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Date: Wednesday, 12 November 2025

Governance Support  
Town Hall  
Castle Circus  
Torquay  
TQ1 3DR

Dear Member

## **CABINET - TUESDAY, 18 NOVEMBER 2025**

I am now able to enclose, for consideration at the Tuesday, 18 November 2025 meeting of the Cabinet, the following reports that were unavailable when the agenda was printed.

| <b>Agenda No</b> | <b>Item</b>                                                                                                                | <b>Page</b>    |
|------------------|----------------------------------------------------------------------------------------------------------------------------|----------------|
| <b>4.</b>        | <b>Urgent Items</b>                                                                                                        | (Pages 3 - 72) |
|                  | a) Nomination to List The Edge, Brixham and The Monastery, Paignton as Assets of Community Value (recommended for refusal) |                |
|                  | b) Nomination to List Plainmoor Football Stadium as an Asset of Community Value                                            |                |

Yours sincerely

Lisa Antrobus  
Clerk

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**Meeting:** Cabinet

**Date:** 18 November 2025

**Wards affected:** St Peters with St Marys and Clifton with Maidenway

**Report Title:** Nomination to List **The Edge, Brixham** and **The Monastery, Paignton** as Assets of Community Value (recommended for refusal)

**When does the decision need to be implemented?** As soon as possible

**Cabinet Member Contact Details:** Councillor Jacqueline Thomas – Cabinet Member for Tourism, Culture and Events and Corporate Services and Chairwoman of Standards Committee

**Director Contact Details:** Matthew Fairclough-Kay, Director of Corporate Services  
[matthew.fairclough-kay@torbay.gov.uk](mailto:matthew.fairclough-kay@torbay.gov.uk)

## 1. Purpose of Report

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- 1.1. To inform Members of the nominations received by the Council to list **The Edge, Brixham** and **The Monastery, Paignton** as Assets of Community Value (ACV) and the outcome of the assessments of those nominations.
- 1.2. The Council has determined that these nominations do not meet the statutory criteria for listing under Section 88 of the Localism Act 2011.

## 2. Reason for Proposal and its benefits

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- 2.1. The reasons for the proposal, and need for the decision are to ensure compliance with the Council's Asset of Community Value Policy and uphold transparency in line with the Localism Act 2011 and Asset of Community Value (England) Regulations 2012.

## 3. Recommendation(s) / Proposed Decision

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- 3.1. That Members note the outcome of the officer assessments and agree that the nominations do not meet the statutory criteria under the Localism Act 2011 and should therefore be refused.

## 4. Appendices

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**Appendix 1:** Nomination to list **The Edge, Brixham** as an Asset of Community Value submitted by The Edge, Brixham CIC

**Appendix 2:** Nomination to list **The Monastery, Paignton** as an Asset of Community Value submitted by Clifton with Maidenway Community Partnership

## 5. Background Documents

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- The Council's Asset of Community Value Policy Assets of community value - Torbay Council

## Supporting Information

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As this report considers two separate nominations, each application and its corresponding assessment will be presented individually for clarity.

### **The Edge, Bolton Street, Brixham**

The nomination, a copy of which is annexed to this report at **Appendix 1**, was submitted by The Edge, Brixham Community Interest Company.

The Edge is a privately owned, Grade II listed former United Reformed Church building, previously operated by and is owned by the Brixham Youth Enquiry Service (Brixham YES). The building currently hosts a range of community services including an independent food bank, community fridge and kitchen, yoga, arts and crafts, board game groups, IT support, neurodiverse coffee mornings, music and wellbeing activities, and children's holiday clubs.

Although the nominator is a newly formed Community Interest Company (CIC), they were established following the administration of Brixham YES, with the intention of continuing the services previously provided. It is understood that these services have been delivered from the building for more than five years prior to the nomination.

The nominator has advised that, despite entering into a three-year lease with the administrators of Brixham YES and receiving assurances regarding continued use, they have recently discovered that the building is now on the market.

### Statutory Framework

Under Section 88 of the Localism Act 2011, a building or land may be listed as an ACV if:

**Present and Future Test (Section 88(1)):** The current non-ancillary use furthers the social wellbeing or interests of the local community, and it *is realistic to think that such use will continue*.

**OR; Past and Future Test (Section 88(2)):** There was a time in the recent past when the non-ancillary use furthered the social wellbeing or interests of the local community, and it is realistic to think that such use could resume within the next five years.



### Assessment against criteria

The Edge clearly satisfies the current use requirement under s.88(1), as it hosts multiple community services.

The key issue is whether it is realistic to think such use will continue, given the building is subject to insolvency proceedings and is being marketed for sale. Administrators are legally obliged to secure the best price, which may result in disposal to a private purchaser without community obligations.

While the CIC demonstrates strong community engagement and continuity of services, there is no guarantee of future occupation beyond the current lease unless the CIC or another community group acquires the property.

### Officer View

After reviewing the nomination against the statutory criteria in Section 88 of the Localism Act 2011, officers conclude that the asset does not meet the requirements for listing as an Asset of Community Value at this time.

While the building is currently used for a range of community activities, the test under Section 88(1) requires that it is *realistic* to think such use will continue.

The property is subject to insolvency proceedings and is being actively marketed for sale by the administrators of Brixham Youth Enquiry Service, who are legally obliged to secure the best possible price. This creates significant uncertainty regarding future occupation by the nominating Community Interest Company.

In the absence of any binding agreement or funded plan to secure the asset for continued community use, officers consider that the statutory requirement of realistic future use is not satisfied.

Should the property be sold and the nominating organisation (or another community group) be able to secure ownership or a long-term lease, a fresh nomination could be submitted for consideration at that stage.

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### **The Monastery, Berry Road, Paignton**

The nomination, a copy of which is annexed to this report at **Appendix 2**, was submitted by Clifton with Maidenway Community Partnership, who have also expressed an intention to lease the building from the Council.

The Monastery is owned by the Council and has remained vacant since November 2017, with community use having ceased over eight years ago. It was previously declared surplus and recommended for disposal by Cabinet on 6 August 2019 and was reaffirmed for disposal following Cabinet and Directors' discussions earlier this year.

### Statutory Framework

Under Section 88 of the Localism Act 2011, an asset may be listed as an ACV if it meets one of two statutory tests:

**Present and Future Test (Section 88(1)):** The current non-ancillary use of the building furthers the social wellbeing or interests of the local community, and it is realistic to think that such use will continue.

**OR; Past and Future Test (Section 88(2)):** There was a time in the *recent past* when the building's use furthered the social wellbeing or interests of the local community, and it is realistic to think that such use could resume within the next five years.

The term "recent past" is not defined in legislation but is commonly interpreted by local authorities as meaning within the last five years.

### Assessment Against Criteria

The Monastery has been vacant since 2017, and therefore fails the Present and Future Test, as there is no current community use.

Under the Past and Future Test, community use ceased more than eight years ago, exceeding the commonly accepted five-year threshold.

Tribunals have accepted longer gaps only in exceptional cases, such as *Sandhu v South Oxfordshire DC [2025] UKFTT 1306 (GRC)*, where the asset had a sustained and prominent role in community life (e.g., public houses with over a century of continuous use).

By contrast, the Monastery's primary function was as a place of worship, with community use occurring later. It does not demonstrate the same longevity or embedded community role as assets upheld in comparable tribunal cases.

Key factors in assessing "recent past" include the length of vacancy; generally, a period exceeding five years significantly weakens the case unless exceptional circumstances exist. Officers do not consider that such circumstances apply here.

### Future Use Proposal

The nomination includes a proposal for a peppercorn lease, which indicates interest in future community use. However, previous assessments by interested parties have concluded that the property requires substantial investment for repair and refurbishment. At present, there is no funded or deliverable plan that would make resumption of community use realistically achievable within five years. On the other hand, when the asset is marketed for sale, any community group will have the opportunity to submit an offer to purchase the property.

### Officer View

After reviewing the information against the statutory criteria and relevant case law, officers conclude that the nomination does not meet the requirements for listing The Monastery as an Asset of Community Value.

This conclusion is based on the following factors:

- The property has been vacant since 2017, and community use ceased more than eight years ago, which does not satisfy the “recent past” threshold generally interpreted as within five years.
- The Monastery’s primary function was as a place of worship; it does not demonstrate the sustained or embedded community role seen in exceptional cases upheld by tribunals.
- No realistic prospect of resuming community use within five years without significant investment and a funded plan.
- No exceptional circumstances have been identified to justify departure from the standard interpretation of the criteria.

## 7. Options under consideration

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- **Option 1** Refuse both listings – (Recommended) as neither nomination meets the statutory criteria under Section 88 Localism Act 2011.
- **Option 2** Approve both listings - Approval would enable both community groups to benefit from the moratorium period under the ACV regime, giving them time to prepare a bid if the assets are sold. However, in this case, both properties are already earmarked for sale, meaning that the respective nominators will have an opportunity to bid regardless of ACV listing.
- **Option 3** Approve the Edge nomination; Refuse The Monastery
- **Option 4** Refuse the Edge nomination; Approve The Monastery

## 8. Financial Opportunities and Implications

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- Although listing an asset as an Asset of Community Value does not in itself create a direct financial cost, it can give rise to potential financial liability through compensation claims. Under Regulation 14 of the Assets of Community Value (England) Regulations 2012, an owner or former owner may seek compensation for any loss or expense incurred as a result of the listing, provided that such loss would not have occurred otherwise.
- To be eligible, claimants must demonstrate actual financial loss directly attributable to the listing.

### In the case of **The Edge**

- If listed, the administrators (as owners) have the right to request an internal review of the Council’s decision under Section 92(1) of the Localism Act 2011 and may appeal to the First-tier Tribunal (General Regulatory Chamber) under Regulation 11 of the Assets of Community Value (England) Regulations 2012.
- The nominator does not have a statutory right of appeal if the nomination is rejected. Their only recourse would be judicial review.
- If the listing is upheld and it is shown to have adversely affected the market value or saleability of the property, the Council could be liable for compensation under Regulation 14 of the ACV Regulations 2012.

- This risk is heightened in cases involving insolvency, where administrators may argue that listing has suppressed the asset's value.

#### In the case of **The Monastery**

- The Council is the freehold owner of the property, so there is no external compensation risk. However, the property has been declared surplus and is intended for sale. Listing the asset could have the effect of reducing its market value or deter potential purchasers, thereby impacting the amount the Council could achieve on disposal.

## 9. Legal Implications

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- The nominations have been assessed in accordance with the Localism Act 2011, specifically Section 88, which outlines the criteria for listing land or buildings as Assets of Community Value.
- The legal effect of listing the property is detailed in the Torbay Council Assets of Community Value Policy which is available to view on the Council's website.
- If the nominations are unsuccessful, then in accordance with Section 93 of the Localism Act 2011, the nominations will be added to the Council's list of unsuccessful nominations, which is retained on the Council's website for a minimum of five years.
- Listing does not prevent the sale or change of ownership of the asset. Under Section 95 of the Localism Act 2011, the owner retains full discretion to sell to any party of their choosing. However, it does trigger a moratorium period if the owner intends to sell, allowing community groups time to express interest in purchasing the asset and additional time for the group to prepare a bid.

## 10. Engagement and Consultation

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- No formal consultation or engagement has been undertaken with residents, stakeholders, or community groups. The nominations have been submitted by a qualifying community group in accordance with the requirements of the Localism Act 2011, and the assessments have been carried out by officers based on the statutory criteria.

## 11. Procurement Implications

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- Not applicable

## 12. Protecting our naturally inspiring Bay and tackling Climate Change

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- Not applicable

## 13. Associated Risks

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### **Risk of listing assets that do not meet statutory criteria**

For a building or land to be listed as an Asset of Community Value (ACV), the Council must be satisfied that:

#### **Current Use Test**

- The property is currently used (not just incidentally) in a way that benefits the social wellbeing or social interests of the local community (including cultural, recreational, or sporting interests); and
- It is realistic to think that this use will continue in the future.

**OR**

#### **Past Use Test**

- In the recent past, the property was used (not just incidentally) in a way that benefited the social wellbeing or social interests of the local community; and
- It is realistic to think that such a use could resume within the next five years.

Listing nominations that fail to meet these statutory criteria could expose the Council to legal challenge, reputational damage, and resource implications in defending its decision.

### **Risk of not listing qualifying assets**

If the Council decides not to list a property that meets the statutory definition, the nominating applicant has no statutory right of appeal. Only the owner of the property may seek an internal review and, if dissatisfied, appeal to the First-tier Tribunal (General Regulatory Chamber) under the Assets of Community Value (England) Regulations 2012.

