

## **Minutes of the Cabinet**

**12 May 2026**

**-: Present :-**

Councillor David Thomas (Chair)

Councillors Billings, Bye, Chris Lewis, Jacqueline Thomas, Tranter and Tyerman

(Also in attendance: Councillors Cowell (virtually), Johns (virtually), Law, Barbara Lewis (virtually), Long, Stevens (virtually) and Twelves(virtually))

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### **111. Minutes**

The Minutes of the meeting of the Cabinet held on 14 April 2026 were confirmed as a correct record and signed by the Chair.

### **112. Disclosure of Interests**

No declarations of interest were made.

### **113. Matters for Consideration**

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

### **114. Levelling Up Funding Round 3 - Brixham Port (Oxen Cove) and Paignton (Tech Park)**

### **115. Redevelopment of former Crossways Shopping Centre, Paignton**

### **116. Torbay Joint Health and Wellbeing Strategy - post consultation report**

### **117. Gillard Road, Brixham - Public Path Creation Order**

### **118. Lessons Learned from the Call-in of the Cabinet's Decision on the Implementation of the English Riviera Beach Standards - Report and Cabinet's Response**

### **119. Child Friendly Torbay - Action Plan**

### **120. Transfer of Land, at various sites in Brixham, to Brixham Town Council**

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Chair

## Record of Decisions

### Levelling Up Funding Round 3 - Brixham Port (Oxen Cove) and Paignton (Tech Park)

#### Decision Taker

Cabinet on 12 May 2026

#### Decision

1. that Cabinet approve the outline proposals for schemes at Brixham Port (Oxen Cove) and Paignton Tech Park as set out in the Strategic Outline Cases at Appendix 1 and Appendix 2 to the submitted report;
2. that Cabinet note that under delegated authority, the Director of Finance in consultation with the Cabinet Member for Housing and Finance, will allocate funding from grant monies to develop the schemes at Brixham Port (Oxen Cove) and Paignton Tech Park pursuant to the Capital Programme; and
3. that Cabinet confirm the current programme cost estimates as set out in Section 8 of the submitted report to enable the figures to be reported to Government at the end of May 2026 as is required by the new Local Regeneration Fund (LRF) quarterly monitoring return.

#### Reason for the Decision

The decision was based on the strong progress and deliverability of the Brixham Port (Oxen Cove) and Paignton (Tech Park) projects, supported by a clear programme that aligns with Government funding requirements and the continued use of the £20m Levelling Up Fund allocation, now within the Local Regeneration Fund. Both schemes are well advanced, on track for completion by April 2028, and will proceed as originally approved, with funding allocated in line with agreed timelines and assurance processes. The projects will help deliver Torbay's economic vision by investing in key sectors, creating high-quality employment space and supporting job growth. This includes expanding the photonics industry through Tech Park and strengthening the fishing and aquaculture sectors at Oxen Cove, while enhancing the area's reputation and visitor experience. Together, they are expected to generate long-term economic benefits and potential surplus income to reinvest in wider regeneration.

#### Implementation

The decision will come into force and may be implemented on 26 May 2026 unless the call-in procedure is triggered (as set out in the Standing Orders in relation to Overview and Scrutiny).

#### Information

The projects have been in development since autumn 2024, following confirmation of Levelling Up Fund support, and have progressed through a range of logistical and design challenges to reach their current stage. At Paignton, the success of the Electronic and Photonics Innovation Centre (EPIC) building has created a need for additional high-specification "grow-on" space, as existing capacity was now full and limiting the natural progression of photonics businesses. The Tech Park would address this by enabling high-value companies to scale and remain within Torbay. At Brixham, the port is operating beyond its intended capacity, with limited

facilities to support processing and added value, resulting in much of the catch being exported elsewhere for processing. The development at Oxen Cove will provide modern employment space to support expansion, diversification, and the growth of a more sustainable and higher-value fisheries sector, helping to retain economic benefits locally and strengthen the Brixham brand.

**Alternative Options considered and rejected at the time of the decision**

Choosing not to proceed would result in Government funding being returned and the loss of potential investment in the local economy. A range of options for the building design and layout have been explored, with the preferred proposals identified and set out in Appendices 1 and 2 to the submitted report.

**Is this a Key Decision?**

No

**Does the call-in procedure apply?**

Yes

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

None.

