



**Oversight and Governance**

Chief Executive's Department

Plymouth City Council

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Published 23/03/22

## Delegated Decisions

### Delegated Executive/Officer Decisions

Delegated Executive and Officer decisions are published every Wednesday and are available at the following link - <https://tinyurl.com/ms6umor>

Cabinet decisions subject to call-in are published at the following link - <http://tinyurl.com/yddrqll6>

Notice of call-in for non-urgent decisions must be given to the Democratic Support Unit by 4.30 pm on Wednesday 30 March 2022. Please note – urgent decisions and non-key Council Officer decisions cannot be called in. Copies of the decisions together with background reports are available for viewing as follows:

- on the Council's Intranet Site at <https://modgov/mgDelegatedDecisions.aspx>
- on the Council's website at <https://tinyurl.com/jhnax4e>

The Leader decisions detailed below may be implemented on Thursday 31 March 2022 if they are not called-in. The non-key Council Officer decision may be implemented immediately.

## **Delegated Decisions**

### **1. Councillor Richard Bingley (The Leader):**

- |  |                          |
|--|--------------------------|
| 1.1. Colin Campbell Court Demolitions and Utility Diversions   | <b>(Pages 1 - 20)</b>    |
| 1.2. Approval to Grant New Leases for 81 Ground Lease Plots at Treninnow and Wiggle Cliffs Which Form Part of the Mount Edgcumbe Country Park Estate | <b>(Pages 21 - 32)</b>   |
| 1.3. A38 Manadon Interchange Scheme Advance Funding Request  | <b>(Pages 33 - 56)</b>   |
| 1.4. Plymouth and South Devon Freeport   | <b>(Pages 57 - 108)</b>  |
| 1.5. Authorisation for Devon County to Award the Traffic Signal Maintenance Contract on Plymouth City Council's Behalf                               | <b>(Pages 109 - 120)</b> |
| 1.6. S256 Agreement with the NHS Devon CCG Integrated Care Enabling Activities   | <b>(Pages 121 - 130)</b> |
| 1.7. Home Upgrade Grant (HUG)  | <b>(Pages 131 - 142)</b> |
| 1.8. Plymouth & South Devon Community Forest   | <b>(Pages 143 - 172)</b> |

### **2. Council Officer Decision - Kim Brown (Service Director for HROD):**

- |  |                          |
|--|--------------------------|
| 2.1. Procurement (Open Competition) of Asbestos (United Kingdom Accreditation Service) Accredited Consultant | <b>(Pages 173 - 198)</b> |
|--|--------------------------|

# EXECUTIVE DECISION

## made by a Cabinet Member



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

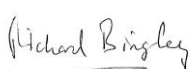
Executive Decision Reference Number – L42 21/22

Decision				
1	<b>Title of decision:</b> Colin Campbell Court Demolitions and Utility Diversions			
2	<b>Decision maker (Cabinet member name and portfolio title):</b> Councillor Richard Bingley, Leader			
3	<b>Report author and contact details:</b> Chris Duggan <a href="mailto:chris.duggan@plymouth.gov.uk">chris.duggan@plymouth.gov.uk</a> 01752305482			
4	<b>Decision to be taken:</b> <b>It is recommended that the Leader of the Council:</b> <ul style="list-style-type: none"> <li>• Approves the Business Case</li> <li>• Allocates £985k for the project into the Capital Programme funded by Brownfield Land Release Fund and Homes England loan</li> <li>• Authorises the procurement process</li> <li>• Authorises the Service Director for Economic Development to approve business cases, enter into funding agreements (or similar) and award contracts including, but not limited to, contractor appointments, consultant appointments, warranties etc. relating to the demolitions and diversions where they would otherwise not have authority to do so</li> </ul>			
5	<b>Reasons for decision:</b> To undertake enabling works to facilitate the development of the West End Health and Wellbeing hub.			
6	<b>Alternative options considered and rejected:</b> The Council could decide not to proceed with this proposal. However if the enabling works are not undertaken this could impact upon the West End Health and Wellbeing hub project programme and financial viability.			
7	<b>Financial implications and risks:</b> As set out in the attached business case.			
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
			X	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>£1million</b>
			X	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.
	If yes, date of publication of the notice in the <b>Forward Plan of Key Decisions</b>			
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:		The proposal helps to deliver the aspirations of Policy PLY7 of the Plymouth & South West Devon Joint Local Plan, Colin Campbell Court	
10	Please specify any direct environmental implications of the decision (carbon impact)		The West End Health and Wellbeing hub is being designed to Net Carbon Zero standards	
<b>Urgent decisions</b>				
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 ( <a href="mailto:democraticsupport@plymouth.gov.uk">democraticsupport@plymouth.gov.uk</a> ) for advice)
		No	x	(If no, go to section 13a)
12a	Reason for urgency:			
12b	Scrutiny Chair Signature:		Date	
	Scrutiny Committee name:			
	Print Name:			
<b>Consultation</b>				
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 Mark Shayer (Deputy Leader and Finance and Economy)		



<b>13c</b>	<b>Date Cabinet member consulted</b>	23 <sup>rd</sup> March 2022							
<b>14</b>	<b>Has any Cabinet member declared a conflict of interest in relation to the decision?</b>	<b>Yes</b>		If yes, please discuss with the Monitoring Officer					
		<b>No</b>	x						
<b>15</b>	<b>Which Corporate Management Team member has been consulted?</b>	<b>Name</b>	Anthony Payne						
		<b>Job title</b>	Strategic Director for Place						
		<b>Date consulted</b>	16 <sup>th</sup> March 2022						
<b>Sign-off</b>									
<b>16</b>	<b>Sign off codes from the relevant departments consulted:</b>	<b>Democratic Support (mandatory)</b>	DS130 21/22						
		<b>Finance (mandatory)</b>	ba.21.22.310						
		<b>Legal (mandatory)</b>	LS/38303/AC/18/3/22						
		<b>Human Resources (if applicable)</b>							
		<b>Corporate property (if applicable)</b>							
		<b>Procurement (if applicable)</b>							
<b>Appendices</b>									
<b>17</b>	<b>Ref.</b>	<b>Title of appendix</b>							
	A	Briefing report for publication (Part I)							
	B	Equalities Impact Assessment							
<b>Confidential/exempt information</b>									
<b>18a</b>	<b>Do you need to include any confidential/exempt information?</b>	<b>Yes</b>	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)					
		<b>No</b>							
		<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>	
<b>18b</b>	<b>Confidential/exempt briefing report title: Part II briefing report Inc. Appendices</b>			x					

	Business Case			x				
<b>Background Papers</b>								
<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 1 of Schedule 12A of the Local Government Act 1972 by ticking the relevant box.</p>							
<b>Title of background paper(s)</b>		<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>
<b>Cabinet Member Signature</b>								
<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						

# EXECUTIVE DECISION

made by a Cabinet Member

## Briefing Paper Part I



### 1.0 Executive summary

- 1.1 A planning application for the West End Health and Wellbeing Hub has been submitted to the Local Planning Authority and is due for a decision in May 2022.
- 1.2 A construction firm has been initially appointed as principal contractors to construct the Health and Wellbeing hub and negotiations around the total contract sum are ongoing. The contractor's final appointment will be subject to satisfactory conclusion of negotiations.
- 1.3 A Final Business Case will be submitted to the National Health Service England (NHSE) in August 2022 in time for a construction Start on site in January 2023.
- 1.4 Subject to formal decision, it has been agreed that the Council will fund facilitating works to enable a material start on site in line with the current Health and Wellbeing hub programme. The work includes demolition of buildings on Western Approach and diversion of utilities within Colin Campbell Court, prior to January 2023.
- 1.5 The intention is that the Council would procure and manage the demolition work and the Clinical Commissioning Group (CCG) would procure and manage the diversion works.
- 1.5 It has been agreed that upon formal confirmation of the Health and Wellbeing hub Final Business Case by NHSE the funds used to divert the utilities will be reimbursed in full to the Council.
- 1.6 If for whatever reason the Final Business Case is not approved by the NHSE then the funds will not be reimbursed to the Council. It is likely that the Council would have had to incur these costs in any event at some point in the future to facilitate the redevelopment of Colin Campbell Court.

### 2.0 Purpose of the report

- 2.1 This report and Business Case (attached as an appendix to the part II paper) seek approval to allocate sufficient funding for the project into the Capital Programme to undertake demolitions of buildings along Western Approach and fund the diversions of utilities within Colin Campbell Court. The report also seeks approval to authorise the procurement process to appoint consultants (as necessary) and a contractor to undertake the work and authorisation for the Service Director for Economic Development to approve business cases, enter into funding agreements (or similar) and award contracts including but not limited to contractor appointments, consultant appointments, warranties etc. relating to the demolitions and diversions where they would otherwise not have authority to do so.

### 3.0 Further information

- 3.1 The Health and Wellbeing hub project team have produced a cost estimate for the demolition and diversion works and costs are assumed in the region of £985,000 subject to finalising design and tender etc.
- 3.2 The project team are also producing a programme for the works to be completed prior to the proposed Cavell start on site date of January 2023.

- 3.3 Undertaking the demolition and diversion works in advance of the main works package for the Health and Wellbeing hub will lead to programme and cost savings for the project.
- 3.4 It is proposed that the Council would fund the works through a combination of Brownfield Land Release Funding and a loan from Homes England.
- 3.5 It has been agreed that upon formal confirmation of the Health and Wellbeing hub Final Business Case by NHSE the funds used to divert the utilities will be reimbursed in full to the Council.
- 3.6 If for whatever reason the Health and Wellbeing hub Final Business Case is not approved by the NHSE then the funds will not be reimbursed to the Council.
- 3.5 On approval of this business case the Council will work with the project team to undertake the necessary surveys, collate tender information, liaise with the Local Planning Authority and Highways teams in order to facilitate the work prior to ultimately instructing a contractor for the demolition work. The Council will enter into an agreement with the CCG to fund the diversion work. The CCG will manage the diversion works.

#### **4.0 Decision required**

- 4.1 The decision required is to allocate sufficient funding for the project into the Capital Programme to undertake demolitions of buildings along Western Approach and fund the diversions of utilities within Colin Campbell Court. The report also seeks approval to authorise the procurement process to appoint consultants (as necessary) and a contractor to undertake the work and authorisation for the Service Director for Economic Development to approve business cases, enter into funding agreements (or similar) and award contracts including but not limited to contractor appointments, consultant appointments, warranties etc. relating to this project where they would otherwise not have authority to do so.

#### **5.0 Recommendation**

**It is recommended that the Leader of the Council:**

- Approves the Business Case
- Allocates £985,000 for the project into the Capital Programme funded Brownfield Land Release Funding and Homes England Grant
- Authorises the procurement process
- Authorises the Service Director for Economic Development to approve business cases, enter into funding agreements (or similar) and award contracts including, but not limited to, contractor appointments, consultant appointments, warranties etc. relating to the demolitions and diversions where they would otherwise not have authority to do so

## Page 7

The following relates to exempt or confidential matters (Para(s) 3 of Part 1, Schedule 12A of the Local Govt Act 1972). Any breach of confidentiality could prejudice the Council/person/body concerned & might amount to a breach of the councillors /employees codes of conduct.

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## Page 9

The following relates to exempt or confidential matters (Para(s) 3 of Part 1, Schedule 12A of the Local Govt Act 1972). Any breach of confidentiality could prejudice the Council/person/body concerned & might amount to a breach of the councillors /employees codes of conduct.

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# EQUALITY IMPACT ASSESSMENT

Strategic Development Projects, Economic Development



## STAGE 1: WHAT IS BEING ASSESSED AND BY WHOM?

What is being assessed - including a brief description of aims and objectives?	Proposal for demolitions of buildings and diversion of utilities in Colin Campbell Court
Author	Chris Duggan
Department and service	Strategic Development Projects, Economic Development
Date of assessment	11 March 2022

## STAGE 2: EVIDENCE AND IMPACT

Protected characteristics (Equality Act)	Evidence and information (e.g. data and feedback)	Any adverse impact See <a href="#">guidance</a> on how to make judgement	Actions	Timescale and who is responsible
Age	None			
Disability	None			
Religion or belief	None			
Sex - including marriage, pregnancy and maternity	None			
Gender reassignment	None			
Race	None			
Sexual orientation - including civil partnership	None			

## STAGE 3: ARE THERE ANY IMPLICATIONS FOR THE FOLLOWING? IF SO, PLEASE RECORD ACTIONS TO BE TAKEN

Local priorities	Implications	Timescale and who is responsible
------------------	--------------	----------------------------------

<b>Celebrate diversity and ensure that Plymouth is a welcoming city.</b>	The proposal is geared towards facilitating the development of the West End Health and Wellbeing Hub. This will help local people from all backgrounds.	The project team through completion of the works to Colin Campbell Court and latterly the Health and Wellbeing Hub
<b>Pay equality for women, and staff with disabilities in our workforce.</b>	N/A	N/A
<b>Supporting our workforce through the implementation of Our People Strategy 2020 – 2024</b>	N/A	N/A
<b>Supporting victims of hate crime so they feel confident to report incidents, and working with, and through our partner organisations to achieve positive outcomes.</b>	N/A	N/A
<b>Plymouth is a city where people from different backgrounds get along well.</b>	The proposed works will aid regeneration of the Colin Campbell Court for the benefit of surrounding and new communities.	The project team through completion of the works to Colin Campbell Court and latterly the Health and Wellbeing Hub
<b>Human rights</b> Please refer to <a href="#">guidance</a>	It is not anticipated that people's human rights will be impacted by the scheme.	N/A

**STAGE 4: PUBLICATION**

Chris Duggan

Principal Surveyor

Date: 11 March 2022

# 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 Edgumbe 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 Edgumbe 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	Per the Constitution, a key decision is one which:
			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

			x	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>
			x	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.
	If yes, date of publication of the notice in the <b>Forward Plan of Key Decisions</b>	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:	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.		
10	Please specify any direct environmental implications of the decision (carbon impact)	No direct carbon / environmental impacts arising from the recommendations.		
<b>Urgent decisions</b>				
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 ( <a href="mailto:democraticsupport@plymouth.gov.uk">democraticsupport@plymouth.gov.uk</a> ) for advice)
		No	x	(If no, go to section 13a)
12a	Reason for urgency:			
12b	Scrutiny Chair Signature:		Date	
	Scrutiny Committee name:			
	Print Name:			
<b>Consultation</b>				
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 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>						
		1	2	3	4	5	6	7
18b	Confidential/exempt briefing report title:  Part II Confidential Report			X				

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		23 March 2022		
Print Name		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.

The following relates to exempt or confidential matters (Para(s) 3 of Part 1, Schedule 12A of the Local Govt Act 1972). Any breach of confidentiality could prejudice the Council/person/body concerned & might amount to a breach of the councillors /employees codes of conduct.

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# **EQUALITY IMPACT ASSESSMENT TEMPLATE AND GUIDANCE**

Policy and Intelligence Team



# EQUALITY IMPACT ASSESMENT TEMPLATE

## SECTION ONE: INFORMATION ABOUT THE PROPOSAL

<b>Author(s):</b>	Sarah Partridge MRICS, Asset Manager	<b>Department and service:</b>	Land & Property, Economic Development, Place	<b>Date of assessment:</b>	09/03/2022
<b>Lead Officer:</b>	James Watt MRICS	<b>Signature:</b>		<b>Approval date:</b>	09/03/2022
<b>Overview:</b>	This EIA assesses the decision to grant new leases for 81 ground lease plots at Treninnow and Wiggle Cliffs which form part of the Mount Edgcumbe Country Park Estate.				
<b>Decision required:</b>	<p>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 Edgcumbe Country Park Estate:</p> <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>				

## SECTION TWO: EQUALITY IMPACT ASSESMENT SCREENING TOOL

<b>Potential external impacts:</b> Does the proposal have the potential to negatively impact service users, communities or residents with protected characteristics?	<b>Yes</b>		<b>No</b>	X
<b>Potential internal impacts:</b> Does the proposal have the potential to negatively impact Plymouth City Council employees?	<b>Yes</b>		<b>No</b>	X
Is a full Equality Impact Assessment required? (if you have answered yes to either of the questions above then a full impact assessment is required and you must complete section three)	<b>Yes</b>		<b>No</b>	X
If you do not agree that a full equality impact assessment is required, please set out your justification for why not.	No anticipated adverse impacts due to the nature of the decision being taken – the granting of ground leases for recreational and leisure purposes.			

