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27 November 2023

## EXECUTIVE

A meeting of the **Executive** will be held on **Tuesday, 5th December, 2023** in the **Council Chamber, Forde House, Brunel Road, Newton Abbot, TQ12 4XX** at **10.00 am**

PHIL SHEARS  
Managing Director

### Membership:

Councillors H Cox, Goodman-Bradbury, Keeling (Deputy Leader), Nutley, Nuttall, G Taylor, Wrigley (Leader), Hook and Palethorpe

**Please Note:** The public can view the live streaming of the meeting at [Teignbridge District Council Webcasting \(public-i.tv\)](#) with the exception where there are confidential or exempt items, which may need to be considered in the absence of the press and public.

## A G E N D A

### Part I

1. **Apologies for absence**
2. **Minutes** (Pages 5 - 8)  
To approve and sign the minutes of the meeting held on 31 October 2023.
3. **Announcements (if any)**
4. **Declarations of Interest (if any)**

5. **Executive Forward Plan**

To note forthcoming decisions anticipated [on the Executive Forward Plan](#)

6. **Public Questions (if any)**

Members of the Public may ask questions of the Leader or an Executive Member. A maximum period of 15 minutes will be allowed with a maximum of period of three minutes per questioner.

7. **Tragedy on the Dawlish Sea Wall**

8. **Update on Future High Street Fund** (Pages 9 - 12)

9. **Dawlish – Football Club and Ground, Sandy Lane** (Pages 13 - 16)

10. **Notice of Motion - Alexandra Theatre**

To consider Cllr Daws Notice on Motion on the Alexander Theatre referred to Executive by [Full Council on 17th October, 2023,](#)

*The Alexandra Theatre. Reflecting the distress of the cinema industry and the lack of appetite for the current operator of the Alexandra Theatre, Scott's Cinema's, to expand into any new multiplex, it is proposed that the council members, alongside officers, enter 'blue sky' discussions with Scott's. As the cinema lease is up for renewal in October it would be both in the residents best interests as well of those of a long serving tenant of the council, to explore the potential model of Scott's continuing the operation of a cinema offer at the Alexandra, alongside other extended live entertainment usage, similar to the relationship with NADMCS theatre group, who already use the theatre three weeks of the year. The aim being to protect the provision of a cinema offer to the town and extend the offer of live entertainment within the district in an already fully functioning theatre that is both grade 2 listed and registered as an asset of community value.*

11. **Notice of Motion - Queen Street Future High Street Fund 'traffic reduction and pedestrianisation' plans**

To consider Cllr Daws Notice on Motion regarding Queen Street Future High Street Fund 'traffic reduction and pedestrianisation' plans referred to Executive by [Full Council on 17th October, 2023,](#)

*Queen Street Future High Street Fund 'traffic reduction and pedestrianisation' plans. Given the huge concerns expressed by Queen Street retailers over the Future High Street Fund plans, it is proposed that TDC park the project plan for the street and, as a matter of urgency, enter full and meaningful 'face to face' consultation involving meeting, listening to and acting on the concerns of all retailers and residents directly affected by the proposed plans. The aim being to create a vision for the future of Queen Street and the Town Centre that carries the support of the majority of retailers and the community.*

12. **Local Government (Access to Information) Act 1985 - Exclusion of Press and Public**

**RECOMMENDED** that, under Section 100A(4) of the Local Government Act 1972,

the press and public be excluded from the meeting during consideration of the following item on the grounds that it involves the likely disclosure of exempt information as defined in the relevant paragraph 3 of Part 1 of Schedule 12A of the Act.