### **Legal remedies available to applicants**

If a nomination is refused, the applicant has limited options to challenge the decision:

- **Judicial Review**  
The applicant may apply to the Administrative Court for a judicial review under Civil Procedure Rules Part 54. This is a remedy of last resort and does not reconsider the merits of the decision; it only examines whether the Council acted lawfully, rationally, and followed proper procedures.
- **Complaint to the Local Government and Social Care Ombudsman**  
If the applicant believes the Council acted improperly or failed to follow due process, they may lodge a complaint with the Ombudsman. The Ombudsman can investigate procedural fairness but cannot overturn the Council's decision.

## 14. Equality Impact Assessment

The Council has had due regard to its Public Sector Equality Duty (PSED) in considering this community nomination; however, as the decision does not involve any change to function, practice, or policy, officers conclude that there is no adverse impact on persons with protected characteristics.

| 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 |
|------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------|-----------------------|-----------------------------------------------------------------------------|
| Page 10                                                                                  | 18 per cent of Torbay residents are under 18 years old.<br>55 per cent of Torbay residents are aged between 18 to 64 years old.<br>27 per cent of Torbay residents are aged 65 and older. | No adverse impacts are anticipated from this decision   | Not applicable        |                                                                             |
| Carers                                                                                   | At the time of the 2021 census there were 14,900 unpaid carers in Torbay. 5,185 of these provided 50 hours or more of care.                                                               | No adverse impacts are anticipated from this decision   | Not applicable        |                                                                             |

|                                |                                                                                                                                                                                                                                                                                                    |                                                       |                |  |
|--------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------|----------------|--|
| Disability                     | In the 2021 Census, 23.8% 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 | Not applicable |  |
| Gender reassignment            | 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. This proportion is similar to the Southwest and is lower than England.                                                                                       | No adverse impacts are anticipated from this decision | Not applicable |  |
| Marriage and civil partnership | 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 | Not applicable |  |
| Pregnancy and maternity        | Over the period 2010 to 2021, the rate of live births (as a proportion of females aged 15 to 44) has been slightly but significantly higher in Torbay (average of 63.7 per 1,000) than England (60.2) and the South West (58.4). There has been a notable fall in the numbers of live births since | No adverse impacts are anticipated from this decision | Not applicable |  |

|                        |                                                                                                                                                                                                                                                                                                            |                                                       |                |  |
|------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------|----------------|--|
|                        | the middle of the last decade across all geographical areas.                                                                                                                                                                                                                                               |                                                       |                |  |
| Race                   | In the 2021 Census, 96.1% of Torbay residents described their ethnicity as white. This is a higher proportion than the South West and England. Black, Asian and minority ethnic individuals are more likely to live in areas of Torbay classified as being amongst the 20% most deprived areas in England. | No adverse impacts are anticipated from this decision | Not applicable |  |
| Religion and belief    | 64.8% of Torbay residents who stated that they have a religion in the 2021 census.                                                                                                                                                                                                                         | No adverse impacts are anticipated from this decision | Not applicable |  |
| Sex                    | 51.3% of Torbay's population are female and 48.7% are male                                                                                                                                                                                                                                                 | No adverse impacts are anticipated from this decision | Not applicable |  |
| Sexual orientation     | In the 2021 Census, 3.4% of those in Torbay aged over 16 identified their sexuality as either Lesbian, Gay, Bisexual or, used another term to describe their sexual orientation.                                                                                                                           | No adverse impacts are anticipated from this decision | Not applicable |  |
| Armed Forces Community | In 2021, 3.8% of residents in England reported that they                                                                                                                                                                                                                                                   | No adverse impacts are anticipated from this decision | Not applicable |  |



|                                                                                             |                                                                                                                                                                                             |                                                       |                |  |
|---------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------|----------------|--|
|                                                                                             | had previously served in the UK armed forces. In Torbay, 5.9 per cent of the population have previously served in the UK armed forces.                                                      |                                                       |                |  |
| <b>Additional considerations</b>                                                            |                                                                                                                                                                                             |                                                       |                |  |
| Socio-economic impacts (Including impacts on child poverty and deprivation)                 |                                                                                                                                                                                             | No adverse impacts are anticipated from this decision | Not applicable |  |
| Public Health impacts (Including impacts on the general health of the population of Torbay) |                                                                                                                                                                                             | No adverse impacts are anticipated from this decision | Not applicable |  |
| Human Rights impacts                                                                        |                                                                                                                                                                                             | No adverse impacts are anticipated from this decision | Not applicable |  |
| Child Friendly                                                                              | Torbay Council is a Child Friendly Council, and all staff and Councillors are Corporate Parents and have a responsibility towards cared for and care experienced children and young people. | No adverse impacts are anticipated from this decision | Not applicable |  |

## 15. Cumulative Council Impact

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None.

## 16. Cumulative Community Impacts

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None.

## Assets of Community Value Nomination Form

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Please complete this form fully. The details you place in this form will be the basis for which the Council will come to an informed decision on whether the asset can and should be placed on the List of Assets of Community Value, or not.

### How we use your personal information

What personal information do we need?

In order to process a nomination we require the name, address, telephone number and email address of the nominating body and the owner/occupier of the nominated asset. In cases of applications made by unincorporated bodies with at least 21 individual members, all the 21+ members' names and addresses should also be provided.

Who is collecting it?

The data controller is Torbay Council, Town Hall, Castle Circus, Torquay, TQ1 3DR.

Why is it being collected?

Under the Localism Act 2011: Assets of Community Value (England) Regulations 2012, we have a statutory duty to receive, process and make a decision on nominations for Assets of Community Value.

How will it be used?

Personal information is used to process the nomination, to make a decision on the nomination, and inform the owner(s) and other interested parties of the nomination, its progress and the eventual decision.

Who will it be shared with?

We will share the personal contact details used to process the nomination with internal departments within the Council e.g. Local Land Charges, Legal Department, Governance Support and Elected Representatives Information will also be shared with the Torbay Development Agency as the Council's Asset Management body.

How long will the information be kept for?

Nomination forms and information relating to the nomination will be kept for 6 years.

Your rights

If you feel that the information the Council holds about you is incorrect, you have the right to request it is rectified. You are also able to request a copy of the personal data the Council holds about you. To see more information about your rights, please see our Information Rights Policy.

If you wish to raise a complaint about how the Council has processed your information please contact the Council's Data Protection Officer via [infocompliance@torbay.gov.uk](mailto:infocompliance@torbay.gov.uk)

## Important notes

The assessment period will commence once the Council is in receipt of a **fully valid application**. **Incomplete application forms and forms missing required documentation will not be accepted as valid and will be returned to the applicant to provide the missing information.**

A landowner/occupier is entitled to see this form during the 8 week consultation period (once the nomination is validated) or following any decision to list the asset concerned as an Asset of Community Value.

Please complete this form electronically, or if completing by hand, only use **BLOCK CAPITALS and black or blue ink**.

## Section 1. About your Organisation

### 1a. Nominating Organisation's Name and Address:

Organisation Name\*: The Edge Brixham CIC

Address:

*\*full name as written in your constitution or rules (if appropriate)*

### 1b. Please provide a named contact for us to get in touch with, should we need to discuss your nomination:

Name: Tom Crump

Address:

Telephone / Mobile Number:0

Email Address: theedgebrixhamcic@gmail.com

### 1c. Please specify which of the following categories your organisation relates to

| Category of Organisation |                                  |                                               |
|--------------------------|----------------------------------|-----------------------------------------------|
| Description:             | Please tick only <b>one</b> box: | Registration / Charity number (if applicable) |
| Town or Parish Council   | <input type="checkbox"/>         |                                               |

|                                                                                                                             |                                     |  |
|-----------------------------------------------------------------------------------------------------------------------------|-------------------------------------|--|
| Body designated as a neighbourhood forum under the Town and Country Planning Act                                            | <input type="checkbox"/>            |  |
| Unincorporated bodies with at least 21 individual members and which does not distribute any surplus it makes to its members | <input type="checkbox"/>            |  |
| Charity                                                                                                                     | <input type="checkbox"/>            |  |
| Company limited by guarantee which does not distribute any surplus it makes to its members                                  | <input type="checkbox"/>            |  |
| Industrial and provident society which does not distribute any surplus it makes to its members                              | <input type="checkbox"/>            |  |
| Community interest company                                                                                                  | <input checked="" type="checkbox"/> |  |

#### 1d. Evidence Organisation

Please provide a copy of the following as relevant to your organisation (tick all documents provided):

|                                                   |                                     |
|---------------------------------------------------|-------------------------------------|
| Memorandum of Association                         | <input type="checkbox"/>            |
| Articles of Association                           | <input checked="" type="checkbox"/> |
| Companies House return                            | <input type="checkbox"/>            |
| Trust Deed                                        | <input type="checkbox"/>            |
| Constitution / Terms of reference                 | <input type="checkbox"/>            |
| Standing Orders                                   | <input type="checkbox"/>            |
| Interest Statement for Community Interest Company | <input type="checkbox"/>            |

#### 1e. Evidence of a local connection

All nominating organisations must have a local connection, please tick all the relevant statements that apply, or provide a description of how your organisation is connected to Torbay, or a neighbouring authority's area (South Hams or Teignbridge):

|                                                                                                                |                                     |
|----------------------------------------------------------------------------------------------------------------|-------------------------------------|
| The body's activities are wholly or partly within Torbay, South Hams and/or Teignbridge                        | <input checked="" type="checkbox"/> |
| At least 21 of the members of the body are local (see point 1f. below)                                         | <input checked="" type="checkbox"/> |
| Any profits made by the body are wholly or partly applied for the benefit of Torbay, South Hams or Teignbridge | <input checked="" type="checkbox"/> |
| It is a parish council within Torbay's boundary or it shares a boundary with Torbay                            | <input type="checkbox"/>            |

Description / additional information:

The Edge Brixham CIC was formed in early 2025 following the sad news that the YES Brixham charity entered administration with the intent of meeting the gaps in provision left by its absence. After negotiating use of the building the Edge CIC launched a range of activities informed by the people who accessed our services.

We adopt an asset based approach, working to support and strengthen our community.

We offer a safe space in our community café, run an independent food bank and offer affordable, healthy meals from our community kitchen. We provide wellbeing activities including; Yoga, arts and Crafts, Board game groups and an Art Club. We host an IT Support club, a Neurodiverse Coffee Morning, Dancing for Wellbeing group, and a holiday activities and food group which is free to 11-19 yr olds.

We work closely with other community groups including; Brixham Folk Club, The Music Factory, The Cuttlefish Collective and Sparks drama company to offer a range of cultural activities for the people of Brixham.

Despite signing a three year lease with the administrators of YES Brixham, and being assured that the community asset known as The Edge would be transferred following the administration process, we have recently discovered the building has been offered for sale commercially.

Our work is underpinned by a firm belief that **everyone has the potential to thrive and contribute** meaningfully to society.

**1f. Membership of unincorporated bodies**

For unincorporated bodies please confirm that at least 21\* members are included on Torbay's register of electors and provide their names, addresses and signatures below:

| Name:         | Address:   | Signature: |
|---------------|------------|------------|
| 1. [REDACTED] | [REDACTED] |            |
| 2. [REDACTED] | [REDACTED] |            |
| 3.            |            |            |
| 4.            |            |            |
| 5.            |            |            |
| 6.            |            |            |
| 7.            |            |            |
| 8.            |            |            |

|                                                                                                                              |  |  |
|------------------------------------------------------------------------------------------------------------------------------|--|--|
| 9.                                                                                                                           |  |  |
| 10.                                                                                                                          |  |  |
| 11.                                                                                                                          |  |  |
| 12.                                                                                                                          |  |  |
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| 14.                                                                                                                          |  |  |
| 15.                                                                                                                          |  |  |
| 16.                                                                                                                          |  |  |
| 17.                                                                                                                          |  |  |
| 18.                                                                                                                          |  |  |
| 19.                                                                                                                          |  |  |
| 20.                                                                                                                          |  |  |
| 21.                                                                                                                          |  |  |
| <i>* if you have more than 21 members, please provide additional details on a separate page annexed to this application.</i> |  |  |

## Section 2. About the Asset you are nominating:

2a. Please provide the name of the asset (if relevant), and the location/address of the asset:

Name: The Edge

Address: Bolton St, Brixham

Postcode: TQ5 9DH

Is the asset defined as operational land under section 263 of the Town and Country planning Act 1990, or owned by statutory undertakers such as utility companies? Please provide details:

No

**2b. Please provide details of the boundary of the asset. Please submit a boundary map/plan at the end of this application which helps to clarify the exact location and extent of the asset being nominated. Where possible this should be a Land Registry Title and Title Plan for the asset (less than one month old).** You can get electronic copies of the Land Registry Title and Title Plan from the Land Registry at <https://www.gov.uk/search-property-information-land-registry> (there is a fee for this service).

