

Report title: Disposal of Land at Claylands (Phase 2), Paignton

Report to:	Cabinet
Date:	9 June 2026
Lead Cabinet Member:	Cllr Chris Lewis, Cabinet Member for Place Development and Economic Growth
Email:	chris.lewis@torbay.gov.uk
Lead Director:	Malcolm Coe, Director of Finance
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Wards affected:	Goodrington with Roselands / Paignton

1. Summary of Report:

- 1.1 This report recommends the freehold disposal of land at Claylands (Phase 2), Brixham Road, Paignton, TQ4 7BA, extending to approximately 2.57 hectares / 6.39 acres to Brixham Trawler Agents Limited (BTA) for Market Value, as determined by an independent Royal Institution Chartered Surveyor's compliant valuation of the site as shown edged red in Appendix 1.
- 1.2 The land forms part of a wider employment allocation and has remained undeveloped for several years following development of the site adjacent, occupied by Investment Castings. Disposal to BTA will support local economic activity and reduce the Council's ongoing holding costs and liabilities. Disposal to BTA will facilitate their extraction from Oxen Cove, helping to unlock redevelopment of the area under the Port Infrastructure Project.
- 1.3 The proposal aligns with the Council's Asset Management Strategy, which identifies surplus assets and seeks to dispose of them where appropriate to generate capital receipts, reduce liabilities, and stimulate economic development.

2. Recommendations and Proposed Decision:

- 2.1 That the Director of Finance in consultation with Cabinet Member for Place Development and Economic Growth be authorised to dispose of the Council's freehold interest in land at

Claylands (Phase 2), Brixham Road, Paignton, as shown edged red in Appendix 1 to BTA for Market Value (as set out in exempt Appendix 2).

- 2.2 That the Director of Finance be authorised to agree and finalise the detailed transfer process and terms based on estates and legal advice, in consultation with the Cabinet Member for Place Development and Economic Growth.

3. Reasons for Recommendations/Proposed Decision:

- 3.1 The disposal of this surplus employment land to BTA will generate a capital receipt for the Council and will provide the following additional benefits:
- Support the growth of a significant local business operating within Torbay's marine and fisheries sector and enable BTA to develop new operational facilities.
 - Reduce the Council's ongoing holding and maintenance liabilities associated with the site.
 - Bring forward development on a site that has remained undeveloped due to viability and infrastructure constraints.
 - Unlock the Port Infrastructure Project involving redevelopment of Oxen Cove through relocation of BTA from this site.
- 3.2 The land is a former inert waste quarry with limited developable area (estimated at 1.8 hectares or 4.45 acres). The independent valuation reflects the site's constraints, including topography, woodland retention, access limitations, and the need for significant enabling works.

4. Background and Context:

- 4.1. Torbay Council Strategic Asset Management Plan sets out the Council's approach to the strategic management of its assets, how it will support service delivery, provide the Council with income and how it will fulfil its mission to support, enable and empower its residents, our communities and our partnerships, to promote growth and place shaping within Torbay.
- 4.2. An identified principle of Strategic Asset Management Plan is at regular intervals to review all non-operational and surplus assets to identify opportunities to create or increase revenue income, provide investment opportunities or deliver capital receipts to stimulate development, growth and reinvestment.
- 4.3 The site has been marketed previously for employment led development. No viable proposals have been progressed due to site constraints and development costs.
- 4.4 The independent valuation undertaken by Vickery Holman produced a Market Value that reflects the limited net developable area, ground conditions, ecological constraints, and infrastructure requirements.

5. Alternative Options Considered:

- 5.1 Retaining the asset would continue to incur holding costs and liabilities.
- 5.2 Leasehold disposal has been considered but rejected due to the constraints associated with the site.
- 5.3 Marketing the site and inviting other offers such as speculative or conditional offers would introduce risk, delay, and uncertainty. It would not facilitate the vacant possession strategy relating to Oxen Cove and may impact delivery of the Port Infrastructure Project.
- 5.4 BTA's unconditional offer provides certainty and aligns with the intended employment use.

6. Contribution to Council Priorities:

- 6.1 The Council is not under any obligation to dispose of any given asset. However, the Council's ongoing management and cost of holding vacant assets is significant. Disposing of this asset will reduce this liability and generate a capital receipt, whilst realising non-monetary benefits associated with relocating BTA away from Oxen Cove.