**Part II: Items suggested for discussion with the press and public excluded**

13. **Funding Arrangements for Teignmouth Public Toilets** (Pages 17 - 26)
14. **For Information - Individual Executive Member Decisions**  
[Executive Member Decisions](#)

If you would like this information in another format, please telephone 01626 361101 or e-mail [info@teignbridge.gov.uk](mailto:info@teignbridge.gov.uk)

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## **EXECUTIVE**

### **31 OCTOBER 2023**

#### **Present:**

Councillors H Cox, Goodman-Bradbury, Keeling (Deputy Leader), Nutley, Nuttall, G Taylor, Wrigley (Leader) and Hook

#### **Members in Attendance:**

Councillors Clarence, Daws, Palethorpe, P Parker, Purser and J Taylor

#### **Apologies:**

Councillor Jeffries

#### **Officers in Attendance:**

Christopher Morgan, Trainee Democratic Services Officer  
Sarah Selway, Democratic Services Team Leader & Deputy Monitoring Officer  
Neil Blaney, Head of Place & Commercial Services  
Chrissie Drew, Green Spaces Projects Officer  
Tom Phillips, Assets Manager  
Phil Shears, Managing Director  
Paul Woodhead, Head of Legal Services & Monitoring Officer to the Council  
Alex Carpenter, Graduate/Assistant Estates Surveyor

These decisions will take effect from 10.00 a.m. on 7 November 2023 unless called-in or identified as urgent in the minute

### **73. MINUTES**

The minutes of the meeting held on 3 October 2023 were agreed as a correct record and signed by the Chair.

### **74. ANNOUNCEMENTS**

The Leader announced that with effect from 1 November 2023 Cllr Jeffries will step down from Executive for personal reasons. He thanked her for her hard work as an Executive Member and she would continue to work with Cllr Hook on the Cultural Strategy.

Cllr Palethorpe would be appointed to the Executive as the Executive Member for Estates, Assets and Parking.

### **75. DECLARATIONS OF INTEREST**

None.

**76. EXECUTIVE FORWARD PLAN**

**RESOLVED** that the Forward Plan be noted.

**77. UPDATE ON FUTURE HIGH STREET FUND**

The Leader presented the update on the Future High Street Fund report.

He proposed an alternative recommendation to the published report as follows:-

- 1) To progress submitting a planning application for the demolition part that was in the previous original cinema planning application for the area between the Alexander Theatre and the Market Hall excluding the Shauls Bakery and New Look buildings;
- 2) The Executive puts forward up to £70,000 of the Executive budget towards investigating the options as described 5.5.1 and 5.5.3 (of the circulated report) combined comprising a whole building solution with the restoration of the Alexander Theatre and the refurbishment of the Market Hall side of the building; and
- 3) Recommend to Full Council to look at the output of the above and to determine the future direction and to make the final decision on where this project goes.

This was seconded by the Executive Member for Planning.

Non-Executive Members spoke on this item.

**RESOLVED** to approve:-

- 1) To progress to submit a planning application for the demolition part that was previously within the cinema planning application for the structure between the Alexandra Theatre and the Market Hall excluding the Shauls Bakery and New Look buildings;
- 2) The Executive puts forward up to £70,000 of the Executive budget towards investigating the options as described in sections 5.5.1 and 5.5.3 of the circulated report combined comprising a whole building solution with the restoration of the Alexandra Theatre and the refurbishment of the Market Hall side of the building; and

**RECOMMENDED** to Full Council:-

- 3) To look at the output of the above and to determine the future direction and to make the final decision on where this project goes.

The vote was unanimous.

**78. FOR INFORMATION - INDIVIDUAL EXECUTIVE MEMBER DECISIONS**

Noted.

**79. LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985 - EXCLUSION OF PRESS AND PUBLIC**

**RESOLVED** that under Section 100(A)(4) of the Local Government Act 1972, the Press and public be excluded from the meeting for the following items of business on the grounds that they involves the likely disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A of the Act.

**80. TEIGNMOUTH DEN TENNIS COURT LEASE**

The Executive Member for Sport, Recreation and Resorts presented the report which proposed the surrender and regrant of lease for the letting of the Adventure Golf and Refreshment Kiosk, The Den, Teignmouth.

**RESOLVED** to surrender the existing lease and grant a new 20-year lease of the Adventure Golf and Refreshment Kiosk, The Den, Teignmouth.

