

EXECUTIVE DECISION

made by a Cabinet Member



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

Executive Decision Reference Number – DL2 21/22

Decision				
1	Title of decision: Cabinet Executive delegated decision of approval to apply for revocation of hazardous substance consent at Gasworks, St Levan Road, Plymouth.			
2	Decision maker (Cabinet member name and portfolio title): Councillor Patrick Nicholson, Deputy Leader.			
3	Report author and contact details: Chris Cummings chris.cummings@plymouth.gov.uk 01752 304945			
4	Decision to be taken: Approval for an application to Secretary of State for the revocation of hazardous substance consent at Gasworks, St Levan Road.			
5	Reasons for decision: Removal of hazardous substance consent that is no longer required (the approved use ended at least 10 years prior). Opens up development in the surrounding area for housing and supports policy PLY58 of the Joint Local Plan.			
6	Alternative options considered and rejected: No requirement to keep consent in place. Wales and West Utilities have confirmed use for storage has finished and consent can be removed.			
7	Financial implications: Unlocks site for future development under Joint Local Plan policy PLY58			
8	Is the decision a Key Decision? (please contact Democratic Support for further advice)	Yes	No	Per the Constitution, a key decision is one which:
			X	in the case of capital projects and contract awards, results in a new commitment to spend and/or save in excess of £3million in total
			X	in the case of revenue projects when the decision involves entering into new commitments and/or making new savings in excess of £1million
		X	is significant in terms of its effect on communities living or working in an area comprising two or more wards in the	

				area of the local authority.
	If yes, date of publication of the notice in the Forward Plan of Key Decisions			
9	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:			Revocation of the Hazardous Substance Consent at this site allows granting of planning permission to provide housing for application 20/01646/FUL as well as removing a significant constraint preventing Joint Local Plan allocated site PLY58 coming forward for 57 dwellings.
10	Please specify any direct environmental implications of the decision (carbon impact)			Hazardous material storage at this site will be entirely revoked. Environmental impacts of future development of the site under PLY58 will be dealt with through the planning process and the requirements of policies DEV32 (delivering low carbon development) and DEV33 (renewable and low carbon energy (including heat)).
Urgent decisions				
11	Is the decision urgent and to be implemented immediately in the interests of the Council or the public?	Yes		(If yes, please contact Democratic Support (democraticsupport@plymouth.gov.uk) for advice)
		No		(If no, go to section 13a)
12a	Reason for urgency:			
12b	Scrutiny Chair Signature:		Date	
	Scrutiny Committee name:			
	Print Name:			
Consultation				
13a	Are any other Cabinet members' portfolios affected by the decision?	Yes		
		No	X	(If no go to section 14)
13b	Which other Cabinet member's portfolio is affected by the decision?			
13c	Date Cabinet member consulted			
14	Has any Cabinet member declared a	Yes		If yes, please discuss with the Monitoring

	conflict of interest in relation to the decision?	No	<input checked="" type="checkbox"/>	Officer				
15	Which Corporate Management Team member has been consulted?	Name		Paul Barnard				
		Job title		Service Director for Strategic Planning and Infrastructure				
		Date consulted		9 August 2021				
Sign-off								
16	Sign off codes from the relevant departments consulted:	Democratic Support (mandatory)		DS49 21/22				
		Finance (mandatory)		pl.21.22.99				
		Legal (mandatory)		LS/36456/JP/280 921				
		Human Resources (if applicable)						
		Corporate property (if applicable)						
		Procurement (if applicable)						
Appendices								
17	Ref.	Title of appendix						
	A	Briefing report for publication (<i>mandatory</i>)						
	B	Equalities Impact Assessment (<i>where required</i>)						
Confidential/exempt information								
18a	Do you need to include any confidential/exempt information?	Yes	<input type="checkbox"/>	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 18b below. (Keep as much information as possible in the briefing report that will be in the public domain)				
		No	<input type="checkbox"/>					
		Exemption Paragraph Number						
		1	2	3	4	5	6	7
18b	Confidential/exempt briefing report title:							


Background Papers

- 19** Please list all unpublished, background papers relevant to the decision in the table below.
- Background papers are unpublished 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.

Title of background paper(s)	Exemption Paragraph Number						
	1	2	3	4	5	6	7

Cabinet Member Signature

- 20** 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.

Signature		Date of decision	8 September 2021
Print Name	Cllr Patrick Nicholson, Deputy Leader		