

Minutes of the Adjourned Annual Council (Council decisions shown in bold text)

14 May 2026

-: Present :-

**The Worshipful The Mayor of Torbay (Councillor Foster) (In the Chair)
Deputy Civic Mayor of Torbay (Councillor Fellows)**

Councillors Amil, Billings, Brook, Bryant, Bye, Carter, Cowell, Mandy Darling, Fox, Harvey, Johns, Law, Barbara Lewis, Chris Lewis, Long, Maddison, Penny, Pentney, Spacagna, Stevens, Strang, David Thomas, Jacqueline Thomas, Tolchard, Tranter and Tyerman

7 Apologies for absence

Apologies for absence were received from Councillors Atiya-Alla, George Darling, Steve Darling, Douglas-Dunbar, Hutchings, Nicolaou, Twelves and Virdee.

8 Declarations of interests

No declarations of interest were made.

9 Minutes

The Worshipful The Mayor of Torbay proposed and Councillor Fellows seconded a motion, which was agreed (unanimously) by the Council as set out below:

**that the Minutes of the meeting of the Council held on 26 February 2026
be confirmed as a correct record and signed by The Worshipful The
Mayor of Torbay.**

10 Communications

The Worshipful The Mayor of Torbay welcomed local athletes to the meeting who were representing the Torbay on the Move Believe to Achieve Programme. Members noted the programme had supported over 37 athletes to progress to county, regional, national and international competition levels. On behalf of the Council, The Worshipful The Mayor of Torbay congratulated the excellent achievements and celebrated the exceptional sporting talent within Torbay.

The Chief Executive led a minute's silence for Su Rumford, a former member of staff, and Mike James, a former Councillor, who had sadly passed away.

11 Appointment of Overview and Scrutiny Co-ordinator and Scrutiny Lead Members

The Council was requested to consider the appointment of the Overview and Scrutiny Co-ordinator and the appointment of Scrutiny Lead Members for the 2026/2027 Municipal Year.

Councillor David Thomas proposed and Councillor Long seconded a motion which was agreed (unanimously) as set out below:

- 1. that Councillor Long be appointed as the Overview and Scrutiny Co-ordinator for the 2026/2027 Municipal Year; and**
- 2. that the following Councillors be appointed as the Overview and Scrutiny Leads for the 2026/2027 Municipal Year:**
 - Councillor Law - Overview and Scrutiny Lead for Children's Services;**
 - Councillor Johns - Overview and Scrutiny Lead for Adults, Community Services, Public Health and Inequalities;**
 - Councillor Douglas-Dunbar - Overview and Scrutiny Lead for Place Development, Economic Growth and Culture; and**
 - Councillor Cowell - Overview and Scrutiny Lead for Housing, Finance, Corporate and Place Based Services.**

12 Appointments to Council Committees, Working Parties and Appointment of Committee Chairs and Vice-Chairs for 2026/2027

The Council considered the submitted report on the annual appointment of Council Committees, Working Parties, Chairs and Vice-Chairs and the allocation of seats in accordance with political balance. A revised Appendix 3 (which included Group Leaders nominations) was circulated prior to the meeting.

Councillor David Thomas proposed and Councillor Long seconded a motion which was agreed (unanimously) as set out below:

- 1. that the overall political balance of the Committees as set out at Appendix 1 attached to the submitted report be approved;**
- 2. that, in accordance with the Local Protocol for Working Parties, the overall political balance of Working Parties as set out in Appendix 2 attached to the submitted report be approved;**
- 3. that, the Terms of Reference and membership for the Council's Committee's and Working Parties be approved as set out in Appendix 3 attached to the submitted report;**

4. that nominations from Group Leaders be received to fill the seats on the Committees;
5. that the Chair and Vice-Chair of those Committee's be approved as set out in Appendix 4 attached to the submitted report;
6. that, a Sub-Committee of both the Statutory Licensing Committee and Regulatory Committee be established both to comprise three Members of the relevant Statutory Licensing Committee or Regulatory Committee;
7. that both the Statutory Licensing Sub-Committee and Regulatory Sub-Committee be exempted from the rules of Committee proportionality as defined in the Local Government and Housing Act 1989 and supporting regulations; and
8. that the Head of Governance Support be authorised to empanel Members from the Statutory Licensing Committee and Regulatory Committee to serve on the Statutory Licensing Sub-Committee and Regulatory Sub-Committee as and when required.

Following the vote, the nominations for Members to serve on each Committee and other bodies were confirmed by the Leaders of the Conservative, Independent and Liberal Democrat Groups, as set out in revised Appendix 3 to the submitted report and circulated on 8 May 2026.

13 Composition and Constitution of the Cabinet and Record of Delegations of Executive Functions

Members noted the submitted report on the above, which provided details of the portfolios of the Cabinet Members and delegation arrangements of executive functions, as appointed by the Leader of the Council.

14 Members' Questions

Members received a paper detailing questions, notice of which had been given in accordance with Standing Order A12. The paper also contained the answers to the questions which had been prepared by Councillors Brook, Billings, Bye, Chris Lewis, Jacqueline Thomas, Tranter and Tyerman, and was circulated prior to the meeting.