## SECTION THREE: FULL EQUALITY IMPACT ASSESMENT

Protected characteristics (Equality Act, 2010)	Evidence and information (e.g. data and consultation feedback)	Adverse impact	Mitigation activities	Timescale and responsible department
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<b>Age</b>	The average age in Plymouth (39 years) is about the same as the rest of England (40 years) but less than the South West (44 years).	No adverse impact is anticipated	Not applicable	Not applicable
<b>Disability</b>	10 per cent of our population have their day-to-day activities limited a lot by a long-term health problem or disability (2011 Census).	No adverse impact is anticipated	Not applicable	Not applicable
<b>Gender reassignment</b>	There are no official estimates for gender reassignment at either national or local level.  However, in a study funded by the Home Office, the Gender Identity Research and Education Society (GIRES) estimate that between 300,000 and 500,000 people aged 16 or over in the UK are experiencing some degree of gender variance.	No adverse impact is anticipated	Not applicable	Not applicable
<b>Marriage and civil partnership</b>	There were 234,795 marriages in England and Wales in 2018.  In 2020, there were 7,566 opposite-sex civil partnerships formed in England and Wales, of which 7,208 were registered in England and 358 were registered in Wales.  There were 785 civil partnerships formed between same-sex couples in England and Wales in 2020, of which 745 were registered in England and 40 were registered in Wales.	No adverse impact is anticipated	Not applicable	Not applicable

<b>Pregnancy and maternity</b>	<p>There were 640,370 live births in England and Wales in 2019, a decrease of 2.5 per cent since 2018. The mid-year 2019 population estimates show that there were 2,590 births in Plymouth.</p> <p>The total fertility rate (TFR) for England and Wales decreased from 1.70 children per woman in 2018 to 1.65 children per woman in 2019.</p>	No adverse impact is anticipated	Not applicable	Not applicable
<b>Race</b>	<p>92.9 per cent of Plymouth's population identify themselves as White British. 7.1 per cent identify themselves as Black, Asian or Minority Ethnic.</p> <p>Census data suggests at least 43 main languages are spoken in the city, showing Polish, Chinese and Kurdish as the top three.</p>	No adverse impact is anticipated'	Not applicable	Not applicable
<b>Religion or belief</b>	<p>Christianity is the biggest faith in the city with more than 58 per cent of the population (148,917). 32.9 per cent (84,326) of the Plymouth population stated they had no religion (2011 Census).</p> <p>Those who identified as Muslim were just under 1 per cent while Hindu, Buddhist, Jewish or Sikh combined totalled less than 1 per cent (2011 Census).</p>	No adverse impact is anticipated	Not applicable	Not applicable
<b>Sex</b>	50.2 per cent of our population are women and 49.8 per cent are men.	No adverse impact is anticipated	Not applicable	Not applicable

<b>Sexual orientation</b>	<p>There are no official estimates for sexual orientation at a local level. There is no precise local data on sexual orientation in Plymouth.</p> <p>Data based on the ONS Annual Population Survey 2017 estimates, approximately 1.7 per cent of the UK population is lesbian, gay or bisexual (LGB).</p>	No adverse impact is anticipated	Not applicable	Not applicable
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#### SECTION FOUR: HUMAN RIGHTS IMPLICATIONS

Human Rights	Implications	Mitigation Actions	Timescale and responsible department
	There are no anticipated adverse impacts on Human Rights	Not applicable	Not applicable

#### SECTION FIVE: OUR EQUALITY OBJECTIVES

Equality objectives	Implications	Mitigation Actions	Timescale and responsible department
<b>Celebrate diversity and ensure that Plymouth is a welcoming city.</b>	Not applicable.	Not applicable.	Not applicable.
<b>Pay equality for women, and staff with disabilities in our workforce.</b>	Not applicable.	Not applicable.	Not applicable.
<b>Supporting our workforce through the implementation of Our People Strategy 2020 – 2024</b>	Not applicable.	Not applicable.	Not applicable.
<b>Supporting victims of hate crime so they feel confident to report incidents, and working with, and through our partner organisations to achieve positive outcomes.</b>	Not applicable.	Not applicable.	Not applicable.

<b>Plymouth is a city where people from different backgrounds get along well.</b>	Not applicable.	Not applicable.	Not applicable.

# EXECUTIVE DECISION

made by a Cabinet Member



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

Executive Decision Reference Number – L44 21/22

Decision	
1	<b>Title of decision:</b> A38 Manadon Interchange Scheme advance funding request
2	<b>Decision maker (Cabinet member name and portfolio title):</b> Councillor Richard Bingley, Leader of the Council
3	<b>Report author and contact details:</b> Sally Farley, Strategic Transport Manager Tel. 01752 307652      Email. <a href="mailto:sally.farley@plymouth.gov.uk">sally.farley@plymouth.gov.uk</a>
4	<ul style="list-style-type: none"> <li><b>Decision to be taken:</b></li> </ul> <p>It is recommended that the Leader of the Council:</p> <ul style="list-style-type: none"> <li>Approves this business case update</li> <li>Allocates £800,000 to the Capital Programme, funded by: <ul style="list-style-type: none"> <li>DfT Integrated Transport Grant funding of £800,000</li> </ul> </li> <li>Delegates Contract Award to Paul Barnard, Service Director for Strategic Planning and Infrastructure (SP&amp;I).</li> </ul>
5	<b>Reasons for decision:</b> <p>£800,000 is requested to be added to the capital programme to progress the Manadon A38 interchange scheme. This funding is requested from monies already identified for the scheme but not yet on the capital programme, namely from the DfT annual grant funding to PCC for 2021/22 (Integrated Transport Black funding).</p> <p>This £800,000 will allow the A38 Manadon Scheme to continue whilst a decision is awaited on the Outline Business Case submission to the Department for Transport. The decision has been delayed by the DfT undertaking a national review of all Large Local Major and Major road Network (LLM/MRN) schemes in response to the national spending review announced Autumn 2021.</p> <p>The funding requested will avoid delaying the scheme and the risk of not being able to start construction by March 2025. Most crucially the funding will allow for essential ecological surveys that must be completed during spring/summer as well as landscaping designs and progressing documents and surveys to support the planning application.</p> <p>The scheme has already engaged in Early Contractor Involvement with Balfour Beatty and this funding would prevent the contractor from having to stand down.</p> <p>Contract award and oversight of monies to be spent will be undertaken by Paul Barnard.</p>

	Service Director SP&I.			
6	<p><b>Alternative options considered and rejected:</b></p> <p>The alternative to placing £800,000 on the capital programme is to stand down the project and await the Outcome of the DfT review. However there are crucial ecological surveys that must begin in April 2022 and essential landscaping plans and work toward planning submission must begin in order to meet the March 2025 construction start date. In addition the experienced project team and contractor would need to be stood down.</p>			
7	<p><b>Financial implications and risks:</b></p> <p>A Business Case was approved in December 2019 through Executive Decision L27 19/20 to place the co-development funding onto the capital programme and to proceed to OBC submission.</p> <p>Co-development funding currently on the capital programme of £3.02m is part DfT and part PCC funding (DfT £1.89m: PCC £1.13m). These monies have now been spent.</p> <p>£800,000 is requested to come from the PCC match funding already identified for the scheme, namely the DfT annual grant funding from 2021/22, but which has not yet placed on the capital programme.</p>			
8	<p><b>Is the decision a Key Decision?</b> (please contact <a href="#">Democratic Support</a> for further advice)</p>	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
			X	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>£1million</b>
			X	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.
	<p><b>If yes, date of publication of the notice in the <a href="#">Forward Plan of Key Decisions</a></b></p>	N/A		
9	<p><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></p>	<p>The Plymouth and South West Devon Joint Local Plan 2014-2034 (JLP) identifies Derriford and the Northern Corridor as a Growth Area because of its potential to deliver a regionally significant scale of growth in new jobs and new homes. The A38 Manadon Interchange is the primary access point which connects the A38 trunk road to the A386 Tavistock Road, the primary route to the Derriford area, and Outland Road and Mannamead Road from the City Centre. The A38 Manadon Interchange currently experiences significant congestion and delays, particularly at peak times, and is one of the worst performing junctions on the South West Strategic Road Network.</p> <p>The Manadon scheme will seek to increase capacity on all arms of the junction as well as providing significant</p>		



		<p>improvements to walking and cycling facilities, including a new cycle bridge across the A38.</p> <p>In July 2019 Plymouth City Council (PCC) submitted the A38 Manadon Interchange scheme as part of the Peninsula Transport submission to the Department for Transport (DfT) for the Major Road Network/Large Local Majors (MRN/LLM) programme.</p> <p>The scheme successfully secured DfT co-development funding at submission stage (one of only seven schemes nationally to achieve this at that time).</p> <p>Large Local Majors schemes typically receive 85% DfT funding. This means that the scheme will attract significant external investment into the city and as such it is part of the city's recovery plan.</p> <p>In addition the scheme will provide significant improvements to walking and cycling infrastructure at Manadon where currently there is no ability for cyclists cross the A38 at subway level without dismounting.</p>
<b>10</b>	<b>Please specify any direct environmental implications of the decision (carbon impact)</b>	There are no direct implications as a result of this proposal.


#### Urgent decisions

<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>		(If yes, please contact Democratic Support ( <a href="mailto:democraticsupport@plymouth.gov.uk">democraticsupport@plymouth.gov.uk</a> ) for advice)
		<b>No</b>	X	<b>(If no, go to section 13a)</b>
<b>12a</b>	<b>Reason for urgency:</b> N/A			
<b>12b</b>	<b>Scrutiny Chair Signature:</b>		<b>Date</b>	
	<b>Scrutiny Committee name:</b>			
	<b>Print Name:</b>			

#### Consultation

<b>13a</b>	<b>Are any other Cabinet members' portfolios affected by the decision?</b>	<b>Yes</b>	x	
		<b>No</b>		<b>(If no go to section 14)</b>
<b>13b</b>	<b>Which other Cabinet member's portfolio is affected by the decision?</b>	Councillor Jonathan Drean, Cabinet Member for Transport		

<b>I3c</b>	<b>Date Cabinet member consulted</b>	22 March 2022						
<b>I4</b>	<b>Has any Cabinet member declared a conflict of interest in relation to the decision?</b>	<b>Yes</b>		If yes, please discuss with the Monitoring Officer				
		<b>No</b>	X					
<b>I5</b>	<b>Which Corporate Management Team member has been consulted?</b>	<b>Name</b>		Anthony Payne				
		<b>Job title</b>		Strategic Director for Place				
		<b>Date consulted</b>		22 March 2022				
<b>Sign-off</b>								
<b>I6</b>	<b>Sign off codes from the relevant departments consulted:</b>	<b>Democratic Support (mandatory)</b>				DS131 21/22		
		<b>Finance (mandatory)</b>				pl.21.22.313.		
		<b>Legal (mandatory)</b>				LS/38316/Jp/230322		
		<b>Human Resources (if applicable)</b>						
		<b>Corporate property (if applicable)</b>						
		<b>Procurement (if applicable)</b>						
<b>Appendices</b>								
<b>I7</b>	<b>Ref.</b>	<b>Title of appendix</b>						
	A	A38 Manadon Interchange scheme – Part I Briefing Note - Business Case Update						
	B	A38 Manadon Interchange scheme - Part II Briefing Note						
	C	Equalities Impact Assessment						
<b>Confidential/exempt information</b>								
<b>I8a</b>	<b>Do you need to include any confidential/exempt information?</b>	<b>Yes</b>	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>I8b</b> below.  (Keep as much information as possible in the briefing report that will be in the public domain)				
		<b>No</b>						
		<b>Exemption Paragraph Number</b>						
		<b>I</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>6</b>	<b>7</b>

<b>18b</b>	<b>Confidential/exempt briefing report title:</b> Appendix B: A38 Manadon interchange Scheme - Part 2 Briefing Note			x				
<b>Background Papers</b>								
<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 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
Appendix A: A38 Manadon interchange Scheme – Business Case update March 2022								
<b>Cabinet Member Signature</b>								
<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						

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## **APPENDIX A: A38 MANADON INTERCHANGE SCHEME FUNDING REQUEST MARCH 2022**



Part I - Business Case update.

### **1. RECOMMENDATIONS**

It is recommended that the Leader of the Council:

- Approves this business case update
- Allocates £800,000 to the Capital Programme, funded by:
  - DfT Integrated Transport Grant funding of £800,000
- Delegates Contract Award to Paul Barnard, Service Director for SP&I.

### **2. BACKGROUND**

The Plymouth and South West Devon Joint Local Plan 2014-2034 (JLP) identifies Derriford and the Northern Corridor as a Growth Area because of its potential to deliver a regionally significant scale of growth in new jobs and new homes. The A38 Manadon Interchange is the primary access point which connects the A38 trunk road to the A386 Tavistock Road, the primary route to the Derriford area, and Outland Road and Mannamead Road from the City Centre. The A38 Manadon Interchange currently experiences significant congestion and delays, particularly at peak times, and is one of the worst performing junctions on the South West Strategic Road Network.

The Manadon scheme will seek to increase capacity on all arms of the junction as well as providing significant improvements to walking and cycling facilities, including a new cycle bridge across the A38.

In July 2019 Plymouth City Council (PCC) submitted the A38 Manadon Interchange scheme as part of the Peninsula Transport submission to the Department for Transport (DfT) for the Major Road Network/Large Local Majors (MRN/LLM) programme.

The scheme successfully secured DfT co-development funding at submission stage (one of only seven schemes nationally to achieve this at that time) and was accepted as having completed stage I (Strategic Outline Business Case).

The programme requires DfT approval of a three stage business case over a number of years:

- Stage 1: Strategic Outline Business Case (SOBC)
- Stage 2: Outline Business Case (OBC)
- Stage 3: Final Business Case (FBC)

Since 2019 the DfT have been in continued dialogue with Local Authority scheme promoters. There are now 103 schemes under consideration with the MRN/LLM programme. The A38 Manadon Interchange scheme has made good progress and submitted its OBC in October 2021.

The anticipated level of DfT funding is 85% for successful schemes. Initial co-development funding is at 66%. For LLM schemes construction must start in March 2025.

The Manadon scheme, having submitted its Outline Business Case in October 2021, would (under usual circumstances) have expected to have proceeded to Final Business Case and secured the necessary DfT funding to progress to FBC.

However in response to the economic impacts of the pandemic a national Spending Review was announced in autumn 2021. The DfT are therefore reviewing the full programme of 103 Large Local

Major and Major Road Network (LLM/MRN) schemes and so the decision for Manadon has been delayed and is not expected until later in the spring.

The scheme has engaged in Early Contractor Involvement (ECI) engaging Balfour Beatty through the SCAPE framework, and an experienced project team have been assembled. It is therefore requested that £800,000 is allocated onto the capital programme to allow the scheme to proceed during the DfT review.

The £800,000 requested is to be funded from monies already identified for the scheme but not yet on the capital programme, namely from the DfT annual grant funding to PCC for 2021/22 (Integrated Transport Block funding).

This £800,000 will allow the project to continue and most crucially allow for essential ecological surveys that must be completed during spring/summer as well as landscaping designs and progressing documents and surveys to support the planning application. It will avoid delaying the scheme and the risk of not being able to start construction by March 2025.

Any and all contracts awarded will be undertaken by delegated decision by Paul Barnard, Service Director SP&I, who will also have oversight of the spending of the funding requested.

### 3. COSTS

A Business Case was approved in December 2019 through Executive Decision L27 19/20 to place the co-development funding onto the capital programme and to proceed to OBC submission.

Co-development funding currently on the capital programme of £3.02m is shown in grey on table 1 below (DfT £1.89m: PCC £1.13m). These monies have now been spent.

The £800,000 requested is proposed to come from the PCC match funding element, namely the DfT annual Integrated Transport Block from 2021/22.

### 4. ALTERNATIVE OPTIONS

The alternative to placing £800,000 on the capital programme is to stand down the project and await the Outcome of the DfT review. However there are crucial ecological surveys that must begin in April 2022 and essential landscaping plans and work toward planning submission must begin in order to meet the March 2025 construction start date. In addition the experienced project team and contractor would need to be stood down.

### 5. PROPOSED PROGRAMME

Milestone	Date
Strategic Outline Business Case Approval	September 2019
OBC Submission to DfT	October 2021
FBC Approval from DfT	February 2025
Construction	2024/2025

### 6. RISKS

Potential Risk Identified				
Description:	DfT decision is not to progress Manadon to stage 3: Final Business Case.			
Mitigation:	PCC have been in ongoing talks with the DfT to date. The Manadon scheme is a mature scheme with the DfT's Large Local Majors (LLM) programme and the first LLM scheme to submit its OBC within the STB region. It should also be noted that the DfT are already funding 66% of the scheme's development. There has also been ongoing dialogue with National Highways who have supported the scheme throughout it's development and who have entered into a signed MOU with PCC			
Risk assessment	Initial	Post mitigation	Current	Total rating
Likelihood To be scored 1 (low) – 5 (high)	3	2	2	6
Impact To be scored 1 (low) – 5 (high)	4	4	4	
Trend	Reducing	Lead Officer:	Sally Farley	
		Risk Champion:	Philip Heseltine	
Potential Risk Identified				
Description:	DfT delay their decision for a significant period.			
Mitigation:	The £800,000 requested will allow the project to continue until the Autumn and so allows for this eventuality.			
Risk assessment	Initial	Post mitigation	Current	Total rating
Likelihood To be scored 1 (low) – 5 (high)	3	2	2	5
Impact To be scored 1 (low) – 5 (high)	3	3	3	
Trend	Reducing	Lead Officer:	Sally Farley	
		Risk Champion:	Philip Heseltine	

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The following relates to exempt or confidential matters (Para(s) 3 of Part 1, Schedule 12A of the Local Govt Act 1972). Any breach of confidentiality could prejudice the Council/person/body concerned & might amount to a breach of the councillors /employees codes of conduct.

