

Section 1: Background Information

1.

What is the proposal / issue?

The tenant of the Inn on the Quay (Premier Inn Hotels Limited) wish to expand their hotel accommodation by 20 beds within their existing leased area. Due to this expansion the tenant would lose a number of car parking spaces and would require an additional 20 car spaces to make up for the loss of existing car spaces and to cater for the additional bedrooms.

There is not sufficient space within the existing leased area to accommodate these additional car spaces.

The tenant's proposal is for the tenant to be granted additional Council land to provide these spaces. The area would be adjacent to the Inn on the Quay and include the area currently occupied by the public toilets.

The tenant requires customer car parking at a close distance to its hotel facilities as it takes customer safety very seriously.

Appendices 2 and 3 illustrate the existing leased area (shown edged red) and the proposal plan respectively.

2.

What is the current situation?

The tenant operates a pub/restaurant and a Premier Inn hotel with 33 bedrooms. Currently the tenant leases the area as shown edged red in Appendix 2.

The tenant wishes to invest in providing more accommodation at this site.

If the proposal is accepted and provided, then the Council will receive a lump sum and an anticipated increase in annual income. The tenant currently pays a rent based on a percentage of the tenant's annual turnover and this turnover is expected to increase.

A block of public toilets are currently situated adjacent to the pub/restaurant.

<p>3.</p>	<p>What options have been considered?</p> <p>Officers have considered the tenant's proposal as well as the option to do nothing. Support for the tenant's proposal should assist economic growth and improve prosperity in the Bay.</p> <p>This proposal can only proceed if the public toilets are relocated and other options were considered, which retained the toilets but a jointly agreed solution could not be found. As the Council is currently reviewing its provision of public toilets across the Bay this proposal provides an opportunity to consider an alternative solution in this area. A cash sum would be made available as part of the transaction and this could be used to help with an alternative public toilet solution.</p>
<p>4.</p>	<p>How does this proposal support the ambitions, principles and delivery of the Corporate Plan 2015-19?</p> <p>This proposal supports the Council's ambition for a prosperous Torbay.</p> <p>The following targeted actions are also linked to this proposal :-</p> <ul style="list-style-type: none"> • Working towards a more prosperous Torbay • Ensuring Torbay remains an attractive and safe place to live and visit
<p>5.</p>	<p>Who will be affected by this proposal and who do you need to consult with?</p> <p>This proposal involves the disposal of public open space and consequently this issue is considered a Key Decision and it will therefore be published in the Forward Plan.</p> <p>The procedure for disposal of 'open space' will be followed and this will include appropriate public consultation. Residents and visitors who make use of the proposed lease area will have the opportunity to comment on the disposal.</p>
<p>6.</p>	<p>How will you propose to consult?</p> <p>The procedure for disposal of 'open space' will be followed and this will include appropriate public consultation. An advertisement will be placed in the local newspaper and residents/visitors will have the opportunity to comment on the disposal.</p>

Section 2: Implications and Impact Assessment

7.	<p>What are the financial and legal implications?</p> <p>The financial proposal from the tenant is confidential and set out in exempt Appendix 4. It is estimated that the increased annual turnover rent that the Council would receive would be in the order of £15,000 pa to £20,000 pa (based on previous and current annual turnovers). As the tenant is a special purchaser it is considered that the offer put forward is of reasonable value.</p> <p>All figures quoted in the offer are exclusive of VAT.</p> <p>The tenant has stated that it does not wish to run the public toilets on behalf of the Council.</p> <p>The tenant holds a 99 year lease from 1st March 1996 (78 years unexpired).</p> <p>Under the terms of the lease, the tenant can undertake additions or alterations with the Council's consent, such consent not to be unreasonably withheld (Council acting as Landlord).</p> <p>The permitted user for the whole leased area is within Planning Use Classes A3 (restaurants and cafes) and C1 (hotel). The tenant would therefore not require Landlord's consent for change of use for the proposed hotel accommodation.</p> <p>The additional area outside the existing leased area, which the tenant needs for car parking, will require the Council to follow the statutory procedure for the disposal of 'open space'.</p> <p>Checks on the legal title of the land will be undertaken as is usual practice.</p>
8.	<p>What are the risks?</p> <p>If the proposal is not implemented, then the Council will not receive a significantly increased annual rental into the future. In addition, the tenant may not continue to invest, upgrade and enhance its hotel facilities and pub/restaurant. This could have a detrimental effect on the wider Goodrington beach area and would be a missed opportunity in terms of economic prosperity.</p>
9.	<p>Public Services Value (Social Value) Act 2012</p> <p>The Public Services Value (Social Value) Act 2012 does not apply to this proposal.</p>

<p>10.</p>	<p>What evidence / data / research have you gathered in relation to this proposal?</p> <p>The Torbay Development Agency has provided appropriate professional advice in respect of this proposal.</p>
<p>11.</p>	<p>What are key findings from the consultation you have carried out?</p> <p>The professional advice from the Torbay Development Agency is that the tenant is a special purchaser and that the offer put forward is of reasonable value.</p> <p>Consultation on the proposed disposal of 'open space' has yet to be undertaken.</p>
<p>12.</p>	<p>Amendments to Proposal / Mitigating Actions</p> <p>It is proposed that authority should be delegated to the Assistant Director of Corporate and Business Services to make minor amendments to the proposal following the disposal of 'open space' public consultation.</p> <p>Any significant issues arising from the public consultation will require a revised proposal to be put forward for consideration and a new decision would be required.</p>

Equality Impacts

13	Identify the potential positive and negative impacts on specific groups		
	Positive Impact	Negative Impact & Mitigating Actions	Neutral Impact
Older or younger people			There is no differential impact
People with caring Responsibilities			There is no differential impact
People with a disability			There is no differential impact
Women or men			There is no differential impact
People who are black or from a minority ethnic background (BME) <i>(Please note Gypsies / Roma are within this community)</i>			There is no differential impact
Religion or belief (including lack of belief)			There is no differential impact

People who are lesbian, gay or bisexual			There is no differential impact
People who are transgendered			There is no differential impact
People who are in a marriage or civil partnership			There is no differential impact
Women who are pregnant / on maternity leave			There is no differential impact
Socio-economic impacts (Including impact on child poverty issues and deprivation)			There is no differential impact
Public Health impacts (How will your proposal impact on the general health of the population of Torbay)			There is no differential impact

14	Cumulative Impacts – Council wide (proposed changes elsewhere which might worsen the impacts identified above)	None identified.
15	Cumulative Impacts – Other public services (proposed changes elsewhere which might worsen the impacts identified above)	None identified.