If the asset is unregistered, alternatives include a Site Location Plan, or OS map with boundaries clearly marked in red, with a North point, and a scale.

Please note that you are required to provide correct boundary and ownership information for the asset you wish to nominate. Incorrect or ambiguous information will be considered an incomplete application form and not be accepted as valid.



**2c. Owner and occupier details** (Please provide all information available to you, and copies of the Land Registry Titles and Plans. Note: where there is leasehold(s) and freehold, please provide copies of the Land Registry Titles and Plans for both the leasehold(s) and freehold):

|                                                | Name              | Address                            | Delete as appropriate                                   |
|------------------------------------------------|-------------------|------------------------------------|---------------------------------------------------------|
| Owner/s                                        | David Kirk        | 5 Barnfield Crescent<br>Exeter     | Current/                                                |
| Lawful occupiers                               | Turning heads CIC | 38 Windsor road<br>Torquay, TQ11SZ | Current/                                                |
| Holder/s of freehold estate (if not the Owner) |                   |                                    | Current/<br>Last known/<br>Not known/<br>Not applicable |
| Holder/s of any leasehold estate               |                   |                                    | Current/<br>Last known/<br>Not known/<br>Not applicable |
| Further detail / other:                        |                   |                                    |                                                         |

**2d. Current use of asset**

What is the asset / What is the current main use of the asset? e.g. shop, pub, community facility, playing field

community facility

Describe fully how you consider that the current and main use of the asset furthers the social wellbeing or cultural, recreational or sporting interests of the local community?

The use of the building furthers the wellbeing and cultural interests of the local community by creating a completely inclusive space for people of all ages and abilities.

The Edge CIC provides economic relief for the people of Brixham by providing wide range of free to access services. We provide affordable meals made onsite in our community kitchen. We provide a warm, safe space in our community café. We are an independent food bank working in partnership with local businesses and the food alliance. We provide free to access laundry services and shower facilities for those in need. We provide free internet and access to computers and IT support. We are about to launch a volunteer led form filling and signposting service. We have a strong passion for ecological projects working alongside Brixham Allotment and the local Cuttlefish Collective who offer upcycling services. We generate revenue by offering room hire, which we make available at a reduced rate for other charities or grassroots community projects. We are currently delivering the HAF (Holiday Activities and Food program) in partnership with Torbay Council which offers a range of free to access wellbeing activities with lunch included for young people aged 11-19.

We tackle Brixhams cultural deprivation by offering a holistic range of either free to access or affordable cultural opportunities. We recognize that improving the wellbeing of the individuals who engage with our organization builds stronger, more cohesive communities. The Edge hosts regular events with its cultural partners providing free opportunities for the Music Factory CIC and Brixham Folk Club to deliver their projects. We also generate revenue from private room hire for dramatic productions and private celebrations and offer reduced rates for Yoga, Dance and Music rehearsals. Members of our directors are also on the board for the forthcoming FAB (festival arts in Brixham), a new annual celebration of Brixham Cultural landscape. Working in close partnership with Brixham Library, Brixham Theatre,, Brixham Museum and local art gallery A Kick Up The Arts. We are also on the board for Brixham's Community Partnership working alongside Brixham's community builder and other members of the community. Members of our board are also on the Stony Park Allotment committee. Members of our board are currently acting as pastor for The Beacon Of Light fellowship church. Members of our board are also working as director of The Music factory CIC. We believe this demonstrates our organization is embedded in our local community and well positioned to ensure that The Edge CIC is always responding to the needs of the community.

In the very short time we have been trading we have forged strong links with FAB, Turning Heads, Brixham Theatre, Brixham Council, local Police, Brixham Community Partnership, Food Alliance, local allotment, local businesses, The Edge CIC will be supporting the Music Factory CIC's upcoming Big Noise Community Music Festival and fun day.

|                                                                                                                                                                                                                                                                                                            |                                                                                                                                                                                  |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                                                                                                                                                                                                                                                                                            |                                                                                                                                                                                  |
| Over what period is this main use of the asset anticipated to continue?                                                                                                                                                                                                                                    | Indefinitely unless sold commercially                                                                                                                                            |
| Does the local community have legal and authorised use of the land or property?                                                                                                                                                                                                                            | n/a                                                                                                                                                                              |
| If the main use of the asset does not <u>currently</u> further the social wellbeing or cultural, recreational or sporting interests of the local community, did it do so at some stage in the recent past? ( <i>Please provide details of how the asset was used in the past and dates of this usage</i> ) | YES Brixham occupied the property from 2011-2025 providing community services, The Edge Brixham CIC has occupied the building immediately following YES Brixhams administration. |

|                                                                                                                                                                                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                                                                                                                                                                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| Can you demonstrate / how do you anticipate that the asset would return to furthering the social wellbeing or cultural, recreational or sporting interests of the local community? | <p>The Edge CIC has only been trading since June 2025. In less than 3 months we have demonstrated strong community partnerships with local council, local businesses, independent organisations, projects and community groups. We have observed strong engagement from individuals accessing the services we provide. We have delivered consultation evenings and received excellent feedback from the community guiding the work we deliver. The team of The Edge Brixham CIC has approx. 75 years of experience between its three board members delivering asset based community activities. We are hugely passionate about the work we do and confident in our ability to organically grow the Edge Brixham CIC to enrich and support the people of Brixham and build a stronger and more resilient community.</p> <p>We know that Brixham is an area of high economic and cultural deprivation and believe the need for our services is as great as ever.</p> |
| When do you consider that the asset could realistically return to furthering the social wellbeing or cultural, recreational or sporting interests of the local community?          | Immediately.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |

## Section 3. Supporting Information for your Nomination

### 3a. Please provide any further information to support your nomination

The Edge building was originally a church for many years and was vacated by the United Reform Church and purchased by a benefactor to provide a home for the Youth Enquiry Service Brixham LTD. (YES Brixham) YES occupied the building from 2011-2025 at which point it went into administration. A group of local people formed The Edge Brixham CIC and working in partnership with Turning Heads CIC signed a 3 year lease. The Edge CIC now operates from the building. The decision to form the Edge CIC was informed by the strong community reaction to the gap in provision left by the absence of YES Brixham. The building has served the community for decades and we believe the decision to place the asset on the commercial market will be hugely detrimental to the community of Brixham.

### Declaration

I confirm that I am authorised to submit this nomination form on behalf of the applicant organisation and that all of the information given or referred to in this form is true, accurate, and complete and that all relevant information has been submitted.

Name: [REDACTED]

Signature:

Date: 18/09/2025

**Please return to Legal Section, Torbay Council, Town Hall, Castle Circus, Torquay, TQ1 3DR or [ACVLegal@torbay.gov.uk](mailto:ACVLegal@torbay.gov.uk)  
Tel: 01803 207157**

*We will acknowledge receipt of your nomination and will check through your form and let you know if any information is missing or if any further information is required.  
If all the requested information is provided, we will accept the form. We have 8 weeks from formally accepting the form to determine whether the asset you have nominated should be placed on the List of Assets of Community Value.*

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24 SEP 2025

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## Assets of Community Value Nomination Form

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Please complete this form fully. The details you place in this form will be the basis for which the Council will come to an informed decision on whether the asset can and should be placed on the List of Assets of Community Value, or not.

### How we use your personal information

#### What personal information do we need?

In order to process a nomination we require the name, address, telephone number and email address of the nominating body and the owner/occupier of the nominated asset. In cases of applications made by unincorporated bodies with at least 21 individual members, all the 21+ members' names and addresses should also be provided.

#### Who is collecting it?

The data controller is Torbay Council, Town Hall, Castle Circus, Torquay, TQ1 3DR.

#### Why is it being collected?

Under the Localism Act 2011: Assets of Community Value (England) Regulations 2012, we have a statutory duty to receive, process and make a decision on nominations for Assets of Community Value.

#### How will it be used?

Personal information is used to process the nomination, to make a decision on the nomination, and inform the owner(s) and other interested parties of the nomination, its progress and the eventual decision.

#### Who will it be shared with?

We will share the personal contact details used to process the nomination with internal departments within the Council e.g. Local Land Charges, Legal Department, Governance Support and Elected Representatives Information will also be shared with the Torbay Development Agency as the Council's Asset Management body.

#### How long will the information be kept for?

Nomination forms and information relating to the nomination will be kept for 6 years.

#### Your rights

If you feel that the information the Council holds about you is incorrect, you have the right to request it is rectified. You are also able to request a copy of the personal data the Council holds about you. To see more information about your rights, please see our Information Rights Policy.

If you wish to raise a complaint about how the Council has processed your information please contact the Council's Data Protection Officer via [infocompliance@torbay.gov.uk](mailto:infocompliance@torbay.gov.uk)

## Important notes

The assessment period will commence once the Council is in receipt of a **fully valid application**. **Incomplete application forms and forms missing required documentation will not be accepted as valid and will be returned to the applicant to provide the missing information.**

A landowner/occupier is entitled to see this form during the 8 week consultation period (once the nomination is validated) or following any decision to list the asset concerned as an Asset of Community Value.

Please complete this form electronically, or if completing by hand, only use **BLOCK CAPITALS** and **black or blue ink**.

## Section 1. About your Organisation

### 1a. Nominating Organisation's Name and Address:

Organisation Name\*: CLIFTON WITH MAIDENWAY COMMUNITY PARTNERSHIP

Address: C/O TORBAY COMMUNITY PARTNERSHIP, TORBAY COMMUNITY DEVELOPMENT TRUST, C/O TORBAY COMMUNITY CAFÉ & HELPHUS, 4-8, TEMPERANCE STREET, TORQUAY, DEVON TQ2 5PU

*\*full name as written in your constitution or rules (if appropriate)*

### 1b. Please provide a named contact for us to get in touch with, should we need to discuss your nomination:

Name:

[REDACTED]

CHAIR of CLIFTON WITH MAIDENWAY COMMUNITY PARTNERSHIP

Address:

[REDACTED]

Telephone / Mobile Number:

[REDACTED]

Email Address:

[REDACTED]

### 1c. Please specify which of the following categories your organisation relates to

| Category of Organisation |                           |                                               |
|--------------------------|---------------------------|-----------------------------------------------|
| Description:             | Please tick only one box: | Registration / Charity number (if applicable) |
| Town or Parish Council   | <input type="checkbox"/>  |                                               |



|                                                                                                                             |                                     |  |
|-----------------------------------------------------------------------------------------------------------------------------|-------------------------------------|--|
| Body designated as a neighbourhood forum under the Town and Country Planning Act                                            | <input type="checkbox"/>            |  |
| Unincorporated bodies with at least 21 individual members and which does not distribute any surplus it makes to its members | <input checked="" type="checkbox"/> |  |
| Charity                                                                                                                     | <input type="checkbox"/>            |  |
| Company limited by guarantee which does not distribute any surplus it makes to its members                                  | <input type="checkbox"/>            |  |
| Industrial and provident society which does not distribute any surplus it makes to its members                              | <input type="checkbox"/>            |  |
| Community interest company                                                                                                  | <input type="checkbox"/>            |  |

#### 1d. Evidence Organisation

Please provide a copy of the following as relevant to your organisation (tick all documents provided):

|                                                             |                                     |
|-------------------------------------------------------------|-------------------------------------|
| Memorandum of Association                                   | <input type="checkbox"/>            |
| Articles of Association                                     | <input type="checkbox"/>            |
| Companies House return                                      | <input type="checkbox"/>            |
| Trust Deed                                                  | <input type="checkbox"/>            |
| Constitution / Terms of reference <i>TO FOLLOW ATTACHED</i> | <input checked="" type="checkbox"/> |
| Standing Orders                                             | <input type="checkbox"/>            |
| Interest Statement for Community Interest Company           | <input type="checkbox"/>            |

#### 1e. Evidence of a local connection

All nominating organisations must have a local connection, please tick all the relevant statements that apply, or provide a description of how your organisation is connected to Torbay, or a neighbouring authority's area (South Hams or Teignbridge):

|                                                                                                                |                                     |
|----------------------------------------------------------------------------------------------------------------|-------------------------------------|
| The body's activities are wholly or partly within Torbay, South Hams and/or Teignbridge                        | <input checked="" type="checkbox"/> |
| At least 21 of the members of the body are local (see point 1f. below)                                         | <input checked="" type="checkbox"/> |
| Any profits made by the body are wholly or partly applied for the benefit of Torbay, South Hams or Teignbridge | <input type="checkbox"/>            |
| It is a parish council within Torbay's boundary or it shares a boundary with Torbay                            | <input type="checkbox"/>            |

Description / additional information:

MONASTERY IS FOR LOCAL HERITAGE  
A PLACE FOR COMMUNITY EVENTS

Use this beautiful and useful building for the benefit  
of locals as There is nothing else in the Clifton with  
Maidenway vicinity.

