

## **Minutes of the Cabinet**

**9 June 2026**

**-: Present :-**

Councillor David Thomas (Chair)

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

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

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### **1. Minutes**

The Minutes of the meeting of the Cabinet held on 12 May 2026 were confirmed as a correct record and signed by the Chair.

### **2. Disclosure of Interests**

No declarations of interest were made.

### **3. 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.

### **4. Disposal of Occombe Farm and Land laying North of Preston Down Road, Paignton**

### **5. Disposal of Land at Claylands (Phase 2), Paignton**

### **6. Budget Monitoring - Revenue and Capital Outturn 2025/26 Quarter 4**

### **7. Local Special Educational Needs and Disabilities (SEND) Reform Plan**

### **8. Torbay Youth Justice Plan 2026-27**

### **9. Tobacco and Vapes Framework 2026 - 2031**

### **10. Specialist Stop Smoking Service Procurement**

### **11. Social Mobility in Torbay - Report of the Overview and Scrutiny Board**



## Record of Decisions

### Disposal of Occombe Farm and Land lying North of Preston Down Road, Paignton

#### Decision Taker

Cabinet on 09 June 2026.

#### Decision

1. That, in accordance with Standing Order D11, in order for the site to be brought back into active use at the earliest opportunity, it is necessary for the decision to be implemented immediately. Greendale have indicated its intention to reopen and operate key elements of the site in time for the forthcoming summer season. Any delay arising from the call-in process would significantly prejudice this timescale and risk the loss of economic, tourism and community benefits associated with the summer period. In addition the site has been closed since December 2025 and is currently incurring ongoing holding, security and maintenance costs for the Council. Delaying implementation of the decision would prolong these financial liabilities and defer the receipt of a capital sum above market value, as well as postponing wider regeneration benefits.

Accordingly the Cabinet's decision is deemed to be urgent. Therefore, Cabinet determines that Call-in shall be waived as any delay likely to be caused by the call-in process would prejudice the public and the Council's interest. The Overview and Scrutiny Co-ordinator was consulted on 28 May 2026; and

2. that the Director of Finance in consultation with Cabinet Member for Place Development and Economic Growth be authorised to dispose of the Council's freehold interest of Occombe Farm and land lying north of Preston Down Road Paignton, (as set out in Appendix 1 to the submitted report), to Greendale SPV 1 Limited for a sum in excess of Market Value (as set out in exempt Appendix 2 to the submitted report) and agree and finalise the detailed transfer process and terms based on Estates and Legal advice, which will include overage provisions.

#### Reason for the Decision

The disposal of this asset to Greendale SPV 1 Limited will generate a significant capital receipt, above Market Value, enabling the Council to support priority medium-term projects.

The proposal will also support the growth of a Devon-based business, contributing to local employment and economic activity.

Disposal will reduce the Council's ongoing holding, maintenance, and liability costs associated with the site, including relieving SWISCo of the burden of maintaining farmland and a wooded area subject to Special Site of Scientific Interest (SSSI) designation.

Furthermore, it will bring forward development of a site that has remained closed since December 2025 following the demise of Torbay Coast and Countryside Trust (The Trust), ensuring the asset is returned to productive use.

## **Implementation**

The decision in respect of the disposal of Occombe Farm and Land laying North of Preston Down Road, Paignton will come into force immediately as the decision maker has decided that any delay likely to be caused by the call-in process would prejudice the public and the Council's interest. The Overview and Scrutiny Co-ordinator was consulted on 28 May 2026.

## **Information**

Torbay Council's Strategic Asset Management Plan sets out the Council's approach to the strategic management of its assets, how it would support service delivery, provide the Council with income and how it would fulfil its mission to support, enable and empower its residents, our communities and our partnerships, to promote growth and place shaping within Torbay.

The site was previously operated by The Trust under a long-term lease held from the Council. However, The Trust went into administration in December 2025, and the site was handed back to the Council. To keep the site secure, the Council had to deploy an on-site permanent external security firm throughout 2026, to protect the site whilst a long-term decision was made on the future use. The on-going holding costs of the vacant asset was and continued to be significant.

To facilitate the decision on future use and options for the site the Council's Asset Team obtained an independent valuation undertaken by Stags Professional Services, producing a Market Value. This valuation formed the basis for negotiation with Greendale, following their interest becoming known. Negotiations crystallised and resulted in the submission of an unconditional offer above Market Value.

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

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

SWISCo approached the Council with an interest in acquiring part of the site for use as a depot to support its fleet and operational activities within this area of Torbay. However, this proposal did not extend to the entirety of the site, leaving the Council with the need to dispose of the remaining land separately on a leasehold basis. Fragmenting the site in this way was likely to reduce its overall capital value and market attractiveness.

