

Minutes of the Cabinet

15 September 2026

-: Present :-

Councillor David Thomas (Chair)

Councillors Billings, Bye, Chris Lewis, Tranter and Tyerman

(Also in attendance: Councillors Cowell (virtual), Mandy Darling (virtual), Douglas-Dunbar (virtual), Johns (virtual), Law, Barbara Lewis (virtual) and Long)

28. Apologies

An apology for absence was received from Councillor Jackie Thomas.

29. Minutes

The Minutes of the meeting of the Cabinet held on 18 August 2026 were confirmed as a correct record and signed by the Chair.

30. Disclosure of Interests

No declarations of interest were made.

31. Matters for Consideration

The Cabinet considered the following matters, full details of which (including the Cabinet's decisions) are set out in the Record of Decisions appended to these Minutes.

32. Developing Residential Children's Homes for Torbay

33. Adult Social Care Local Account Summary 2025/26

34. Housing Ombudsman Self-Assessment for Complaint Handling

35. Leasing of Commercial Business units at Unit D, Westfield Business Park, Long Road, Paignton

36. Appointment of Torbay Council Holding Company Shareholder Panel

37. SWISCo Dashboard - Report of the Overview and Scrutiny Board

Chair

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Record of Decisions

Developing Residential Children's Homes for Torbay

Decision Taker

Cabinet on 15 September 2026

Decision

1. That a procurement to select Ofsted registered and suitably experienced children's home providers be approved and that the Cabinet agreed to proceed on the basis of:
 - a) Lot 1 – a provider to work with Torbay Council to deliver two 2-bedded children's homes. The buildings would be purchased by the Council and leased to the provider, who would register and operate the home. The provider would partner with Torbay Council to select the most suitable properties and design the service to meet Torbay Council's needs; and
 - b) Lot 2 – A provider or provider(s) to deliver two 2-bedded children's homes, with the buildings sourced and the home operated by the provider.

For both Lots the Council will seek to involve children and young people in the procurement process and design of the homes following the procurement, to make sure the Council considers their views.

2. Both Lots would be block contracted for a period of 3+2 years to enable homes to be secured for Torbay children and to give the commissioned providers the opportunity to create high quality, stable local services, working in partnership with Torbay Council's social workers and support services.

Reason for the Decision

Torbay Council has a statutory responsibility to ensure there is a sufficient range of safe, stable and high-quality accommodation for children and young people in its care.

The development of local residential children's homes would provide opportunities for children and young people to remain closer to their families, friends, schools, health services and local support networks where this was in their best interests. The proposal would also support the Council's ambition to reduce reliance on unregistered placements, strengthen local sufficiency, improve outcomes for children and young people and assist in managing increasing residential placement costs.

Implementation

This decision may be implemented on 28 September 2026 unless the call-in procedure is triggered (as set out in the Standing Orders in relation to Overview and Scrutiny).

Information

Torbay Council is committed to ensuring that children and young people in its care receive the same opportunities as their peers and are able to achieve positive outcomes throughout their

lives. High-quality residential care forms an important part of the local placement offer for children whose needs cannot be met through fostering or other family-based arrangements.

The Council has been selected by the Department for Education to receive capital funding to support the development of local residential children's homes. The procurement seeks to secure four new children's homes providing a total of eight residential placements through two complementary models: Council-owned homes operated by specialist providers and provider-owned homes independently operated by registered providers.

The introduction of locally based homes is expected to improve placement stability, reduce the disruption associated with out-of-area placements, support stronger relationships with families and local services, and provide better opportunities for planning transitions into adulthood. The use of block contracts is expected to provide greater certainty of provision for Torbay children while enabling providers to invest in staff, services and long-term partnership working within Torbay.

At the meeting Councillor Bye proposed and Councillor Tyerman seconded a motion that was agreed unanimously by the Cabinet, as set out above.

Alternative Options considered and rejected at the time of the decision

The option of taking no action was considered and discounted as it would have continued the Council's reliance on an increasingly pressured external market, perpetuated the shortage of local residential placements and limited the Council's ability to meet its sufficiency duty and shape the local market to meet the needs of Torbay children and young people.

The option of developing Council-run children's homes was also considered. Whilst this would have provided direct control over service delivery, it was rejected because the Council no longer had experience of operating residential children's homes and recognised that specialist external providers possessed the expertise necessary to register, establish and manage such provision successfully.

Is this a Key Decision?

No

Does the call-in procedure apply?