The vote was unanimous.

**81. FOR INFORMATION - URGENT DECISION - REPLACEMENT BALER**

Noted.

The meeting started at 10.00 am and finished at 11.10 am.

Chair

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**Teignbridge District Council  
Executive  
05 December 2023  
Part i**

**Future High Streets Fund update**

**Purpose of Report**

To inform the Executive on the progress of the Future High Streets Fund Newton Abbot

**Recommendation(s)**

'To note' only

**Financial Implications**

There are no further financial implications arising from this report as it is 'to note'.

The implications of the delays are considerable and not only places the entire Project at risk but also jeopardises the £9 million grant. Furthermore, delays continue to have an adverse impact on costs as we remain in a relatively high inflationary environment.

A protracted "block date" for the development is impacting rental receipts and costs as units within the investment are held vacant and tenancies are held on short term agreements.

A detailed breakdown of the overall budget was set out in the Part II report to the 4 October 2022 Executive. There are no changes to update Executive on since that report.

Martin Flitcroft  
Head of Corporate Services  
Email: martin.flitcroft@teignbridge.gov.uk

**Legal Implications**

There are no specific legal implications arising out of this report. However, implications and risks associated with the project previously identified and reported remain unaltered. Notwithstanding that caution is advised against acting in a way that is contrary to the decisions of the Council and/or its Constitution.

Paul Woodhead  
Head of Legal Services and Monitoring Officer  
Email: paul.woodhead@teignbridge.gov.uk

## **Risk Assessment**

There are a variety of risks associated with various options which are discussed in the body of the report.

Other general risks to the project were set out in the Executive reports of 12 September 2022, 4 October 2022, and 17 November 2022, including the risks caused by additional delays to the project and the impact of additional work on available resources to undertake tasks.

Thomas E Phillips MRICS, Assets Manager  
Email: tom.phillips@teignbridge.gov.uk

## **Environmental / Climate Change Implications**

There are no environmental or climate change implications arising from this report as it is 'to note' only.

William Elliott, Climate Change Officer  
Email: william.elliott@teignbridge.gov.uk

## **Report Author**

Thomas E Phillips MRICS, Assets Manager  
Email: tom.phillips@teignbridge.gov.uk

## **Executive Member**

Councillor Martin Wrigley

## **Background Papers**

1. [Agenda for Executive on Tuesday, 21st July, 2020, 10.00 am - Teignbridge District Council](#) - Executive approval of the submission of the Future High Street Fund bid, July 2020
2. [Agenda item - Future High Street Fund - Teignbridge District Council](#) - Executive endorsement of the Future High Street Fund Project, April 2021
3. [Agenda for Full Council on Thursday, 22nd April, 2021, 10.00 am - Teignbridge District Council](#) - Council approval of the Future High Street Fund Project, April 2021
4. [Agenda item - Future High Street Fund - Newton Abbot Market - Teignbridge District Council](#) - Council approval of the Market Hall business case, February 2022
5. [Agenda for Executive on Monday, 12th September, 2022, 10.00 am - Teignbridge District Council](#) - Executive report considering update on the Future High Street Fund, September 2022

6. [Decision - Urgent Decision - Future High Street Fund - Teignbridge District Council](#) - Urgent decision to progress actions in Executive report following cancellation of Executive meeting, September 2022
7. [Part 1 Executive report - FHSF Oct 2022.pdf \(teignbridge.gov.uk\)](#) – Executive report providing update, October 2022
8. [Agenda for Full Council on Thursday, 17th November, 2022, 10.00 am - Teignbridge District Council](#) – Extraordinary Council Meeting to agree additional funding and revised business case, November 2022
9. [Agenda for Teignbridge Highways and Traffic Orders Committee on Thursday, 1st June, 2023, 2.15 pm - Democracy in Devon](#) – HATOC meeting regarding the Queen Street proposals, June 2023
10. [Agenda item - Notices of Motion - Teignbridge District Council](#) –
11. [Agenda for Executive on Tuesday, 31st October, 2023, 10.00 am - Teignbridge District Council](#) – Item – Item 77 notice of motion for alternative recommendation (called-in)