**1f. Membership of unincorporated bodies**

For unincorporated bodies please confirm that at least 21\* members are included on Torbay's register of electors and provide their names, addresses and signatures below:

Name:

Address:

Signature:

*\* if you have more than 21 members, please provide additional details on a separate page annexed to this application.*

## Section 2. About the Asset you are nominating:

2a. Please provide the name of the asset (if relevant), and the location/address of the asset:

Name: THE MONASTERY

Address: BERRY ROAD

PAIGINTON

Postcode: TQ3 3RD

Is the asset defined as operational land under section 263 of the Town and Country planning Act 1990, or owned by statutory undertakers such as utility companies? Please provide details:

NO

2b. Please provide details of the boundary of the asset. Please submit a boundary map/plan at the end of this application which helps to clarify the exact location and extent of the asset being nominated. Where possible this should be a Land Registry Title and Title Plan for the asset (less than one month old). You can get electronic copies of the Land Registry Title and Title Plan from the Land Registry at <https://www.gov.uk/search-property-information-land-registry> (there is a fee for this service).

If the asset is unregistered, alternatives include a Site Location Plan, or OS map with boundaries clearly marked in red, with a North point, and a scale.

Please note that you are required to provide correct boundary and ownership information for the asset you wish to nominate. Incorrect or ambiguous information will be considered an incomplete application form and not be accepted as valid.

LAND REGISTRY TITLE NO. DN433785

**2c. Owner and occupier details** (Please provide all information available to you, and copies of the Land Registry Titles and Plans. Note: where there is leasehold(s) and freehold, please provide copies of the Land Registry Titles and Plans for both the leasehold(s) and freehold):

|                                                | Name           | Address                                           | Delete as appropriate                                                         |
|------------------------------------------------|----------------|---------------------------------------------------|-------------------------------------------------------------------------------|
| Owner/s                                        | TORBAY COUNCIL | TOWN HALL,<br>CASTLE CIRCUS<br>TORQUAY<br>TQ1 3DR | Current/<br>Last known/<br><del>Not known/</del><br><del>Not applicable</del> |
| Lawful occupiers                               |                |                                                   | Current/<br>Last known/<br>Not known/<br>Not applicable                       |
| Holder/s of freehold estate (if not the Owner) |                |                                                   | Current/<br>Last known/<br>Not known/<br>Not applicable                       |
| Holder/s of any leasehold estate               |                |                                                   | Current/<br>Last known/<br>Not known/<br>Not applicable                       |
| Further detail / other:                        |                |                                                   |                                                                               |

**2d. Current use of asset**

What is the asset / What is the current main use of the asset? e.g. shop, pub, community facility, playing field

Vacant building last used by Anode in 2017. the organisation closed due to lack of funding but was incredibly successful with 44,000 meals prepared for people across the bay in their last year of occupation and operation. its demolition will not be supported just because it has been unoccupied  
PTO

Describe fully how you consider that the current and main use of the asset furthers the social wellbeing or cultural, recreational or sporting interests of the local community?

for many years and has fallen into disrepair. The former Monastery chapel, attached Sanctuary Housing building and woodland area are an integral part of Paignton's heritage.

There continues to be a need for asset based community developments throughout the bay as highlighted by the TCDT, especially so in this part of town, as our community partnership boundary does not contain any community based or focused building, eg. public house, cafe, shop, church, nursery, club, gymnasium, village hall, commercial business, factory, warehouse units etc. We envisage The Monastery will most definitely help bring people together in a whole variety of ways.

Whilst the Council estimate a sum of £300k is needed to bring the building back to A1 condition, this in no way dampens Clifton with Maidenway residents' enthusiasm and commitment to take it on for the benefit of the whole community. We have already enlisted volunteers amongst residents with professional and practical experience to help plan a way forward.

Over what period is this main use of the asset anticipated to continue?

We are seeking a minimum of 25 year lease at a peppercorn rent for a payment of £1.00 to reflect the £300k cost of improvement work.

Does the local community have legal and authorised use of the land or property?

NO to building but  
YES to woodland surrounds as a green space.

If the main use of the asset does not currently further the social wellbeing or cultural, recreational or sporting interests of the local community, did it do so at some stage in the recent past? (Please provide details of how the asset was used in the past and dates of this usage)

The Monastery as a Catholic Institution was in operation until 1970 when novice numbers fell. The Monastery was then sold, part to become flats and the rest of the building to become a social club.

It was used by the Lions Club, had a full alcohol licence and was used regularly and popularly by many residents. It was also used for more than a few decades by musicians to practice, badminton courts and many clubs used the rooms for meetings. It held birthday parties and weddings with food from the kitchens. A local organisation used it for more than 10 years for community benefit up to 2017.

Can you demonstrate / how do you anticipate that the asset would return to furthering the social wellbeing or cultural, recreational or sporting interests of the local community?

Very simply by being at the heart of community life in the location catering for all age groups - by the community - for the community.

There is enormous local support from local people for the return of the 'White Lady Club'.

When do you consider that the asset could realistically return to furthering the social wellbeing or cultural, recreational or sporting interests of the local community?

The run up to Christmas 2025 can be used to gather ideas and information from our community. A business plan will follow with the aim of acquiring a long term lease in the New Year. An Easter deadline 2026 for re-opening the building following repairs and a deep clean is feasible, depending on the extent and cost of roof repair works.



It would also be a good time to clear overgrown parts of the woodland area and start new projects outside.

Please can the Council sort out a few slipped slates and apply a liquid waterproofing membrane to the flat roof (as a suitable short-term remedy) to stop further deterioration?

Thank you.

Local people came out to support our last Community Partnership meeting to talk about how the Monastery can be an Asset of Community Value and used for many purposes to benefit the district which has no communal facilities. Whatsoever, Please see photo of meeting - this was on a cold very wet night. We have scheduled another meeting requiring a larger venue as we know there will be many more residents who have asked to come along and put their positive views to reclaim the Monastery for worthy uses for the community.



### Section 3. Supporting Information for your Nomination

#### 3a. Please provide any further information to support your nomination

The future for The Monastery:-

A Cultural Hub, Art Exhibitions, Nature of Torbay exhibits, Café, Memory Centre, Health and Exercise groups and classes, Yoga, Chair Yoga for Elderly, Cookery groups, Poetry groups, Make and Mend groups, Men Shed, Women Shed, Fitness, Children's play area, cliche, elderly creche, craft groups, singing clubs, alternative therapies, lectures and after school clubs, youth clubs, Daisy and Joan clubs, dance clubs, musical youth. Rooms for hire to pay for upkeep. The White Lady club restored - with or without alcohol licence and many more! A much loved building by all locals to CWM.

#### Declaration

I confirm that I am authorised to submit this nomination form on behalf of the applicant organisation and that all of the information given or referred to in this form is true, accurate, and complete and that all relevant information has been submitted.

Name:

Signature:

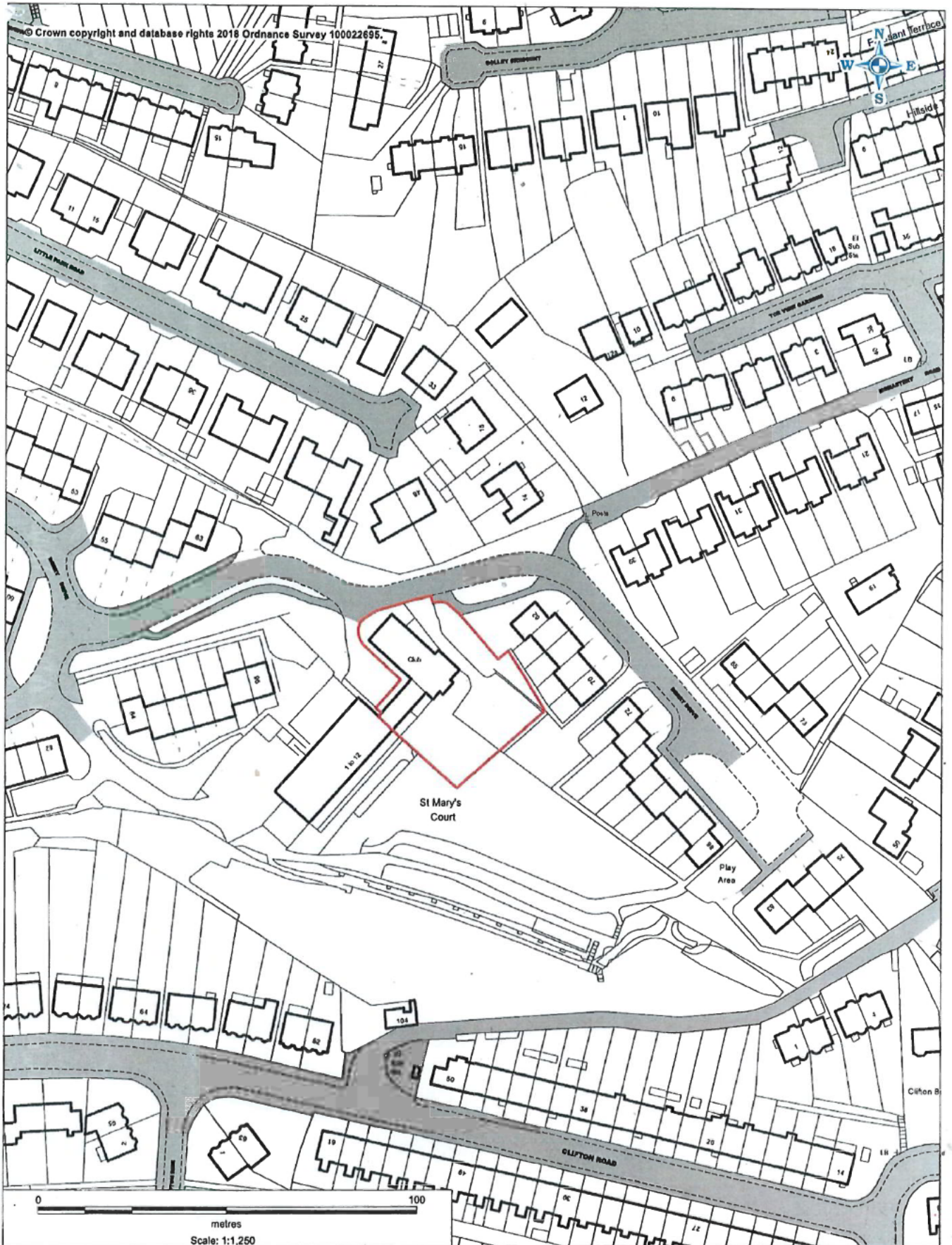
Date:

20th September 2025

Please return to Legal Section, Torbay Council, Town Hall, Castle Circus, Torquay, TQ1 3DR or [ACVLegal@torbay.gov.uk](mailto:ACVLegal@torbay.gov.uk)  
Tel: 01803 207157

