

## 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