

Meeting on 20th April 2022

Agenda Item No 8

Questions by Members to Full Council under Procedure rule 9.2

Question 1: Procedure Rule 9.2 to the Portfolio Holder for Economy and Assets from Councillor Cathy Gardner

In relation to the Drill Hall, Sidmouth;

After many years of campaigning to save The Drill Hall at Port Royal, Sidmouth from demolition, I was delighted that Rockfish were willing to take on the lease and convert the building. Residents and the Town Council welcomed the plan to have a restaurant in this location, to add to the attractions of the town. Work to refurbish it as a restaurant was due to start early in 2020 but due to the pandemic, the work did not start and residents are now concerned about the future of this historic building. We should also note that EDDC are also not receiving any income from this asset. I understand that Rockfish renewed their option on the lease but there have been delays due to legal issues with the previous owners of the Hall.

Can you please provide:

- an update on the status of the project with Rockfish;
- a deadline for redevelopment; and
- a definite timeline for remarketing if necessary?

Answer:

The council is currently liaising with Rockfish in relation to the legal matters referred to. The legal matters relate to consent required to the transaction from the former owners of the building. The consent required protects any overage that may become payable in relation to the building in the future if a more valuable redevelopment takes place (i.e. residential).

The Council is content that no overage is due because the building is being refurbished, and overage is only payable if the building were to be demolished and the site redeveloped. However the consent has not been forthcoming despite the efforts of the Council and its solicitors.

The Council has taken external litigation advice to address the situation with the former owners of the building. The external advisors are looking at the options with a view to finding a way forward that gives Rockfish the comfort to enter into the lease whilst the consent is outstanding. It is very unfortunate that the consent has not been forthcoming.

Officers have had recent contact in late March with both Rockfish's legal team and the Council's internal and external solicitors. Rockfish remain keen to take on the lease of the Drill Hall site. We will receive an update on matters from the external legal advisors after the Easter break.

There is currently no definite start date for development of the site.

The Option Agreement with Rockfish is for a period up to the 31 October 2022 so that would require Rockfish to have entered into the lease with the council by that date. The council does not expect to have to remarket the site, but if this were the case, it would have to commence after the option period had expired, and we would be advised by specialist leisure property agents as to a suitable marketing commencement date and timeframe.

Question 2: Procedure Rule 9.2 to the Leader of the Council from Councillor Paul Millar

To ask the Leader of the Council, what was the total consultancy fee paid to Torbay Development Agency specifically for their work in relation to The Strand?

Answer:

Torbay Development Agency have undertaken work for the Council on /off for many years. Most recently, back in early 2021 we engaged Torbay Development Agency for 2.5 days a week to provide additional capacity at a fixed rate. In more recent months we have further utilised this resource whilst we fill 2 vacant Estates Surveyor posts at which time the contract with Torbay Development Agency will terminate. We are invoiced for the works undertaken but this does not include a breakdown by project. It is estimated by the Council that Torbay Development Agency will have incurred no more than 20 hours working on The Strand project.

Question 3: Procedure Rule 9.2 to the Portfolio Holder for Sustainable Homes & Communities from Councillor Paul Millar

To ask the Portfolio Holder for Sustainable Homes & Communities, how many times has the EDDC Housing Allocations Team used Devon Home Choice Policy 2.10.1 ('In exceptional situations the Devon local authorities reserve the right to depart from any aspect of this Policy') in each of the five years?

Answer:

We have not used section 2.10.1 at all for individual cases during this period, this is due to the next section of the policy which deals with transparency and fairness:

2.10.2 In order to ensure fairness to all eligible applicants, the discretion is reserved to be considered only in relation to truly exceptional situations.

However, we did refer to 2.10.1 as a general rule following the 'everybody in' Covid-19 campaign in March 2020, when a number of rough sleepers were accommodated resulting in high numbers of single homeless applicants in temporary accommodation.

We used this part of the policy to make direct matches, via a panel of Housing staff, for homeless applicants in temporary accommodation to move on into a recently acquired block of flats in Exmouth that has previously been intended for general use i.e. allocations via the Devon Home Choice system.