7. Consultation and Engagement:

- 7.1 No formal public consultation has been undertaken as the disposal relates to a surplus employment site. Any future development proposals by BTA will be subject to the statutory planning process.

8. Implications:

Financial Implications:

The Council's Asset Management Strategy states that the Council will 'always seek to maximise the full market receipt for their assets whether by way of freehold disposal or leasehold interest'. The independent valuation established that BTA's offer is in line with market value.

Legal Implications:

There are no legal implications anticipated with this disposal. Disposing of this asset will need to be documented, along with the preparation of legal packs to support a sale. This disposal will be dealt with by the Council's in-house Legal Team where capacity allows, otherwise it will be outsourced.

A restriction will also be placed on the Land Registry Title preventing use of the land for residential purposes.

Corporate Parenting/Children and Young People:

No impacts are anticipated with the disposal of this land. The land is currently unused and does not provide any service to children or young people. There are indirect benefits through economic activity.

Associated Risks, Risk Tolerance Level and Mitigations:

A summary of key risks associated with the recommendations in this report are:

1. Financial Risk – mitigated through maximising capital revenue above market value.
2. Risk of non-development – mitigated through BTA’s operational need for the site.

The risks of not approving the recommendations include failure to achieve market value if the Council was minded to dispose of the site to another party, risk of retaining liability for the site in respect of land management and maintenance, and risk of the Port Infrastructure Project being delayed or not deliverable through an inability to re-locate BTA to another site. Overall risk exposure is assessed as acceptable within the Council’s risk tolerance appetite.

Full risks are set out below:

Risk	Risk score before mitigations (likelihood x impact)	Mitigations	Risk Score after mitigations (likelihood x impact)	Risk tolerance
Risk of non-development	15	Mitigated by securing an occupier and BTA’s operational need for the site.	4	Acceptable
Financial risk – achieving market value		By appointing an independent valuation, we have expert guidance on open market value.		Acceptable

Contributions to tackling climate change or achieving carbon neutrality:

No differential impact.

Social Value Considerations:

Positive long-term employment benefits through bringing a long-term vacant employment site into use.

Procurement Implications:

None. This is an off-market transaction at market value.

Other Implications:

None.

9. Equalities Impact Assessment:

Protected characteristics under the Equality Act and groups with increased vulnerability	Data and insight	Equality considerations (including any adverse impacts)	Mitigation activities	Responsible department and timeframe for implementing mitigation activities
Age	<ul style="list-style-type: none"> 18% of Torbay residents are aged under 18 years old. 55% of Torbay residents are aged between 18 to 64 years old. 27% of Torbay residents are aged 65 and older. 	No adverse impacts are anticipated from this decision as the space is currently unused.	Not applicable	Not applicable
Carers	<ul style="list-style-type: none"> At the time of the 2021 census there were 14,900 unpaid carers in Torbay. 5,185 of these carers provided 50 hours or more of care. 	No adverse impacts are anticipated from this decision as the space is currently unused.	Not applicable	Not applicable
Care experienced	<ul style="list-style-type: none"> As of January 2026, there were 277 former care experienced young people aged 18-24 in Torbay. 	No adverse impacts are anticipated from this decision as the space is currently unused.	Not applicable	Not applicable

Protected characteristics under the Equality Act and groups with increased vulnerability	Data and insight	Equality considerations (including any adverse impacts)	Mitigation activities	Responsible department and timeframe for implementing mitigation activities
Disability	<ul style="list-style-type: none"> In the 2021 Census, 23.9% of Torbay residents answered that their day-to-day activities were limited a little or a lot by a physical or mental health condition or illness. 	No adverse impacts are anticipated from this decision as the space is currently unused.	Not applicable	Not applicable
Gender reassignment	<ul style="list-style-type: none"> In the 2021 Census, 0.4% of Torbay's community answered that their gender identity was not the same as their sex registered at birth. 	No adverse impacts are anticipated from this decision as the space is currently unused.	Not applicable	Not applicable
Marriage and civil partnership	<ul style="list-style-type: none"> Of those Torbay residents aged 16 and over at the time of 2021 Census, 44.2% of people were married or in a registered civil partnership. 	No adverse impacts are anticipated from this decision as the space is currently unused.	Not applicable	Not applicable
Pregnancy and maternity	<ul style="list-style-type: none"> Between 2013 and 2024, the rate of live births (as a proportion of females aged 15 to 44) has been slightly but significantly higher in 	No adverse impacts are anticipated from this decision as the space is currently unused.	Not applicable	Not applicable