Retaining the asset in its vacant condition resulted in ongoing and potentially increasing holding costs and liabilities for the Council, without generating any income or wider benefit.

Marketing the site on the open market and inviting alternative offers, including speculative or conditional bids, was considered. However, this approach introduced a greater degree of risk, delay, and uncertainty in securing a disposal, with no guarantee of achieving a comparable outcome.

Retaining the freehold and marketing the site on a leasehold basis was also considered. While this option could have generated a revenue stream, it was considered unlikely that a single operator would take a lease of the site in its entirety. Any prospective tenant would also have been likely to require significant lease incentives from the Council. More likely, the site could have become multi-let, resulting in a management-intensive arrangement. Under this option,

the Council would have retained responsibility for ongoing holding costs, site management, boundary security, and the risks associated with vacant units, creating an additional and continuing financial burden.

**Is this a Key Decision?**

No

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

No

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

None

**Published**

12 June 2026

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

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## Record of Decisions

### Disposal of Land at Claylands (Phase 2), Paignton

#### Decision Taker

Cabinet on 09 June 2026.

#### Decision

1. that the Director of Finance in consultation with Cabinet Member for Place Development and Economic Growth be authorised to dispose of the Council's freehold interest in land at Claylands (Phase 2), Brixham Road, Paignton, as shown edged red in Appendix 1 to BTA for Market Value (as set out in exempt Appendix 2) to the submitted report; and
2. that the Director of Finance be authorised to agree and finalise the detailed transfer process and terms based on Estates and Legal advice, in consultation with the Cabinet Member for Place Development and Economic Growth.

#### Reason for the Decision

The disposal of the employment land to BTA would generate a capital receipt for the Council and provide a number of additional benefits. It supported the growth of a significant local business operating within Torbay's marine and fisheries sector and would enable BTA to develop new operational facilities. In addition, it would reduce the Council's ongoing holding and maintenance liabilities associated with the site and bring forward development on land that had remained undeveloped due to viability and infrastructure constraints.

The disposal would also unlock the Port Infrastructure Project, including the redevelopment of Oxen Cove, through the relocation of BTA from the site.

The land was a former inert waste quarry with a limited developable area, estimated at 1.8 hectares (4.45 acres). The independent valuation reflected the site's constraints, including its topography, the requirement for woodland retention, access limitations, and the need for significant enabling works.

#### Implementation

The decision will come into force and may be implemented on 22 June 2026 unless the call-in procedure is triggered (as set out in the Standing Orders in relation to Overview and Scrutiny).

#### Information

Torbay Council's Strategic Asset Management Plan sets out the Council's approach to the strategic management of its assets, how it will support service delivery, provide the Council with income and how it will fulfil its mission to support, enable and empower its residents, our communities and our partnerships, to promote growth and place shaping within Torbay.

The site had been marketed previously for employment led development. However, no viable proposals had been progressed due to site constraints and development costs.

The independent valuation undertaken by Vickery Holman produced a Market Value that reflected the limited net developable area, ground conditions, ecological constraints, and

infrastructure requirements. The land formed part of a wider employment allocation and had remained undeveloped for several years following development of the site adjacent. Disposal to BTA would support local economic activity and reduce the Council's ongoing holding costs and liabilities. Furthermore, disposal to BTA would facilitate their extraction from Oxen Cove, helping to unlock redevelopment of the area under the Port Infrastructure Project.

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

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

Retaining the asset would result in the Council continuing to incur holding costs and liabilities.

Leasehold disposal had been considered but rejected due to the constraints associated with the site.

Marketing the site and inviting other offers such as speculative or conditional offers would introduce risk, delay, and uncertainty. It would not facilitate the vacant possession strategy relating to Oxen Cove and may impact delivery of the Port Infrastructure Project.

BTA's unconditional offer provided certainty and aligned with the intended employment use and therefore, was the preferred option.

### **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**

12 June 2026

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

## Record of Decisions

### Budget Monitoring - Revenue and Capital Outturn 2025/26 Quarter 4

#### Decision Taker

Cabinet on 09 June 2026.

#### Decision

That Cabinet recommends to Council:

- 1) that the revenue outturn position be noted;
- 2) that the transfer of the £0.174m year-end surplus into a specific reserve to be allocated across priority initiatives, to be determined by the Cabinet, with consideration given to areas identified through the 2026/27 budget setting consultation responses and December 2025 resident's survey results, be approved; and
- 3) that the revisions to the Capital Investment Plan, as set out in Appendix 1 to the submitted report be approved.

#### Reason for the Decision

To ensure the Council operates in a prudent manner and works to maintain a balanced budget.