**Published**

15 May 2026

Signed: \_\_\_\_\_ Date: \_\_\_\_\_  
Leader of Torbay Council on behalf of the Cabinet

## Record of Decisions

### Redevelopment of former Crossways Shopping Centre, Paignton for the Delivery of Extra Care Housing

#### Decision Taker

Cabinet on 12 May 2026

#### Decision

That Cabinet:

1. provide delegated authority to the Director of Finance, in consultation with the Director of Regeneration and Cabinet Member for Place Development and Economic Growth, to award an NEC-A Design & Build contract to Willmott Dixon Construction for the redevelopment of the site, which will allow the Design Development to continue up to construction and then proceed to construction, subject to Final Business Case approval and securing the necessary Homes England grant funding for delivery; and
2. note that the Final Business Case for the redevelopment of the former Crossways site will be presented to Cabinet for approval on 15 July 2026, which will include the full and final build cost and associated project costs and funding breakdown (including internal capital resources, external grant secured capital receipts).

That Cabinet recommend to the Adjourned Annual Council meeting on 14 May 2026:

1. to use the Council powers of Appropriation for the Crossways Site and adjacent highway land as attached at Appendix 2 to the submitted report, that is no longer required for the purpose for which it is currently held and is now required for planning purposes to enable the proposed redevelopment (Redevelopment of site for residential extra care dwellings including Day Centre (Use Class E(f)), comprising a building of up to six storeys with communal facilities and cafe, associated parking, infrastructure and landscaping);
2. authorise the Director of Regeneration to undertake all necessary steps to affect the appropriation of the Crossways site and adjacent land as identified in Appendix 2 to the submitted report for planning purposes, and delegate to Cabinet consideration of any objections and final confirmation of decision;
3. that the Capital Programme be uplifted to a maximum of £54.000m to deliver the project; and
4. that a maximum of £16.300m of prudential borrowing to deliver the project be approved, noting that this level of prudential borrowing is supported by rental income based on the 91 extra care units and long lease for the Day Care facility.

## **Reason for the Decision**

The proposed development is justified as a key component of the Council's long-term market transformation strategy to meet rising adult social care demand over the next 20 years. Evidence from service users show a strong preference for independent living with greater choice and control, which extra care housing enables while delaying or reducing reliance on higher-cost residential care and improving system efficiency. The Crossways scheme directly supports strategic priorities set out in the Adult Social Care Commissioning Blueprint, including promoting health and independence, strengthening community-based support, and delivering sustainable, modern services. It would also contribute significantly to the Council's target of delivering 200 additional extra care units by 2030 and fulfils commitments made under partnership arrangements to expand integrated care provision. Despite changes to NHS partnership structures, the need for additional extra care housing remains critical to achieving better outcomes and financial sustainability. In parallel, the proposal addresses increasing demand for specialist day services for adults with profound and multiple learning disabilities, replacing the existing Hollacombe facility which is no longer fit for purpose. The new purpose-built centre would expand capacity, enhance the quality of care and support, provide improved opportunities for independence and wellbeing, and ensure continued support and respite for carers, thereby meeting statutory duties and improving provision for some of the most vulnerable members of the community.

## **Implementation**

The Cabinet's decisions in 1 and 2 above will come into force and may be implemented on 26 May 2026 unless the call-in procedure is triggered (as set out in the Standing Orders in relation to Overview and Scrutiny). The Cabinet's recommendations to Council in 1 and 2 above will be considered at the adjourned annual Council meeting on 14 May 2026.

## **Information**

The Crossways site in Paignton was identified for redevelopment through a Compulsory Purchase Order approved in 2019, with an initial planning consent granted in 2021. However, that scheme became unviable due to post-COVID construction cost inflation, declining property values, and the introduction of the Building Safety Act 2022, which increased costs and complexity for taller buildings. A revised, deliverable scheme was therefore developed and approved in December 2025, comprising a six-storey, 91-unit extra care housing development alongside a purpose-built day care centre. This proposal responds to significant and worsening housing challenges in Torbay, including a shortage of affordable homes, reduced market delivery, high demand for social housing, and increasing need for specialist accommodation for an ageing population. The scheme would provide 100% affordable extra care housing, replace an outdated day care facility, and support vulnerable residents to live independently for longer. It also aligns with key strategic priorities, contributes to regeneration of Paignton town centre, and represents a major investment by the Council to address market failure, stimulate economic activity, and improve community wellbeing.