We will acknowledge receipt of your nomination and will check through your form and let you know if any information is missing or if any further information is required.  
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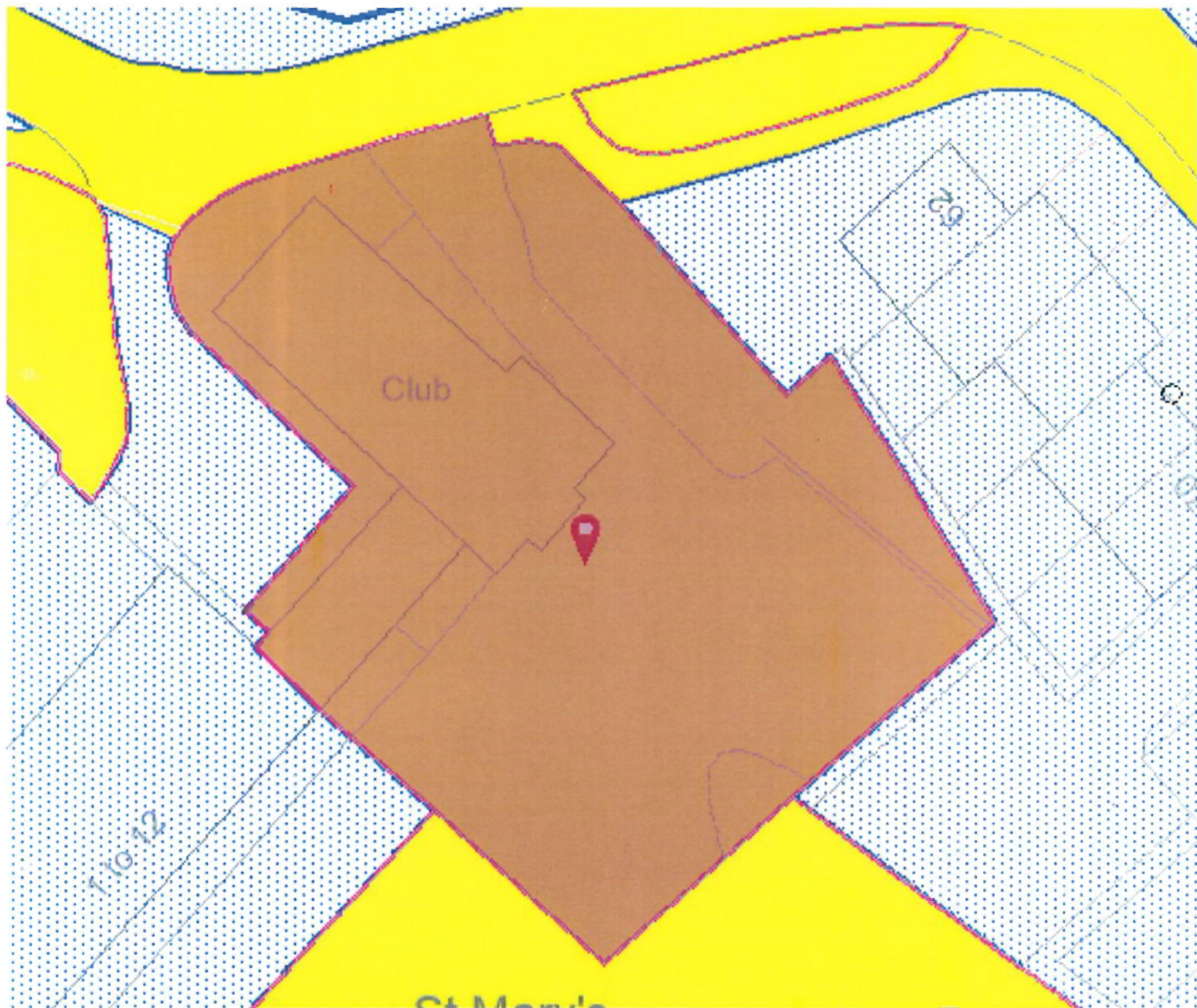
EM Plan No: EM3134  
 Date: 3 August 2018  
 Title: The Monastery, Paignton

Asset No: P0503AA  
 LR Title No: DN433785  
 Scale: 1:1250  
 Area: 1367.4 m<sup>2</sup>



TORBAY DEVELOPMENT AGENCY - ASSET MANAGEMENT









### Clifton With Maidenway Community Partnership

September 17 at 8:52PM · 🌐



Cllr Cat Johns here.

I have just come back from a very positive discussion in regards a Community Project to save the Old Monastery.

It is currently had been put up for disposal or sale.

The meeting had a good turnout considering it's a wet and windy evening as well as no real advertisement about the Monastery meeting.

Clifton with Maidenway Community Partnership committee wanted to hear what the neighbouring residents felt about the situation and what they would like to s... **See more**

**Boost post**



Maggie Loates and 13 others

4

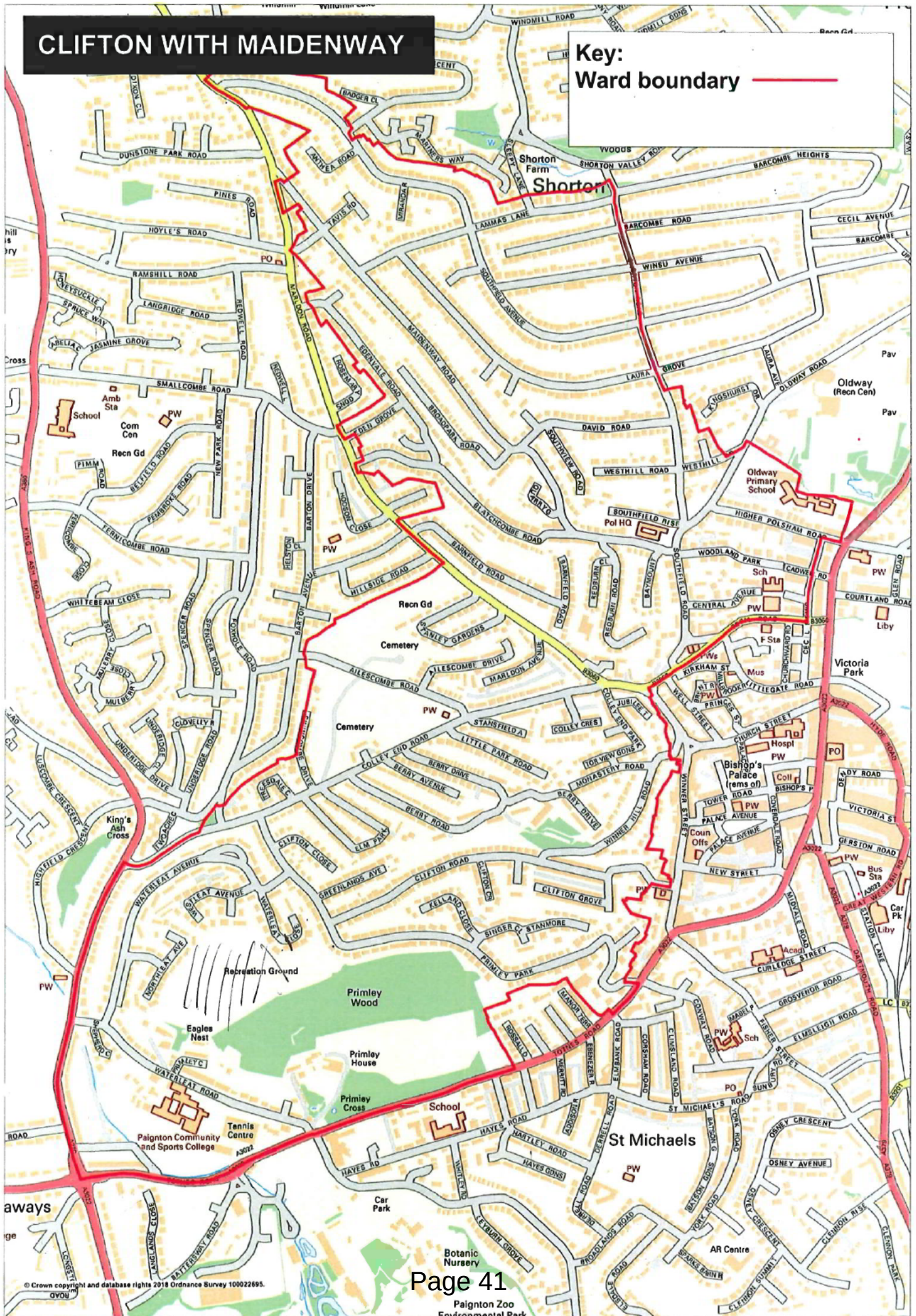
6

Most relevant



# CLIFTON WITH MAIDENWAY

Key:  
Ward boundary

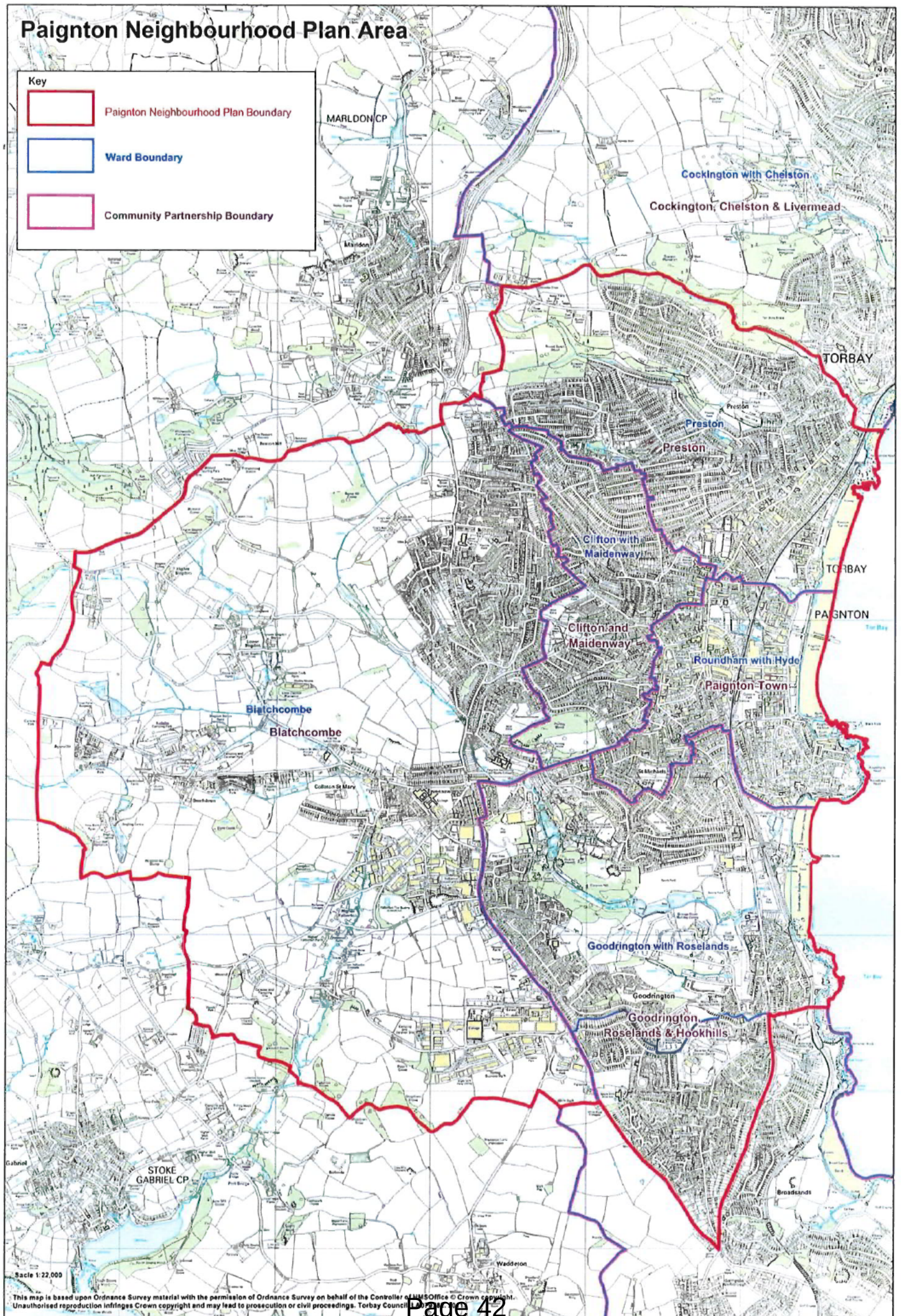




# Paignton Neighbourhood Plan Area

## Key

- Paignton Neighbourhood Plan Boundary
- Ward Boundary
- Community Partnership Boundary



Scale 1:22,000

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## **X Community Partnership Constitution**

**Adopted on the 26<sup>th</sup> January 2013, revised 26<sup>th</sup> October 2024**

### **1.0 Introduction**

The Community Partnerships (originally known as the Ward Partnerships) are voluntary groups broadly based on the ward boundaries within Torbay. The X Community Partnership covers the area of the Y ward - shown on the map below.

ADD MAP

Community Partnerships provide an opportunity for the people who live, work or own property in an area to discuss common priorities. They provide an opportunity for local people to understand and influence the way in which services are provided in their area, and ultimately help shape Torbay's major plans and strategies.

The X Community Partnership provides 5 members to the Torbay Community Partnership Trust and operates in accordance with the articles and bye laws of the said charity.

### **2.0 Aim**

The Community Partnership aims to bring together local residents and businesses to add value and achieve a better quality of life for the local community.