#### Implementation

The recommendation of the Cabinet will be considered at the Council meeting on 23 July 2026.

#### Information

The Budget Monitoring Revenue and Capital Outturn 2025/26 report set out a high-level budget summary of the Council's revenue and capital position for the financial year 2025/26. The year end outturn figures were based on spend and financial information at the end of the financial year, with variances against the approved budget.

The Council had delivered a year end underspend of £0.174m against its revenue budget, an improvement of £0.873m on the position projected at quarter 3. The Overview and Scrutiny Board considered the report on 3 June 2026 and made recommendations to the Cabinet. The Cabinet's response to these recommendations was circulated prior to the Cabinet meeting.

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

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

There were no alternative options considered.

#### Is this a Key Decision?

No

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

No

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

None

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12 June 2026

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Leader of Torbay Council on behalf of the Cabinet

## Record of Decisions

### Local Special Educational Needs and Disabilities (SEND) Reform Plan

#### Decision Taker

Cabinet on 09 June 2026.

#### Decision

1. that the SEND Reform Plan set out at Appendix 3 be approved and delegated authority be given to the Director of Children's Services to implement the Plan, including the high needs stability grant, once approval for the Plan is gained from the Department for Education;
2. that the requirements and expectations of the Local Area SEND Reform Plan guidance be noted;
3. that the development of a Local SEND Reform Plan in line with national guidance and system partnership expectations be endorsed;
4. that the submission of the Local SEND Reform Plan to the Department for Education (DfE) and NHS England by 19 June 2026 be approved; and
5. that the Director of Children's Services, in consultation with the Cabinet Member for Children's Services, be given delegated authority to finalise the Plan prior to submission to the DfE and the NHS.

#### Reason for the Decision

All Local Area Partnerships had been formally commissioned by Government to produce a Local SEND Reform Plan, setting out how they would deliver systemic improvement and respond to national SEND reform expectations.

Whilst delivering systemic improvements the Plan would also provide benefits for Torbay's residents such as earlier identification and support, reducing escalation of needs and crisis intervention, more inclusive mainstream provision, enabling more children to be supported locally, improved joined up working across education, health, and care services, greater clarity and consistency in support available to families; and strengthened accountability and oversight, ensuring ongoing improvement and transparency.

#### Implementation

The decision will come into force and may be implemented on 22 June 2026 unless the call-in procedure is triggered (as set out in the Standing Orders in relation to Overview and Scrutiny).

#### Information

On 9 March 2026, the Government wrote to local authorities formally commissioning the development and implementation of Local SEND Reform Plan. The expectation was for the Plan to clearly set out the actions that Torbay would take to drive system reform locally.

The Local SEND Reform Plan was a nationally mandated requirement forming part of a wider programme to reform the SEND system across England. The guidance sets out how local area

partnerships, led by the local authority as system convener, must work collaboratively with Integrated Care Boards, schools, trusts, and other stakeholders to design and deliver a comprehensive improvement plan.

The Plan has been co-written by the SEND Local Area Partnership, including schools and settings, and influenced by the input of children, young people with SEND and their families through engagement and co-design sessions. The Plan also incorporates Torbay's Priority Impact Plan, which was the improvement plan in response to the Torbay's 2025 SEND Local Area Inspection.

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

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

There were no alternative options were considered, as the development and submission of a Local SEND Reform Plan was a statutory requirement set by the Department for Education for all local authorities and their partners.

**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**

12 June 2026

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Leader of Torbay Council on behalf of the Cabinet

## Record of Decisions

### Torbay Youth Justice Plan 2026-27

#### Decision Taker

Cabinet on 09 June 2026.

#### Decision

That the Torbay Youth Justice Plan 2026-27 be approved and forwarded to the Youth Justice Board.

#### Reason for the Decision

The Council had a legal duty to produce and approve the Youth Justice Plan under Section 40 of the Crime and Disorder Act 1998. Furthermore, approval of the Plan was necessary to secure funding from the Youth Justice Board and other statutory partners.

#### Implementation

This decision will come into force and may be implemented on 22 June 2026 unless the call-in procedure is triggered (as set out in the Standing Orders in relation to Overview and Scrutiny).

#### Information

Torbay Council was required under the Crime and Disorder Act 1998 to approve and submit an annual Youth Justice Plan to the Youth Justice Board. The Plan had been developed in consultation with partner agencies, staff, service users, and reviewed by the Children and Young People's Overview and Scrutiny Sub-Board.

The Plan followed the national Youth Justice Board's guidance on the production and contents of the Youth Justice Plans and outlined how youth justice services were to be delivered and funded in Torbay, with a focus on:

- preventing children from offending;
- reducing reoffending; and
- preventing children from entering custody.

