

EXECUTIVE DECISION

made by a **Cabinet Member**




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

Executive Decision Reference Number – HCD01 25/26

Decision	
1	Title of decision: Approval to proceed with disposal of public open space land adjacent to Pounds House, 162 Outland Road, Plymouth, PL2 3PX after consideration of objections received following notice of the intention to dispose of the land
2	Decision maker (Cabinet member name and portfolio title): Councillor Chris Penberthy (Cabinet Member for Housing, Cooperative Development and Communities)
3	Report author and contact details: James Watt, Head of Land and Property, james.watt@plymouth.gov.uk
4	Decision to be taken: To proceed with the disposal of land adjacent to Pounds House having considered objections to the notice of intention to dispose of public open space.
5	Reasons for decision: <ol style="list-style-type: none"> 1. The disposal of the land is required in order to attract investors in the purchase of the adjacent Pounds House. Given the size of the property and scale of investment required it was deemed appropriate that a small amount of external space be included with the disposal. 2. The public open space represents 0.5% of Central Park and there is no significant or special benefit in retaining this land when balanced against the strategic ambition for Pounds House to be brought back into beneficial use by a third-party purchaser.
6	Alternative options considered and rejected: <ol style="list-style-type: none"> 1. Do nothing: Not disposing of the land will affect the Council's ability to effectively market the adjoining Pounds House and therefore obtain best value in the sale of the property. Pounds House has been unused since 2017 therefore it is proposed to dispose of this building.
7	Financial implications and risk: <p>The disposal of this land will facilitate the sale of Pounds House itself which will bring in a capital receipt for the council, remove ongoing holding costs and bring the property back into use. Should the Council not sell the property then there will continue to be an ongoing maintenance liability (£490,787 in the last five years) and the building will become more dilapidated. Facilities Management no longer have the budget to support this property. There will also be a saving in grounds maintenance costs for the land.</p>
8	Legal Implications <p>When selling public open space, the Council is obliged to advertise the disposal in accordance with the provisions of section 123(2A) Local Government Act 1972 and to consider any objections received.</p> <p>The land has been advertised as required and this report demonstrates that the objections have been considered.</p>

9a	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	N/A		
10	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:	Spending Money Wisely – The decision will help facilitate the disposal of the adjoining Pounds House resulting in a saving in revenue budgets for ground and property maintenance and a capital receipt to support the council's wider financial decision.		
11	Please specify any direct environmental implications of the decision (carbon impact)	No impact as this relates to the disposal of a small area of public open space.		
Urgent decisions				
12	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	X	
		No		(If no go to section 14)

13b	Which other Cabinet member's portfolio is affected by the decision?	Councillor Tom Briars-Delve – Cabinet Member for Environment and Climate Change		
13c	Date Cabinet member consulted	15 May 2025		
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	X	
15	Which Corporate Management Team member has been consulted?	Name	Glenn Caplin-Grey	
		Job title	Strategic Director for Growth	
		Date consulted	30 July 2025	
Sign-off				
16	Sign off codes from the relevant departments consulted:	Democratic Support (mandatory)	JS24 25/26	
		Finance (mandatory)	OW.25.26.005	
		Legal (mandatory)	LS/00001312/1/AC/8/5/25	
		Human Resources (if applicable)	N/A	
		Corporate property (if applicable)	N/A	
		Procurement (if applicable)	N/A	
Appendices				
17	R ef .	Title of appendix		
	A	Briefing report for publication		
	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 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	X	
		Exemption Paragraph Number		

		1	2	3	4	5	6	7
18 b	Confidential/exempt briefing report title:							
Background Papers								
19	<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
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 and those who do not. For further details please see the EIA attached.</p>							
Signature			Date of decision		21/08/25			
Print Name	Councillor Chris Penberthy							