Yes

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

None

Published

18 September 2026

Signed: _____
Leader of Torbay Council on behalf of the Cabinet

Date: _____

Record of Decisions

Adult Social Care Local Account Summary 2025/26

Decision Taker

Cabinet on 15 September 2026

Decision

1. that the contents of the Adult Social Care Local Account Summary 2025/26 be noted; and
2. that the publication of the Adult Social Care Local Account Summary 2025/26 as the Council's annual account of Adult Social Care performance and improvement activity be approved.

Reason for the Decision

Publication of the Local Account supported the principles of transparency, accountability and continuous improvement and enabled residents, carers, partners and stakeholders to understand how Adult Social Care services were performing, the impact they were having on local people and the priorities for future improvement.

Implementation

This decision may be implemented on 28 September 2026 unless the call-in procedure is triggered (as set out in the Standing Orders in relation to Overview and Scrutiny).

Information

The Adult Social Care Local Account Summary 2025/26 had been developed using performance information, quality assurance activity, feedback from people with lived experience, carers, staff and partners, and learning from service delivery throughout 2025/26. The report described how Adult Social Care had responded to increasing demand, rising complexity of need and financial pressures whilst supporting people to remain independent and connected to their communities.

The report also reflected the outcome of Torbay's first Care Quality Commission assessment and preparations for the return of Adult Social Care functions to Torbay Council in April 2027 following the termination of the Section 75 arrangements.

At the meeting Councillor Tranter proposed and Councillor David Thomas seconded a motion that was agreed unanimously by the Cabinet, as set out above.

Alternative Options considered and rejected at the time of the decision

The alternative option considered was not to publish the Adult Social Care Local Account Summary 2025/26. This option was discounted as publication supported transparency, accountability and engagement with residents, people who draw on support, carers, partners and stakeholders and provided an opportunity to communicate performance, achievements, challenges and priorities for improvement.

Is this a Key Decision?

No

Does the call-in procedure apply?

Yes

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

None

Published

18 September 2026

Signed: _____ Date: _____
Leader of Torbay Council on behalf of the Cabinet

Record of Decisions

Housing Ombudsman Self-Assessment for Complaint Handling

Decision Taker

Cabinet on 15 September 2026

Decision

1. that the Housing Complaints Policy as set out at Appendix 1 to the submitted report be approved; and
2. that the Self-Assessment Report 2026 as set out at Appendix 2 to the submitted report be noted.

Reason for the Decision

From 1 April 2024, the Housing Ombudsman Complaint Handling Code became statutory and social landlords were required by law to comply with its requirements. Approval of the Housing Complaints Policy would ensure that Torbay Council achieved best practice in complaint handling, provided a better service to tenants and demonstrated to the Housing Ombudsman that complaint handling arrangements were operating in accordance with the Code.

Implementation

This decision may be implemented on 28 September 2026 unless the call-in procedure is triggered (as set out in the Standing Orders in relation to Overview and Scrutiny).

Information

The Housing Ombudsman Complaint Handling Code sets out the requirements that social landlords must follow when receiving, investigating and responding to complaints from tenants. Since becoming statutory on 1 April 2024, landlords have been required to demonstrate compliance with the Code and are subject to monitoring by the Housing Ombudsman.

The submitted report presented the Council's Housing Ombudsman Self-Assessment for 2026 and sought approval of a Housing Complaints Policy to strengthen governance arrangements and ensure that complaint handling processes remained consistent, transparent and accessible to tenants.

At the meeting Councillor Tyerman proposed and Councillor Cowell seconded a motion that was agreed unanimously by the Cabinet, as set out above.

Alternative Options considered and rejected at the time of the decision

No alternative options were identified, as compliance with the Housing Ombudsman Complaint Handling Code was a statutory requirement and the approval of an appropriate complaints policy supported the Council in meeting its legal obligations and providing an effective service to tenants.

Is this a Key Decision?

No

Does the call-in procedure apply?

Yes

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

None

Published

18 September 2026

Signed: _____ Date: _____
Leader of Torbay Council on behalf of the Cabinet

Record of Decisions

Leasing of Commercial Business Units at Unit D, Westfield Business Park, Long Road, Paignton

Decision Taker

Cabinet on 15 September 2026

Decision

That delegated authority be given to the Director of Finance, in consultation with the Cabinet Member for Place Development and Economic Growth, to negotiate and agree the detailed terms, including the market rent, of the first lease granted for each of the four units at Unit D, Westfield Business Park, Long Road, Paignton.

Reason for the Decision

The market rent for each individual unit was assessed by a RICS surveyor as being in excess of £50,000 per annum and, in accordance with the Council's Constitution, the granting of the leases required Cabinet approval. Delegating authority to the Director of Finance would enable lease terms to be agreed efficiently, avoiding delays in the letting process and the receipt of rental income by the Council.