Document is Restricted

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EQUALITY IMPACT ASSESSMENT

Manadon Junction Large Local Major Scheme



STAGE 1: WHAT IS BEING ASSESSED AND BY WHOM?

<p>What is being assessed - including a brief description of aims and objectives?</p>	<p>The investment in Plymouth’s Manadon LLM Scheme will provide resilience to the A38 Strategic Road Network and improve accessibility as the main link between northern and central Plymouth.</p> <p>Manadon Junction is the point where the A38 SRN meets the busy A386 Tavistock Road, providing the main access route to regional employment and medical centres located in the north of Plymouth, including Plymouth Science Park, Plymouth International Medical and Technology Park, Derriford Hospital and Plymouth Marjon University.</p> <p>It currently experiences significant congestion in the peak periods with traffic queuing back onto the A38, increasing road safety risk and causing traffic flow breakdown resulting in unreliable journeys along the SRN.</p> <p>The proposed scheme includes a number of targeted improvements to Manadon, focusing on providing enhanced capacity for road users, but also delivering improved journey times for key bus services and enhanced pedestrian and cycle connectivity.</p> <p>The improvements are critical to ensuring the future operation, reliability and resilience of both the A38 and A386. The improvements would improve the performance and resilience of the SRN, improving connectivity from Plymouth and South East Cornwall to the wider region and the rest of the UK.</p> <p>Objectives:</p> <ul style="list-style-type: none"><li>1. Reduce Congestion</li><li>2. Support Economic Growth and Rebalancing</li><li>3. Support Housing Delivery</li><li>4. Support all Road Users</li><li>5. Support the Strategic Road Network (A38)</li></ul>
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<b>Author</b>	
<b>Department and service</b>	SP&I   Strategic Transport
<b>Date of assessment</b>	10/12/2019

**STAGE 2: EVIDENCE AND IMPACT**

<b>Protected characteristics (Equality Act)</b>	<b>Evidence and information (eg data and feedback)</b>	<b>Any adverse impact</b> See <a href="#">guidance</a> on how to make judgement	<b>Actions</b>	<b>Timescale and who is responsible</b>
<b>Age</b>	<p>The average age in Plymouth (39.0yrs) is about the same as the rest of England (39.3yrs), but less than the South West (41.6yrs).</p> <p>Of the 16 South West authorities we have the third lowest percentage of older people (75yrs), and the fifth highest percentage of children and young people (under 18).</p> <p>Children and young people (CYP) under 18 accounts for 19.9 per cent of our population, within this 90 per cent are under 16.</p> <p>It is estimated that 6.8 per cent of young people in our city aged between 16 and 18yrs are not in Education, Employment or Training (NEET) (DfE, 2018).</p> <p>The proportion of the working age population (15 - 64) is higher at 65 per cent than</p>	No adverse impact is anticipated.		

	regionally (62 per cent) and nationally (64 per cent).			
<b>Disability</b>	<p>A total of 31,164 people (from 28.5 per cent of households) declared themselves as having a long-term health problem or disability (national figure 25.7 per cent of households), compared with the total number of people with disabilities in UK (11,600,000).</p> <p>10 per cent of our population have their day-to-day activities limited a lot by a long-term health problem or disability.</p> <p>1,297 adults registered with a GP in Plymouth have some form of learning disability (2013/14).</p> <p>Plymouth schools report that of every 1,000 children 17.5 have a learning difficulty.</p> <p>There are 27166 adults with a disability in work.</p> <p>There are 23,407 carers aged between 18 and 64 in Plymouth known to our services.</p> <p>There are 17,937 state pension age people with disability.</p> <p>There are 3,142 children with disability.</p> <p>National figures in March 2014, record that 143,400 people were registered as blind, a</p>	No adverse impact is anticipated.	Crossing facilities will be upgraded to support the visually and mobility impaired.	

	<p>decrease of 4,400 (three per cent) from March 2011.</p> <p>Similarly, 147,700 people were registered as partially sighted, a decrease of 3,300 (two per cent) from March 2011. Our Translate Plymouth services recorded that BSL is amongst our most requested languages.</p> <p>Over 13,000 people in our City are currently dependent on ESA.</p>			
<b>Faith/religion or belief</b>	<p>Christianity is the biggest faith in the city with more than 58 per cent of the population (148,917 people).</p> <p>32.9 per cent (84,326) of the Plymouth population stated they had no religion.</p> <p>Those with a Hindu, Buddhist, Jewish or Sikh religion combined totalled less than 1 per cent.</p> <p>Islam: 0.8 per cent, (2,078 people) doubled from 0.4 per cent since 2001.</p> <p>Buddhism: 0.3 per cent, (881 people) increased from 0.2 per cent since 2001.</p> <p>Hinduism: 0.2 per cent, 567 people described their religion as Hindu,</p> <p>Judaism: 0.1 per cent, 168 people</p>	No adverse impact is anticipated.		

	<p>Sikhism: 89 people (less than 0.1 per cent), increased from 56 people since 2001.</p> <p>0.5 per cent of the population had a current religion that was not Christianity, Islam, Buddhism,</p> <p>Hinduism, Judaism or Sikh, such as Paganism or Spiritualism.</p>			
<b>Gender - including marriage, pregnancy and maternity</b>	<p>Overall 50.2 per cent of our population are women and 49.8 per cent are men: this reflects the national figure of 50.7 per cent women and 49.3 per cent men.</p> <p>There were 2,815 births in 2016. Birth rate trends were stable between 2013 and 2016 but have started to decline. The wards with the highest numbers of births are Devonport (268), St Peter and the Waterfront (219).</p> <p>Of those aged 16 and over, 90,765 people (42.9 per cent) are married and 78,544 (37.1 per cent) are single. 5,190 (2.5 per cent) are separated and still legally married or legally in a same-sex civil partnership. 22,272 (10.5 per cent) are divorced.</p> <p>Nationally, the current gender pay gap is 8.6 per cent for F/T</p>	No adverse impact is anticipated.		

	<p>employees (ONS, 2018), down from 9.1 per cent in 2017.</p> <p>In Plymouth the current gender pay gap is 6.5 per cent for F/T employees (ONS, 2018)</p> <p>At Plymouth City Council, the median hourly rate for women is 3.3 per cent higher than for men meaning women earn £1.03 for every £1 that men earn.</p>			
<b>Gender reassignment</b>	<p>There are no official estimates for gender reassignment at either national or local level. However, in a study funded by the Home Office, the Gender Identity Research and Education Society (GIRES) estimate that between 300,000 and 500,000 people aged 16 or over in the UK are experiencing some degree of gender variance.</p> <p>By applying this to Plymouth's 16+ population, it is estimated that there may be somewhere between 1,287 and 2,146 adults in the city that are experiencing some degree of gender variance.</p> <p>The Tavistock and Portman NHS Foundation Trust has seen an increase in the number of young people referred to our Gender Identity Development Service in</p>	No adverse impact is anticipated.		



	<p>2017/18, compared to the previous year. In 2017/18 there were 2,519 referrals received at the clinic. This represents a 25 per cent increase compared to the previous year which had 2,016 referrals. While this is an increase in referrals, the rate of increase has decreased compared to the previous year from 2016/2017, which itself was a reduced rate from the year before.</p>			
<b>Race</b>	<p>92.9 per cent of Plymouth's population identify themselves as White British.</p> <p>7.1 per cent identify themselves as Black and Minority Ethnic (BME) with White Other (2.7 per cent),</p> <p>Chinese (0.5 per cent) and Other Asian (0.5 per cent) the most common ethnic groups.</p> <p>Our recorded BME population rose from 3 per cent in 2001 to 6.7 per cent in 2011, and therefore has more than doubled since the 2001 census.</p> <p>Recent census data suggests we have at least 43 main languages spoken in the city, showing Polish, Chinese and Kurdish as the top three. Based on full year data for 2012-13, our Translate Plymouth services recorded that the most</p>	No adverse impact is anticipated.		

	<p>requested languages are Polish, British Sign Language (BSL) and Chinese Mandarin.</p> <p>Nearly 100 different languages are spoken in schools by children of different backgrounds. Polish and Arabic are the most common, spoken by 385 and 143 children respectively.</p> <p>Four neighbourhoods have a population of school age children where 20 per cent or more are from a BME background. They are City Centre (38.0 per cent), Greenbank and University (32.3 per cent), Stonehouse (29.9 per cent) and East End (23.4 per cent). There are 2,204 of compulsory school age children (5 to 16 years old) that speak English as an additional other language (January 2016).</p> <p>The Ride has 13 recently refurbished permanent site pitches. We have three small private sites with a total of 4 pitches. In 2010, which was our peak year, we dealt with 44 unauthorised encampments in the city with over 200 children living on them.</p> <p>The 2011 Census records that there were 4328 people from the A8 and A2 Accession Countries resident in the City.</p>			
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	Of these 2332 recorded their country of birth as Poland, with 57 per cent arriving between March 2006 and 2008.			
<b>Sexual orientation - including civil partnership</b>	<p>Over the last five years, the proportion of the UK population identifying as lesbian, gay or bisexual (LGB) has increased from 1.5% in 2012 to 2.0% in 2017, although the latest figure is unchanged from 2016. In Plymouth this would mean that around 5,260 residents identify as LGB.</p> <p>In 2017, there were an estimated 1.1 million people aged 16 years and over identifying as LGB out of a UK population aged 16 years and over of 52.8 million.</p> <p>Males (2.3%) were more likely to identify as LGB than females (1.8%) in 2017.</p> <p>People aged 16 to 24 years were most likely to identify as LGB in 2017 (4.2%).</p>	No adverse impact is anticipated.		

### STAGE 3: ARE THERE ANY IMPLICATIONS FOR THE FOLLOWING? IF SO, PLEASE RECORD ACTIONS TO BE TAKEN

Local priorities	Implications	Timescale and who is responsible
<b>Reduce the gap in average hourly pay between men and women by 2020.</b>	It is not anticipated that there will be any implications on reducing the gap in average hourly pay between men and women by 2020.	Head of Transport
<b>Increase the number of hate crime incidents reported and maintain good satisfaction rates in dealing</b>	It is not anticipated that there will be any implications on hate crime and belief crime incidents by 2020	Head of Transport

with racist, disablist, homophobic, transphobic and faith, religion and belief incidents by 2020.		
Good relations between different communities (community cohesion)	It is not anticipated that there will be any implications on relations between communities.	Head of Transport
Human rights Please refer to <a href="#">guidance</a>	It is not anticipated that people’s human rights will be impacted by the scheme.	Head of Transport

STAGE 4: PUBLICATION

Responsible Officer: Philip Heseltine

Date 10.12.2019

Head of Transport

# EXECUTIVE DECISION

## made by a Cabinet Member



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

Executive Decision Reference Number – L47 21/22

Decision	
1	<b>Title of decision:</b> Plymouth and South Devon Freeport
2	<b>Decision maker:</b> Cllr Richard Bingley, Leader of the Council
3	<b>Report author and contact details:</b> Kevin McKenzie, Deputy SRO Plymouth and South Devon Freeport. T +441752304318 E <a href="mailto:kevin.mckenzie@plymouth.gov.uk">kevin.mckenzie@plymouth.gov.uk</a>
4	<b>Decision to be taken:</b> Subject to due diligence and the agreement of our Section 151 officer and Head of Legal Services, to: - <ol style="list-style-type: none"> <li>1. delegate approval of the Full Business Case for submission in April to the Strategic Director for Place.</li> <li>2. Agree the role of Plymouth City Council as the accountable body for the Plymouth and South Freeport with responsibility for administering the £25m government seed funding.</li> <li>3. Delegate authority to the Strategic Director of Place to sign the Freeport Memorandum of Understanding and associated legal agreements with Government and partners, setting out government expectations, funding arrangements, outputs and partner obligations.</li> <li>4. Approve the Oceansgate Phase 3 Outline Business Case and associated service borrowing (funded by retained business rates) subject to a detailed business case and successful Levelling Up Fund grant application.</li> <li>5. Agree the Freeport operating model, staff structure and revenue budget including the Local Authority annual £50k contribution which will be funded from the Oceansgate revenue budget.</li> <li>6. Agree to establish a company limited by guarantee to become the Freeport managing entity, with Plymouth City Council, Devon County Council and South Hams District Council as its founding members based on the terms set out in this report. Delegate to the Strategic Director of Place authority to sign any legal or other agreements that may be required, including the members agreement reserved matters, and a scheme of delegation as set out in paragraph 4.9.</li> <li>7. Delegate to the Strategic Director of Place the authority to enter into Freeport landowner agreements, including those relating to Oceansgate and the South Yard Tax site, as may be required in pursuance of the Freeport Objectives set out in the report and to discharge our obligations as the accountable body.</li> </ol>


5	<p><b>Reasons for decision:</b></p> <p>We need a executive decision now to: -</p> <ul style="list-style-type: none"> <li>▪ Meet timelines set by government linked to the lead in time for laying legislation.</li> <li>▪ Approve the key principles and allow the team to finalise the Full Business Case for submission in April.</li> <li>▪ To enable all three local authorities partners to take decisions in common before the deadline.</li> <li>▪ Take a decision before the pre-election period.</li> </ul>
6	<p><b>Alternative options considered and rejected:</b></p> <ul style="list-style-type: none"> <li>▪ An alternative timeline was considered that would have pushed submission of our Full Business Case back until June, this was rejected as it would delay Freeport designation and shorten the window within which potential investors would be able to claim tax benefits.</li> <li>▪ An option involving all three Local Authority acting as accountable bodies for activity on their own area was considered but viewed ultimately as unnecessarily complex and bureaucratic.</li> <li>▪ The terms under which the Seed Capital grant are made are set by the Government so no alternative arrangement was considered.</li> <li>▪ We considered financing the capital requirement in the Oceansgate Business Case wholly from retained business rates and concluded that increasing the proportion of grant income to be applied was a more robust approach.</li> <li>▪ Various alternative company models were considered and advice taken both internally and through government appointed consultants. The Company Limited by Guarantee emerged as the most likely suitable model. This preference was then stress tested by Womble Bond Dickinson, their report concluding that this model is fit for purpose is appended.</li> <li>▪ We considered a range of alternative uses of seed capital in the development of our Outline Business Case, the allocation we are presenting is the culmination of a considerable process of revision and re-evaluation which has resulted in the best fit to support the achievement of Freeport objectives.</li> <li>▪ We considered alternative charging mechanisms that would have leveraged tax benefits such as a fee based on m<sup>2</sup> of employment floor space provided and the number of new employees benefitting from employers national insurance relief. Ultimately these models were overly complex and less certain than the flat fee arrangement we have settled on.</li> </ul>
7	<p><b>Financial implications and risks:</b></p> <p>The MTFP contains some resources in the initial years of the scheme both for revenue and capital. In the medium term there are proposals to engage in wider corporate borrowing, these to be funded from retained NNDR which will be received by The Council as Section 31 grant. Clearly The Council and Partners will need to ensure that available resources are not over committed at that point in the overall scheme.</p> <ul style="list-style-type: none"> <li>▪ The anticipated uplift in NNDR income from the areas designated as Freeport Tax and Customs sites in the Full Business Case will be retained and ring fenced for a period of 25 years,</li> <li>▪ Retained NNDR and rental income and legacy from Oceansgate phase 1 and 2 will be directed in the first instance to service borrowing, and, only in the event of a surplus, for future investment in the Freeport as may be agreed by the Local Authority partners.</li> <li>▪ The Medium Term Financial Plan already makes some provision for financial support.</li> <li>▪ Revenue funding will be required to support the establishment of 4.5 new posts and other</li> </ul>