### **3.0 Objectives**

- To promote the economic, social, health, safety and environmental wellbeing of the community within each Partnership area.
- To provide an opportunity for local people to influence local decision-making.
- To ensure openness and transparency amongst statutory agencies and provide an opportunity for local people to influence the priorities and services of these agencies.
- To improve community leadership for the benefit of the whole area.

- To improve democratic participation by local people.
- To develop area plans to benefit the local community and Torbay as a whole.
- To support and assist local organisations in the Community Partnership area

## **4.0 Membership**

Membership of each Community Partnership will be open to all people living or working, or organisations operating, within the boundary of the Community Partnership.

## **5.0 Powers of a Community Partnership**

In pursuance of its objectives, the Community Partnership shall have power to:

- Operate a bank account and manage investments
- Apply for grants and raise money
- Publish leaflets, newsletters and use electronic means of distribution
- Purchase goods and services
- Organise events and functions to the benefit of the community
- Affiliate, liaise or enter partnerships with other organisations sharing similar objectives
- Undertake any other lawful activities as approved by the membership
- Insurance

## **6.0 Steering Group**

Each Community Partnership will be managed by Steering Group of around 12 people (dependant on the population served by the Community Partnership). The Steering Group will be voted in at the first public meeting held after the 31<sup>st</sup> March each year. The precise composition of the Steering Group will be agreed at this meeting and the Steering Group will be asked to identify any representatives that are not forthcoming at this meeting (see below). The Steering Group will act as the core membership of the Community Partnership and Steering Group members will have voting rights. Five members of the Steering Group will act as the X Community Partnership's members of and representatives to the Torbay Community Partnership Trust.

Ward Councillors and a member of the police Neighbourhood Team will be members of the Steering Group.

Nominations for representatives to sit on the Steering Group will be sought from residents, local schools and colleges, community and voluntary groups, trade organisations, residents' associations and other relevant agencies providing services in the area.

Members of the Partnership can additionally be co-opted onto the Steering Group at any time by a majority vote. Co-opted members will have full voting rights. At the first meeting of the Steering Group after the 31<sup>st</sup> March members will particularly review the Steering Group's membership to ensure it is representative of the area. Additional representatives will be identified by the Steering Group and co-opted if needed.

No decision-making processes will be carried out at a meeting of the Community Partnership unless at least four voting members are present.



Members of the Steering Group will be expected to attend Steering Group and Public Meetings, but if they are unable to attend must give apologies in advance of the meeting. If no apology is received for more than three consecutive Steering Group Meetings, it will be understood that the member no longer wishes to remain on the Steering Group, and will be removed immediately.

Steering group members are required to declare any conflicts of interest relating to issues being discussed or recommendations being made by the Community Partnership.

## **6.1 Officers of the Partnership**

A Chairperson, Vice Chairperson, Secretary and Treasurer will be elected by the membership of the Steering Group at its first meeting after 31st March each year. If there are any positions that cannot be filled from the Steering Group membership new members will be sought and co-opted onto the Steering Group by a majority vote of the Steering Group members as soon as possible. The Chairperson will preside at meetings of the Partnership.

Where possible five Steering Group members will also be elected by the Steering Group to join Torbay Community Partnership Company as members and will represent the X Community Partnership's interests at the meetings of the Torbay Community Partnership Trust.

In the absence of the Chairperson (and Vice Chairperson), those present will elect a temporary Chairperson for that meeting.

The Chairperson and Vice Chairperson of each Community Partnership have six main responsibilities:

- To co-ordinate the arrangements for meetings, gatherings and activities of the Community Partnership, and ensure that activities of the Partnership are conducted efficiently, fairly and harmoniously
- To ensure the Steering Group engages with the wider community and can effectively represent their views
- To represent the Community Partnership with stakeholders and at meetings
- To report back to the Steering Group on all Community Partnership matters
- To submit an annual report of activities to the Torbay Community Partnership Trust, and any other organisations on request
- To identify and support a replacement Chairperson and Vice Chairperson

The Secretary has five main responsibilities:

- To prepare and issue agendas, notes, minutes and reports for the Community Partnership meetings
- To maintain a database of the Community Partnership membership, ensure a copy of this is held centrally with the Torbay Community Development Trust and all records comply with the current UK GDPR policies
- To report to the Steering Group on all related administrative activities
- To liaise closely with other Steering Group members
- To provide the Torbay Community Partnership Trust with the names and contact details of the Steering Group members proposed to join the said Trust

The Treasurer has five main responsibilities:

- Maintain proper accounts
- Maintain an appropriate bank account in the name of the Community Partnership
- Prepare end of year accounts (31 March annually) for audit purposes in line with the requirements relevant to the income of the Partnership, and submit these to the Torbay Community Partnership Trust, and any other organisations on request
- Make available the accounts at any time for inspection by a member
- Other groups using bank
- Liaise with the other Steering Group members

If any of the above posts are not filled it is still the responsibility of the Steering Group to provide these functions.

The Chairpersons, Vice Chairpersons and Secretaries of the Community Partnerships will, from time to time, act together as a consultation group on community issues.

## **7.0 Members representing organisations**

Members who attend a Community Partnership on behalf of another organisation should make this clear to the members of that organisation.

The Community Partnership will:

- Afford a member that sits on the Community Partnership Steering Group on behalf of an organisation the opportunity to consult with the membership of his or her group in advance of any major votes or decision making, providing this can be done in a timely manner.
- Afford a member that sits on the Community Partnership Steering Group on behalf of an organisation adequate supplies of information and/ or consultation materials for circulation to his/her organisation.
- Support the aims and objectives of the member organisation providing they do not contravene the majority view of the full Community Partnership membership (being all people living or working, or organisations operating, within the boundary of the Community Partnership area).

In turn the representative of the member organisation will:

- Fully inform the membership of his/her organisation of the workings of the Community Partnership and to advertise the public meetings and other activities of the Partnership amongst their group members.
- Ensure there is a democratic and transparent process within the organisation to elect their representative to the Community Partnership Steering Group and that a consensus is sought within the organisation itself on matters before they are raised with the Community Partnership.
- Ensure that any concerns the member organisation has with the workings of the Community Partnership are raised first and foremost with the Chairperson of the Community Partnership and discussed openly within the Steering Group.

## **8.0 Frequency of Meetings**

Each Community Partnership will engage with the public normally every quarter, this can be done through a public meeting, street based engagement, an event etc – for the purpose of this document these will be described as 'gatherings' of the Partnership. The dates and times

of these gatherings will be agreed by each Partnership and will be widely publicised. The Steering Group will usually meet at least once between these quarterly events.

Steering Group meetings are open to the wider membership at the discretion of the Chairperson, and usually where an issue is urgent and cannot wait for a public meeting or engagement, or where a member is considering joining the Steering Group.

## **9.0 Matters for discussion at meetings of Community Partnerships**

All members of a Community Partnership can ask for items to be considered by the Partnership subject to the following:

- It is recommended that any proposed item of business be notified to the Partnership Chairperson, Vice Chairperson or Secretary at least a week before the gathering of the Partnership is due to take place. This allows for relevant information to be sought or relevant people to be invited.
- Individual or personal complaints or issues cannot be accepted for discussion unless the person asking for the item to be discussed can demonstrate that the issue is of wider concern to the local area.

Urgent items of business can be discussed at gatherings provided that the Chairperson agrees that discussion on the matter could not reasonably wait until the next meeting.

The Secretary will publish a draft agenda listing the main items to be considered at the gathering of the Partnership a week in advance. Urgent items will be brought up under AOB (any other business) .

Minutes, notes or outcomes of each gathering of the Partnership will normally be finalised within 10 working days, approved by the Chairperson and be published electronically, with copies circulated to members. Records will then be formally approved (with any appropriate amendment) at the next gathering of the Community Partnership.

## **10.0 Decision making**

Decisions will be made by the voting members of the Partnership by a majority vote. The Steering Group will make every effort to engage the wider community on an issue before a decision is made – either through one of the partnership's gatherings or using alternative means – such as a questionnaire to residents, door-knock, exhibition, roadshow, visiting other groups etc. A show of hands may be requested at a public meeting to inform the Steering Group members' decision. No decision or resolution of the Partnership will be made unless a minimum of 4 members have been involved.

On certain issues, the Community Partnerships in each town may be asked their collective views. In this case each Community Partnership will have one equal vote and no decision or resolution of the Partnerships will be made unless a minimum of two thirds of the Partnerships within that town have been involved.

The Community Partnerships are not statutory decision making bodies, but they may make recommendations to other persons or bodies.

## **11.0 Equal Opportunities Statement**

The Community Partnership supports the principle of equal opportunities in all areas of its activities and opposes all forms discrimination on the grounds of colour, race, nationality, ethnic or national origin, religious belief, age, gender, sexual orientation, marital status or disability. The Community Partnership will regularly monitor the implementation of its equal opportunity policy as enshrined in the Community Partnership Code of Conduct to ensure full compliance.

## **12.0 Law and Conduct**

Members of the Community Partnership shall, at all times, act in good faith and in accordance with the Law and the Torbay Community Partnership Code of Conduct. In cases of doubt or difficulty appropriate guidance must be sought by the Steering Group. The Steering Group can suspend one of their membership by a majority vote. The suspended member can appeal this decision through representation to the Trustees of the Torbay Community Partnership Trust. Issues that cannot be adequately resolved within the Partnership can also be referred to the Trustees of the Torbay Community Partnership Trust by any member of the Steering Group.

## **14.0 Alterations and Amendments to the Constitution**

The X Community Partnership can amend its Constitution to better serve the community it represents by adding clauses to this general Constitution. It cannot delete any clauses in this general Constitution. Changes at the individual Community Partnership level can be made at a public meeting following a properly submitted resolution and agreed by a majority vote. Changes need to be communicated to the Board of Trustees of the Torbay Community Partnership Trust.

Notwithstanding the above, the Torbay Community Partnership Trust may also suggest constitutional alterations and amendments at any time in consultation with X Community Partnership.

## **15.0 Dormancy**

Notwithstanding article 16.0 (Dissolution), if the X Community Partnership becomes inactive but it is felt that the X Community Partnership is too important a non-political public forum to dissolve, the X Community Partnership may be put into a state of dormancy. This must be agreed by the majority of those members of the Partnership attending a public meeting of the X Community Partnership. Prior notice of this intention will be communicated to the membership of the X Community Partnership by email, and through local publications so that as many residents as possible may attend the public meeting. Thereafter, a public Annual General Meeting will be held in April each year to confirm the dormancy. Should the need arise for an one-off public meeting to be called, a request may be made to the Torbay Community Partnership Trustees. Any such meeting called will be chaired by one of the Trustees.

In order to continue to function as a disseminator of information of interest to the X Community Partnership membership, to preserve the X Community Partnership records and to comply with the General Data Protection Regulation Act (2018), the Trustees will retain the emailing lists and written records of the X Community Partnership, and will continue to operate the X Community Partnership bank account until the point at which officers are elected at an AGM and the X Community Partnership comes out of dormancy. The Trustees

can also delegate these responsibilities to a resident(s) of the X area as long as they retain overall responsibility.

## **16.0 Dissolution**

A Community Partnership may be dissolved and wound up by a majority decision of not less than two thirds of the X Community Partnership Steering Group members at a public meeting called specifically for that purpose.

After settlement of all outstanding liabilities, the net assets of the X Community Partnership will be gifted to the Torbay Community Partnership Trust and/or in accordance with donors' criteria

## **17.0 Supplementary Guidance**

This constitution is supplemented by the following guidance:

- Community Partnership Code of Conduct
- Community Partnership Privacy Policy
- Community Partnership Election Guidance (2024)
- Community Partnership Hustings Guidance
- Community Partnership Operating Instructions (2024)



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**Meeting:** Cabinet

**Date:** 18 November 2025

**Wards affected:** St Marychurch

**Report Title:** Nomination to list Plainmoor football stadium as an Asset of Community Value

**When does the decision need to be implemented?** As soon as possible

**Cabinet Member Contact Details:** Councillor Jacqueline Thomas – Cabinet Member for Tourism, Culture and Events and Corporate Services and Chairwoman of Standards Committee

**Director Contact Details:** Matthew Fairclough-Kay, Director of Corporate Services  
[matthew.fairclough-kay@torbay.gov.uk](mailto:matthew.fairclough-kay@torbay.gov.uk)

## 1. Purpose of Report

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- 1.1. The Council has received a nomination to re-list Plainmoor Football Stadium as an Asset of Community Value for a further five-year period. The stadium is currently included on the Council's register of successful nominations; however, the existing listing expired on 31 March 2025.
- 1.2. The purpose of this report is to inform members as to whether the asset continues to meet the statutory criteria set out in the Localism Act 2011 and the Assets of Community Value (England) Regulations 2012. The nomination has been reviewed by Officers, who recommend that the application be approved.

