

Record of Decisions

Strand Redevelopment - Land Assembly

Decision Taker

Cabinet on 26 November 2024.

Decision

1. That Cabinet recommend to Council the following:
 - (i) that delegated authority be given to the Director of Regeneration to continue negotiations with the owners of the various properties previously noted fronting The Strand and The Terrace, Torquay and their tenants as edged red in Appendix 1 to the submitted report, and any other land, interests or rights subsequently required in consultation with the Cabinet Member for Place Development and Economic Growth and Section 151 Officer on any Heads of Terms to enable the redevelopment and regeneration of The Strand and The Terrace;
 - (ii) that, having taken into account the options to acquire the various properties fronting The Strand and The Terrace, Torquay, the making of the Compulsory Purchase Order (CPO) for the site be approved in principle under section 226(1)(a) of the Town and Country Planning Act 1990 and section 13 of the Local Government (Miscellaneous Provisions) Act 1976 , as outlined below, for land (as shown edged in red at Appendix 1 to the submitted report) and any other land, interests or rights subsequently required to deliver the redevelopment. The Director of Regeneration, in consultation with the Cabinet Member for Place Development and Economic Growth, be given delegated authority to give effect to this decision, including:
 - (a) the taking of all necessary steps required to secure the making of the CPO and for the subsequent confirmation and implementation of the CPO including the publication and service of all notices, statement of reasons and presentation of the Council's case at public inquiry, if necessary, to secure confirmation of the Compulsory Purchase Order by the Secretary of State;
 - (b) to carry out any surveys on the Order Land and enter as may be required in order to deliver the proposed development by Compulsory Purchase Order(s) which the Council is authorised to carry out either by consent of the relevant landowner or under section 172 to 179 of the Housing and Planning Act 2016;
 - (c) to enter into agreement(s) with any person or body to secure the withdrawal of objections to the Compulsory Purchase Order(s) and/or to negotiate and agree terms for the acquisition by agreement of any land, interests or rights as may be required for the scheme; and
 - (d) to pay all necessary compensation either as agreed or as determined by the Lands Chamber of the Upper Tribunal in relation to the acquisition of land and other interests or for the overriding or acquisition of rights; and
 - (iii) that Council delegate to the Chief Finance Officer, in consultation with the Cabinet Member for Housing and Finance, the approval of the expenditure of monies (including by prudential borrowing if necessary) required to cover the acquisition of the

land at various properties fronting The Strand and The Terrace identified red on the plan attached at Appendix 1 to the submitted report, and any land, interests or rights as may be required for the scheme, either by agreement or by CPO, on the basis that there continues to be a clear business case for the redevelopment of the area, which demonstrates how the monies are to be used, and how any prudential borrowing (if necessary) is to be repaid.

Reason for the Decision

Change was required to repurpose the land and buildings to provide catalytic regeneration to the Harbour area of Torquay Town Centre. Whilst every effort would be made to conclude the acquisition of the various properties by negotiation, the success of the negotiation process was not guaranteed and therefore a backstop position of a Compulsory Purchase Order (CPO) was needed to ensure that the properties could be acquired.

Implementation

The Cabinet's recommendation will be considered at the Council meeting on 5 December 2024.

Information

As a part of delivering against the Torquay Town Centre Masterplan a Business Case for the redevelopment of Debenhams (12-14 The Strand) was recommended at Cabinet in May 2022 to be progressed to a Planning Application/Consent. The current feasibility proposals required the acquisition of various properties fronting The Strand in addition to 10a,10, 12-14 The Strand (which was acquired in 2020). Negotiation with the owners of these various properties for their purchase were ongoing and at varying stages of progress. Every effort would be made to conclude the acquisition of the various properties by negotiation, but the success of the negotiation process is not guaranteed and therefore a backstop position of a Compulsory Purchase Order (CPO) was needed to ensure that the properties could be acquired.

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

Alternative Options considered and rejected at the time of the decision

The option to acquire the identified land necessary for the redevelopment by negotiation was being pursued. However not pursuing acquisition via CPO if necessary, could result in non-viability and hence non-delivery of the preferred scheme.

Is this a Key Decision?

No

Does the call-in procedure apply?

No

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

None

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29 November 2024

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