

# EXECUTIVE DECISION

made by a Cabinet Member




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

Executive Decision Reference Number – L40 21/22

Decision				
1	<b>Title of decision:</b> Mount Edgcombe Country Park Estate: Approval to grant new leases for 81 ground lease plots			
2	<b>Decision maker (Cabinet member name and portfolio title):</b> Councillor Richard Bingley, Leader of Plymouth City Council			
3	<b>Report author and contact details:</b> Sarah Partridge MRICS, Asset Manager, Land and Property Email: <a href="mailto:sarah.partridge@plymouth.gov.uk">sarah.partridge@plymouth.gov.uk</a>			
4	<b>Decision to be taken:</b> It is recommended that the Leader of the Council approves the following in respect of the 81 ground lease chalet plots at Treninnow and Wiggle Cliffs which form part of the Mount Edgcombe Country Park Estate: <ol style="list-style-type: none"> <li>1. The granting of new lease terms as set out in the Part II confidential report.</li> <li>2. Where ground lease plots become available in the future, delegates authority to the Head of Land and Property to grant new leases on prevailing market terms, similar to those set out in 1. above.</li> </ol>			
5	<b>Reasons for decision:</b> To secure financial and other associated benefits.			
6	<b>Alternative options considered and rejected:</b> Not applicable as the new lease terms to be granted will meet the Councils' statutory duty to obtain best value.			
7	<b>Financial implications and risks:</b> The new leases will result in additional income.			
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>
			x	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

			<input checked="" type="checkbox"/>	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>
			<input checked="" type="checkbox"/>	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>	N/A		
<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>	The new lease terms reflect the Corporate Plan commitment of delivering value for money and will help provide a sustainable future for the Mount Edgcombe Country Park Estate.		
<b>10</b>	<b>Please specify any direct environmental implications of the decision (carbon impact)</b>	No direct carbon / environmental impacts arising from the recommendations.		
<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>	<input type="checkbox"/>	(If yes, please contact Democratic Support ( <a href="mailto:democraticsupport@plymouth.gov.uk">democraticsupport@plymouth.gov.uk</a> ) for advice)
		<b>No</b>	<input checked="" type="checkbox"/>	<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>	<input type="checkbox"/>	
		<b>No</b>	<input checked="" type="checkbox"/>	<b>(If no go to section 14)</b>
<b>13b</b>	<b>Which other Cabinet member's portfolio is affected by the decision?</b>			
<b>13c</b>	<b>Date Cabinet member consulted</b>			

14	Has any Cabinet member declared a conflict of interest in relation to the decision?	Yes						
		No	x					
15	Which Corporate Management Team member has been consulted?	Name	Anthony Payne					
		Job title	Strategic Director for Place					
		Date consulted	15 March 2022					
<b>Sign-off</b>								
16	Sign off codes from the relevant departments consulted:	Democratic Support (mandatory)	DS129 21/22					
		Finance (mandatory)	djn.21.22.306					
		Legal (mandatory)	LS/38277/AC/15322					
		Human Resources (if applicable)						
		Corporate property (if applicable)						
		Procurement (if applicable)						
<b>Appendices</b>								
17	Ref.	Title of appendix						
	A	EIA						
<b>Confidential/exempt information</b>								
18a	Do you need to include any confidential/exempt information?	Yes	X	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)				
		No						
		<b>Exemption Paragraph Number</b>						
		<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>6</b>	<b>7</b>
18b	Confidential/exempt briefing report title:  Part II Confidential Report			X				

Background Papers										
<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 I 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
Cabinet Member Signature										
<b>20</b>	<p>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.</p>									
<b>Signature</b>					<b>Date of decision</b>		23 March 2022			
<b>Print Name</b>		Councillor Richard Bingley								

## Background

The decision relates to 81 chalet plot ground leases, let for recreational or holiday use only and situated on land jointly owned by Plymouth City Council and Cornwall Council at Treninnow and Wiggle Cliff, forming part of the Mount Edgcumbe Country Park Estate. The Mount Edgcumbe Country Park Estate receives the income from these chalet plots which assists the funding of the operation of the Country Park for the general public to enjoy.

The new lease terms to be granted will meet the Councils' statutory duty to obtain best value in their property dealings under the Local Government Act 1972.

A report was submitted to the Mount Edgcumbe Joint Committee Meeting on 19th November 2021, setting out the proposed new lease terms (as set out in the confidential Part II report). The Joint Committee comprises of Councillors from both local authorities across the political spectrum with Joint Chairs. The report recommended for the Joint Committee to note the long lease terms to be offered and the minutes confirmed that the Joint Committee agreed the recommendations as set out within the confidential report.