## 2. Reason for Proposal and its benefits

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- 2.1. The proposals in this report help us to deliver our vision of a healthy, happy, and prosperous Torbay by safeguarding a valued community facility that contributes to local wellbeing, social cohesion, and economic activity.
- 2.2. The reasons for the proposal, and need for the decision are:
  - **Supporting Community and People:** Plainmoor Stadium plays a vital role in bringing people together across Torbay. It is a focal point for local pride, sporting achievement, and community engagement. Re-listing the stadium as an Asset of Community Value (ACV) reinforces our commitment to celebrating success and ensuring residents feel connected to their community.
  - **Enhancing Pride in Place:** The stadium contributes to the identity and vibrancy of Torquay. Protecting its status helps maintain the character of the town and supports our ambition to invest in places that matter to local people.

- **Driving Economic Growth:** As the home of Torquay United FC, Plainmoor attracts visitors and generates footfall that benefits nearby businesses. Its continued operation supports local employment and contributes to the wider visitor economy, aligning with our goal to grow Torbay's economic specialisms.
- **Putting Residents at the Heart:** The nomination reflects strong public support and demonstrates that residents value the stadium as a community asset. This decision responds directly to their views and prioritises their interests.
- **Evidence-Based Decision Making:** Officers have assessed the nomination against the statutory criteria under the Localism Act 2011 and found it meets the requirements for re-listing.
- **Making the Most of Our Assets:** Plainmoor is a significant local facility with social, cultural, and economic value. Retaining its ACV status ensures that its potential continues to be recognised and protected.
- **Working Together:** The nomination process reflects collaboration between the Council and the community. Approving the listing supports ongoing partnership working to preserve valued local spaces.
- **An Efficient and Enabling Council:** By proactively managing our ACV register, we demonstrate good governance and responsiveness to community needs.
- **Maintaining Financial Grip:** While the ACV designation does not impose direct financial obligations, it helps safeguard community assets that contribute to local wellbeing and economic resilience, reducing potential future costs associated with loss of such facilities.

### 3. Recommendation(s) / Proposed Decision

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It is recommended that Plainmoor Football Stadium be re-listed on the Council's Register of Assets of Community Value for a further five-year period, commencing from 15 September 2025.

### 4. Appendices

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**Appendix 1:** Application by Torquay United Supporters Society Limited received 15 September 2025.

### 5. Background Documents

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- Torbay Council Assets of Community Value policy  
Assets of community value - Torbay Council

## Supporting Information

### 6. Introduction

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- 6.1 Plainmoor football stadium has previously been listed as an Asset of Community Value; however, that listing expired on 31 March 2025. Under the Localism Act 2011, an asset remains on the register for a period of five years, after which a new nomination may be submitted if the asset continues to meet the statutory criteria.

Plainmoor was successfully nominated in 2015 and again in 2020. A further nomination has now been received in 2025, seeking to renew its listing for another five-year term to 2030.

The Council is the freehold owner of the stadium which is let to Torquay United Association Football Club plc under a long lease to 31 January 2081.

A community asset is defined under Section 88 of the Localism Act 2011 as land or property that is considered to have social value to the local community. An asset will be deemed to meet the criteria if, in the opinion of the Council:

- There is a current non-ancillary use of the building or land that furthers the social wellbeing or social interests of the local community; and
- It is realistic to believe that such a use could continue in the next five years, whether in the same form or in another way that furthers social wellbeing or interests.

In the case of Plainmoor, the circumstances surrounding the asset remain unchanged. The stadium continues to be actively used by Torquay United Football Club and serves as a hub for community engagement.

Notably, attendance figures have increased in recent years, further demonstrating its ongoing relevance and value to the local community.

Having received a valid application, the only alternative to approval would be to refuse the nomination. However, it is well established that sports grounds, even when operated as private commercial ventures, can be listed as Assets of Community Value under the Localism Act 2011. This reflects their wider social and cultural significance to the communities they serve. In light of this precedent and the continued community use of Plainmoor Stadium, refusal is not considered appropriate.

## 7. Options under consideration

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- 7.1. Option 1 - Approve the nomination and re-list Plainmoor Stadium as an Asset of Community Value
- 7.2. Option 2 - Refuse the nomination and remove the asset from the register

## 8. Financial Opportunities and Implications

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- 8.1. Although listing an asset as an Asset of Community Value does not incur direct financial costs, it may give rise to potential financial liability through compensation claims. Under Regulation 14 of the Assets of Community Value (England) Regulations 2012, an owner or former owner may seek compensation for loss or expense incurred as a result of the listing provided such loss would not have occurred otherwise.
- 8.2. To be eligible, claimants must demonstrate actual financial loss that is directly attributable to the listing. In practice, such claims are infrequent, and the likelihood of a successful claim is generally considered low.

- 8.3. In this case, as the Council is the freehold owner of the asset and the application has been submitted by the club's supporters, there appears to be no identifiable risk of any compensation claim.

## 9. Legal Implications

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The nomination has been assessed in accordance with the Localism Act 2011, specifically Section 88, which outlines the criteria for listing land or buildings as Assets of Community Value. If approved, the asset will be re-listed for a further five-year period.

The legal effect of listing the property is detailed in the Torbay Council Assets of Community Value Policy which is available to view on the Council's website.

Listing does not prevent the sale or change of ownership of the asset. However, it does trigger a moratorium period if the owner intends to sell, allowing community groups time to express interest in purchasing the asset.

## 10. Engagement and Consultation

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- 10.1. As part of the development of this proposal, no formal consultation or engagement has been undertaken with residents, stakeholders, or community groups. The nomination was submitted by a qualifying community group in accordance with the requirements of the Localism Act 2011, and the assessment has been carried out by officers based on the statutory criteria.

## 11. Procurement Implications

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- 11.1. Not applicable

## 12. Protecting our naturally inspiring Bay and tackling Climate Change

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- 12.1. Not applicable

## 13. Associated Risks

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- 13.1. If the Council registers a property as an Asset of Community Value in circumstances where it should not have done so, the owner has the right to appeal the decision. If the appeal is successful, the owner may be entitled to recover reasonable costs incurred in pursuing the appeal.
- 13.2. Conversely, if the Council decides not to list a property that should have been listed, there is no statutory right of appeal for the applicant. The only legal remedy available in such cases would be to seek a judicial review of the Council's decision.



## 14. Equality Impact Assessment

The Council has had due regard to its Public Sector Equality Duty (PSED) in considering this community nomination; however, as the decision does not involve any change to function, practice, or policy, officers conclude that there is no adverse impact on persons with protected characteristics.

| 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                                                                                      | 18 per cent of Torbay residents are under 18 years old.<br>55 per cent of Torbay residents are aged between 18 to 64 years old.<br>27 per cent of Torbay residents are aged 65 and older. | No adverse impacts are anticipated from this decision   | Not applicable        |                                                                             |
| Carers                                                                                   | At the time of the 2021 census there were 14,900 unpaid carers in Torbay. 5,185 of these provided 50 hours or more of care.                                                               | No adverse impacts are anticipated from this decision   | Not applicable        |                                                                             |

|                                |                                                                                                                                                                                                                                                                                                    |                                                       |                |  |
|--------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------|----------------|--|
| Disability                     | In the 2021 Census, 23.8% 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 | Not applicable |  |
| Gender reassignment            | 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. This proportion is similar to the Southwest and is lower than England.                                                                                       | No adverse impacts are anticipated from this decision | Not applicable |  |
| Marriage and civil partnership | 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 | Not applicable |  |
| Pregnancy and maternity        | Over the period 2010 to 2021, the rate of live births (as a proportion of females aged 15 to 44) has been slightly but significantly higher in Torbay (average of 63.7 per 1,000) than England (60.2) and the South West (58.4). There has been a notable fall in the numbers of live births since | No adverse impacts are anticipated from this decision | Not applicable |  |

|                        |                                                                                                                                                                                                                                                                                                            |                                                       |                |  |
|------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------|----------------|--|
|                        | the middle of the last decade across all geographical areas.                                                                                                                                                                                                                                               |                                                       |                |  |
| Race                   | In the 2021 Census, 96.1% of Torbay residents described their ethnicity as white. This is a higher proportion than the South West and England. Black, Asian and minority ethnic individuals are more likely to live in areas of Torbay classified as being amongst the 20% most deprived areas in England. | No adverse impacts are anticipated from this decision | Not applicable |  |
| Religion and belief    | 64.8% of Torbay residents who stated that they have a religion in the 2021 census.                                                                                                                                                                                                                         | No adverse impacts are anticipated from this decision | Not applicable |  |
| Sex                    | 51.3% of Torbay's population are female and 48.7% are male                                                                                                                                                                                                                                                 | No adverse impacts are anticipated from this decision | Not applicable |  |
| Sexual orientation     | In the 2021 Census, 3.4% of those in Torbay aged over 16 identified their sexuality as either Lesbian, Gay, Bisexual or, used another term to describe their sexual orientation.                                                                                                                           | No adverse impacts are anticipated from this decision | Not applicable |  |
| Armed Forces Community | In 2021, 3.8% of residents in England reported that they                                                                                                                                                                                                                                                   | No adverse impacts are anticipated from this decision | Not applicable |  |

|                                                                                             |                                                                                                                                                                                             |                                                       |                |  |
|---------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------|----------------|--|
|                                                                                             | had previously served in the UK armed forces. In Torbay, 5.9 per cent of the population have previously served in the UK armed forces.                                                      |                                                       |                |  |
| <b>Additional considerations</b>                                                            |                                                                                                                                                                                             |                                                       |                |  |
| Socio-economic impacts (Including impacts on child poverty and deprivation)                 |                                                                                                                                                                                             | No adverse impacts are anticipated from this decision | Not applicable |  |
| Public Health impacts (Including impacts on the general health of the population of Torbay) |                                                                                                                                                                                             | No adverse impacts are anticipated from this decision | Not applicable |  |
| Human Rights impacts                                                                        |                                                                                                                                                                                             | No adverse impacts are anticipated from this decision | Not applicable |  |
| Child Friendly                                                                              | Torbay Council is a Child Friendly Council, and all staff and Councillors are Corporate Parents and have a responsibility towards cared for and care experienced children and young people. | No adverse impacts are anticipated from this decision | Not applicable |  |

## 15. Cumulative Council Impact

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15.1. None

## 16. Cumulative Community Impacts

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16.1. None



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## Assets of Community Value

### Nomination Form

Please complete this form fully. The details you place in this form will be the basis for which the Council will come to an informed decision on whether the asset can and should be placed on the List of Assets of Community Value, or not.

#### **HOW WE USE YOUR PERSONAL INFORMATION**

##### **What personal information do we need?**

In order to process a nomination we require the name, address, telephone number and email address of the nominating body and the owner/occupier of the nominated asset. In cases of applications made by unincorporated bodies with at least 21 individual members, all the 21+ members' names and addresses should also be provided.

##### **Who is collecting it?**

The data controller is Torbay Council, Town Hall, Castle Circus, Torquay, TQ1 3DR.

##### **Why is it being collected?**

Under the Localism Act 2011: Assets of Community Value (England) Regulations 2012, we have a statutory duty to receive, process and make a decision on nominations for Assets of Community Value.

##### **How will it be used?**

Personal information is used to process the nomination, to make a decision on the nomination, and inform the owner(s) and other interested parties of the nomination, its progress and the eventual decision.

##### **Who will it be shared with?**

We will share the personal contact details used to process the nomination with internal departments within the Council e.g. Local Land Charges, Legal Department, Governance Support and Elected Representatives Information will also be shared with the Torbay Development Agency as the Council's Asset Management body.

##### **How long will the information be kept for?**

Nomination forms and information relating to the nomination will be kept for 6 years.

##### **Your rights**

If you feel that the information the Council holds about you is incorrect, you have the right to request it is rectified. You are also able to request a copy of the personal data the Council holds about you. To see more information about your rights, please see our [Information Rights Policy](#).

If you wish to raise a complaint about how the Council has processed your information please contact the Council's Data Protection Officer via [infocompliance@torbay.gov.uk](mailto:infocompliance@torbay.gov.uk)

**IMPORTANT NOTES:**

The assessment period will commence once the Council is in receipt of a fully valid application. **Incomplete application forms and forms missing required documentation will not be accepted as valid and will be returned to the applicant to provide the missing information.**

A landowner/occupier is entitled to see this form during the 8 week consultation period (once the nomination is validated) or following any decision to list the asset concerned as an Asset of Community Value.