	<p>Freeport running costs.</p> <ul style="list-style-type: none"> <li>For the first five years this will be generated through fees and charges levied on landowners, supplemented with direct grant support from central government.</li> <li>A successful Levelling Up Fund to support the Freeport is anticipated.</li> </ul> <p>There are risks but we have carefully assessed them and we are confident that they can be managed. The rewards are proportionately large, a vibrant economy delivering quality jobs, and new skills provision to ensure that residents in our most left behind wards can benefit.</p> <p>The governance arrangements that are envisaged and which will be further developed in the final business case are designed to deal effectively with these risks.</p> <p>The principle financial risks are set out in a high level risk assessment in the body of the report. All project related risks, including financial risks, are reviewed regularly by the Freeport development team to ensure they are appropriately mitigated.</p> <p>Risk Management - the key programme risks related to this decision are set out in the report. Monthly exception reports are produced for the Freeport Shadow Board.</p>			
8	<b>Is the decision a Key Decision?</b> (please contact <a href="#">Democratic Support</a> for further advice)	<b>Yes</b>	<b>No</b>	<b>Per the Constitution, a key decision is one which:</b>
		✓		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
		✓		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>
		✓		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>	23/02/2022		
9	<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>	<p>We have set out a number of strategic objectives in the Plymouth Plan that a free port could help us to achieve, the links to specific policies are explored in the appendix: -</p> <p>SO2 - Strengthening Plymouth's role in the region</p> <p>SO3 - Delivering the international city</p> <p>SO11 – Delivering high quality development</p> <p>SO12 – Delivering infrastructure and investment</p> <p>The free port could also assist us to deliver priorities in our Corporate Plan: -</p> <p>Strongly supports the delivery of economic growth that benefits as many people as possible</p> <p>Strongly supports the delivery of quality jobs and</p>		

		valuable skills		
<b>10</b>	<b>Please specify any direct environmental implications of the decision (carbon impact)</b>	<p>Our Full Business Case will set out our ambitious plans to ensure that the Freeport contributes positively to our Climate Emergency Action Plan setting an overarching target that is consistent with our commitment to achieve a carbon net zero position by 2030.</p> <p>The recommendation of the Brexit, Infrastructure and Legislation Overview and Scrutiny Committee that the Carbon Net Zero Strategy for the Freeport should consider carbon impact and seek to minimise carbon outputs in areas such as people and goods moving between sites and also on site is accepted.</p>		
<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>		(If yes, please contact Democratic Support ( <a href="mailto:democraticsupport@plymouth.gov.uk">democraticsupport@plymouth.gov.uk</a> ) for advice)
		<b>No</b>	✓	<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>	✓	
		<b>No</b>		<b>(If no go to section 14)</b>
<b>13b</b>	<b>Which other Cabinet member's portfolio is affected by the decision?</b>	Freeport impacts will be wide ranging and are likely to affect all Cabinet member's portfolios.		
<b>13c</b>	<b>Date Cabinet member consulted</b>	The report was discussed with all Cabinet members on 15/03/2022.		
<b>14</b>	<b>Has any Cabinet member declared a conflict of interest in relation to the decision?</b>	<b>Yes</b>		If yes, please discuss with the Monitoring Officer
		<b>No</b>	✓	
<b>15</b>	<b>Which Corporate Management Team member has been consulted?</b>	<b>Name</b>	Anthony Payne	
		<b>Job title</b>	Strategic Director for Place	



		<b>Date consulted</b>	23/02/2022						
<b>Sign-off</b>									
16	<b>Sign off codes from the relevant departments consulted:</b>	<b>Democratic Support (mandatory)</b>	DS133 21/22						
		<b>Finance (mandatory)</b>	djn.21.22.304						
		<b>Legal (mandatory)</b>	MS/38271.						
		<b>Human Resources (if applicable)</b>							
		<b>Corporate property (if applicable)</b>							
		<b>Procurement (if applicable)</b>							
<b>Appendices</b>									
17	<b>Ref.</b>	<b>Title of appendix</b>							
	A	Briefing report							
	B	Gateway policy							
	C	Equality Impact Assessment							
	D	Tax site maps							
<b>Confidential/exempt information</b>									
18a	<b>Do you need to include any confidential/exempt information?</b>	<b>Yes</b>		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)					
		<b>No</b>	✓						
		<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	<b>Confidential/exempt briefing report title:</b>								
<b>Background Papers</b>									
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 I 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
Freeport Full Business Case Guidance								
Plymouth and South Devon Freeport – Outline Business Case				✓	✓			
Landowner Agreements – Heads of Terms				✓	✓			
Plymouth and South Devon Freeport –Financial and Economic Modelling Excel Spread Sheets.				✓	✓			
<b>Cabinet Member Signature</b>								
<b>20</b>	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.							
<b>Signature</b>				<b>Date of decision</b>		23 March 2022		
<b>Print Name</b>		Councillor Richard Bingley						

# Plymouth and South Devon Freeport

## 1.0 INTRODUCTION

- 1.1 The Conservative Government's Party Manifesto included a commitment to create up to ten Freeports around the UK. In December 2020 Cabinet agreed that as Britain's Ocean City, and given our national marine cluster, it was important that we made a credible bid into the Freeport programme.
- 1.2 Our bid, which we submitted in February 2021, set the outer boundary of the Freeport to be consistent with the Plymouth and South West Devon Joint Local Plan. Three primary sites were identified; at South Yard in Devonport, Langage Energy Park and the Sherford Employment Zone, together with elements of the Port of Plymouth at Millbay Docks and Cattewater Harbour. The bid was jointly led by Plymouth City Council, South Hams District Council and Devon County Council.
- 1.3 In March 2021 the Chancellor announced the Plymouth and South Devon Freeport as one of 8 successful bids in England. Following this announcement Plymouth City Council, as the lead authority, led the development of an Outline Business Case. Governance and oversight was provided by a Shadow Board made up of senior officers from the local authority partners, the Heart of the South West LEP, Universities of Plymouth and Exeter and since January 2022 our principle landowners have joined the board.
- 1.4 We submitted our Outline Business Case in November 2021. Following a review by the Department for Levelling Up, Housing and Communities, we responded to a number of critical actions in February 2022. These included a requirement to make progress on delivering site specific agreements with landowners. Our response was welcomed subject to having landowner agreements finalised for at least one tax site and we were invited to submit our Full Business case ahead of a June/July start.
- 1.5 Our Freeport will unlock £311m in inward investment and create 3,584 jobs. We anticipate more than £100m investment and 1,000 quality jobs in the first 2 years. It will provide a new world class innovation space enabling us to build our global reputation for marine innovation. It will anchor some of our biggest employers, protecting existing jobs and ensuring they can expand their local operations. It will unlock 130 Hectares of development land to provide space for advanced manufacturing and logistics companies to come to Plymouth.
- 1.6 This reports sets out the necessary decisions and delegations to enable the Full Business case to be submitted by April 22<sup>nd</sup> 2022 and then to begin operations early in the summer.

### What is a Freeport?

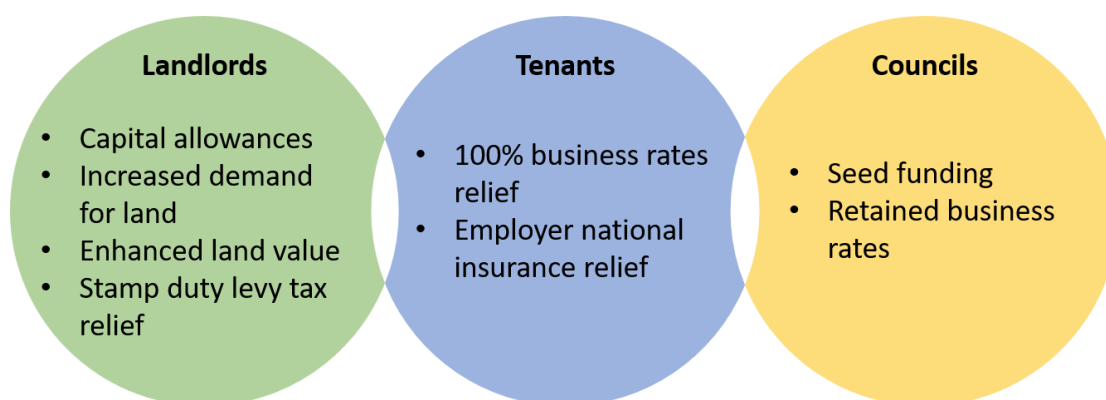
- 1.7 The Government have set three objectives for the Freeport programme, to: -
  - Establish Freeports as national hubs for global trade and investment across the UK: intensify the economic impact of our ports by enhancing trade and investment and generating increased economic activity across the UK
  - Promote regeneration and job creation: create high-skilled jobs in ports and the areas around them, prioritising some of our most deprived communities to level up the UK economy
  - Create hotbeds for innovation: create dynamic environments, capitalising on new ideas and fostering the conditions that will attract new businesses, investors and innovations.
- 1.8 To support the achievement of these objectives the Government will provide seed capital and a package of benefits encompassing tax and customs levers which will be made available in designated areas described as tax and customs sites.

- 1.9 Tax sites are areas of undeveloped, or underdeveloped, land which will be developed as sites for new economic enterprises that support the achievement of the government's objectives, they are similar in most respects to Enterprise Zones. Each Freeport may identify up to three tax sites within its outer boundary where the tax reliefs will apply.
- 1.10 Customs sites are areas which for practical purposes will be demarcated as being outside of UK customs territory. This enables businesses operating within them to suspend their liability to excise payments and VAT until such time as goods are brought onto the UK customs territory.

### What are the benefits?

- 1.11 Each Freeport will be granted up to £25 million of seed capital funding, primarily to be used to address infrastructure gaps in tax and/or customs sites that are holding back investment.

Figure 1. Shows the possible benefits of a Freeport to different groups of stakeholders.



- 1.12 Eligible businesses will have access to a suite of tax reliefs including:
- Business Rates Relief;
  - Stamp Duty Land Tax (SDLT);
  - Employer National Insurance Contributions (NICs);
  - Enhanced Structures and Building Allowance, and;
  - Enhanced Capital Allowances designed to incentivise new investment within the boundaries of Freeport tax sites.

These benefits will be available for 5 years, up until 2026/27.

- 1.13 We and our partner local authorities will be able to retain 100% of the business rates growth above an agreed baseline. This will be guaranteed for 25 years, giving us the certainty we need to borrow and to invest in regeneration and infrastructure that will support growth.
- 1.14 Business rates relief will be available for 5 years subject to eligibility criteria that we will develop locally and aligned to our gateway policy that supports the achievement of our strategic objectives for the Freeport.
- 1.15 Businesses operating within Freeport customs sites will have access to simplified customs arrangements.
- 1.16 We will provide a supportive planning environment through our Joint Local Plan which already has development policies covering our tax and customs sites.
- 1.17 Freeports enjoy direct access to relevant regulators through a Freeport Regulatory Engagement Network (FREN). This will enable early engagement with regulators, minimising bureaucracy and uncertainty.

- 1.18 The Department for International Trade will provide targeted and specific trade and investment support to Freeports, helping them to secure investment and attract exporters.
- 1.19 Our Freeport will adhere to UK regulatory standards. Security, health and safety, workers' rights, data protection, biosecurity, tax avoidance and environmental protection will not be compromised.

## **2.0 THE PLYMOUTH AND SOUTH DEVON FREEPORT PROPOSAL**

### **The Vision**

- 2.1 The PASD Freeport will supercharge Plymouth's economy by building on our unique national capabilities in Marine, Defence and Space to form globally impactful superclusters and a UK Innovation Superpower.
- 2.2 As a South West Powerhouse, the full potential of the region will be realised by concentrating around the largest UK Naval port and Europe's only horizontal launch spaceport, high value primes and their rich supply chains.
- 2.3 The Freeport will deliver Levelling Up stimulus and drive local skills, jobs and higher wages. As an innovation hotbed, we will fuse already strong innovations with global leading projects and prototyping on synthetic testbeds and ocean proving grounds – spinning off viable products and early stage production runs in a supportive tax and regulatory environment.
- 2.4 Our Freeport will see the evolution of sub-sector specialisms including marine autonomy, maritime decarbonisation, digital oceans, smart port shipping, offshore renewable energy support solutions, defence mission modules and small satellite fabrication.

### **The Partnership**

- 2.5 We are working in close partnership with the Department for Levelling Up, Homes and Communities and a number of other government departments, including HM Revenues and Customs, the Treasury and the Department for International Trade.
- 2.6 Our Freeport programme is supported by a local partnership between the public and private sectors, bringing together:-
  - Three local authority partners – Plymouth City Council, Devon County Council and South Hams District Council
  - Two Universities - the Universities of Plymouth and Exeter
  - The Heart of the South West Local Enterprise Partnership
  - Anchor tenants and landowners - Princess Yachts, Langage Energy Park Limited and Babcock International
  - Port Operators and the Ministry of Defence

### **The Tax Sites**

- 2.7 We propose to designate three tax sites: South Yard in Devonport, Langage Energy Park and the Sherford Employment Zone providing a combined footprint of around 130 HA for development.

### **South Yard**

- 2.8 South Yard encompasses our Oceansgate development and the existing facilities owned by Princess Yachts, Babcock International and the Ministry of Defence. The site is economically underdeveloped with much of it being made up of underutilised buildings, some of which are the subject of preservation orders. We are in negotiating with the MOD to acquire an extended lease over underutilised facilities that remain within their control.

- 2.9 The total value of the developments proposed of this site, which include a new marine innovation centre, mobility hub and enhanced Princess Yacht's manufacturing facilities is circa £63m and we anticipate all of the development will come forward between 2022 and 2025, with the exception of later phases (3.2 and 3.3) of Oceansgate.
- 2.9 We are currently finalising the final boundaries to be applied to the site with the Treasury and will confirm these as part of the full business case.

### **Langage**

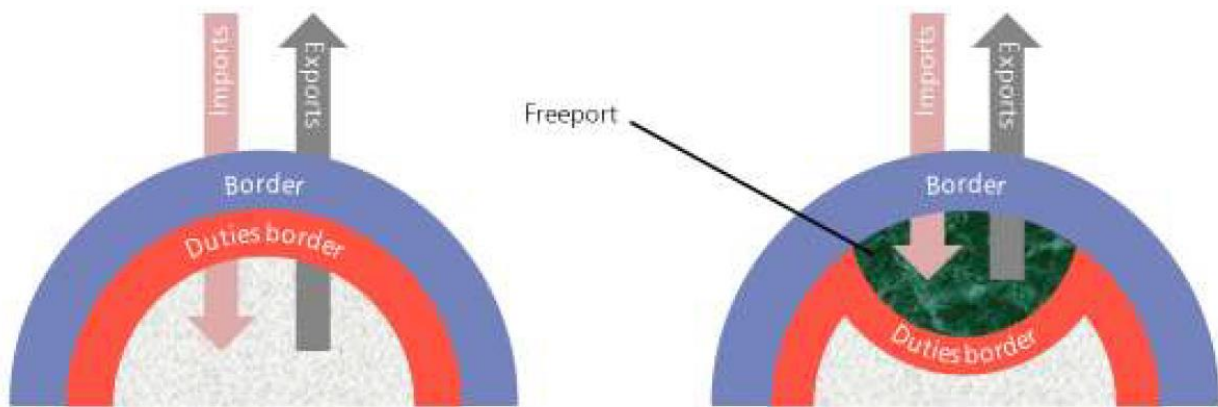
- 2.10 Located on greenfield land within the eastern corridor of the city, in close proximity to the A38 Expressway, the site is allocated in our Joint Local Plan for employment purposes. It will be developed as a tax site incorporating a customs zone to provide industrial and manufacturing space for high value manufacturing and engineering companies, focusing primarily but not exclusively on the marine, defence and space sectors. The site will also be home to a green hydrogen electrolyser plant and a mobility hub to deliver sustainable and low carbon transport options.
- 2.11 Development is anticipated to come forward in two phases, taking place between 2022 and 2027.
- Phase 1a will be delivered first encompassing a 25,000m<sup>2</sup> Customs Zone on land owned by Langage Energy Park Ltd. We already own a small parcel of land at Langage but we will need to acquire a significant parcel of land from its current owners before we can commence Phase 1b.
  - Phase 2 includes approximately 40 acres of solar farm owned by Langage Energy Park Ltd (LEPL). This occupies around 50% of LEPL's developable site. LEPL has development plans which would enable their plot to be developed in line with our Freeport objectives but this would require moving the solar panels.
- 2.12 However, the solar panels currently benefit from a feed-in tariff (FiT) which is contracted to 2036. LEPL has been in discussion with Ofgem to establish if this FiT could be continued at present levels to 2036 if the panels are moved. We are working with the national Freeport team to see if this issue can be resolved and if not this element of the Freeport will be removed.

### **Sherford**

- 2.13 Located on the opposite side of the A38 Expressway to the Langage site, the Sherford Employment Zone forms part of the employment allocation of the Sherford new community. It will be developed as a logistics hub with coterminous tax and customs site boundaries, providing integrated warehousing, storage and engineering space for a single marine/defence contractor. This development is expected to come forward in the first phase of developments, taking place between 2022 and 2025.

### **Customs sites**

- 2.15 A Freeport customs site (also known as a 'free zone') is a secure, enclosed customs zone where some normal tax and customs rules do not apply. It is the presence of customs sites that define a Freeport as something more than an economic zone.



- 2.16 Businesses operating from within a customs site derive 3 three main opportunities: -
- Tariff suspension - the ability to defer payment of VAT and excise duty until such time as imported goods cross into UK customs territory.
  - Tariff exemption – goods brought into the Freeport for export that never enter UK customs territory generate no liability to the payment of VAT or excise duty at all.
  - Tariff inversion – where goods are brought into a customs zone and processed into a final product and the excise duty on the final product is less than it would be on some or all of its components.
- 2.17 Our main customs sites will be delivered at two locations within our tax site boundaries at Langage and Sherford. Since these sites cannot be delivered before we have delivered necessary core site infrastructure, we have identified a third temporary customs site.
- 2.18 Located outside our tax site boundaries this will ensure that we can meet an HMRC requirement that we must have a fully operational customs site before we can be formally designated as a Freeport. Taken together these facilities will provide over 50,000 m<sup>2</sup> of warehouse and advanced manufacturing space.
- 2.19 To operate a Freeport customs site we must meet the conditions of an HMRC 'designation order'. The designation order sets out who the Freeport customs site operator is and the conditions they must comply with. In the short term Babcock, who already meet the criteria, have agreed to seek authorisation as our customs site operator. We are currently considering longer term options, including the procurement of a single customs operator to cover all our customs operations.
- 2.20 We have committed to upholding the UK's high standards for security and combatting illicit activity and we have therefore agreed to honour the obligations set out in the OECD Code of Conduct for Clean Free Trade Zones and the UK's Money Laundering, Terrorist Financing and Transfer of Funds (Information on the Payer) Regulations 2017.
- 2.21 We also have to maintain a security and illicit activity risk assessment with local partners and security stakeholders and put in place appropriate processes and governance arrangements for actively managing the security risks identified. These processes are subject to an annual security audit.

