Yes

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

Councillor Pentney declared a personal interest as her sister was an employee at Bishop's Place Centre, Paignton.

Councillor Faulkner (J) declared a personal prejudicial interest in respect of the Acorn Centre, Torquay and withdrew for part of the meeting when the Acorn Centre was discussed.

**Published**

27 May 2008

**Implementation**

This decision will come into force and may be implemented on 9 June 2008 unless the call-in procedure is triggered (as set out in Standing Orders in relation to Overview and Scrutiny).

## **Document D**

A BIDDING war broke out for a stunning chocolate box cottage on the edge of the Cockington Estate, near Torquay, before it went for £240,000.

Higher Lodge was among 33 lots sold by Clive Emson, the regional land and property auctioneers on June 18.

The three-bedroom thatched property sold for £45,000 above the lower end of its guide price of £195,000 to £225,000.

It went under the hammer on a 199-year lease on completion of the purchase with a ground rent of £1 per annum.

Scott Gray, auctioneer and regular on BBC's Homes Under The Hammer, said: "The new owner has acquired a stunning chocolate box cottage with a wealth of charm of character.

"Although in need of some updating in parts, the property has private lawned gardens offering peace and seclusion.

"Another major attraction of this beautiful property was the stunning grounds of the Cockington Estate in which it sits."

### **Garage and amenity land sold for 10 times lower guide price**

BIDDERS also fought it out for a garage and its amenity land at the back of Teignmouth Road in Torquay.

The site, including 0.05 acres (0.02 hectares) of land, sold freehold for £18,500 - nearly ten times its lower guide of £2,500.

Scott said: "Garages are always popular and there was fierce a bidding war for this particular lot.

"The site is nicely tucked away at the end of a residential close and offers potential for development for the new owner subject to the necessary consents being gained."

### **Buyer stakes claim as land smashes guide price**

A PLOT of land with tremendous views on the edge of Paignton also sold for £106,000 at auction - seven times its guide price.

It smashed its freehold guide of £15,000 to £20,000.

Measuring 0.75 acres (0.3 hectares), the plot of amenity land was among five parcels of land available freehold in separate lots at Quarry Bend in Waterside Road.

Three have outline planning consent for dwellings and two are amenity plots of land - ranging in freehold guide prices from £10,000 to £15,000 and £115,000 to £135,000.

Scott said: "All of the lots sold well but there was a fierce bidding war for one particular plot of amenity land.

"Located in an elevated position, it also has a roadside frontage and tremendous views over far and wide, which sparked strong interest from bidders."

Three plots each have outline planning consent for a two-storey four-bedroom detached house with gardens.

All hit their guides. Plot 1 sold for £115,000, Plot 2 for £110,000 and Plot 3 for £110,000.

Plot 5 was the plot of land which sold for £106,000 and will need planning consents for any development.

The other parcel of amenity land on Plot 4 fetched £20,000 - also well above its guide.

Scott added: "Buyers clearly saw the potential here for the rare opportunity to make a strong return on land in a residential area."

Extract from the Herald Express Property section 26 June 2014. Available on the following website:

[https://issuu.com/marketingwmg/docs/herald\\_express\\_property\\_26\\_june](https://issuu.com/marketingwmg/docs/herald_express_property_26_june)

## **Document E**

**From:** John Triance  
**To:** Andrew Gunther (Torbay Council)  
**Cc:** Adam Billings  
**Sent:** Sunday, 16 June 2013, 12:29:50 GMT+1  
**Subject:** CGB CP maps 1 of 3

Andrew,

Adam Billings has asked me to send you copies of our maps for Broadsands, Galmpton & Churston to bring the borders you and we are working to into line.

Since they are large files, I am sending them one at a time in increasing size.

If you have any questions, please feel free to contact me.

Regards John Triance



Broadsand lr.jpg

673.9kB

**From:** John Triance  
**To:** Tracy Brooks (Torbay Council)  
**Cc:** Adam Billings  
**Sent:** Thursday, 26 September 2013, 14:14:00  
**Subject:** Development plans for Churston, Galmpton, Broadsands

Hi Tracy,

Here are the latest development plans for our areas along with the accompanying description, as you requested after the meeting last Friday. If you have trouble reading the maps I have higher resolution versions but they are very big files. Andrew Gunther had the paper versions of the maps on 17th June. It might be worth checking if he still has paper copies.

Regards John



Churston lr.jpg

1.5MB



Galmpton lr.jpg

910kB



Broadsand lr.jpg

673.9kB

## **Document F**

**From:** Adam Billings  
**Sent:** 12 March 2014 09:10  
**To:** Alan Denby (TDA – Torbay Development Agency)  
**Cc:** Cllr Derek Mills (Torbay Council)  
**Subject:** Waterside Quarry Houses - TDA Planning App.

Hi Alan,

Reference our previous meeting at the Farm Shop about working together; I understand that one of your team brought before DMC yesterday a proposal for 3 houses at Waterside Quarry.

I am disappointed that as Neighbourhood Plan Vice Chair and Community Partnership Chair I knew nothing about this, until a Member of the DMC phoned me to seek my views.

As it happens the subsequent approval was deemed unsound and the proposal is now retuning to the next committee. The ironic thing is we would likely have supported the proposal and the TDA might now have consent!

Please can you suggest your relevant staff member to consults with the community.

best wishes, Adam

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**From:** Alan Denby (TDA – Torbay Development Agency)  
**To:** Adam Billings  
**Cc:** Cllr Derek Mills (Torbay Council)  
**Sent:** Wednesday, 12 March 2014, 09:14:58 GMT  
**Subject:** RE: Waterside Quarry Houses - TDA Planning App.

Please read our email disclaimer notification which is located at the end of the email message.

Good morning Adam,

Thanks for the email and apologies that the partnership wasn't consulted we'll certainly look at this as you are correct, early engagement with the community partnership is likely to be advantageous for us in gaining support and consent for these applications.

I will pass the feedback on and ensure that in future we are better.

Regards,

Alan

**Alan Denby**  
**Director of Economic Strategy & Performance**  
Torbay Development Agency  
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Torquay  
TQ2 5QW