

# EXECUTIVE DECISION

made by a Cabinet Member




## REPORT OF ACTION TAKEN UNDER DELEGATED AUTHORITY BY AN INDIVIDUAL CABINET MEMBER

Executive Decision Reference Number – F01 20/21

Decision				
1	<b>Title of decision:</b> Approval to proceed with disposal of public open space at Orchard Avenue, Eggbuckland after consideration of objections received following notice of the intention to dispose of the land.			
2	<b>Decision maker (Cabinet member name and portfolio title):</b> Councillor Lowry, Cabinet Member for Finance			
3	<b>Report author and contact details:</b> Nick Argles, Principal Surveyor, Land & Property Team. Telephone 01752 307182, email: nick.argles@plymouth.gov.uk			
4	<b>Decision to be taken:</b> To proceed with the disposal of land at Orchard Avenue, Eggbuckland having considered objections to the notice of intention to dispose of public open space.			
5	<p><b>Reasons for decision:</b> To support the Council's agenda of increased and accelerated housing delivery and outputs required to provide more decent homes supporting citizens to live and work in Plymouth. Through the Plan for Homes 3 2019 – 2024 policy the Council has committed to release City Council land, and to providing 1,000 new homes per annum. In order to meet this target additional sites must be identified for housing development. Making this site available for a self/custom build dwelling will help the Council to meet its Duties under the Right to Build.</p> <p>Whilst concerns have been raised over utilising this site for housing it is felt that the urgent need for broadening the housing offer and delivery on the Plan for Homes 3 objectives outweighs these concerns.</p> <p>There are economic benefits to releasing this housing site as it will lead to SME builders in Plymouth being active at a time of great uncertainty in the housing market due to the impacts of Covid-19, thus safeguarding and creating jobs in the construction industry and supply chain</p>			
6	<b>Alternative options considered and rejected:</b> To retain the land as public open space. This would result in fewer new homes being built.			
7	<b>Financial implications:</b> Should the site be developed for housing, there is potential for the Council to receive additional income in the form of Capital Receipts from the sale of land together with other income from New Homes Bonus (if this remains in force) and Council Tax. (Note - as self build the proposals would be CIL exempt).			
8	<b>Is the decision a Key Decision?</b> (please contact <a href="#">Democratic Support</a> for further advice)	Yes	No	<b>Per the Constitution, a key decision is one which:</b>  in the case of <b>capital</b> projects and contract awards, results in a new commitment to spend and/or save in excess of <b>£3million</b> in total
			x	

			x	in the case of <b>revenue</b> projects when the decision involves entering into new commitments and/or making new savings in excess of <b>£1 million</b>
			x	is <b>significant</b> in terms of its effect on communities living or working in an area comprising <b>two or more</b> wards in the area of the local authority.
	<b>If yes, date of publication of the notice in the <a href="#">Forward Plan of Key Decisions</a></b>			
<b>9</b>	<b>Please specify how this decision is linked to the Council's corporate plan/Plymouth Plan and/or the policy framework and/or the revenue/capital budget:</b>	<p>Corporate Plan 2018-2022</p> <p>A GROWING CITY – Releasing this site for housing will assist in providing a broad range of homes, and economic growth that benefits as many people as possible.</p> <p>A CARING COUNCIL – People feel safe in Plymouth. Development of this site for housing will provide more decent homes.</p>		
<b>10</b>	<b>Please specify any direct environmental implications of the decision (carbon impact)</b>	<p>Delivering new build housing (to new Building Regulations standards) would provide excellent thermal efficiency in new dwellings and help to reduce fuel poverty for residents. The development proposals would also be subject to new Low Carbon/ Renewables Joint Local Plan policy in design terms, which would also secure improvements to address the carbon footprint/environmental implications of the Housing schemes</p>		
<b>Urgent decisions</b>				
<b>11</b>	<b>Is the decision urgent and to be implemented immediately in the interests of the Council or the public?</b>	<b>Yes</b>		(If yes, please contact Democratic Support ( <a href="mailto:democraticsupport@plymouth.gov.uk">democraticsupport@plymouth.gov.uk</a> ) for advice)
		<b>No</b>	x	<b>(If no, go to section 13a)</b>
<b>12a</b>	<b>Reason for urgency:</b>			
<b>12b</b>	<b>Scrutiny Chair Signature:</b>		<b>Date</b>	
	<b>Scrutiny Committee name:</b>			
	<b>Print Name:</b>			
<b>Consultation</b>				
<b>13a</b>	<b>Are any other Cabinet members' portfolios affected by the decision?</b>	<b>Yes</b>	x	
		<b>No</b>		<b>(If no go to section 14)</b>