## **Alternative Options considered and rejected at the time of the decision**

The Council has been progressing plans to redevelop the Crossways site for extra care housing

since 2021, supported by a series of corporate and strategic decisions, including land acquisition and approval of a revised planning application in 2025. While this establishes a clear strategic direction, further decision points remain before committing to significant capital investment. At this stage, three options have been considered: to proceed with delivery of the approved scheme, to withdraw from the project, or to pause pending potential market improvements. Not progressing would reduce financial risk but forgo the opportunity to deliver much-needed housing, jeopardise grant funding, and risk reputational damage, while delaying offers no certainty of improved conditions and may increase costs or funding risks. On balance, it is recommended that the Council proceeds with the scheme to deliver new extra care housing and a replacement day care facility.

**Is this a Key Decision?**

Yes

**Does the call-in procedure apply?**

Yes in respect of the Cabinet's decisions in 1 and 2 above and no in respect of the Cabinet's recommendations to Council in 1 and 2 above.

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

None

**Published**

15 May 2026

Signed: \_\_\_\_\_ Date: \_\_\_\_\_  
Leader of Torbay Council on behalf of the Cabinet

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## Record of Decisions

### Torbay Joint Health and Wellbeing Strategy

#### Decision Taker

Cabinet on 12 May 2026

#### Decision

That Council be recommended to approve the 'Our Healthy Neighbourhoods' Torbay Joint Health and Wellbeing Strategy 2026 – 2030 as set out in the revised Appendix 1 supplement published on 11 May 2026, to the submitted report as a Policy Framework document of Torbay Council.

#### Reason for the Decision

The 'Our Healthy Neighbourhoods' Torbay Joint Health and Wellbeing Strategy 2026 – 2030 reflects the importance of the programme of work in helping to realise the Council's vision for Torbay, by supporting healthier lives, improved wellbeing and long-term prosperity.

#### Implementation

The decision above will be considered at the adjourned annual Council meeting on 14 May 2026.

#### Information

The 'Our Healthy Neighbourhoods' Torbay Joint Health and Wellbeing Strategy 2026 – 2030 was developed in line with the statutory duty on local authorities and the NHS to address needs and inequalities identified in the Joint Strategic Needs Assessment (JSNA) and to set shared priorities for action. It was developed collaboratively with Health and Wellbeing Board Members during 2025, agreed for consultation by the Board and approved by Cabinet in December 2025. The Strategy focuses on supporting integrated working across health, care and wider council functions, with a clear vision centred on healthy neighbourhoods and prevention in place.

#### Alternative Options considered and rejected at the time of the decision

There was no alternative option, as local authorities and the NHS are subject to a statutory joint duty, exercised through the Health and Wellbeing Board, to produce both a JSNA and a Joint Health and Wellbeing Strategy. This legal requirement necessitates the development and publication of the Strategy, meaning that not proceeding was not a viable option.

#### Is this a Key Decision?

Yes

#### Does the call-in procedure apply?

No

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

None

**Published**

14 May 2026

Signed: \_\_\_\_\_ Date: \_\_\_\_\_  
Leader of Torbay Council on behalf of the Cabinet

## Record of Decisions

### Gillard Road, Brixham – Public Path Creation Order

#### Decision Taker

Cabinet on 12 May 2026

#### Decision

That Cabinet recommend to the Adjourned Annual Council meeting on 14 May 2026:

1. that the Divisional Director for Place Strategy be requested to exercise his delegated powers to authorise the making of a Public Path Creation Order under Section 26 of the Highways Act 1980 in respect of the footpath at/off Gillard Road, Brixham shown edged red on the plan shown on Appendix 1, attached to the submitted report; and
2. that the Divisional Director for Place Strategy, in consultation with the Cabinet Member for Place Development and Economic Growth, be given delegated authority to confirm the Order if there are no objections or objections are withdrawn. In circumstances where there are objections, the Divisional Director for Place Strategy shall seek confirmation of the Order from the Secretary of State.

#### Reason for the Decision

The proposal supports the delivery of Torbay's vision for a healthy, happy, and prosperous community by safeguarding a safe, reliable, and accessible walking route for everyday use. Protecting this link strengthens neighbourhood connectivity, promotes active travel, and contributes to improved health outcomes and community participation, in line with the Community and People theme.