### Anchor Tenants

- 2.22 Our proposal benefits from two anchor tenants who are currently based at South Yard.
- Babcock International – which works in partnership with the MOD at Devonport and has an overseas client base, providing through-life support for submarines, surface ships and

associated systems and equipment. Babcock's facilities at Devonport include the UK's sole licensed site for the refitting and refuel/defuel of nuclear-powered submarines, as well as docks to maintain, refit and modernise surface warships.

- Babcock currently employs over 7,200 people in Plymouth and has strong links with supply chain companies, with opportunities for on-shoring overseas clients. The Freeport represents a significant opportunity for them to expand operations in new economic areas through innovation and by developing an Integrated Logistics Hub at one of the tax sites as well as the re-development of redundant sites 'behind the wire' in South Yard.
- Princess Yachts which employs 3,000 staff on the South Yard Site to meticulously sculpt some of the most technically advanced and beautiful yachts in the world. The company has an advanced concept for a new 88ft super yacht which will be the first to integrate all of its sustainability initiatives through the use of efficient design, electrification and sustainable materials. The Freezone will offer an opportunity to create a flagship centre for luxury yacht manufacturing, creating 450 direct jobs.

2.23 At Langage, the Freeport will bring forward private investment for a 10MW hydrogen electrolyser plant which is planned to be online by the end of 2025. This will align with the Government's Hydrogen Strategy to underpin clean growth and low carbon transport for shipping and HGVs. The plant will utilise a live wire connection to the onsite solar farm and sleeved Power Purchase Agreements to ensure 100% green energy usage. Langage Energy Park Ltd (LEPL) is one of a handful of companies nationally able to deliver this type of plant, which mirrors a sister project in Manchester which is due to go live in 2023.

### 3.0 FREEPORT FUNDING

#### Capital Investment

3.1 Total investment in the Freeport is predicted to reach £314m. This is made up of £25m in Government seed capital grant with a local match of £29m. A further £10m will be raised through levelling up grant income and we anticipate total private sector investment levered be close to £250m.

Source	Total Value £'000
<b>HM Government Seed Capital</b>	£25,000
<b>LA serviced debt/forward funding</b>	£29,076
<b>Grant Income (Levelling Up)</b>	£10,000
<b>Private Sector Investment</b>	£249,670
<b>Total</b>	<b>£313,746</b>

3.2 At Langage £33m in public investment will be provided to support land assembly, site preparation and transport links. This will leverage £118m in private investment to build advanced manufacturing units and logistics facilities and a further £28m to deliver a Green Hydrogen electrolyser plant.

3.3 At Sherford £1m in public and £5m in private investment will support site preparation and transport links, private sector investment in off-site costs will be £3m and £62m will be invested in developing a state of the art logistics facilities.

Site	Detail	Lead LA	£m
<b>Langage</b>	Spine Road extension and plot access, Phase I	DCC	11.6
<b>Langage</b>	Link to Sandy Road	DCC	5.0
<b>Langage</b>	Land assembly - plot purchases	SHDC	7.0
<b>Langage</b>	Core Infrastructure @ Langage	SHDC	2.3
<b>Langage</b>	Security fencing @ Langage	SHDC	0.3



<b>Langage</b>	Cycle and pedestrian link to SW	DCC	7.3
<b>Langage</b>	Hydrogen Plant	Private Sector	28.2
<b>Langage</b>	Units	Private Sector	117.9
<b>Sherford</b>	Access roads @ Sherford	Private Sector	4.9
<b>Sherford</b>	Core Infrastructure @ Sherford	Private Sector	1.0
<b>Sherford</b>	Security fencing @ Sherford	SHDC	0.2
<b>Sherford</b>	Units	Private Sector	62.1
<b>Sherford</b>	Offsite costs at Sherford	Private Sector	2.9
<b>PCC</b>	Octagon Roundabout improvement	PCC	0.2
<b>PCC</b>	Ports Infrastructure	PCC	7.0
<b>South Yard</b>	Mobility Hub @ South Yard	PCC	8.6
<b>South Yard</b>	Innovation Centre	PCC	15.3
<b>South Yard</b>	Heritage Centre	PCC	0.3
<b>South Yard</b>	Re-routing MoD cabling to clear site	PCC	3.1
<b>South Yard</b>	Babcock	Private Sector	6.5
<b>South Yard</b>	Princess Yacht Factory @ South Yard - site remediation	Private Sector	22.0
<b>Total</b>			<b>313.7</b>

3.4 In South Yard public investment of £17.3m and a £10m levelling up fund grant will deliver a new Innovation Centre and Mobility hub at Oceansgate. Princess Yachts will invest £22m to deliver a new factory to build the next generation of super yachts, supported with £0.9m of public investment and Babcock will invest £6.5m in new and upgraded infrastructure.

3.3 Associated British Ports will invest £5.7m supported with a £1.3m public sector investment in the developing new port infrastructure to ensure adequate additional capacity and to provide enhanced freight facilities.

### Public sector funding

3.4 Subject to political approval by each LA partner the local authority partners will forward fund the required local match for the £25m seed capital grant serviced by retained business rates

Local Authority	Forward Funding £000s
<b>Devon County Council</b>	14,289
<b>South Hams District Council</b>	4,625
<b>Plymouth City Council</b>	10,162
<b>Total</b>	<b>29,076</b>

### Business rates

3.5 Debt will be serviced primarily through the business rates generated by the Freeport. The uplift in NNDR generated on the Freeport tax and Customs sites collected by the local authority partners will be held in ring fenced Freeport accounts by the precepting authorities. We estimate that this will generate £72m over a period of 25 years. In Plymouth retained business rates income will be supplemented by other income from South Yard including rental income from Oceansgate.

3.6 The first call on the retained business rates will be the repayment of public sector forward funding to support Freeport investment. The funds generated will also be used to support

operating costs after the first five years. The predicted surplus of £32m after these costs are met will be reinvested to meet wider Freeport objectives with the early priorities being innovation and skills funding and offsetting the impact of any displacement of economic activity from the surrounding area.

	2/23	3/24	4/25	5/26	6/27	10	15	20	25	al
Freeport Income and Expenditure	202	202	202	202	202	06 -	10 -	16 -	20 -	Tot
	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000
<b>Income</b>										
<b>NNDR Retention</b>	0	7	712	1,793	2,186	14,219	15,945	17,601	19,440	<b>71,902</b>
<b>Other Income at South Yard</b>	94	139	163	198	356	2,954	3,609	3,763	3,642	<b>14,919</b>
<b>Total income</b>	<b>94</b>	<b>146</b>	<b>875</b>	<b>1,991</b>	<b>2,542</b>	<b>17,173</b>	<b>19,554</b>	<b>21,364</b>	<b>23,081</b>	<b>86,821</b>
<b>Expenditure</b>										
<b>Total debt charges</b>	(29)	(209)	(671)	(1,005)	(1,295)	(7,765)	(7,765)	(7,765)	(7,765)	<b>(34,269)</b>
<b>Lifecycle costs</b>	0	0	(168)	(170)	(187)	(1,456)	(2,088)	(2,396)	(3,117)	<b>(9,582)</b>
<b>Total Operating Costs</b>	0	0	0	0	0	(2,290)	(2,527)	(2,789)	(3,080)	<b>(10,686)</b>
<b>Residual Income</b>	<b>(29)</b>	<b>(209)</b>	<b>(839)</b>	<b>(1,176)</b>	<b>(1,482)</b>	<b>(11,511)</b>	<b>(12,380)</b>	<b>(12,950)</b>	<b>(13,962)</b>	<b>(54,536)</b>
<b>Expenditure Total</b>										
	<b>66</b>	<b>(63)</b>	<b>36</b>	<b>815</b>	<b>1,060</b>	<b>5,663</b>	<b>7,174</b>	<b>8,414</b>	<b>9,119</b>	<b>32,284</b>
<i>Risk sensitivity</i>			5%	45%	48%	40%	45%	48%	47%	45%

- 3.7 Sensitivity testing of our financial modelling has considered a range of possible reasonable worst case scenarios, including increased capital costs or construction delays, rising inflation and/or interest rates, a shortfall in private investment, and slower than predicted occupancy rates.

### Operating model

- 3.8 The operating model will create 7 new posts (4.5 FTE) including a Freeport Chief Executive Officer. An additional indicative sum is included in the operating model to secure a customs site operator when our main customs sites at Langage and Sherford are operational.

Freeport Operating Costs	Start Date
<b>Freeport CEO</b>	Jun-22
<b>Freeport Manager</b>	Jun-22
<b>Skills Coordinator</b>	Jun-22
<b>Project co-ordinator (P/T)</b>	Jun-22
<b>Customs &amp; security operator (via SLA)</b>	Apr-24
<b>Marketing, Trade and Investment Manager</b>	Jun-22
<b>Innovation Manager</b>	Jun-22
<b>Finance Manager</b>	Jun-22
<b>Annual Total Expenditure</b>	<b>£398,500</b>

- 3.9 In the first year of operation 2021/22 additional non repeating expenditure will be required to support specific functions required to achieve Freeport mobilisation. These include staffing and consultancy costs incurred before the Freeport team is recruited, marketing expenditure to ensure our investor pipeline is robust and additional planning capacity to ensure expeditious

processing of the large volume of planning applications we expect the Freeport to generate in its build out phase.

Non repeating costs	
Planning support	60,000
Programme Management	52,877
Other staff costs (Q1 22/23)	100,000
Consultancy costs (Q1 22/23)	125,000
Additional Marketing budget to support pipeline development (Q1 2021/22 until – Q2 2022/23)	90,600
<b>Total</b>	<b>428,477</b>

- 3.10 Our operating model will be fully funded through public and private sector landowner contributions supplemented with our government Freeport revenue grant over the first 5 years. We anticipate a small in year revenue overspend in 2021/22 and this has been covered with the application of a PCC grant which will be repaid in subsequent years.

Funding	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27
DLUHC for OBC	300,000	300,000				
DLUHC for FBC	187,500	187,500				
DLUHC ongoing	512,500	467,460	45,040			
PCC internal loan	97,244	97,244	- 92,470	- 1,560	- 1,591	- 1,623
Plymouth City Council	50,000	50,000				
<b>Income subtotal</b>	<b>1,147,244</b>	<b>634,744</b>	<b>- 47,430</b>	<b>- 1,560</b>	<b>- 1,591</b>	<b>- 1,623</b>
Income from landowners	350,000	175,000	357,000	364,000	371,350	378,700
Oceansgate (PCC)	50,000	25,000	51,000	52,000	53,050	54,100
<b>Income subtotal</b>	<b>400,000</b>	<b>-</b>	<b>408,000</b>	<b>416,000</b>	<b>424,400</b>	<b>432,800</b>
<b>Total Operating Income</b>		<b>634,744</b>	<b>360,570</b>	<b>414,440</b>	<b>422,809</b>	<b>431,177</b>
<b>Operating Profit / (Loss)</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

### Plymouth City Council

- 3.11 Plymouth City Council will fund its capital investment in the Freeport programme through a combination of retained business rates generated by new economic activity in the Freeport, rental income and legacy income from earlier phases of the Oceansgate Programme. This will be supplemented through a £10m bid to the levelling up fund. Sensitivity testing suggests our operating surplus will be sufficient to cover any reasonable worst case scenario.

	022/23	023/24	024/25	025/26	026/27	6 - 10	1 - 15	6 - 20	1 - 25	total
	2	2	2	2	2	0	1	1	2	T
<b>Plymouth</b>	<b>£'000</b>	<b>£'000</b>	<b>£'000</b>	<b>£'000</b>	<b>£'000</b>	<b>£'000</b>	<b>£'000</b>	<b>£'000</b>	<b>£'000</b>	<b>£'000</b>
Retained Business Rates - South Yard	0	0	113	149	194	1,130	1,247	1,377	1,520	5,729
Rents surplus/(deficit)	(20)	(10)	52	139	282	2,009	2,219	2,450	2,704	9,824
Contribution from earlier phases of EZ	114	149	111	59	74	945	1,391	1,314	937	5,095
<b>Total income</b>	<b>94</b>	<b>139</b>	<b>276</b>	<b>346</b>	<b>550</b>	<b>4,084</b>	<b>4,856</b>	<b>5,140</b>	<b>5,162</b>	<b>20,648</b>
Total debt charges - South Yard	(23)	(145)	(308)	(399)	(399)	(1,997)	(1,997)	(1,997)	(1,997)	(9,262)
Lifecycle costs - South Yard	0	0	(130)	(133)	(135)	(718)	(793)	(875)	(966)	(3,750)

Freeport operating costs - South Yard	0	0	0	0	0	(572)	(632)	(697)	(770)	(2,672)
Residual Income - South Yard	71	(6)	(163)	(185)	15	797	1,435	1,571	1,429	4,964

### Business case for Oceansgate - phase 3

3.12 The vision for the Oceansgate development in South Yard, Devonport, is to bring together marine based businesses, partners and stakeholders, to create a world class hub for marine industries, with opportunities for research, innovation and production in a collaborative environment.

3.13 The first phase of the project, developed directly by the Council, and providing approximately 1,200m<sup>2</sup> of light industrial business space (Endurance Court) and 1,300m<sup>2</sup> of office space (Endeavour House), was successfully completed in April 2018. Phase 2, comprising a further 1,300m<sup>2</sup> of light industrial business space and 1,100m<sup>2</sup> of office space, was successfully completed in February 2021.

3.14 The masterplan for the Oceansgate development envisages a third phase made up of:

- Phase 3.1 Innovation Area
- Phase 3.2 Skills & Technology Area
- Phase 3.3 Prototype Area
- Phase 3.4 Marine Transformation Services Area

A feasibility study has been carried out to show that Phase 3.1 can be developed as a standalone project. Later phases require a major programme of enabling works to proceed.

3.15 The development of a new Innovation Centre and Mobility Hub is a key element of the masterplan for the Oceansgate project (Phase 3.1) and of the Freeport South Yard Tax Site. This is a project of strategic importance that will generate significant new employment and business opportunities, and provide a major boost to the delivery of later elements of Phase 3 of the Oceansgate project and the wider PASD Freeport enterprise.

3.16 The Centre will provide collaboration space for businesses to develop new projects and will include meeting rooms and supporting equipment to allow organisations to quickly develop new technology. It will host the Ocean Futures innovation delivery service, Smart Sound Plymouth HQ, Smart Sound Connect control centre as well as the Marine Assured Autonomy Testbed and ROADS project teams.

3.17 A full capital investment business case will be brought forward dealing with funding, MOD leases, cash flow, sensitivity analysis, and demand. The MoD have agreed, in principle, to release land to enable Phase 3.1 to progress and the designation of South Yard as a Freeport Tax Site opens a window of opportunity.

3.18 Oceansgate 3.1 will see the development of a 3,770m<sup>2</sup> Marine Innovation Centre and Mobility Hub, including a new 173 space multi storey car park. The proposal is a key element of the masterplan for the Oceansgate development and the South Yard Tax Site unlocking future phases of development.

3.19 At an estimated cost of £27.3m, in addition to Freeport seed capital serviced borrowing and a round 2 Levelling Up fund award will be required. The Department for Levelling Up Housing and Communities are encouraging this type of blended approach to funding, however a full capital investment business case will need to be approved in due course.

- 3.20 This is a project of strategic importance that will generate significant new employment and business opportunities, and provide a major boost to the delivery of later phases of the Oceansgate project and the wider Freeport enterprise.

Description	Total Cost	Seed Capital	LUF Grant	Service Borrowing
Phase 3.1	£27.3m	£7.25m	£10m	£10.05m

- 3.21 The Innovation Centre will cost £12,034,187. This equates to £3,192/m<sup>2</sup>, more expensive than a typical office building, but consistent with a quality statement building with a high level of fit out and built in difficult ground conditions. A further £1,867,722 will be required to meet associated infrastructure costs.
- 3.22 The multi-storey car park and mobility hub will cost £7,009,563. The cost per parking space is circa £39.5k which reflects the small size compared with typical multi storey designs and reflects the need to incorporate a Mobility Hub. The site is also burdened with difficult ground conditions and certain security and aesthetic requirements and will require an additional £778,921 in related infrastructure costs.
- 3.23 In addition to these construction costs, the cost estimate includes circa £4.658m for Ministry of Defence separation works, fees, surveys, client contingency and other costs. The total development cost for the Innovation Centre, car park and mobility hub is £26,348,393.
- 3.24 This proposal is subject to confirmation of DLUHC Freeport and LUF Round 2 funding, and full business case approval by the Council in due course. Up to £8.0m of serviced borrowing has already been approved for Oceansgate Phase 2, and our financial modelling indicates that a further £10.05m service borrowing for Phase 3.1 is affordable out of the projected rental income and retained business rates that will be generated, supported in the early years of the project by approved MTFP revenue funding.
- 3.25 Commitment of the additional service borrowing will be subject to a demand study on the proposed new Marine Innovation Centre that we are currently in the process of procuring to demonstrate that there is sufficient market demand for the development at the level of rent required to support our proposed service borrowing.