<b>13b</b>	<b>Which other Cabinet member's portfolio is affected by the decision?</b>	Councillor Penberthy, Cabinet Member for Housing and Co-operative Development		
<b>13c</b>	<b>Date Cabinet member consulted</b>	27/11/2020		
<b>14</b>	<b>Has any Cabinet member declared a conflict of interest in relation to the decision?</b>	<b>Yes</b>		If yes, please discuss with the Monitoring Officer
		<b>No</b>	x	
<b>15</b>	<b>Which Corporate Management Team member has been consulted?</b>	<b>Name</b>	Anthony Payne	
		<b>Job title</b>	Strategic Director for Place	
		<b>Date consulted</b>	TBC	
<b>Sign-off</b>				
<b>16</b>	<b>Sign off codes from the relevant departments consulted:</b>	<b>Democratic Support (mandatory)</b>	DS95 20/21	
		<b>Finance (mandatory)</b>	pl.20.21.182	
		<b>Legal (mandatory)</b>	34318/AC/8/2/21	
		<b>Human Resources (if applicable)</b>		
		<b>Land &amp; Property (if applicable)</b>	JW 0111 01/28/21	
		<b>Procurement (if applicable)</b>		
<b>Appendices</b>				
<b>17</b>	<b>Ref.</b>	<b>Title of appendix</b>		
	A	Briefing report		
	B	Equalities Impact Assessment		
<b>Confidential/exempt information</b>				
<b>18a</b>	<b>Do you need to include any confidential/exempt information?</b>	<b>Yes</b>		If yes, prepare a second, confidential ('Part II') briefing report and indicate why it is not for publication by virtue of Part I of Schedule 12A of the Local Government Act 1972 by ticking the relevant box in <b>18b</b> below.  (Keep as much information as possible in the briefing report that will be in the public domain)
		<b>No</b>	x	
		<b>Exemption Paragraph Number</b>		

		1	2	3	4	5	6	7
<b>18b</b>	<b>Confidential/exempt briefing report title:</b>							
<b>Background Papers</b>								
<b>19</b>	<p>Please list all unpublished, background papers relevant to the decision in the table below.</p> <p>Background papers are <u>unpublished</u> works, relied on to a material extent in preparing the report, which disclose facts or matters on which the report or an important part of the work is based. If some/all of the information is confidential, you must indicate why it is not for publication by virtue of Part 1 of Schedule 12A of the Local Government Act 1972 by ticking the relevant box.</p>							
Title of background paper(s)		Exemption Paragraph Number						
		1	2	3	4	5	6	7
Comments received in response to approval to proceed with disposal of Public Open Space at five Housing Plots following consultation.		x						
<b>Cabinet Member Signature</b>								
<b>20</b>	I agree the decision and confirm that it is not contrary to the Council's policy and budget framework, Corporate Plan or Budget. In taking this decision I have given due regard to the Council's duty to promote equality of opportunity, eliminate unlawful discrimination and promote good relations between people who share protected characteristics under the Equalities Act and those who do not. For further details please see the EIA attached.							
<b>Signature</b>				<b>Date of decision</b>	23/02/2021			
<b>Print Name</b>	Councillor Mark Lowry (Cabinet Member for Finance)							