#### Implementation

The decisions above will be considered at the adjourned annual Council meeting on 14 May 2026.

#### Information

The walking route alongside and connecting from Gillard Road, Brixham is currently a permissive path, meaning public access is allowed at the discretion of the landowner and can be withdrawn at any time. Risk to the route emerged when the land, previously owned by Torbay Coast and Countryside Trust (TCCT), entered liquidation and was offered for sale, creating uncertainty over the future of public access.

While Torbay Council manages and maintains the Public Rights of Way (PROW) network recorded on the Definitive Map and Statement, permissive paths are not legally protected and fall outside the Council's statutory responsibilities. As a result, continued public access to this well-used and valued route cannot be guaranteed, particularly following changes in land ownership.

Without formal designation, there is a real risk that the community could lose a safe and important walking link relied upon by residents and visitors. Designating the route as a PROW would secure its long-term availability, provide legal protection, and ensure it can be properly maintained as part of the wider network.

### **Alternative Options considered and rejected at the time of the decision**

Continuing to rely on voluntary landowner permission would require no immediate legal or resource commitment and may preserve access in the short term. However, public access would remain unsecured and could be withdrawn at any time, particularly following the sale of the land, with a real risk of the route being lost.

Seeking a long-term permissive access agreement with new landowners would allow continued use without establishing a Public Right of Way (PROW) and would be less administratively complex. However, access would remain non-permanent, could still be withdrawn in future, and would carry no statutory maintenance obligation, potentially resulting in inconsistent path quality.

Alternatively, entering into a Public Path Agreement under Section 25 of the Highways Act 1980 would secure the route as a PROW through voluntary dedication. However, following the land sale, ownership is expected to be fragmented, making negotiations complex and potentially prolonged.

### **Is this a Key Decision?**

Yes

### **Does the call-in procedure apply?**

No

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

None

### **Published**

14 May 2026

Signed: \_\_\_\_\_ Date: \_\_\_\_\_  
Leader of Torbay Council on behalf of the Cabinet

## Record of Decisions

### **Lessons Learned from the Call-in of the Cabinet's Decision on the Implementation of the English Riviera Beach Standards**

#### **Decision Taker**

Cabinet on 12 May 2026

#### **Decision**

That the Cabinet's response to the Lessons Learned from the Call-in of the Cabinet's Decision on the Implementation of the English Riviera Beach Standards – Report of the Overview and Scrutiny Sub-Board be approved as published.

#### **Reason for the Decision**

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

#### **Implementation**

This decision will come into force and may be implemented on 26 May 2026 unless the call-in procedure is triggered (as set out in the Standing Orders in relation to Overview and Scrutiny).

#### **Information**

The Cabinet received the report of the Overview and Scrutiny Sub-Board on the Lessons Learned from the Call-in of the Cabinet's Decision on the Implementation of the English Riviera Beach Standards. In accordance with section D7 of Standing Orders in relation to Overview and Scrutiny as set out in the Constitution, the Cabinet was required to respond to the recommendations of the Overview and Scrutiny Sub-Board within two months. Subsequently the Cabinet prepared a response to the recommendations of the Overview and Scrutiny Sub-Board which was proposed by Councillor Billings and seconded by Councillor Jackie Thomas and agreed unanimously by the Cabinet, as set out above.

#### **Alternative Options considered and rejected at the time of the decision**

None.

#### **Is this a Key Decision?**

No.

#### **Does the call-in procedure apply?**

Yes

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

None.

**Published**

15 May 2026

Signed: \_\_\_\_\_ Date: \_\_\_\_\_  
Leader of Torbay Council on behalf of the Cabinet

## Record of Decisions

### Child Friendly Torbay Action Plan

#### Decision Taker

Cabinet on 12 May 2026

#### Decision

1. that the Cabinet approve the Child Friendly Torbay Action Plan as set out at Appendix 1 to the submitted report and endorses this as the framework for delivering Torbay's commitment to embedding children's rights in decision-making, and approve submission of the same to UNICEF, in order to receive their 'Certification of Commitment'; and
2. that Chief Executive be authorised to oversee implementation and governance arrangements for delivery of the Action Plan, including agreeing any minor amendments required to reflect the final UNICEF requirements, and to receive regular progress updates through established governance and scrutiny routes.

