

## Record of Decisions

### Mayor's Response to Call in on Disposal of Land Adjacent to the Inn on the Quay, Tanners Road, Goodrington, Paignton

#### Decision Taker

Mayor on 22 August 2017

#### Decision

- (i) that the Executive Head of Business Services and the Head of Asset Management and Housing be requested to continue negotiations with the Leaseholder of the Inn on the Quay and to raise the concerns raised by the Overview and Scrutiny Board regarding the general husbandry of the premises and the quality of service within the restaurant; and
- (ii) that the granting of a Lease to the Inn on the Quay Tenant for a term to be co-terminus to the existing Lease for Inn on the Quay (around 78 years) of the area edged red on the Plan number EM 2923 be approved, with the authority being delegated to the Assistant Director Corporate and Business Services in consultation with the Executive Head of Business Services and the Torbay Developments Agency to approve the detailed terms of the Lease;
- (iii) that prior to the closure and demolition of the existing public toilets, alternative toilets are provided, with suitable provision for disabled users, as close as possible to the existing location in the central area of Goodrington Beach;
- (iv) that the Executive Head of Business Services and the Head of Asset Management and Housing be instructed to provide replacement public toilets, on a permanent basis, as soon as possible and that full and detailed plans as to the location and the funding of replacement public toilets should be known and presented to the Mayor and to the Community Partnership before the lease is granted;
- (v) that the Chief Financial Officer be recommended to allocate part of the funding received as part of the revised Lease arrangement, towards the provision of alternative toilets in the area.

#### Reason for the Decision

To respond to the concerns raised by the Overview and Scrutiny Board and ensure that suitable toilet provision is maintained on the site.

#### Implementation

This decision will come into force immediately.

#### Information

On 19 July 2017, the Mayor took the below decision in respect of the lease to the current tenant of the Inn of the Quay:

- (i) that the granting of a Lease to the Inn on the Quay Tenant for a term to be co-terminus to the existing Lease for Inn on the Quay (around 78 years) of the area edged red on the Plan number EM 2923 be approved, with the authority being delegated to the Assistant Director Corporate and Business Services in consultation with the Executive Head of Business Services and the Torbay Developments Agency to approve the detailed terms of the Lease;
- (ii) that prior to the closure and demolition of the existing public toilets, alternative toilets are provided and that adequate toilet facilities are retained in the area of Goodrington beach that are accessible to the public, with suitable provision for disabled users; and

- (iii) that the Chief Financial Officer be recommended to allocate part of the funding received as part of the revised Lease arrangement, towards the provision of alternative toilets in the area, unless or until the wider corporate review into the provision and delivery of public toilets determines that the funds are no longer required and report the outcome of this to Council as part of the normal budget monitoring arrangements.

The Mayor's decision was called in for scrutiny and considered by the Overview and Scrutiny Board at their meeting held on 9 August 2017 where they resolved:

“that the decision be referred back to the Mayor for reconsideration on the basis that the Board believe that:

- (i) full and detailed plans as to the location and funding of the replacement public toilets should be known before the lease is granted; and
- (ii) as part of the lease negotiations, representations should be made as to the general husbandry of the premises and the quality of service within the restaurant.”

The Mayor has considered the recommendations of the Overview and Scrutiny Board and his decision is set out above.

#### **Alternative Options considered and rejected at the time of the decision**

The Mayor considered the following options available to him:

- (i) confirm the decision without modification; or
- (ii) confirm the decision with modification; or
- (iii) rescind the decision.

#### **Is this a Key Decision?**

Yes

#### **Does the call-in procedure apply?**

No

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

None

#### **Published**

22 August 2017

Signed: \_\_\_\_\_  
Mayor of Torbay

Date: \_\_\_\_\_