

**Meeting:** Cabinet

**Date:** 18 November 2025

**Wards affected:** Tormohun

**Report Title:** Compulsory Purchase Orders Delegation Union Square and The Strand

**When does the decision need to be implemented?** ASAP

**Cabinet Member Contact Details:** Deputy Leader of Torbay Council Cabinet Member for Place Development and Economic Growth, [chris.lewis@torbay.gov.uk](mailto:chris.lewis@torbay.gov.uk)

**Director Contact Details:** David Carter, Director of Regeneration, [david.carter@torbay.gov.uk](mailto:david.carter@torbay.gov.uk)

## 1. Purpose of Report

---

- 1.1. At the Council meeting held on 5 December 2024, the Council approved the recommendations of the Cabinet to acquire land at Union Square and The Strand through negotiations and if the negotiations were unsuccessful in reaching an agreement, in principle, to secure the land by means of Compulsory Purchase Orders (CPO). Whilst the intention of the proposal was clear, the inclusion of 'in principle' could present a risk to the Council. This report therefore seeks to confirm agreement of the CPOs for the two areas as originally intended, to enable redevelopment of the areas as part of the land assembly proposals.

## 2. Reason for Proposal and its benefits

---

- 2.1. The proposals in this report help us to deliver our vision of a healthy, happy, and prosperous Torbay by securing redevelopment of Torquay Town Centre and The Strand.
- 2.2. The reasons for the proposal and need for the decision, is to mitigate risk of the Council's decision to proceed with CPOs for land at Union Square and The Strand, should the land fail to be secured through negotiations.

## 3. Recommendation(s) / Proposed Decision

---

### Union Square Land Assembly:

- 3.1. that delegated authority be given to the Chief Executive to continue negotiations with the owners of the various properties fronting Union Street and Market Street, Torquay, and their tenants, as edged red in Appendix 1 to the submitted report, and any other land, interests or rights subsequently required, in consultation with the Cabinet Member for Place

Development and Economic Growth and Section 151 Officer on any Heads of Terms to enable the redevelopment and regeneration of Union Square shopping centre;

- 3.2. that, having taken into account the options to acquire the various properties fronting Union Street and Market Street, Torquay, in the event that the land is not secured by negotiations the making of the Compulsory Purchase Order (CPO) for the site be approved under section 226(1)(a) of the Town and Country Planning Act 1990 and section 13 of the Local Government (Miscellaneous Provisions) Act 1976, as outlined below, for land (as shown edged in red at Appendix 1 to the submitted report) and any other land, interests or rights subsequently required to deliver the redevelopment, the Chief Executive be given delegated authority to give effect to this decision, including:
- (a) the taking of all necessary steps required to secure the making of the CPO and for the subsequent confirmation and implementation of the CPO, including the publication and service of all notices, statement of reasons and presentation of the Council's case at public inquiry, if necessary, to secure confirmation of the CPO by the Secretary of State;
  - (b) to carry out any surveys on the Order Land and enter as may be required to deliver the proposed development by CPO(s) which the Council is authorised to carry out either by consent of the relevant landowner or under section 172 to 179 of the Housing and Planning Act 2016;
  - (c) to enter into agreement(s) with any person or body to secure the withdrawal of objections to the CPO(s) and/or to negotiate and agree terms for the acquisition by agreement of any land, interests or rights as may be required for the scheme; and
  - (d) to pay all necessary compensation either as agreed or as determined by the Lands Chamber of the Upper Tribunal in relation to the acquisition of land and other interests or for the overriding or acquisition of rights.

#### **Strand Redevelopment – Land Assembly:**

- 3.3. that delegated authority be given to the Director of Regeneration to continue negotiations with the owners of the various properties previously noted fronting The Strand and The Terrace, Torquay and their tenants as edged red in Appendix 2 to the submitted report, and any other land, interests or rights subsequently required in consultation with the Cabinet Member for Place Development and Economic Growth and Section 151 Officer on any Heads of Terms to enable the redevelopment and regeneration of The Strand and The Terrace;
- 3.4. that, having taken into account the options to acquire the various properties fronting The Strand and The Terrace, Torquay, in the event that the land is not secured by negotiations the making of the Compulsory Purchase Order (CPO) for the site be approved under section 226(1)(a) of the Town and Country Planning Act 1990 and section 13 of the Local Government (Miscellaneous Provisions) Act 1976 , as outlined below, for land (as shown edged in red at Appendix 2 to the submitted report) and any other land, interests or rights subsequently required to deliver the redevelopment. The Director of Regeneration, in consultation with the Cabinet Member for Place Development and Economic Growth, be given delegated authority to give effect to this decision, including:

- (a) the taking of all necessary steps required to secure the making of the CPO and for the subsequent confirmation and implementation of the CPO including the publication and service of all notices, statement of reasons and presentation of the Council's case at public inquiry, if necessary, to secure confirmation of the CPO by the Secretary of State;
- (b) to carry out any surveys on the Order Land and enter as may be required to deliver the proposed development by CPO(s) which the Council is authorised to carry out either by consent of the relevant landowner or under section 172 to 179 of the Housing and Planning Act 2016;
- (c) to enter into agreement(s) with any person or body to secure the withdrawal of objections to the CPO(s) and/or to negotiate and agree terms for the acquisition by agreement of any land, interests or rights as may be required for the scheme; and
- (d) to pay all necessary compensation either as agreed or as determined by the Lands Chamber of the Upper Tribunal in relation to the acquisition of land and other interests or for the overriding or acquisition of rights.

## 4. Appendices

---

Appendix 1: Plan of the extent of the development site at Union Square

Appendix 2: Plan of the extent of the development site at The Strand

Appendix 3: Updated Equality Impact Assessment land at Union Square

## 5. Background Documents

---

- Minutes of Meeting of Council 5 December 2024 - [Minutes Template](#)
- Agenda and reports for Council 5 December 2024 - [Agenda for Council on Thursday, 5 December 2024, 5.30 pm](#)

## Supporting Information

## 6. Introduction

---

- 6.1. At the Council meeting held on 5 December 2024, the Council approved the recommendations of the Cabinet to acquire land at Union Square and The Strand through negotiations and if the negotiations were unsuccessful in reaching an agreement, in principle, to secure the land by means of Compulsory Purchase Orders (CPO). Whilst the intention of the proposal was clear the inclusion of 'in principle' could present a risk to the Council. This report therefore seeks to confirm agreement of the CPOs for the two areas as originally intended to enable redevelopment of the areas as part of the land assembly proposals.
- 6.2. The full details of the original proposals can be found at [Agenda for Council on Thursday, 5 December 2024, 5.30 pm](#).

## 7. Options under consideration

---

- 7.1. Option 1 – to confirm agreement of the CPOs for land at Union Square and The Strand – this is the preferred option as it mitigates the risk of a potential challenge to the decision to CPO the land.
- 7.2. Option 2 – not to agreement of the CPOs for land at Union Square and The Strand – this is not recommended as there could present a potential risk to the Council of challenge to the decision to CPO the land.

## 8. Financial Opportunities and Implications

---

- 8.1. The financial delegation has already been approved by the Council on 5 December 2025 therefore there are no financial implications for this decision.

## 9. Legal Implications

---

- 9.1. The Council's Constitution sets out that decisions on Compulsory Purchase Orders are an Executive Decision and therefore for the Cabinet to make, with Council being required to make any financial decisions outside the approved budget. Budget was approved by Council on the 5 December 2024.

## 10. Engagement and Consultation

---

- 10.1. The prescribed process for CPO requires extensive formal and informal consultation to be undertaken and documented with affected parties and stakeholders.
- 10.2. If we proceed with a CPO, it will require full details of correspondence and consultation.

## 11. Procurement Implications

---

- 11.1. There is no specific procurement activity required in a CPO process.

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

---

- 12.1. If the CPO is required, the CPO process will require the Council to demonstrate that the implementation of the scheme following confirmation of the CPO is unlikely to be blocked by any physical or legal impediments. This includes the need for planning permission. Accordingly, the Council will need to have in place a clear strategy for securing planning permission for the scheme in tandem with the CPO process. The planning process will take into consideration all extant and emerging Council Policies associated with the proposed development and report on them.

## 13. Associated Risks

---

- 13.1. The CPO process is well defined but complex and therefore the procedural risks are moderate. However, as property rights are impacted, affected landowners and occupiers will be entitled to claim compensation under the Compensation Code. Provision has been made in the project budget for the likely costs of compensation.

13.2. The risk of not making a decision would be to prolong the development process and creates a risk on the Council's ability to deliver the schemes.

## 14. Equality Impact Assessment

---

The original Equality Impact Assessments can be found at [Agenda for Council on Thursday, 5 December 2024, 5.30 pm](#). An updated Equality Impact Assessment on the land at Union Square is attached at Appendix 3 to this report.