

**Meeting:** Cabinet

**Date:** 18 November 2025

**Wards affected:** St Marychurch

**Report Title:** Nomination to list Plainmoor football stadium as an Asset of Community Value

**When does the decision need to be implemented?** As soon as possible

**Cabinet Member Contact Details:** Councillor Jacqueline Thomas – Cabinet Member for Tourism, Culture and Events and Corporate Services and Chairwoman of Standards Committee

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## 1. Purpose of Report

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- 1.1. The Council has received a nomination to re-list Plainmoor Football Stadium as an Asset of Community Value for a further five-year period. The stadium is currently included on the Council's register of successful nominations; however, the existing listing expired on 31 March 2025.
- 1.2. The purpose of this report is to inform members as to whether the asset continues to meet the statutory criteria set out in the Localism Act 2011 and the Assets of Community Value (England) Regulations 2012. The nomination has been reviewed by Officers, who recommend that the application be approved.

## 2. Reason for Proposal and its benefits

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- 2.1. The proposals in this report help us to deliver our vision of a healthy, happy, and prosperous Torbay by safeguarding a valued community facility that contributes to local wellbeing, social cohesion, and economic activity.
- 2.2. The reasons for the proposal, and need for the decision are:
  - **Supporting Community and People:** Plainmoor Stadium plays a vital role in bringing people together across Torbay. It is a focal point for local pride, sporting achievement, and community engagement. Re-listing the stadium as an Asset of Community Value (ACV) reinforces our commitment to celebrating success and ensuring residents feel connected to their community.
  - **Enhancing Pride in Place:** The stadium contributes to the identity and vibrancy of Torquay. Protecting its status helps maintain the character of the town and supports our ambition to invest in places that matter to local people.

- **Driving Economic Growth:** As the home of Torquay United FC, Plainmoor attracts visitors and generates footfall that benefits nearby businesses. Its continued operation supports local employment and contributes to the wider visitor economy, aligning with our goal to grow Torbay’s economic specialisms.
- **Putting Residents at the Heart:** The nomination reflects strong public support and demonstrates that residents value the stadium as a community asset. This decision responds directly to their views and prioritises their interests.
- **Evidence-Based Decision Making:** Officers have assessed the nomination against the statutory criteria under the Localism Act 2011 and found it meets the requirements for re-listing.
- **Making the Most of Our Assets:** Plainmoor is a significant local facility with social, cultural, and economic value. Retaining its ACV status ensures that its potential continues to be recognised and protected.
- **Working Together:** The nomination process reflects collaboration between the Council and the community. Approving the listing supports ongoing partnership working to preserve valued local spaces.
- **An Efficient and Enabling Council:** By proactively managing our ACV register, we demonstrate good governance and responsiveness to community needs.
- **Maintaining Financial Grip:** While the ACV designation does not impose direct financial obligations, it helps safeguard community assets that contribute to local wellbeing and economic resilience, reducing potential future costs associated with loss of such facilities.

### 3. Recommendation(s) / Proposed Decision

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It is recommended that Plainmoor Football Stadium be re-listed on the Council’s Register of Assets of Community Value for a further five-year period, commencing from 15 September 2025.

### 4. Appendices

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**Appendix 1:** Application by Torquay United Supporters Society Limited received 15 September 2025.

### 5. Background Documents

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- Torbay Council Assets of Community Value policy  
[Assets of community value - Torbay Council](#)

## Supporting Information

### 6. Introduction

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- 6.1 Plainmoor football stadium has previously been listed as an Asset of Community Value; however, that listing expired on 31 March 2025. Under the Localism Act 2011, an asset remains on the register for a period of five years, after which a new nomination may be submitted if the asset continues to meet the statutory criteria.

Plainmoor was successfully nominated in 2015 and again in 2020. A further nomination has now been received in 2025, seeking to renew its listing for another five-year term to 2030.

The Council is the freehold owner of the stadium which is let to Torquay United Association Football Club plc under a long lease to 31 January 2081.

A community asset is defined under Section 88 of the Localism Act 2011 as land or property that is considered to have social value to the local community. An asset will be deemed to meet the criteria if, in the opinion of the Council:

- There is a current non-ancillary use of the building or land that furthers the social wellbeing or social interests of the local community; and
- It is realistic to believe that such a use could continue in the next five years, whether in the same form or in another way that furthers social wellbeing or interests.

In the case of Plainmoor, the circumstances surrounding the asset remain unchanged. The stadium continues to be actively used by Torquay United Football Club and serves as a hub for community engagement.

Notably, attendance figures have increased in recent years, further demonstrating its ongoing relevance and value to the local community.

Having received a valid application, the only alternative to approval would be to refuse the nomination. However, it is well established that sports grounds, even when operated as private commercial ventures, can be listed as Assets of Community Value under the Localism Act 2011. This reflects their wider social and cultural significance to the communities they serve. In light of this precedent and the continued community use of Plainmoor Stadium, refusal is not considered appropriate.

## 7. Options under consideration

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- 7.1. Option 1 - Approve the nomination and re-list Plainmoor Stadium as an Asset of Community Value
- 7.2. Option 2 - Refuse the nomination and remove the asset from the register

## 8. Financial Opportunities and Implications

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- 8.1. Although listing an asset as an Asset of Community Value does not incur direct financial costs, it may give rise to potential financial liability through compensation claims. Under Regulation 14 of the Assets of Community Value (England) Regulations 2012, an owner or former owner may seek compensation for loss or expense incurred as a result of the listing provided such loss would not have occurred otherwise.
- 8.2. To be eligible, claimants must demonstrate actual financial loss that is directly attributable to the listing. In practice, such claims are infrequent, and the likelihood of a successful claim is generally considered low.