Please complete this form electronically, or if completing by hand, only use **BLOCK CAPITALS and black or blue ink.**



## Section 1. About your Organisation

### 1a. Nominating Organisation's Name and Address:

Organisation Name\*: Torquay United Supporters' Society Limited (commonly known as Torquay United Supporters' Trust)

Address: [REDACTED]

*\*full name as written in your constitution or rules (if appropriate)*

### 1b. Please provide a named contact for us to get in touch with, should we need to discuss your nomination:

Name: [REDACTED]

Address: [REDACTED]

Telephone / Mobile Number: [REDACTED]

Email Address: tustsecretary@gmail.com

### 1c. Please specify which of the following categories your organisation relates to

| Category of Organisation                                                                                                    |                                     |                                                                                                 |
|-----------------------------------------------------------------------------------------------------------------------------|-------------------------------------|-------------------------------------------------------------------------------------------------|
| Description:                                                                                                                | Please tick only <b>one</b> box:    | Registration / Charity number (if applicable)                                                   |
| Town or Parish Council                                                                                                      | <input type="checkbox"/>            |                                                                                                 |
| Body designated as a neighbourhood forum under the Town and Country Planning Act                                            | <input type="checkbox"/>            |                                                                                                 |
| Unincorporated bodies with at least 21 individual members and which does not distribute any surplus it makes to its members | <input type="checkbox"/>            |                                                                                                 |
| Charity                                                                                                                     | <input type="checkbox"/>            |                                                                                                 |
| Company limited by guarantee which does not distribute any surplus it makes to its members                                  | <input type="checkbox"/>            |                                                                                                 |
| Industrial and provident society which does not distribute any surplus it makes to its members                              | <input checked="" type="checkbox"/> | Now termed a Registered Society under the Co-operative and Community Benefit Societies Act 2014 |
| Community interest company                                                                                                  | <input type="checkbox"/>            |                                                                                                 |

**1d. Evidence Organisation**

Please provide a copy of the following as relevant to your organisation (tick all documents provided):

|                                                   |                                     |
|---------------------------------------------------|-------------------------------------|
| Memorandum of Association                         | <input type="checkbox"/>            |
| Articles of Association                           | <input type="checkbox"/>            |
| Companies House return                            | <input type="checkbox"/>            |
| Trust Deed                                        | <input type="checkbox"/>            |
| Constitution / Terms of reference                 | <input checked="" type="checkbox"/> |
| Standing Orders                                   | <input type="checkbox"/>            |
| Interest Statement for Community Interest Company | <input type="checkbox"/>            |

**1e. Evidence of a local connection**

All nominating organisations must have a local connection, please tick all the relevant statements that apply, or provide a description of how your organisation is connected to Torbay, or a neighbouring authority's area (South Hams or Teignbridge):

|                                                                                                                |                                     |
|----------------------------------------------------------------------------------------------------------------|-------------------------------------|
| The body's activities are wholly or partly within Torbay, South Hams and/or Teignbridge                        | <input checked="" type="checkbox"/> |
| At least 21 of the members of the body are local (see point 1f. below)                                         | <input checked="" type="checkbox"/> |
| Any profits made by the body are wholly or partly applied for the benefit of Torbay, South Hams or Teignbridge | <input type="checkbox"/>            |
| It is a parish council within Torbay's boundary or it shares a boundary with Torbay                            | <input type="checkbox"/>            |

Description / additional information:



**1f. Membership of unincorporated bodies**

For unincorporated bodies please confirm that at least 21\* members are included on Torbay's register of electors and provide their names, addresses and signatures below:

| Name: | Address: | Signature: |
|-------|----------|------------|
| 1.    |          |            |
| 2.    |          |            |
| 3.    |          |            |
| 4.    |          |            |
| 5.    |          |            |
| 6.    |          |            |
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| 14.   |          |            |
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| 16.   |          |            |
| 17.   |          |            |
| 18.   |          |            |
| 19.   |          |            |
| 20.   |          |            |
| 21.   |          |            |

*\* if you have more than 21 members, please provide additional details on a separate page annexed to this application.*



## Section 2. About the Asset you are nominating:

**2a. Please provide the name of the asset (if relevant), and the location/address of the asset:**

Name: Plainmoor Stadium

Address: Plainmoor, Torquay

Postcode: TQ1 3PS

Is the asset defined as operational land under section 263 of the Town and Country planning Act 1990, or owned by statutory undertakers such as utility companies? Please provide details:

**2b. Please provide details of the boundary of the asset. Please submit a boundary map/plan at the end of this application which helps to clarify the exact location and extent of the asset being nominated. Where possible this should be a Land Registry Title and Title Plan for the asset (less than one month old).** You can get electronic copies of the Land Registry Title and Title Plan from the Land Registry at <https://www.gov.uk/search-property-information-land-registry> (there is a fee for this service).

If the asset is unregistered, alternatives include a Site Location Plan, or OS map with boundaries clearly marked in red, with a North point, and a scale.

Please note that you are required to provide correct boundary and ownership information for the asset you wish to nominate. Incorrect or ambiguous information will be considered an incomplete application form and not be accepted as valid.

See Title Plan from Land Registry attached.

**2c. Owner and occupier details** (Please provide all information available to you, and copies of the Land Registry Titles and Plans. Note: where there is leasehold(s) and freehold, please provide copies of the Land Registry Titles and Plans for both the leasehold(s) and freehold):

|                                                | Name                                     | Address                                    | Delete as appropriate |
|------------------------------------------------|------------------------------------------|--------------------------------------------|-----------------------|
| Owner/s                                        | Torquay United Association Football Club | Plainmoor<br>Torquay<br>TQ1 3PS            | Current               |
| Lawful occupiers                               | Torquay United Association Football Club | Plainmoor<br>Torquay<br>TQ1 3PS            | Current               |
| Holder/s of freehold estate (if not the Owner) | Torbay Council                           | Town Hall, Castle Circus, Torquay, TQ1 3DR | Current               |
| Holder/s of any leasehold estate               | Torquay United Association Football Club | Plainmoor<br>Torquay<br>TQ1 3PS            | Current               |
| Further detail / other:                        |                                          |                                            |                       |

**2d. Current use of asset**

|                                                                                                                         |                                                                                                                                                                                                                              |
|-------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| What is the asset / What is the <u>current</u> main use of the asset? e.g. shop, pub, community facility, playing field | The stadium consists of a football pitch, 4 spectator stands, attached restaurant, bar, offices, club shop, training facilities, changing and treatment rooms, Boots & Laces public house, indoor bowling rink and car park. |
|-------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|



Describe fully how you consider that the current and main use of the asset furthers the social wellbeing or cultural, recreational or sporting interests of the local community?

Torquay United delivers both social value and community benefit to Torquay and Devon more broadly as an integral part of the local area. The Club's history in Torquay goes back to its founding in 1899. Torquay United moved to its current location in 1910. Its principal activity is the furtherance of local sporting interest, listed by the Localism Act as a social interest that a Community Asset should further.

Please note that there is a formal lease agreement in place between the Club, Torbay Council and Spires College (adjacent to the site), who have a computer suite and fitness suite in the Bristows Bench stand.

**The Club:**

- Promotes the enjoyment of sport and exercise to local people throughout the community, particularly young people, both through its own matches (a range of concessions are offered) and through activities the Club undertakes through its Community Sports Trust (see below).
- Serves as a focus for community pride, providing Torquay with a shared history and heritage through the achievements of the Club and the many celebrated players from its history, and regularly celebrating the contribution that the Club's non-player employees, volunteers, and supporters make to the Club's success.
- Helps build a sense of community identity, bringing together diverse elements of Devon, across a range of ages and social and economic backgrounds, on a regular basis for a shared purpose.
- Provides local people with an inclusive social environment open to all members of the community which the Club works to foster, for example through its regular support of such initiatives as the 'Kick it Out' campaign (an equality and inclusion campaign for football and the wider community).
- Engages fans in the support of local charitable causes, raising money for specific charitable causes as well as regular 'bucket' collections for local and national charities at home games.
- Provides economic benefits to local businesses such as increasing trade for nearby and associated pubs and restaurants on matchdays, as well as working to bring together a network of local businesses for mutual benefit.
- Hosts a number of entertainment events including Business Breakfast Club, Quiz Nights, .
- Represents Torquay and Devon nationally, routinely promoting the town's name whenever the club is mentioned)
- The average home attendance in season 2024/25 was 3,865
- The club promotes the increasingly popular women's game and runs Torquay United Women's FC, currently at the 5<sup>th</sup> tier of the female leagues.

As well as acting as a focus for the people of Torquay, Torquay United Football Club also works within the Torbay community, operating a range of sporting, social, and educational activities and programmes under the aegis of its Torquay United Community Sports Trust. This Community Sports Trust reaches tens of thousands of young people in the Devon area every year, with a particular focus on local schools and sports clubs. The Community Sports Trust runs specific programs for disabled young people and other minority groups.



The Stadium is crucial in enabling Torquay United Football Club to deliver this social value and community benefit through sporting and community activities, in that the Club needs a suitable home to host its football matches. Listing The Stadium as a Community Asset would mean that in any circumstance where The Stadium's current owner were to look to dispose of it, the community would have the opportunity to secure the Football Club's future. This step would:

- Protect the Stadium's viable use as venue for Torquay United Football Club for current and future generations,
- Ensure it continues as a site for delivering social benefit and community value, both through the continued hosting of Torquay United's games, and through the associated community activities Torquay United undertakes.
- Help ensure a sustainable future for Torquay United within the community, with the community owning a stake in The Stadium.
- Provide the opportunity to use the non-football revenues generated by The Stadium to support Torquay United and its sporting and community activities.

If there was the potential of losing the Stadium without a suitable alternative being available, Torquay United Supporters' Trust would wish to preserve the use of the ground as the home of Torquay United FC.

Community interest group acquisition could happen in a number of different ways, either by raising the capital funds directly from supporters, by seeking out other sources of investment that would guarantee the club's continued tenure at the ground, or by a combination of these two routes. If funds were to be raised directly from supporters, this would be planned through a Community Share issue, which the Society is empowered to conduct under its Rules (see especially Rule 20 'Capital Funding Share Provisions'). In such an eventuality, the Society would be able to rely on the professional advice and support of the Football Supporters Association, which is the national body for Supporters' Trusts.

|                                                                                                                                                                                                                                                                                                          |                                                                        |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------|
| Over what period is this main use of the asset anticipated to continue?                                                                                                                                                                                                                                  | The football club's lease runs until 2081                              |
| Does the local community have legal and authorised use of the land or property?                                                                                                                                                                                                                          | Yes. Part of the stadium is used by the adjoining college for example. |
| If the main use of the asset does not <u>currently</u> further the social wellbeing or cultural, recreational or sporting interests of the local community, did it do so at some stage in the recent past? <i>(Please provide details of how the asset was used in the past and dates of this usage)</i> | Not applicable – it currently does as described above.                 |

|                                                                                                                                                                                    |                |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|
|                                                                                                                                                                                    |                |
| Can you demonstrate / how do you anticipate that the asset would return to furthering the social wellbeing or cultural, recreational or sporting interests of the local community? | Not applicable |
| When do you consider that the asset could realistically return to furthering the social wellbeing or cultural, recreational or sporting interests of the local community?          | Not applicable |



### Section 3. Supporting Information for your Nomination

#### 3a. Please provide any further information to support your nomination

Torquay United Supporters' Trust

The Trust is a Registered Society under the Co-operative and Community Benefit Societies Act 2014 (formerly an Industrial and Provident Society), with membership open to all supporters of Torquay United. It promotes good governance and seeks to ensure the long-term sustainability of the club for the benefit of current and future supporters and the wider community.

**Declaration I confirm that I am authorised to submit this nomination form on behalf of the applicant organisation and that all of the information given or referred to in this form is true, accurate, and complete and that all relevant information has been submitted.**

Name: [REDACTED], Secretary of Torquay United Supporters' Trust

Signature: [REDACTED]

Date: 15/9/25

**Please return to Land Charges, Torbay Council, Town Hall, Castle Circus, Torquay, TQ1 3DR or [landcharges@torbay.gov.uk](mailto:landcharges@torbay.gov.uk)  
Tel: 01803 207107**

*We will acknowledge receipt of your nomination and will check through your form and let you know if any information is missing or if any further information is required.  
If all the requested information is provided, we will accept the form. We have 8 weeks from formally accepting the form to determine whether the asset you have nominated should be placed on the List of Assets of Community Value.*

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