Implementation

This decision may be implemented on 28 September 2026 unless the call-in procedure is triggered (as set out in the Standing Orders in relation to Overview and Scrutiny).

Information

Cabinet considered a report seeking authority to enable the letting of four newly created commercial units at Unit D, Westfield Business Park, Long Road, Paignton. The Council purchased the property in April 2026 and invested in significant refurbishment works to create two laboratory units and two office units targeted specifically at high-tech businesses.

The development formed part of the Council's longer-term strategy to support growth within Torbay's high-tech sector, building on links with South Devon College and businesses associated with EPIC. The units were intended to provide accommodation for expanding businesses, increase employment opportunities and attract investment into Torbay.

Cabinet noted that delegating authority to the Director of Finance would enable commercially advantageous lease agreements to be progressed promptly, helping to minimise void periods and reduce the costs associated with vacant property holdings.

At the meeting Councillor Chris Lewis proposed and Councillor Bye seconded a motion that was agreed unanimously by the Cabinet, as set out above.

Alternative Options considered and rejected at the time of the decision

The option of disposing of the units on a freehold basis was discounted as the Council wished to retain ownership and control of the premises, ensuring that they continued to support the development of the high-tech sector and local employment opportunities.

The option of not letting the units on a commercial basis was also discounted as this would increase void costs, delay revenue generation and reduce the overall financial benefits arising from the Council's investment in the property.

Is this a Key Decision?

No

Does the call-in procedure apply?

Yes

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

None

Published

18 September 2026

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Leader of Torbay Council on behalf of the Cabinet

Record of Decisions

Appointment of Torbay Council Holding Company Shareholder Panel

Decision Taker

Cabinet on 15 September 2026

Decision

1. that a Torbay Council Holding Company Shareholder Panel be established with Membership and Terms of Reference as set out in Appendix 1 to the submitted report; and
2. that the Chief Executive (Anne-Marie Bond) be appointed as the Council's Shareholder Designated Representative.

Reason for the Decision

The Torbay Council Holding Company Shareholder Panel was required to set the objectives of the Board and ensure the performance of the company and safeguard the Council's investment.

Implementation

This decision will come into force and may be implemented on 28 September 2026 unless the call-in procedure is triggered (as set out in the Standing Orders in relation to Overview and Scrutiny).

Information

Following the transfer of Torbay Economic Development Company (known as TDA) to Torbay Council, the Council had established Torbay Council Holding Company Limited to manage all the Council's companies and their subsidiaries. A Board had been established in accordance with the Local Operating Policy for Governance of Council Wholly Owned Companies. There was a requirement for the Cabinet to appoint a Torbay Council Holding Company Shareholder Panel and Designated Representative as part of the governance arrangements. This also aligned with the Local Government Association guidance and the Local Partnerships Local Authority Trading Companies (LATCo) Guidance (2023) ensuring appropriate governance of Wholly Owned Companies and clear separation of roles between the Board and the Shareholder Panel.

At the meeting Councillor David Thomas proposed and Councillor Tyerman seconded the motion that was agreed unanimously by the Cabinet, as set out above.

Alternative Options considered and rejected at the time of the decision

To retain the existing SWISCo Shareholder Panel, due to the scale of the work covered by the Panel. This option was not recommended as it would add another meeting/Panel and may lose consistency of having a single Panel providing oversight of all the Wholly Owned Companies and their subsidiaries.

Is this a Key Decision?

No

Does the call-in procedure apply?

Yes

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

None

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Leader of Torbay Council on behalf of the Cabinet

Record of Decisions

SWISCo Dashboard – Report of the Overview and Scrutiny Board

Decision Taker

Cabinet on 15 September 2026

Decision

That the Cabinet's response to the SWISCo Dashboard - Report of the Overview and Scrutiny Board be approved as published.

Reason for the Decision

The Cabinet was required to respond to the findings of the Overview and Scrutiny Board.

Implementation

This decision will come into force and may be implemented on 28 September 2026 unless the call-in procedure is triggered (as set out in the Standing Orders in relation to Overview and Scrutiny).

Information

The Cabinet received the report of the Overview and Scrutiny Board on the SWISCo Dashboard. In accordance with section D7 of Standing Orders in relation to Overview and Scrutiny as set out in the Constitution, the Cabinet was required to respond to the recommendations of the Overview and Scrutiny Board within two months. Subsequently the Cabinet prepared a response to the recommendations of the Overview and Scrutiny Board which was proposed by Councillor Billings and seconded by Councillor Chris Lewis and agreed unanimously by the Cabinet, as set out above.

Alternative Options considered and rejected at the time of the decision

None

Is this a Key Decision?

No

Does the call-in procedure apply?

Yes

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

None

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