

EXECUTIVE DECISION

made by a Cabinet Member




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

Executive Decision Reference Number – L04 22/23

Decision				
1	Title of decision: Derriford District Centre Planning Obligations			
2	Decision maker (Cabinet member name and portfolio title): The Leader, Councillor Richard Bingley.			
3	Report author and contact details: Trevor Goff Principal Surveyor, Strategic Development Projects trevor.goff@plymouth.gov.uk 01752 308 691			
4	Decision to be taken: Approve the ring-fencing of £213,276 from the approved development budget (Executive Decision Reference Number – L17 21/22) for the Derriford District Centre (the Former Parade Ground) for a range of section 106 mitigation measures required by the Local Planning Authority.			
5	Reasons for decision: The Local Planning Authority requires confirmation that the Council will provide the planning mitigation contributions before they will consent to the redevelopment of the site for a new District Centre. Usually this confirmation is provided via what is known as a Section 106 Agreement. As the Council is both Applicant and Local Planning Authority it is unable to sign an agreement with itself and therefore an Executive Decision is required. This Executive Decision is required in advance of planning consent being granted.			
6	Alternative options considered and rejected: The alternative would be not to agree to provide this contribution towards mitigation measures and therefore planning consent would not be granted and the redevelopment of the former Parade Ground, Derriford would not go ahead.			
7	Financial implications and risks: This Executive Decision does not commit the Council to any financial spending, as set out in section 9.0 below, unless and until the Council takes forward the development with its development management partner at the Former Parade Ground in Derriford. The costs as scheduled below fall within the approved business case budget - Executive Decision Reference Number – L17 21/22.			
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: in the case of capital projects and contract awards, results in a new
			x	

				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	N/A		
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:	<p>The mitigation required will fund the following items:</p> <ul style="list-style-type: none"> • Strategic Transport Contribution (S106 ask) £143,936.00 • Biodiversity Net Gain Contribution (S106 ask) £69,340 • Total: £213,276 <p>The proposal helps to deliver the aspirations of Policy PLY38 of the Plymouth & South West Devon Joint Local Plan, whilst also creating new jobs, safeguarding existing jobs and providing an income for the Council</p>		
10	Please specify any direct environmental implications of the decision (carbon impact)	The proposal includes various measures to reduce carbon, including minimum of 12 electric vehicle charging points, provision to promote sustainable transport and energy efficient buildings.		
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	x	(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?	N/A	
13c	Date Cabinet member consulted		
14	Has any Cabinet member declared a conflict of interest in relation to the decision?	Yes	If yes, please discuss with the Monitoring Officer
		No	
15	Which Corporate Management Team member has been consulted?	Name	Anthony Payne
		Job title	Strategic Director for Place
		Date consulted	Email dated 30/06/2022
Sign-off			
16	Sign off codes from the relevant departments consulted:	Democratic Support (mandatory)	DS21 22/23
		Finance (mandatory)	pl.22.23.69
		Legal (mandatory)	LS/38928/AC/13/7/22
		Human Resources (if applicable)	
		Corporate property (if applicable)	
		Procurement (if applicable)	
Appendices			
17	Ref.	Title of appendix	
	A	Business Case attached	
	B	Equalities Impact Assessment	
Confidential/exempt information			
18a	Do you need to include any confidential/exempt information?	Yes	If yes, prepare a second, confidential ('Part II') briefing report and indicate why it is not for

		No	x	publication by virtue of Part 1 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)				
		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 <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.							
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			18 July 2022		
Print Name	Councillor Richard Bingley, Leader of the Council							