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

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

No other options were considered.

#### Is this a Key Decision?

No

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

Yes

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

None

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Leader of Torbay Council on behalf of the Cabinet

## Record of Decisions

### Tobacco and Vapes Framework 2026 - 2031

#### Decision Taker

Cabinet on 09 June 2026.

#### Decision

That the Tobacco and Vapes Framework 2026 – 2031 be approved.

#### Reason for the Decision

The framework would provide a clear, coordinated strategic direction across the Council and partner organisations to reduce smoking prevalence and associated harms. Adopting the framework would support improved public health outcomes by reducing exposure to second-hand smoke, addressing health inequalities, and contributing to improved life expectancy. The framework would also enable the commissioning and delivery of targeted support services for both adults and young people, align local action with national policy including the Smokefree 2030 ambition and forthcoming Tobacco and Vapes legislation, and help address issues such as illegal tobacco trade and environmental impacts from smoking and vaping waste.

#### Implementation

The decision will come into force and may be implemented on 22 June 2026 unless the call-in procedure is triggered (as set out in the Standing Orders in relation to Overview and Scrutiny).

#### Information

The Tobacco and Vapes Framework 2026–2031, sets out the strategic approach to reducing smoking and vaping-related harms in Torbay. The framework was developed in response to the UK Government's ambition to achieve a smokefree population (less than 5% smoking prevalence) by 2030 and aimed to coordinate local action to support this objective. The framework identified five priority areas: preventing youth uptake of vaping, supporting adults to quit smoking and long-term vaping, creating smoke-free and vape-free environments, strengthening tobacco control, and monitoring emerging harms.

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

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

The alternative option was to not adopt the framework. This option was discounted as it would risk a lack of coordination across services and partners, potentially slowing progress towards achieving smokefree ambitions and reducing opportunities to address smoking and vaping harms effectively.

#### 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**

12 June 2026

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

## Record of Decisions

### Specialist Stop Smoking Service Procurement

#### Decision Taker

Cabinet on 09 June 2026.

#### Decision

1. that the Director of Public Health in consultation with the Cabinet Member for Adult and Community Services, Public Health and Inequalities be given delegated authority to award the contract to the selected provider as a result of a compliant procurement process; and
2. that this decision will be on the basis that through the procurement procedure none of the specification, the budget nor the procurement processes proposed are materially different from what is outlined in the submitted report. If any of these do change materially, an updated report will be submitted for reconsideration before the Director of Public Health awards the contract.

#### Reason for the Decision

A new procurement would enable expansion and modernisation of the service, including the introduction of digital and self-management support, improved behavioural interventions, and targeted communications to increase engagement. The approach supported the Council's public health objectives, including reducing smoking prevalence, addressing health inequalities, and contributing to the Smokefree 2030 ambition. It also ensured compliance with ring-fenced public health grant conditions, including requirements to maintain investment in smoking services and achieve specified quit targets.

#### Implementation

The decision will come into force and may be implemented on 22 June 2026 unless the call-in procedure is triggered (as set out in the Standing Orders in relation to Overview and Scrutiny).

#### Information

Public Health receives core funding as part of the ring-fenced grant to deliver smoking services and tobacco control activities. From 2026-27 it will also receive as part of the core public health ring fenced grant, a separate allocation, also ring-fenced, from the Department for Health and Social Care to further increase support for smokers to quit.

The current specialist stop smoking service was commissioned as part of the integrated Healthy Behaviours Service (Your Health Torbay) delivered by ABL Health. The current contract ends on 31 March 2027 with no further contract extensions available. Therefore, an open market procurement is required to select a provider who can deliver the updated requirements and to ensure value for money.

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

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

Three options had been considered. The option to recommission the service using the existing specification and budget was discounted as it would not enable modernisation or meet the increased activity required through additional funding. The option to commission a combined children's and adult service was also rejected due to a lack of suitable providers and differing service needs between population groups. The preferred option, was to procure an adult-only specialist stop smoking service with an updated specification and budget to allow for expansion, innovation and improved outcomes.

### **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**

12 June 2026

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Leader of Torbay Council on behalf of the Cabinet

## Record of Decisions

### Social Mobility in Torbay - Report of the Overview and Scrutiny Board

#### Decision Taker

Cabinet on 09 June 2026.

#### Decision

That the Cabinet's response to the Social Mobility in Torbay - Report of the Overview and Scrutiny Board be approved as published.

#### Reason for the Decision

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

#### Implementation

This decision will come into force and may be implemented on 22 June 2026 unless the call-in procedure is triggered (as set out in the Standing Orders in relation to Overview and Scrutiny).

#### Information

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

12 June 2026

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Leader of Torbay Council on behalf of the Cabinet