## **1. Background**

- 1.1 At the Extraordinary meeting of the Council on 06 September 2022, it was agreed that:
- 1.2 ‘With effect from October 2022, officers present a comprehensive written report for each executive meeting (whether held or not) on delivery of the Future High Streets Fund (FHSF) and its various projects. The report will set out key objectives and timelines, progress towards them, identify when decisions will need to be made by council / the executive and all other necessary and relevant information about the FHSF to keep councillors fully informed. If necessary, the report may be a part ii ‘exempt item’.

## **2. Project updates**

### **2.1 Key objectives**

- 2.1.1 The key objectives for the Future High Streets Fund (FHSF) and the Council’s successful bid were set out in detail in previous reports to the Executive and the Council. It is not proposed to repeat them in this or future update reports.

### **2.2 Timelines**

- 2.2.1 The Executive decisions on 31 October 2023, to retain the block of buildings that were due to be demolished to make way for the cinema, to revisit the plans for the Market Hall and Alexandra Cinema building and to recommend to Full Council that they review the output of the work and make a final decision, has been called-in.

- 2.2.2 The call-in will be considered by the Overview and Scrutiny Committee on 12 December 2023. No action can be taken on the Executive's decision in the meantime.
- 2.2.3 This delay adds an initial month onto the approved project timeline. However, subject to the review and decisions by Council the project timetables could be the subject of significant change. However, it is not possible to review a programme until clear direction and authority to deliver a project has been made.
- 2.2.4 The Market Hall project is paused until sufficient authority to proceed and clear basis for which to proceed on is given.
- 2.2.5 The biannual Monitoring and Evaluation was returned to Department for Levelling Up Housing and Communities (DLUHC) on the deadline day of 17 November 2023. This was an advanced deadline for those authorities wishing to request a spend deadline extension from 31 March 2024 to 30 September 2024. It has been indicated that this will be re-defined to a committed by deadline rather than a spend by deadline, however, authorities must be able to prove they will be able to spend the grant money that financial year otherwise they will not be able to draw down the grant.
- 2.2.6 As reported previously there is now severe risk posed to the whole project due to the delays caused by firstly the 2022 Project Adjustment Request and then by the subsequent attempts to change the project's direction.
- 2.2.7 It is vital a clear way forward and a Council Mandate to deliver is established very quickly otherwise all three elements of the project are placed under severe threat of being rendered undeliverable.

### **3 Further Updates**

- 3.1 A number of tenants are subject to a relocation strategy and decisions need to be made on their occupational agreements.
- 3.2 Revised Benefit Cost Ratios (BCRs) for the project excluding the cinema have been commissioned to ascertain whether the required BCR ratio can be achieved without the principal project.

**Teignbridge District Council  
Executive  
05 December 2023  
Part i**

**Dawlish – Football Club and Ground, Sandy Lane**

**Purpose of Report**

To seek authority to grant a new lease to Dawlish United Youth & Mini Soccer Football Club with an option to renew for a further 10-year term.

**Recommendation(s)**

The Executive RESOLVES to approve the granting of new 10-year lease to the Dawlish United Youth & Mini Soccer Football Club with an option to renew for a further 10-year period.

**Financial Implications**

See 2.1 for financial implications

Martin Flitcroft, Chief Finance Officer & Head of Corporate Services  
Email: martin.flitcroft@teignbridge.gov.uk

**Legal Implications**

Legal implications are as set out in paragraph 2.2 below

Paul Woodhead, Head of Legal Services and Monitoring Officer  
Email: paul.woodhead@teignbridge.gov.uk