### Accountable Body

- 3.26 Plymouth City Council will act as the sole accountable body for Freeport seed capital grant. A delivery plan incorporated within a member's agreement will be agreed to govern how this money will be managed and accounted for.
- 3.27 Plymouth City Council and South Hams District Council will establish ring fenced funds to receive the retained business rates and allocate them in accordance with a Business Rates retention policy agreed by the Local Authority Partners through the Joint Local Partnership Group (Member Steering Group once we establish the Freeport as a Company). This will include the central government reimbursement of funds allocated to support the 5 years business rates relief we expect to give businesses that comply with our gateway policy.
- 3.28 The Member Steering Group will receive an annual audit report prepared by the S.151 officers of the Local Authority supported by the Freeport finance manager.

### Financial Risk

- 3.29 The current principle financial risks are set out in the table below, all project related risks are reviewed regularly by the Freeport development team.

Risk	RAG	Mitigation	RAG (Post Mitigation)
Success of Freeport depends on wrap around innovation service, funded externally from Freeport budget.		Funding strategy in place to secure Shared Prosperity funding and Innovate UK funding	
Funding model agreement is dependent on final signing of landowner agreements		Direction of travel and Heads of Terms agreed with all major Landowners.	
Financial model is dependent on final HMT sign off re Tax Site demarcations.		Round table discussion arranged with HMT to finalise site demarcations. Detailed evidence base prepared and submitted in collaboration with Landowners and supported by wider (Government) Freeport Team.	
Levelling up funding required for the capital build of the innovation centre.		Funding strategy in place with an experienced bid team.	
Local authority exposure to underwriting 1/3 <sup>rd</sup> of the Freeport Company Limited by Guarantee. Total liability circa £130,000 per annum for a period of 5 years.		Offset by grant from HMT and retained business rates.	
Initial legal counsel suggest we will not be able to achieve certainty about the application of public subsidy regulations.		DLUHC have provided written assurance that we will be able to reallocate seed capital if subsidy control issues force us to reconsider capital allocation as a result. We will ensure that private sector partners are appraised of the risk.	

## 4.0 FREEPORT GOVERNANCE

### Evolution of our governance model

- 4.1 The Freeport is a partnership arrangement involving long term financial arrangements that accordingly needs strong governance. The Freeport guidance identifies a number of requirements in settling on our preferred governance model. These include:
- A detailed statement of the long-term governance arrangements for the Freeport (including key governance documents), why these are appropriate, and how they will evolve over time as needed
  - A clear statement of any changes to the arrangements set out in the OBC
  - A clear and well justified schedule of delegation, allocating of accountability and delivery responsibility for each element of the Freeport proposal
  - Evidence of appropriate memberships for the governance body, subcommittees, and delivery teams, with clear and well justified roles and responsibilities for all key stakeholders (including private and public)
  - Evidence that the necessary expertise will be available to facilitate effective Freeport delivery, including how this will be recruited, developed, and, if appropriate, contracted
  - Clear timescales and processes for changes to governance and management arrangements, including recruitment and any plans for incorporation

- 4.2 Our governance arrangements continue to evolve as we move forwards from submission of our Outline Business Case. We have now invited key private sector partners to join the Plymouth and South Devon Shadow Freeport Board as full members. The full members now include the Local Authority partners, the Heart of the South West Local Enterprise Partnership, the University of Plymouth (on behalf of the Universities of Plymouth and Exeter), Babcock International, Princess Yachts and Langage Energy Park Ltd.
- 4.3 In our Outline Business Case, we set out our intention to establish the Freeport as a legal entity, with our preferred option being a Company Limited by Guarantee. Board members have received counsel about the suitability of this model from our retained legal advisors Womble Bond Dickson and pending their agreement, we anticipate issuing instructions to create a suitable company model.
- 4.4 We considered a range of alternative legal models include a contractual joint venture, which is a model we have used successfully before to deliver public/private initiatives. Other alternative we looked at were a special purpose vehicle and various incorporated company models involving an equity arrangement.
- 4.5 The Freeport Company delegated authority will be based on the flow of powers transferred from Government via primary legislation to Plymouth City Council, Devon County Council and South Hams District Council. The Local authorities in turn will create and commission a Freeport entity to manage the Freeport within a defined scheme of delegation and Local Authority reserved matters. In this way the Freeport Company has autonomy to operate and run the Freeport within its delegated powers.
- 4.6 The legal model will be a company limited by guarantee with Plymouth City Council, Devon County Council and South Hams District Council as founding members. A 'Members Agreement' will enshrine the Freeport governance model between the 3 authorities and will also define the Freeport Company's scheme of delegation and the Local Authority reserved matters. The Company 'member's agreement' will give the Local Authorities the necessary control to oversee the delivery of Freeport business plan as accountable bodies and scrutiny of public finances, whilst giving the Freeport company the autonomy to run the Freeport within defined limits.
- 4.7 The Freeport Company will have the following features and principles.
- **A members steering group** made up of the leaders and Chief Executives of each of the three local authority partners will provide strategic oversight and ensure alignment with the emerging County deal.
  - **An independent board of directors** with a chair from the private sector to provide clear evidence of private sector leadership, we will set out the process through which the chair will be appointed in the scheme of delegation. It is anticipated that the Founding directors will include but not limited to:-
    - Private Sector Chair
    - Directors from each Local Authority
    - Directors from landowners in each tax site including Princess Yachts, Babcock, Langage Energy park Limited
    - A Director from the Port Operators, Universities and Business Organisations
- A Memorandum and Articles** of Association setting out the remit and roles of the directors, a scheme of delegation and matters reserved to the founding members.
- **A Members' Agreement** binding the three local authorities to perform their functions and roles and their engagement with the Freeport Company based on the key principle of a partnership of equals, incorporating: -

- **An annual delivery plan and budget** – proposed by the Freeport Company, sanctioned by the Founder members with respect to their reserved matters and approved by the Board of Directors who will hold the Freeport Company to account for its delivery, and;
- **Policies and bilateral agreements** between the Local Authorities governing the use of Business Rates - to supporting borrowing and long term operational costs, including the proportion of business rates from each collecting authority, and the mechanisms for deciding the application of surplus retained business rates and redressing displacement.
- **A standard Service Level Agreement** to secure and fund commissioned activities from the Freeport Company to a range of partners including – Skills, Inward Investment, Innovation Services - where a budget is available or has been secured.
- **Partnering Agreement / Local Authority Agreements** –where it would not be appropriate to utilise the Members Agreement.

4.8 The Freeport Company is responsible for the management of the Freeport, employment of staff, delivering the Freeport business case and providing agreed shared services. It is anticipated these shared services will include marketing, inward investment and skills activities as they relate to the Freeport. The Landowners are responsible for delivering their individual sites and The Councils are responsible for delivering the Capital works funded by Freeport capital funding and retained business rates.

4.9 The Local Authority reserved matters will include but not be limited to:

- Agreement of the Freeport Company's annual business and financial plan.
- Appointing the Chair of the Board.
- Agreeing a scheme of delegation for the Freeport Company.
- Enforcement of the landowner agreements and gateway policies
- Allocation of retained business rates surpluses beyond those identified in the Freeport Full Business case
- Annual joint scrutiny

### **Additionality and Gateway Policy**

- 4.10 Government requires Freeports to clearly demonstrate that they avoid displacing activity from elsewhere and provide genuine additionality – bringing in new jobs and investment.
- 4.11 Our proposals at Langage and Sherford unlock key employment sites that have been stalled for many years. The growth would either not have happened at all in the absence of the Freeport, or would have happened much more slowly. Whilst South Yard has existing development, the site is significantly underutilised in part due to the condition of the existing buildings. Freeport levers will enable Plymouth City Council and our key anchor tenants to develop and repurpose significant parts of the site, creating new jobs and leveraging additional investment.
- 4.12 The Freeport is focussed on attracting new high value investment within target sectors to the Freeport. These sectors are advanced manufacturing and engineering with a particular focus on marine, defence and space including low carbon applications.
- 4.13 To ensure this is realised we will establish robust governance and management structures which align prospective tax and custom site tenants with the delivery of the identified Freeport benefits and objectives. The adoption of a Gateway Policy mitigates against risks to delivery of these benefits by providing clarity on the eligibility of prospective businesses and/or organisations into the Freeport sites.



- 4.14 The Gateway Policy will form the basis for agreements between the Freeport Company, private sector landowners and tenants who will ultimately be the beneficiaries of the tax site levers including Business Rates Retention (BRR). Compliance with the gateway policy will be the trigger for the application of discretionary Business Rates Relief.
- 4.15 UK companies and/or organisations looking to locate within the Freeport, will need to meet certain gateway criteria, which are likely to include:-
- Businesses will need to clearly demonstrate how the proposed Freeport operations fall into one or more of the sectors above;
  - Businesses will need to clearly demonstrate how the proposed Freeport operations represent incremental investment and employment additional to existing operations;
  - Local businesses will not be precluded from applying to locate within the Freeport but will need to evidence new economic activity; and,
  - If a business is relocating for purposes of growth then evidence will be required to prove that no appropriate expansion space was available at the current site.
- 4.16 Landowners can discuss other uses with the local authority, should they be able to demonstrate they have made best endeavours to comply with the Gateway Policy requirements, without a pipeline of suitable prospects coming forward.

### **Landowner Agreements**

- 4.17 We have extensively engaged with all our landowners co-designing and then issuing a series of bespoke heads of terms, a gateway policy, site benefits analysis, a new revenue budget and a detailed delivery programme.
- 4.18 The heads of terms define the parties to each of the agreements, the Landowner, relevant Local Authority and the Freeport, and commit them to work together to developing the site in accordance with the Plymouth and South Devon Freeport vision. The boundaries of each the tax sites are defined and the indicative capital sums to be invested in the site by each of the parties.
- 4.19 From the agreements above, Plymouth City Council will be the local authority and rating authority for all of the South Yard agreements, entering into agreement with the respective landowners and the Freeport Authority. In the context of the Oceansgate 3.1 site, Plymouth City Council will enter an agreement with the Freeport Authority as a landowner, making a commitment to the proposed capital development.

### **The outputs**

- 4.20 Our Freeport proposal is highly ambitious and transformative the top ten outputs we anticipate are: -
- 1. 3,584 direct jobs created with an average wage level of at least £13.92 per hour**
  - 2. 10% of jobs created to be filled by inactive claimants and registered unemployed**
  - 3. 3,000 m<sup>2</sup> of skills infrastructure**
  - 4. 2,400 m<sup>2</sup> of new innovation space**
  - 5. 137.9 hectares of land developed**
  - 6. 5 new businesses each year**
  - 7. 2-3 new FDI each year**

**8. 40 Business/Higher education collaborations annually from 2022****9. £4m a year in private investment in research & development****10. 10 new products developed for market**

- 4.21 We expect the Freeport to deliver wider benefits such as an uplift in land value, labour supply, a skills uplift and the jobs/GVA arising from the construction of the Freeport. Our economic modelling estimates the total value of these and other benefits at £409.5m over a 15 year timeframe.

**Timeline**

- 4.22 The key milestones and latest dates are set out in the table below. The memorandum of understanding between the government and the local partners cannot be issued less than 21 days after the tax sites are legally established so these are in practice the earliest possible dates. However if these dates slip there is nothing to stop us commencing work on site in anticipation of the grant letter and memorandum being issued.

<b>Milestones/Latest Dates</b>	<b>Date</b>
<b>Plymouth City Council Decision</b>	23/02/2022
<b>South Hams District Council Decision</b>	31/03/2022
<b>Devon County Council Decision</b>	13/04/2022
<b>At least one site specific agreement is signed by all parties</b>	20/04/2022
<b>Freeport Governing Body endorses the Full Business Case</b>	21/04/2022
<b>Joint Local Partnership endorses the Full Business Case</b>	21/04/2022
<b>Plymouth City Council signs off on the Full Business Case as lead accountable body under delegated arrangements set out below</b>	21/04/2022
<b>Full Business Case is submitted to Department for Levelling Up, Homes and Communities</b>	22/04/2022
<b>Staff recruitment process commences</b>	01/05/2022
<b>Primary customs site is operational and HMRC approvals are achieved.</b>	06/06/2022
<b>Tax site(s) covered by site specific agreements are legally established by statutory instrument</b>	07/06/2022
<b>Department for Levelling Up, Homes and Communities sign off Full Business Case and issue Memorandum to Freeport Governing Body</b>	28/06/2022
<b>Freeport governing body signs off on memorandum.</b>	01/07/2022
<b>Plymouth and South Devon Freeport is formally designated and section 31 grant letter is issued to Plymouth City Council</b>	01/07/2022
<b>Freeport is operational and works commence on site.</b>	01/07/2022
<b>All Sites will be online within 5 years of summer 2022.</b>	31/03/2027

**Risks and Mitigation**

- 4.20 The top 5 risks associated with the Freeport are set out below. Our risk register is regularly reviewed by the Freeport team and all risks are reported through Freeport governance arrangements and actively managed by the Freeport delivery team.

Risk Description	Combined Score	Mitigation	Combined Score
State subsidy framework could inhibit use of seed capital	16	Agreement reached with DLUHC reached that seed capital can be reallocated subject to a project change request. Legal advice suggests we need to carry out point by point review (7 principles) as this will provide best defence to challenge. Will need to demonstrate public interest outweighs market distortion.	16
Land acquisition ( CPO) takes 3 years leading to reduced scale of Freeport deliverability	20	Early engagement to determine likely timescales. Realistic budget allocated to secure sites reflecting wider economic value	15
Highways England stop further planning at any site until junctions are improved	20	25,000m2 of employment space is consented and available for uptake at Langage and about 14Ha of space will become available at Sherford. Work collaboratively with Highways England as part of infrastructure board to develop solutions and phasing. Can any additional traffic burden be acceptable during a build phase of any new major infrastructure? Modelling at FBC stage to test and understand.	12
South Yard - Co-ordination of MoD services separation and diversion within the Base impacts on programme and cost	20	Secure funding for enhanced contingency allowances, reflective of work to date (e.g. HV).	12
Unexpected/increasing costs require additional funds to be secured or the scale back of plans (related to landowners and transport infrastructure costs)	16	Sensitivity testing on financial construction variables complete, but full transport impacts not yet known.	12

## 5.0 RECOMMENDATIONS

### 5.1 Recommendation 1 – To delegate approval of the Full Business Case for submission in April to the Strategic Director for Place.

Alternatives considered – the deadline for submission of the 22<sup>nd</sup> April and upcoming pre-election period dictate that we have to seek a delegated decision.

- 5.2 **Recommendation 2 - The Leader is asked to agree the role of Plymouth City Council as the accountable body for the Plymouth and South Freeport with responsibility for administering the £25m government seed funding.**
- Alternatives considered - An option involving all three Local Authorities acting as accountable bodies for activity in their own area was considered but viewed ultimately as unnecessarily complex and bureaucratic.
- 5.3 **Recommendation 3 – The Leader is asked to delegate authority to the Strategic Director of Place to sign the Freeport Memorandum of Understanding and associated legal agreements with Government and partners - setting out government expectations, funding arrangements, outputs and partner obligations.**
- Alternatives considered - The terms under which the Seed Capital grant are made are set by the Government so no alternative arrangement was considered.
- 5.4 **Recommendation 4 – The Leader is asked to approve the Oceansgate Phase 3 Outline Business Case and associated service borrowing (funded by retained business rates) subject to a detailed business case and successful Levelling Up Fund grant application.**
- Alternatives considered - We considered financing the capital requirement in the Oceansgate Business Case wholly from retained business rates and concluded that increasing the proportion of grant income to be applied was a more robust approach.
- 5.5 **Recommendation 5 – The Leader is asked to agree the Freeport operating model, staff structure and revenue budget including the Local Authority annual £50k contribution which will be funded from the Oceansgate revenue budget.**
- Alternatives considered - We considered alternative charging mechanisms that would have leveraged tax benefits such as a fee based on square meterage of employment floor space provided and the number of new employees benefitting from employers national insurance relief. Ultimately these models were overly complex and less certain than the flat fee arrangement we have settled on.
- 5.6 **Recommendation 6 – The Leader is asked to agree to establish a company limited by guarantee to become the Freeport managing entity, with Plymouth City Council, Devon County Council and South Hams District Council as its founding members based on the terms set out in this report. Delegate to the Strategic Director of Place authority to sign any legal or other agreements that may be required, including the members agreement reserved matters and a scheme of delegation as set out in paragraph 4.9.**
- Alternatives considered - various alternative company models were considered and advice taken both internally and through government appointed consultants. The Company Limited by Guarantee emerged as the most likely suitable model. This preference was then stress tested by Womble Bond Dickson.
- 5.7 **Recommendation 7 – The Leader is asked to delegate to the Strategic Director of Place the authority to enter into Freeport landowner agreements, including those relating to Oceansgate and the South Yard Tax site, as may be required in pursuance of the Freeport Objectives set out in the report and to discharge our obligations as the accountable body.**
- Alternatives considered – The Department of Levelling Up Homes and Communities have imposed a condition that we must bring forward at least one site specific agreement before the 20th April 2022. The work required cannot be completed in time to bring this to cabinet for agreement before we enter the pre-election period.