- 8.3.** In this case, as the Council is the freehold owner of the asset and the application has been submitted by the club's supporters, there appears to be no identifiable risk of any compensation claim.

## 9. Legal Implications

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The nomination has been assessed in accordance with the Localism Act 2011, specifically Section 88, which outlines the criteria for listing land or buildings as Assets of Community Value. If approved, the asset will be re-listed for a further five-year period.

The legal effect of listing the property is detailed in the Torbay Council Assets of Community Value Policy which is available to view on the Council's website.

Listing does not prevent the sale or change of ownership of the asset. However, it does trigger a moratorium period if the owner intends to sell, allowing community groups time to express interest in purchasing the asset.

## 10. Engagement and Consultation

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- 10.1. As part of the development of this proposal, no formal consultation or engagement has been undertaken with residents, stakeholders, or community groups. The nomination was submitted by a qualifying community group in accordance with the requirements of the Localism Act 2011, and the assessment has been carried out by officers based on the statutory criteria.

## 11. Procurement Implications

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- 11.1. Not applicable

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

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- 12.1. Not applicable

## 13. Associated Risks

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- 13.1. If the Council registers a property as an Asset of Community Value in circumstances where it should not have done so, the owner has the right to appeal the decision. If the appeal is successful, the owner may be entitled to recover reasonable costs incurred in pursuing the appeal.
- 13.2. Conversely, if the Council decides not to list a property that should have been listed, there is no statutory right of appeal for the applicant. The only legal remedy available in such cases would be to seek a judicial review of the Council's decision.

## 14. Equality Impact Assessment

The Council has had due regard to its Public Sector Equality Duty (PSED) in considering this community nomination; however, as the decision does not involve any change to function, practice, or policy, officers conclude that there is no adverse impact on persons with protected characteristics.

Protected characteristics under the Equality Act and groups with increased vulnerability	Data and insight	Equality considerations (including any adverse impacts)	Mitigation activities	Responsible department and timeframe for implementing mitigation activities
Age	<p>18 per cent of Torbay residents are under 18 years old.</p> <p>55 per cent of Torbay residents are aged between 18 to 64 years old.</p> <p>27 per cent of Torbay residents are aged 65 and older.</p>	No adverse impacts are anticipated from this decision	Not applicable	
Carers	At the time of the 2021 census there were 14,900 unpaid carers in Torbay. 5,185 of these provided 50 hours or more of care.	No adverse impacts are anticipated from this decision	Not applicable	

Disability	In the 2021 Census, 23.8% of Torbay residents answered that their day-to-day activities were limited a little or a lot by a physical or mental health condition or illness.	No adverse impacts are anticipated from this decision	Not applicable	
Gender reassignment	In the 2021 Census, 0.4% of Torbay's community answered that their gender identity was not the same as their sex registered at birth. This proportion is similar to the Southwest and is lower than England.	No adverse impacts are anticipated from this decision	Not applicable	
Marriage and civil partnership	Of those Torbay residents aged 16 and over at the time of 2021 Census, 44.2% of people were married or in a registered civil partnership.	No adverse impacts are anticipated from this decision	Not applicable	
Pregnancy and maternity	Over the period 2010 to 2021, the rate of live births (as a proportion of females aged 15 to 44) has been slightly but significantly higher in Torbay (average of 63.7 per 1,000) than England (60.2) and the South West (58.4). There has been a notable fall in the numbers of live births since	No adverse impacts are anticipated from this decision	Not applicable	

	the middle of the last decade across all geographical areas.			
Race	In the 2021 Census, 96.1% of Torbay residents described their ethnicity as white. This is a higher proportion than the South West and England. Black, Asian and minority ethnic individuals are more likely to live in areas of Torbay classified as being amongst the 20% most deprived areas in England.	No adverse impacts are anticipated from this decision	Not applicable	
Religion and belief	64.8% of Torbay residents who stated that they have a religion in the 2021 census.	No adverse impacts are anticipated from this decision	Not applicable	
Sex	51.3% of Torbay's population are female and 48.7% are male	No adverse impacts are anticipated from this decision	Not applicable	
Sexual orientation	In the 2021 Census, 3.4% of those in Torbay aged over 16 identified their sexuality as either Lesbian, Gay, Bisexual or, used another term to describe their sexual orientation.	No adverse impacts are anticipated from this decision	Not applicable	
Armed Forces Community	In 2021, 3.8% of residents in England reported that they	No adverse impacts are anticipated from this decision	Not applicable	

	had previously served in the UK armed forces. In Torbay, 5.9 per cent of the population have previously served in the UK armed forces.			
<b>Additional considerations</b>				
Socio-economic impacts (Including impacts on child poverty and deprivation)		No adverse impacts are anticipated from this decision	Not applicable	
Public Health impacts (Including impacts on the general health of the population of Torbay)		No adverse impacts are anticipated from this decision	Not applicable	
Human Rights impacts		No adverse impacts are anticipated from this decision	Not applicable	
Child Friendly	Torbay Council is a Child Friendly Council, and all staff and Councillors are Corporate Parents and have a responsibility towards cared for and care experienced children and young people.	No adverse impacts are anticipated from this decision	Not applicable	



## 15. Cumulative Council Impact

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15.1. None

## 16. Cumulative Community Impacts

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16.1. None