**Risk Assessment**

See 2.3 for an assessment of the risks

Chris Smith, Assistant Estates Surveyor  
Email: chris.smith@teignbridge.gov.uk

**Environmental/ Climate Change Implications**

See 2.4 for Environmental/Climate Change Implications

Chris Smith, Assistant Estates Surveyor  
Email: chris.smith@teignbridge.gov.uk

## Report Author

Chris Smith, Assistant Estates Surveyor  
Email: [chris.smith@teignbridge.gov.uk](mailto:chris.smith@teignbridge.gov.uk)

## Executive Member

Cllr David Palethorpe, Executive Member for Estates, Assets and Parking

## Appendices/Background Papers

### 1. Introduction/Background

1.1 On 08 June 2012 a lease was granted to Dawlish United Youth & Mini Soccer Football Club to occupy land and buildings at Sandy Lane Dawlish. The lease was for a period of 10 years from and including 24 May 2012.

1.2 Contained within the lease was an option for the Club to renew the lease for a further 10-year period if they served an Option Notice on the Council during the Option Period (24 May 2021 – 24 November 2021). They served notice on 25 May 2021.

1.3 The 2012 lease stated that the new lease from 24 May 2022 was essentially to be on the same terms of the existing other than the rent and without the option to renew it. In August 2023 the club made a request that the new lease contained an option to renew since they wish to apply for grant funding to improve the facilities by providing new floodlights around the pitch. The club has been advised that a lease of 10 years is insufficient for grant fund purposes.

1.4 Supporting the club links in with the 'Out and About and Active' and 'Strong Communities' Teignbridge Ten programmes by helping provide opportunities for healthy active lifestyles and it helps and supports our communities.

1.5 The club currently has circa 50 adult and 300 child members.

### 2. Implications, Risk Management and Climate Change Impact

#### 2.1 Financial

There are no significant financial implications for the inclusion of the option to renew clause in the new lease. The rent payable prior to the expiry of the 2012 lease was £2,171 per annum. The rent for the renewal lease has been assessed and agreed at £2,638 per annum in accordance with the Option to Renew Schedule of the 2012 lease.

#### 2.2 Legal

Dawlish United Youth & Mini Soccer Football Club, have acted in accordance with the contractual rights and obligations afforded to it by way of the 2012, Lease. The

proposed granting of a lease with a Lease Term of 10 years together with the Option to renew for a further period of 10 years requires Executive approval.

## **2.3 Risks**

2.3.1 The new lease shall include all of the terms contained in the current lease including the tenant having the right to terminate the lease on three months' notice at any time and the Council having the ability to break the lease after 5 years. The Council's right to break is, however, only exercisable in the event of a failure of the club to maintain and keep the property in a satisfactory and reasonable condition.

2.3.2 The inclusion of another option to renew will not affect the Council's ability to break the lease. There are therefore no perceived risks with regard the recommendations of this report and it will allow the Club to invest into the facilities and ensure future generations are able to continue playing football within Dawlish.

## **2.4 Environmental/Climate Change Impact**

The Club wish to apply for grant funding so that they can improve the onsite facilities by providing new LED floodlights around the pitch. LED flood lights are more energy efficient in comparison to Halogen lighting. They produce less wasted heat, the lifespan is significantly longer and usage decreases the carbon emissions produced through the burning of fossil fuels.

## **3. Alternative Options**

Do nothing and retain the lease in its current form with the Council. This would frustrate the Club's ability to apply for grant funding to improve the facilities. As and when the bulbs in the existing floodlights are blown the Club would be unable to afford to replace them. If not replaced with new LED bulbs the club will not be able to use the pitch in the dark thus reducing their ability to provide sporting opportunities.

## **4. Conclusion**

The Council wishes to continue to support football in the community in Dawlish and the grant of the lease with an option to renew will enable an active local club to seek grant funding to improve the facilities. The Council will maintain a rental income as well as ensuring the property is occupied and maintained in a satisfactory way.

The proposal will also help contribute towards the following Teignbridge Ten goals:

- Strong communities by providing support to the club who wants to improve the facilities for the benefit of its members and other users of the facilities.
- Out and About and Active. This will enhance opportunities for people to engage in sport which contributes towards a healthy active lifestyle.

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