

EXECUTIVE DECISION

made by a Cabinet Member




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

Executive Decision Reference Number – T19 22/23

Decision				
1	Title of decision: Lease Surrender of land at Cattewater Harbour			
2	Decision maker: Councillor Jonathan Drean, Cabinet Member for Transport			
3	Report author and contact details: Mike Artherton - mike.artherton@plymouth.gov.uk			
4	Decision to be taken: To surrender the lease between Plymouth City Council and The Cattewater Harbour Commissioners for the section of foreshore and fundus adjoining Commercial Wharf in the Cattewater Harbour.			
5	Reasons for decision: To support the Councils commitment to maintaining access to the water, to avoid future costs and financial pressures associated with the requirement to maintain the Barbican Landing Stage.			
6	Alternative options considered and rejected: Not to surrender the lease is rejected as this would not support the longer term access to the water and add financial pressures to the Council in the ongoing maintenance of the Landing Stage.			
7	<p>Financial implications and risks: Under the terms of the lease the Council have responsibility for maintaining the safe operation of the Landing Stage. The costs of operating and maintaining the Landing Stage currently exceed the income received from the licencing of operators to use the landing stage. In 2021/22 the Landing Stage had a deficit of £9,752; the lease has 84 years remaining.</p> <p>Upon surrender of the lease the Landing Stage will transfer to The Cattewater Harbour Commissioners who will assume responsibility for the maintenance and safe operation of the Landing Stage. The Landing Stage has a current net book value of £441,469.</p>			
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 £1 million

			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>These proposals support our Corporate Plan, specifically:</p> <ul style="list-style-type: none"> • Support a green, sustainable city that cares about the environment • Create a vibrant economy, developing quality jobs and skills • Create a varied, efficient, sustainable transport network • Create a friendly welcoming city. 		
10	Please specify any direct environmental implications of the decision (carbon impact)	The decision to terminate the lease has no direct environmental implications.		
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?	Cllr Shayer, Deputy Leader and Cabinet Member for Finance and Economy		

I3c	Date Cabinet member consulted	30 th January 2023						
I4	Has any Cabinet member declared a conflict of interest in relation to the decision?	Yes		If yes, please discuss with the Monitoring Officer				
		No	X					
I5	Which Corporate Management Team member has been consulted?	Name	Anthony Payne					
		Job title	Strategic Director for Place					
		Date consulted	21 st December 2022					
Sign-off								
I6	Sign off codes from the relevant departments consulted:	Democratic Support (mandatory)	DS96 22/23					
		Finance (mandatory)	pl.22.23.353.					
		Legal (mandatory)	LS/00000616/AC/27/1/23					
		Human Resources (if applicable)	KAB300123					
		Corporate property (if applicable)	JW 0115 30/01/23					
		Procurement (if applicable)	N/A					
Appendices								
I7	Ref.	Title of appendix						
	A	Briefing report						
	B	Equalities Impact Assessment						
Confidential/exempt information								
I8a	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 publication by virtue of Part I of Schedule 12A of the Local Government Act 1972 by ticking the relevant box in I8b below. (Keep as much information as possible in the briefing report that will be in the public domain)				
		No	X					
		Exemption Paragraph Number						
		1	2	3	4	5	6	7

I8b	Confidential/exempt briefing report title:							
Background Papers								
I9	<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								
20	<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 (2010) and those who do not. For further details please see the EIA attached.</p>							
Signature				Date of decision	27 th January 2023			
Print Name	Councillor Jonathan Drean (Cabinet Member for Transport)							