### Summary and next steps

- 5.8 It has been a little over 12 months since the Chancellor of the Exchequer announced that our Freeport bid was successful and that Plymouth and South Devon Freeport would become one of the eight English Freeports. We were expected to deliver at pace and we have.
- 5.9 The commitment given to realising the vision we set out in our bid, not only from our internal team, but also by our partners, especially South Hams District Council and Devon County Council has been outstanding. We are grateful too, to our private sector partners, our Local Enterprise Partnership and Universities who have been supportive from the outset and with whom we have built even closer relationships as we move forward to submit our Full Business Case.
- 5.10 The Plymouth and South Devon Freeport is one of the biggest undertakings Plymouth City Council has embarked on post war. It will truly enable us to build back better in the wake of the COVID 19 pandemic providing 1000s of new jobs to underpin our recovery.
- 5.11 It is designed to leverage our strengths, our thriving marine innovation sector and traditional defence links as well as the emerging space sector. Our biggest employers serve as our anchor tenants and the Freeport not only anchors them to the city for the future but enables them to pursue ambitious expansion plans.
- 5.12 The Freeport unlocks much needed employment land to create space for a new wave of light manufacturing and green energy firms to locate in the area and the tax and customs benefits will provide additional incentive to accelerate the rapid development of the sites.
- 5.13 Our new marine innovation centre will serve as a hotbed for innovation leading to the development of new products we can take to a global market place with the support of government opening up new trading opportunities. Our ports will benefit from that uplift in trade and we will provide new logistics facilities and customs zones to facilitate and encourage export orientated businesses to locate their operations within our Freeport.
- 5.14 There are risks, but we have carefully assessed them and we are confident that they can be managed. The rewards are proportionately large, a vibrant economy delivering quality jobs, and new skills provision to ensure that residents in our most left behind wards can benefit.
- 5.15 The scale of investment the Freeport anticipates is a sign of our ambition to achieve our vision of becoming one of Europe's most vibrant waterfront cities, where an outstanding quality of life is enjoyed by everyone.
- 5.16 We have achieved a great deal in a very short space of time, there is however a great deal more still to do before we are ready to submit our Full Business Case.

Key work streams include:-

- Bringing forward a primary custom zone and customs operator - before we are formally designated as a Freeport we must achieve HMRC authorisation for both site and operator.
  - Detailed delivery plans - are required for each tax and customs site, which must include plans for the delivery of highways and other essential infrastructure.
  - Key policy levers – we are expected to have plans and strategies in place to deliver against policy expectations, e.g. Innovation, Trade and Investment, Carbon Net Zero and Skills.
  - Retained business rates – we must provide granular detail about how we will use retained business rates to support Freeport delivery and a supporting policy framework.
- 5.17 In order to expedite delivery of this crucial work we have appointed an additional temporary project manager to supplement our existing capacity. However, there are timing factors that

are outside our control which mean that we will not be able to complete all of the necessary work before we enter the pre-election period. We are therefore seeking delegated authority to sign off on our Full Business Case ahead of submission on 22<sup>nd</sup> April.

## Appendix A

### Scrutiny Feedback

The decision was subject to pre scrutiny at the Brexit, Infrastructure and Legislative Change Overview and Scrutiny Committee on 23/02/2022 and this report encompasses and responds to the recommendations made by the Brexit, Infrastructure and Legislative Change Overview and Scrutiny Committee as set out below.

That the Committee endorse submission of the Full Business Case subject to: -

- The business case for Oceansgate, the capital requirement and how it will be met;
- Governance arrangements and the legal status of the Freeport Authority;
- The operating model and staff recruitment;
- The contractual commitments to landowners that will be set out in the site Specific Agreements;
- The revenue commitment required from Plymouth City Council, as a landowner;
- Legal obligations arising from the customs sites;

These points are picked up in the main body of the appended report.

2. Public consultation process and public feedback loops to be clarified and public consultation to be built into the delivery of the Freeport using means such as the planning process and bespoke engagement event(s) as appropriate;
  - Two specific stakeholder events have already been delivered in July and December 2021, we plan to hold a further public consultation event later this year as we move into the operational phase of our Freeport delivery programme. Planning consents for the Freeport will be sought in the normal way and the public will be able to engage with these following normal routes.
3. The Equality Impact Assessment considers issues of diversity (e.g. employee access) and skills support in areas of deprivation together with noise and emissions/pollution between sites, as well as on site;
  - An Equality Impact Assessment which picks up on this point is appended.
4. The Carbon Net Zero Strategy for the Freeport considers carbon impact and seeks to minimise carbon outputs in areas such as people and goods moving between sites and also on site.

Our Full Business Case will set out our ambition to deliver a Freeport that contributes positively to the achievement of Carbon Net Zero.

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## **Plymouth and South Devon Freeport**

### **Gateway Policy**

#### Introduction

The PASD Freeport recognises the importance of maximising additionality to the UK economy by attracting new high value investment within target sectors to the Freeport. These sectors are advanced manufacturing and engineering with a particular focus on marine, defence and space including low carbon applications.

This will be realised through establishing robust governance and management structures which align prospective tax and custom site tenants with the delivery of the identified Freeport benefits and objectives. The adoption of a Gateway Policy mitigates against risks to delivery of these benefits by providing clarity on the eligibility of prospective businesses and/or organisations into the Freeport sites.

The Gateway Policy will form the basis for agreements between the PASD Freeport Board, private sector landowners and tenants who will ultimately be the beneficiaries of the tax site levers including Business Rates Retention (BRR). Compliance with the gateway policy will be the trigger for the consideration of discretionary Business Rates Relief by the relevant Council.

The purpose of the Gateway Policy will be to ensure that the PASD Freeport supports the clustering of businesses with a focus on the target sectors set out above. The core objective of the Gateway Policy will be to encourage international investment to meet our Freeport vision and objectives, and also to minimise displacement of existing economic activity. The aim is to attract new businesses to the Freeport and the wider region, as well as existing businesses that intend to expand their operations and are likely to benefit from the Freeport levers and further to generate supply chain opportunities across the Freeport Outer Boundary, Travel To Work Area (and indeed across the wider South West). Annexes 1 and 2 provide further detail on the vision and strategy.

#### Eligibility

Whilst tax and customs benefits will be applied within the Freeport boundary under primary legislation, the consideration of business rates relief will remain discretionary with the local authorities, subject to subsidy control, and aligned to the Freeport vision.

Landowners will align their development proposals to the Freeport vision for a period of a minimum of 5 years, including the key points around displacement.

With respect to UK companies and/or organisations looking to locate within the Freeport, the following criteria will be applied to the decision-making process:

- Businesses will need to clearly demonstrate how the proposed Freeport operations fall into one or more of the sectors above;
- Businesses will need to clearly demonstrate how the proposed Freeport operations represent incremental investment and employment additional to existing operations;
- Local businesses will not be precluded from applying to locate within the PASD Freezone but will need to show a significant uplift in new economic activity and growth to demonstrate genuine additionality that cannot be accommodated at their existing location; and,
- If a business is currently located within PASD and is a relocation for purposes of growth and/or expansion then evidence will be required to prove that no appropriate expansion space was available at the current site.
- Landowners can discuss other uses with the local authority, should they be able to demonstrate they have made best endeavours to comply with the Gateway Policy requirements, without a pipeline of suitable prospects coming forward.

# Plymouth and South Devon Freeport

**Supercharging the South West economy  
by building on our unique national  
capabilities in marine, defence and space  
to form globally impactful clusters and a  
UK Innovation Superpower.**



- **SW Powerhouse** – realising the region’s full potential through the Freeport opportunity and thereby amass defence, marine and space primes and their rich local supply chains around the largest UK Naval port and near Europe’s only horizontal launch spaceport.
- **Levelling Up Stimulus** – driving much needed local skills, jobs and higher wages.
- **Innovation Hotbed** – fusing already strong innovation in marine, defence, space and enabling technology – with global leading projects and prototyping on synthetic testbeds and ocean proving grounds – spinning off viable products and early stage production runs in a supportive tax and regulatory environment.
- **Sub-sector Specialism** – marine autonomy, maritime decarbonisation, digital oceans, smart port and shipping, Offshore Renewable Energy support solutions, defence mission modules, small satellite fabrication.

## Annexe 2 - Outline Business Case Executive Summary

### EXECUTIVE SUMMARY

**The Freeport represents a unique opportunity to level up, addressing historical challenges and leveraging exciting new opportunities to transform the economy of Plymouth and South Devon (PASD).**

The PASD area has strong advanced manufacturing and engineering clusters with key specialisms in marine and defence where we can capitalise on major growing global markets. Spaceport Cornwall provides a new substantial prospect to establish a space cluster alongside these core regional capabilities. There are a range of opportunities within these sectors to put the area on the map as a science superpower, for example in autonomy and renewables, contributing to key national net zero agendas including short sea shipping within a smart port, autonomous and clean propulsion setting.

The area benefits from a range of natural and physical assets including:

- A natural harbour and sheltered water with deep water access to the English Channel and Atlantic Ocean for prototype testing, ocean trials and offshore renewable support;
- One of the largest naval bases in Europe with unique nuclear defence capabilities that allows for new applications, shipbuilding, transformative refits and on-shoring of specialist supply chains;
- The UK's first marine Enterprise Zone (EZ) at Oceansgate, underpinned by the Oceans Futures regional programme for sub-sector specialisms and focused marine innovation;
- World class businesses and research assets in marine autonomy and marine renewables with a plethora of high value and innovative civil and defence applications;
- The UK's first 5G connected ocean trialling area (Smart Sound) with plans to expand along coast and to subsea obstacle course and testbeds;
- Established freight routes through the Port of Plymouth with scope for growth with new routes and further rotations;
- Valuable waterside development sites with the potential to support marine/defence innovation and high value shipbuilding;
- Significant development sites within the Eastern corridor and favourable planning policies through the Joint Local Plan;
- A relatively uncongested major arterial road (A38 Devon Expressway) linking to the M5; and,
- In neighbouring Cornwall, Spaceport Cornwall providing the first and only horizontal launch site in mainland Europe allowing for a satellite high value manufacturing and system integration cluster to form.

With a proactive knowledge base including the universities of Plymouth and Exeter and a range of local colleges, there is a strong commitment to skills development, innovation and maximising R&D opportunities. However, despite these assets, there are comparatively low numbers of exporting businesses, low levels of innovation/R&D currently and skills deficits in key disciplines within the workforce. Additionally, there is a lack of modern workspace for businesses: the area suffers from major viability constraints which inhibit the private sector from bringing forward employment land. This lack of investment in infrastructure and space impedes business clustering opportunities for sub-sector specialisms and focused innovation. This in turn holds back our plans to transform the economy through clean and inclusive growth.

The Freeport provides a unique opportunity to overcome these issues through:

- **Physical regeneration** – by delivering infrastructure to unlock key employment sites and innovation assets, supporting business clustering and clean growth opportunities;
- **Economic regeneration** – by delivering inward investment, supply chain opportunities and productivity gains within our identified growth sectors; and,
- **Social regeneration** – by delivering a pipeline of jobs across the spectrum of employment from entry level to higher skilled/high value with upskilling opportunities.

It builds on existing investments and assets, dating back to the City Deal and will specifically enable us to undertake land remediation, core infrastructure and supporting transport works to develop three core sites that have long remained undeveloped and underutilised. These will create the opportunity for businesses to benefit from customs breaks and tax breaks in order to achieve a post-tax return on capital through the supply chain and economy:

- **The South Yard site** – located near the Port, incorporates the existing Oceansgate EZ and will be further developed as a tax site, forming the centrepiece of our innovative hotbed. Focusing on marine and defence sectors, the site will include an innovation centre and a mobility hub to unlock further development. Anchor tenant, Princess Yachts, will develop a new factory on land which they already own within the site and Babcock will also redevelop two key buildings ‘behind the wire’ of MOD owned land on the site for new manufacturing capacity;
- **The Langage site** – located on greenfield land within the Eastern corridor of the city, in close proximity to the A38 Expressway, is a strategic employment allocation. It will be developed as a tax site with a customs zone incorporated within it and will provide industrial and manufacturing as well as light industrial units for high value manufacturing/ engineering companies, focusing primarily but not exclusively on the marine, defence and space sectors. The site will also be home to a hydrogen plant being developed by landowner Carlton Power and a mobility hub to deliver sustainable and low carbon transport options; and,
- **The Sherford site** – located on the opposite side of the A38 Expressway to Langage forms part of the employment allocation of the Sherford new community. It will be developed as a logistics hub with a coterminous tax and customs site boundary, providing integrated warehousing, storage and engineering space for a single marine/defence contractor (Babcock). Babcock will also, in the shorter term, bring forward a smaller customs zone on the Burrington Way Industrial Estate in the North of Plymouth. Though sitting outside of our tax site boundaries, it will nevertheless form part of the Freeport footprint, enabling Babcock to meet their immediate needs whilst also serving other early Freeport tenants.

Seed capital will also support enhancements at the Port to enable the value and tonnage of cargoes to be expanded, thus supporting short sea shipping and an associated modal shift.

Underpinning the above, we will work with the Department for International Trade (DIT) on national and global strategic marketing to attract investment into the area and stimulate exporting through the DIT Export Academy. Our gateway policies will ensure that businesses locating in the Freeport are not displaced from elsewhere in the UK, thus delivering additionality.

A bespoke Research and Innovation Strategy will be developed, engaging with the Freeports Regulation Engagement Network (FREN) on regulatory flexibilities and freedoms. An Employment and Skills Strategy will also underpin all activities, ensuring that partners can accelerate higher value employment and training opportunities whilst also enabling new employment and inclusion opportunities, education and career options and wider supply chain innovation activity. Subject to

securing additional funding, a marine skills academy will provide specialist facilities capable of delivering the volumes of relevant training required in key disciplines.

The Freeport has strong alignment with local and regional agendas and will deliver tangible outcomes in core government policy areas:

- **Creating a national hub for trade and investment** – delivering an increase in trade throughput and piloting short sea shipping, reducing freight transport emissions, improving regional connectivity, increasing FDI and investment, as well as increasing the number of businesses exporting;
- **Promoting regeneration and job creation** – increasing economic specialisation, delivering an increase in employment and average earnings, tackling deprivation and enhancing skills facilities; and,
- **Creating a hotbed for innovation** – increasing R&D spend, boosting GVA through increasing high value economic activity, increasing productivity, contributing to net zero research and innovation agendas and extending regional, national and international networks.

Our proposals deliver 3,547 jobs, represent good value for money, are commercially viable and are underpinned by sound governance and management structures. They are also backed by businesses with key anchor tenants having committed to investing in the Freeport and a strong pipeline of interest in the opportunity having been established.

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# EQUALITY IMPACT ASSESSMENT

Plymouth and South Devon Freeport



## STAGE I: WHAT IS BEING ASSESSED AND BY WHOM?

What is being assessed - including a brief description of aims and objectives?

### Introduction

The Plymouth and South Devon Freeport is committed to equality and diversity and to ensuring that residents feel the benefit of this initiative. This high-level equality impact assessment explores the potential impacts for people with protected characteristics.

The Equality Impact Assessment (EIA) also considers wider social impact and inequality such as access to employment and skills development in areas of deprivation. The Freeport is committed to ensuring that a minimum of 10 per cent of the jobs created by the Freeport are directed towards our most deprived areas. The EIA has also considered the wider social impacts which the Freeport may have in the Plymouth, South Hams and Devon areas.

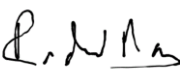
The shadow board have adopted the Equality and Diversity Statement and are committed to ensuring that residents and local people, especially those from deprived areas and marginalised communities, are able to reap the benefits of the Freeport. This EIA builds upon the commitment made by the shadow Freeport board to mainstream equality and diversity within the Plymouth and South Devon Freeport.

To minimise risks from the Freeport, a security and illicit risk assessment has been carried out separately to this EIA. The security and illicit risk assessment will be monitored separately and covers potential issues such as modern slavery and human trafficking.

Adverse environmental impacts such as reduced air quality and noise and disturbance identified in this equality impact assessment will be fed into our Freeport environmental impact assessment to ensure that impacts that we have identified which may adversely affect groups with protected characteristics will be appropriately mitigated.

Where additional formal decisions are required to inform the delivery and development of the Plymouth and South Devon Freeport, an EIA will be completed where required in line with the Council’s usual EIA process.

This EIA will be periodically reviewed and monitored within the wider Plymouth and South Devon Freeport monitoring and evaluation framework.