#### Reason for the Decision

To agree and endorse a sustainable, partnership-led Child Friendly Action Plan that supports the delivery of Torbay's vision for a healthy, happy and prosperous community by embedding a child rights-based approach across the Council and its partners. The Plan responds directly to extensive consultation with children and young people, reflecting their concerns about safety, access to mental health and healthcare services, and the need for clearer information and meaningful involvement in decision-making. It establishes clear priorities, outcomes, governance and accountability arrangements, alongside a monitoring framework to track progress and drive continuous improvement. Adoption of the Plan will strengthen participation, integrate child rights into policy and service design, and position Torbay to achieve UNICEF 'Certification of Commitment' by demonstrating a robust, evidence-led and deliverable programme of activity.

#### Implementation

The decision will come into force and may be implemented on 26 May 2026 unless the call-in procedure is triggered (as set out in the Standing Orders in relation to Overview and Scrutiny).

#### Information

Torbay Council has been part of UNICEF UK's Child Friendly Cities & Communities programme, working with partners to embed a child rights-based approach that ensures children and young people can influence and benefit from local decisions, services and spaces. This approach has been supported by strong partnership working and a cross-party commitment, alongside extensive engagement with children and young people which captured 1,860 voices and identified key priorities, including safety, access to mental health support, and meaningful involvement in decision-making. Following changes to UNICEF UK's programme,

the Council was now seeking endorsement of its proposed submission for a Certificate of Commitment, supported by an evidence-led Action Plan that sets out clear priorities, governance arrangements and participation mechanisms. The Plan has been designed in line with UNICEF's criteria to demonstrate a structured and deliverable approach to achieving sustained improvements for children and young people in Torbay, with ongoing monitoring, accountability and partner involvement.

**Alternative Options considered and rejected at the time of the decision**

None.

**Is this a Key Decision?**

No.

**Does the call-in procedure apply?**

Yes.

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

None

**Published**

15 May 2026

Signed: \_\_\_\_\_ Date: \_\_\_\_\_  
Leader of Torbay Council on behalf of the Cabinet

## Record of Decisions

### Transfer of Land, at various sites in Brixham, to Brixham Town Council

#### Decision Taker

Cabinet on 12 May 2026

#### Decision

1. that the Director of Finance be authorised to dispose of the Council's freehold interest in land at Churchill Memorial Gardens, Berry Head Road, Brixham, Brixham War Memorial, Berry Head Road, Brixham and Jubilee Gardens, Berry Head Road, Brixham to Brixham Town Council for £1, with each transfer including restrictive covenants on the future use of the land and financial clawback should any of the sites be sold for a higher value at a future point in time; and
2. that the Director of Finance be authorised to agree and finalise the detailed transfer terms based on estates and legal advice.

#### Reason for the Decision

The proposed disposal of the three identified assets to Brixham Town Council will reduce Torbay Council's economic and operational liabilities by removing associated ongoing operating costs. Brixham Town Council considers that the long-term stewardship of these assets is best managed locally, ensuring decisions reflect community priorities. Given the significant local value of each site, the transfer is expected to enhance accessibility, maintenance, and use for the benefit of residents and visitors to Brixham.

#### Implementation

The decision will come into force and may be implemented on 26 May 2026 unless the call-in procedure is triggered (as set out in the Standing Orders in relation to Overview and Scrutiny).

#### Information

In February 2026, Brixham Town Council requested the transfer of Churchill Memorial Gardens, Brixham War Memorial Garden, and Jubilee Gardens, citing the benefits of local stewardship aligned with community priorities. The request was assessed against financial, strategic, statutory, and best consideration criteria, and the sites were identified as surplus with limited redevelopment potential. Transferring the freehold will transfer ongoing liabilities to the Town Council, reducing Torbay Council's financial and operational responsibilities, while safeguarding the gardens' local heritage and community value.

#### Alternative Options considered and rejected at the time of the decision

The Council is not required to dispose of the assets and could retain ownership. However, continued Council ownership would require ongoing management and incur holding and maintenance costs. Disposal would remove this liability for Torbay Council and enable wider non-financial benefits through a strategic partnership with Brixham Town Council.

**Is this a Key Decision?**

No

**Does the call-in procedure apply?**

Yes

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

None.

**Published**

15 May 2026

Signed: \_\_\_\_\_ Date: \_\_\_\_\_  
Leader of Torbay Council on behalf of the Cabinet