The Worshipful The Mayor of Torbay advised that she had accepted two urgent questions from Councillors Long and Pentney, and in accordance with Standing Order A12.2(ii). The Worshipful The Mayor of Torbay also advised that Councillor Long's question relating to the Government grant for land at Edginswell had been withdrawn by Councillor Long in order to accommodate his urgent question.

Within the 30-minute timeframe allowed, responses were given to supplementary questions where asked and arising from the original responses. Questions

submitted by Councillors Atiya-Alla, Steve Darling and Virdee were presented by Councillor Long in their absence.

15 Notice of Motion - Objection to current Policy Framework - Corporate Asset Management Plan

Members considered a motion in relation to an objection to the current Corporate Asset Management Plan, notice of which was given in accordance with Standing Order A13. In accordance with Standing Order A13.2 (c), the motion was dealt with by this meeting.

Councillor Cowell proposed and Councillor Long seconded the motion, as set out below:

that the Council formally objects to the current Corporate Asset Management Plan on the basis that the Plan should state any disposals or leases shall not be contrary to the adopted Local Plan or Neighbourhood Plans.

In accordance with the Constitution at F4.9, the Council therefore requires the Cabinet to consider this objection at its meeting on 9 June 2026 and either:

- a) submit a revision of the Corporate Asset Management Plan with the reasons for any amendments to the Council for its consideration; or
- b) inform the Council of any disagreement that the Cabinet has with any of the Council's objections and the Cabinet's reasons for any such disagreement.

The motion was put the vote and declared lost.

16 Redevelopment of former Crossways Shopping Centre, Paignton for the delivery of Extra Care Housing

The Council considered the recommendations of the Cabinet (as set out in the submitted report) on the use of Appropriation powers and an uplift to the Capital Programme in order to progress development of the Crossways site in Paignton. Members noted the proposal responded to housing challenges in Torbay and increasing need for specialist accommodation for an ageing population by providing 100% affordable extra care housing, replacement of an outdated day care facility, and support to vulnerable residents to live independently.

Councillor Chris Lewis proposed and Councillor Tranter seconded a motion which was agreed (unanimously) as set out below:

1. **that the Council use the Council powers of Appropriation for the Crossways Site and adjacent highway land, as set out 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. that the Director of Regeneration be authorised 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 £54.000 million to deliver the project; and
4. that a maximum of £16.300 million 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.

17 Gillard Road, Brixham - Public Path Creation Order

The Council considered the recommendations of the Cabinet (as set out in the submitted report) for the making of a Public Path Creation Order in respect of the footpath at Gillard Road, Brixham. It was noted the walking route alongside and connecting Gillard Road, Brixham, was currently a permissive path, meaning public access was allowed at the discretion of the landowner and could be withdrawn at any time. Following changes in land ownership, continued public access to this route could not be guaranteed without formal designation as a Public Right of Way.

Councillor Chris Lewis proposed and Councillor Tolchard seconded a motion which was agreed (unanimously) as set out below:

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.

18 Torbay Joint Health and Wellbeing Strategy: post consultation report

The Council considered the proposed 'Our Healthy Neighbourhoods' Torbay Joint Health and Wellbeing Strategy 2026-2030, as recommended by the Cabinet and set out in the submitted report. Members noted the Strategy, developed collaboratively with the Health and Wellbeing Board, focused on supporting integrated working across health, care, the voluntary and community sector, and wider council functions, with a vision centred on healthy neighbourhoods and prevention in place.

Councillor Tranter proposed and Councillor David Thomas seconded a motion, which was agreed (unanimously) by the Council as set out below:

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

19 Code of Corporate Governance (Constitution Amendment)

The Council considered the submitted report on proposed changes to the Council's Constitution in respect of a revised Code of Corporate Governance. Members noted the Code had been reviewed and updated having regard to the core principles of good governance highlighted by the Chartered Institute of Public Finance and Accountability (CIPFA) guidance Delivering Good Governance in Local Government Framework.

Councillor Jacqueline Thomas proposed and Councillor Long seconded a motion, which was agreed (unanimously) by the Council as set out below:

that the Code of Corporate Governance, set out at Appendix 1 to the submitted report, be approved and that the Constitution be updated accordingly.

20 Overview and Scrutiny Annual Report 2025/2026

The Council received and noted the Overview and Scrutiny Annual Report for 2025/2026, as presented by the Overview and Scrutiny Co-ordinator, Councillor Long.

21 Audit Committee Annual Report 2025/2026

The Council received and noted the Audit Committee Annual Report for 2025/2026, as presented by the Chair of the Audit Committee, Councillor Penny.

22 Urgent Council Decision taken by the Chief Executive

Members noted the submitted report, which provided details of an urgent decision taken by the Chief Executive in respect of a lease and prudential borrowing for the

Royal Devon University Healthcare NHS Foundation Trust to occupy Gadeon House, Exeter.

23 Standing Order D11 (in relation to Overview and Scrutiny) - Call-in and Urgency

Members noted the submitted report setting out a decision taken by the Cabinet (namely disposal of Land at Edginswell, Orchard Way, Torquay) to which the call-in procedure did not apply.

The Worshipful The Mayor of Torbay

This page is intentionally left blank