Protected characteristics under the Equality Act and groups with increased vulnerability	Data and insight	Equality considerations (including any adverse impacts)	Mitigation activities	Responsible department and timeframe for implementing mitigation activities
	<p>Torbay (average of 56.0 per 1,000) than the Southwest (53.4) and broadly in line with England (56.3).</p> <ul style="list-style-type: none"> For the period 2022 to 2024, rates in Torbay (44.6) have been significantly below England (50.0). 			
Race	<p>In the 2021 Census, 96.1% of Torbay residents described their ethnicity as the following:</p> <ul style="list-style-type: none"> 1.6% as Asian, Asian British or Asian Welsh 0.3% as Black, Black British, Black Welsh, Caribbean or African 1.5% as being of Mixed or Multiple ethnic groups 96.1% as White 0.4% described their ethnicity another way. 	No adverse impacts are anticipated from this decision as the space is currently unused.	Not applicable	Not applicable

Protected characteristics under the Equality Act and groups with increased vulnerability	Data and insight	Equality considerations (including any adverse impacts)	Mitigation activities	Responsible department and timeframe for implementing mitigation activities
	<ul style="list-style-type: none"> Black, Asian and minoritised ethnic communities are more likely to live in areas of Torbay classified as being amongst the 20% most deprived areas in England. 			
Religion and belief	<p>The 2021 Census showed that the residents in Torbay identify their religion and/or belief as the following;</p> <ul style="list-style-type: none"> 48.5% are Christian 0.4% are Buddhist 0.2% are Hindu 0.6% are Muslim Less than 0.1% are Sikh 0.1% are Jewish 0.7% have another religion 43.2% have no religion 6.3% did not answer 	No adverse impacts are anticipated from this decision as the space is currently unused.	Not applicable	Not applicable
Sex	<ul style="list-style-type: none"> 51.3% of Torbay's population are female. 	No adverse impacts are anticipated from this decision as the space is currently unused.	Not applicable	Not applicable

Protected characteristics under the Equality Act and groups with increased vulnerability	Data and insight	Equality considerations (including any adverse impacts)	Mitigation activities	Responsible department and timeframe for implementing mitigation activities
	<ul style="list-style-type: none"> 48.7% of Torbay's population are male. 			
Sexual orientation	<p>In the 2021 Census, residents described their sexuality as follows;</p> <ul style="list-style-type: none"> 89% as Straight or Heterosexual 1.7% as Gay or Lesbian 1.1% as Bisexual 0.1% as Pansexual 0.1% described their sexuality another way 7.4% of people didn't answer the question 	No adverse impacts are anticipated from this decision as the space is currently unused.	Not applicable	Not applicable
Armed Forces Community	<ul style="list-style-type: none"> In 2021, 3.8% of residents in England reported that they had previously served in the UK armed forces. In Torbay, 5.9% of the population have previously served in the UK armed forces. 	No adverse impacts are anticipated from this decision as the space is currently unused.	Not applicable	Not applicable

Protected characteristics under the Equality Act and groups with increased vulnerability	Data and insight	Equality considerations (including any adverse impacts)	Mitigation activities	Responsible department and timeframe for implementing mitigation activities
<i>Additional considerations:</i>				
Socio-economic impacts (Including impacts on child poverty and deprivation)	<ul style="list-style-type: none"> Torbay is ranked as the 39th most deprived upper tier local authority in England in the Index of Multiple Deprivation 2025. 	Long term use will be employment related, creating new jobs within the locality.	Not applicable	Not applicable
Public Health impacts (Including impacts on the general health of the population of Torbay)	<ul style="list-style-type: none"> For the five-year period 2020 to 2024, data shows there is a 6-year life expectancy gap between males who live in Torbay's least and most deprived areas and, a 3-year gap for females. 	No differential impact specific to this group	Not applicable	Not applicable
Human Rights impacts		No adverse impacts are anticipated.	Not applicable	Not applicable
Child Friendly		No differential impact specific to this group	Not applicable	Not applicable

10. Cumulative Council Impact:

None

11. Cumulative Community Impact:

None

12. Monitoring and Evaluation:

No monitoring or evaluation required, this is a freehold sale of land.

Appendices:

- 1 Site plan
- 2 Valuation Note (EXEMPT)

Background Documents:

None

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