

Record of Decisions

Land Disposal at Penn Meadow, Brixham

Decision Taker

Cabinet on 18 February 2025.

Decision

That the Director of Finance be authorised to dispose of the freehold interest of land known as land at Penn Meadow, Brixham to Brixham Town Council for a nominal sum of £1 and subject to a restrictive covenant and clawback conditions in relation to the land continuing as public open space, with legal costs associated with the transfer being met by Brixham Town Council.

Reason for the Decision

Transferring ownership would allow an opportunity to extend the accessible footpath to the entrance of Mudstone Lane, resulting in three accessible access points to Wishings Field. Wishings Field would subsequently be extended allowing Brixham Town Council to formally work with South Devon National Landscape and the community to promote wildlife habitat, protecting the biodiversity of the area for future generations. The Council would also see the removal of any ongoing maintenance liability and reduce the necessity for staff and resources to be deployed to this area.

Implementation

This decision will come into force and may be implemented on 3 March 2025 unless the call-in procedure is triggered (as set out in the Standing Orders in relation to Overview and Scrutiny).

Information

A request was received from Brixham Town Council seeking the freehold transfer of a parcel of land located on the east side of Penn Meadows, Brixham from Torbay Council.

The intended outcome of obtaining the freehold of land for Brixham Town Council was to connect the land known as Wishings Field within their ownership, located to the south west of the land at Penn Meadow. This would create a gateway from Penn Meadow and lead through to the natural open space within Wishings Field so that all the land ownership and control rests with Brixham Town Council.

At the meeting Councillor Chris Lewis proposed and Councillor David Thomas 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 Council was under no obligation to consider the transfer and could simply reject the request. However, given the Council's limited involvement historically with the land and benefit that would be realised by transferring the land to Brixham Town Council it would be a missed opportunity should the Council reject the proposal.

Is this a Key Decision?

No

Does the call-in procedure apply?

Yes

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

None

Published

21 February 2025

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