<b>Author</b>	Kevin McKenzie, Deputy SRO, Plymouth and South Devon Freeport
<b>Department and service</b>	Policy and Intelligence Team
<b>Date of assessment</b>	August 2021 and updated March 2022
<b>Approved by</b>	Richard May – SRO, Plymouth and South Devon Freeport 
<b>Date of approval</b>	15 March 2022

## STAGE 2: EVIDENCE AND IMPACT

Protected characteristics (Equality Act)	Evidence and information	Any adverse impact	Actions	Positive impacts
<b>Age</b>	<p><b>Plymouth</b> The population of Plymouth in 2020 was 262,800, of which 165,900 63.1 per cent were aged between 16 and 64.</p> <p><b>Devon</b> The population of Devon County Council area in 2020 was 810,700, of which 470,900 (58.1 per cent) were aged between 16 and 64.</p>	<p><b>Noise and disturbance – impacts</b> Evidence has shown that both younger and older people are likely to have their physical and mental wellbeing negatively impacted by increased noise. For young people, for example, increased noise may impact on their wellbeing and ability to meet their educational potential. For older people noise disturbances can cause increased anxiety and exacerbate conditions such as dementia and tinnitus.</p> <p><b>Noise and disturbance – Plymouth Port</b> The Freeport may increase the number of ships using the Plymouth Port and it is likely that this will increase noise and disturbance.</p> <p><b>Noise and disturbance – Increased traffic</b></p>	<p><b>Noise and disturbance – Plymouth Port</b> As the port needs to operate at the time that the tide allows, it is not possible to mitigate against this impact given its nature. Although there is the potential for the increase in freight traffic to increase noise and disturbance for local residents, the parts of the Port that will be used are largely away from residential areas. The additional tax/customs sites will be on under-developed land, thus minimising impact to the extent that is</p>	The Freeport will provide extensive employment and educational opportunities.



<p>The Freeport will increase the amount of traffic on Plymouth roads, especially on roads near to the Freeport and within the Freeport itself.</p> <p>A new road link is planned in response to increased demand - spine roads are going to connect to the A38 to improve connectivity.</p> <p><b>Noise and disturbance – construction</b></p> <p>It is likely that the Freeport will result in an increase in noise from both construction and business as usual. Increases in noise have been linked to poorer health outcomes including negatively effecting both mental and physical health.</p> <p><b>Emissions</b></p> <p>Poor air quality and pollution has negative consequences for health and the local environment. In particular, a high quantity of particulate matter is linked to poorer health outcomes including negatively effecting both mental and physical health. This negative impact is more likely to effect young people as their lungs are still developing.</p> <p><b>Emissions – Plymouth Port</b></p> <p>The Freeport aims to significantly increase the volume of freight through the Port of Plymouth. Increasing the volume of freight brought in through the Port of Plymouth, rather than more distant UK ports, will reduce national emissions from the transport sector, as well as reducing congestion on trunk roads elsewhere.</p> <p><b>Emissions – Freeport (onsite)</b></p>	<p>possible. South Yard is in close proximity to a local school and the Sherford employment zone is part of the wider Sherford village development. Langage, the largest site where most of the construction is going to take place, is greenfield and is not directly adjacent to residential area.</p> <p><b>Noise and disturbance – Increased traffic</b></p> <p>We will consider the possibility to explore noise monitoring and reduction initiatives in the vicinity if required. Any noise complaints will be monitored for trends.</p> <p>Our approach will require buildings to be built using sustainable materials, be well insulated and have renewables (such as solar or heat pumps) integrated.</p> <p>All construction will be delivered in line with local guidance to ensure minimal disruption to the local area.</p> <p>Within the Freeport we will use a combination of electric and hydrogen powered vehicles to move cargo between the port and</p>
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		The increase in freight traffic and associated traffic within the Freeport will likely increase local traffic and thus local emissions.	customs sites. There is already and EV charge point at Oceansgate and by 2025, all support vehicles will be low carbon. Charging infrastructure will also be put in place to encourage wider port users (including RORO traffic) to use low carbon fuels. Emissions from commuter transport will be minimised through green transport initiatives, which will include public transport options (including park and ride) as well as walking and cycling, which build on existing infrastructure such as cycle ways.	
<b>Disability</b>	<p><b>Plymouth</b></p> <p>10 per cent of the Plymouth population have their day-to-day activities limited a lot by a long-term health problem or disability (2011 Census).</p> <p>The gap in the employment rate between those with long term health conditions and the overall employment rate was 13.7 per cent in Plymouth compared to 10.6 per cent for England.</p> <p><b>Devon</b></p>	<p><b>Noise and disturbance</b></p> <p>Evidence has shown that people with disabilities and underlying health conditions are more likely to have their physical and mental wellbeing negatively impacted by increased noise. For example, one study found that people living in areas with high levels of traffic noise were 25 per cent more likely than those living in quieter areas to develop depression.</p> <p><b>Noise and disturbance – Plymouth Port</b></p> <p>The Freeport will increase the number of ships using the Plymouth Port and it is likely that this will increase noise and disturbance.</p> <p><b>Noise and disturbance – Increased traffic</b></p>	<p><b>Noise and disturbance – Plymouth Port</b></p> <p>As the port needs to operate at the time that the tide allows, it is not possible to mitigate against this impact given its nature. Although there is the potential for the increase in freight traffic to increase noise and disturbance for local residents, the parts of the Port that will be used are largely away from residential areas. The additional tax/customs sites will be on under-developed land, thus minimising impact</p>	<p>The sites are the optimal choice for the area and offer the best value for money because they:</p> <ul style="list-style-type: none"> <li>Are located in identified growth areas.</li> <li>Are already fully or partially serviced, thus reducing infrastructure costs. Langage also has discounted hot water, high pressure gas and electricity from the adjacent power station and green energy from the adjoining solar park.</li> </ul>

	<p>8.6 per cent of people in the Devon County Council area say their day-to-day activities are limited a lot by a long-term health problem or disability (2011 Census).</p> <p>The Gap in the employment rate between those with long term health conditions and the overall employment rate was 7.2 per cent in Devon. The value for England is 10.6 per cent.</p>	<p>The Freeport will increase the amount of traffic on Plymouth roads, especially on roads near to the Freeport and within the Freeport itself.</p> <p>A new road link is planned in response to increased demand - spine roads are going to connect to the A38 to improve connectivity.</p> <p><b>Noise and disturbance – construction</b></p> <p>It is likely that the Freeport will result in an increase in noise from both construction and business as usual. Increases in noise have been linked to poorer health outcomes including negatively effecting both mental and physical health. This negative impact is more likely to be felt by people with disabilities, however this is not limited to this cohort</p> <p><b>Emissions</b></p> <p>Poor air quality and pollution has negative consequences for health and the local environment. In particular, a high quantity of particulate matter is linked to poorer health outcomes including negatively effecting both mental and physical health. This negative impact is more likely for people with disabilities due to the increased likelihood that they may have an underlying health condition related to their breathing or lungs.</p> <p><b>Emissions – Plymouth Port</b></p> <p>The Freeport aims to significantly increase the volume of freight through the Port of Plymouth. Increasing the volume of freight brought in through the Port of Plymouth, rather than more distant UK ports, will reduce national emissions from the transport sector, as well as reducing congestion on trunk roads elsewhere.</p>	<p>to the extent that is possible. South Yard is in close proximity to a local school and the Sherford employment zone is part of the wider Sherford village development.</p> <p>Langage, the largest site where most of the construction is going to take place, is greenfield and is not directly adjacent to residential area.</p> <p><b>Noise and disturbance – Increased traffic</b></p> <p>We will consider the possibility to explore noise monitoring and reduction initiatives in the vicinity if required. Any noise complaints will be monitored for trends.</p> <p>Our approach will require buildings to be built using sustainable materials, be well insulated and have renewables (such as solar or heat pumps) integrated.</p> <p>All construction will be delivered in line with local guidance to ensure minimal disruption to the local area.</p> <p>Within the Freeport we will use a combination of electric and hydrogen</p>	<ul style="list-style-type: none"> <li>▪ Have excellent road connectivity, minimising the need for large-scale transport costs.</li> <li>▪ Enable us to deliver the Freeport at pace.</li> </ul> <p>The employment and skills plan will include engagement with the Department for Work and Pensions and other partners working with people with disabilities to ensure they are able to access the benefits of the Freeport. Engagement will also take place with local voluntary and community sector partners working with people with disabilities to raise awareness of the employment and education offer available.</p>
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<b>Religion or belief</b>	<p><b>Plymouth</b></p> <p>Christianity is the biggest faith in the city with more than 58 per cent of the population (148,917). 32.9 per cent (84,326) of the Plymouth population stated they had no religion (2011 Census).</p> <p>Those who identified as Muslim was just under 1 per cent while Hindu, Buddhist, Jewish or Sikh combined totalled less than 1 per cent (2011 Census).</p> <p><b>Devon</b></p>	No adverse impacts are anticipated.	Not applicable	Not applicable

	61.5 per cent of the population identified their religion as Christian making it the biggest faith. 1.6 per cent identified as having another religion including Buddhists, Muslims, Hindus and Jews. 28.5 per cent of people stated that they have no religion or belief.			
<b>Sex - including marriage, pregnancy and maternity</b>	<p>50.2 per cent of the population in Plymouth are women and 49.8 per cent are men. 51.4 per cent of the population in Devon are women and 48.6 per cent are men.</p> <p>The employment rate in Plymouth shows that 83 per cent of working-age males are employed whereas 72 percent of working-age females are employed.</p> <p>The employment rate in Devon shows that 77.9 per cent of working-age males are employed compared to 73.4 per cent of working-age females.</p> <p>The rate for the whole of the UK shows a similar pattern with a higher working-age employment rate for males than females.</p> <p>The proportion of men working in the manufacturing sector in Plymouth is currently</p>	No adverse impacts are anticipated.	<p>The employment and skills plan will include engagement with the Department for Work and Pensions, universities, schools and other partners working with young women and girls to promote STEM career and education pathways.</p> <p>Engagement will also take place with local voluntary and community sector partners working with women and girls to raise awareness of the employment and education offer available and communication materials will be shared.</p>	<p>The Freeport will provide extensive opportunities for females to gain experience in STEM subjects through apprenticeships, internships and jobs. Encouraging female representation in STEM subjects (and employment in high paying jobs) will likely positively impact any gender pay gaps within companies.</p>

	<p>higher than the proportion of women (19.1 per cent, compared to 6.9 per cent).</p> <p>According to recent UCAS data provided by HESA, 35 per cent of STEM students in higher education in the UK are women.</p> <p>The science, technology, engineering and mathematics (STEM) sector is continuing to grow; however, females continue to be underrepresented in STEM at both employment and education level. Nationally, 23 per cent of the people working in science, technology, engineering and mathematics roles in the UK were female, while only 15.8 per cent of the current generation of engineering and technology graduates were female (PWC Women in Technology 2017).</p>			
<b>Gender reassignment</b>	<p>There are no official estimates for gender reassignment. However, the Gender Identity Research and Education Service (GIRES) estimate around 1 per cent of the population has some form of gender variance and about 0.2 per cent may undergo gender reassignment.</p>	No adverse impacts are anticipated.	Not applicable.	Not applicable
<b>Race</b>	<b>Plymouth</b>	No adverse impacts are anticipated.	The employment and skills plan will include	The Freeport Gateway Policy requires a commitment to our

	<p>92.9 per cent of Plymouth's population identify as White British. 7.1 per cent identify as Black, Asian or Minority Ethnic (BAME).</p> <p>The employment rate of working-age people who identify as being from an ethnic minority background in Plymouth is 73.3 per cent. This is higher than the rate for the whole of the UK at 66.8 per cent.</p> <p><b>Devon</b></p> <p>94.9 per cent of Devon's population identify as White British. 2.5 per cent identify as White Other and 2.6 per cent identify as Black, Asian, or another minority ethnic group.</p> <p>The employment rate of working-age people who identify as being from an ethnic minority background in Devon is 80.6 per cent.</p>		<p>engagement with the Department for Work and Pensions, universities, schools and other partners working with people from Black, Asian and minority ethnic backgrounds to promote career and education pathways.</p> <p>Engagement will also take place with local voluntary and community sector partners working with this cohort and in particular refugees and asylum seekers to raise awareness of the employment and education offer available.</p> <p>Key information within the Freeport will be available in different languages, recognising the diversity of people using and passing through the Freeport.</p> <p>Staff employed by the Freeport will be trained in cultural awareness and cultural accessibility.</p>	Freeport vision which encompasses a commit to promote good employment practices.
<b>Sexual orientation - including civil partnership</b>	There are no official estimates for sexual orientation at a local level.	No adverse impacts are anticipated.	Not applicable	Not applicable

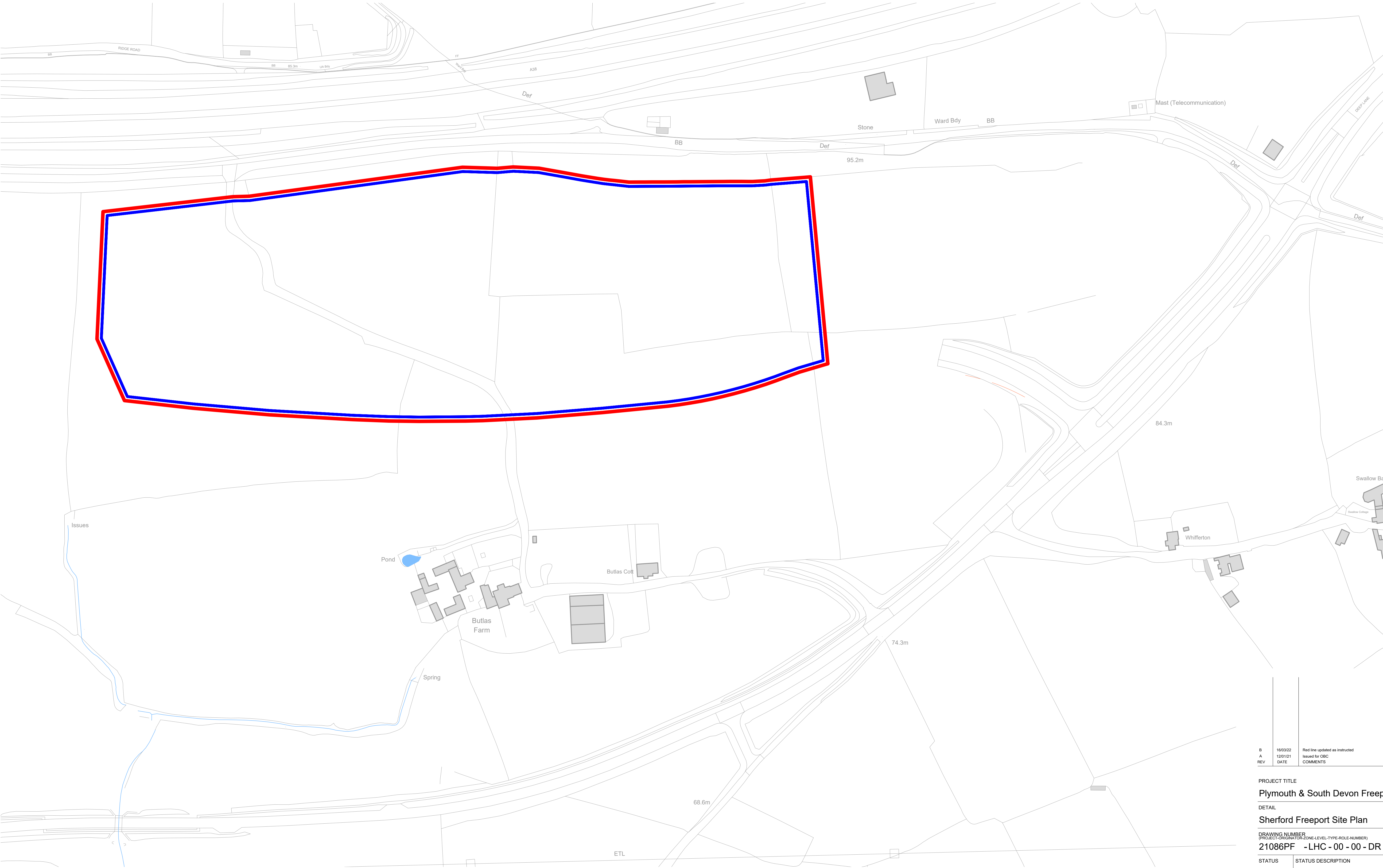
**SOCIO AND ECONOMIC IMPACTS**

	Evidence and information	Any negative impact	Actions (including timescale and lead)	Positive impacts
<b>Deprivation</b>	<p>Plymouth remains within the 20 per cent most deprived local authority districts in England on the Index of Multiple Deprivation (IMD) with:</p> <ul style="list-style-type: none"> <li>▪ 28 Lower Super Output Areas (LSOAs) in the most deprived 10 per cent in England</li> <li>▪ Three LSOAs within the most deprived 3 per cent in England; and,</li> <li>▪ Two LSOAs within the most deprived 1 per cent in England.</li> </ul> <p>Plymouth's most deprived LSOAs (which are amongst the most 1 per cent deprived in England) are located in the wards of St Peter and the Waterfront and Devonport. These areas represent some of the city's most entrenched pockets of deprivation and have consistently been amongst the most deprived neighbourhoods in England since 2007.</p> <p>Dartmouth Townstall area is the one area within South Hams that is included in the</p>	<p>Due to the skills gap in Plymouth, which is more evident in deprived areas, there is a risk that people from deprived areas may not feel the benefits of the Freeport due to a lack of education and opportunity.</p>	<p>An employment and skills plan will help to ensure that people from protected and disadvantaged groups are able to access all opportunities within the Freeport. This will include a targeted skills/jobs brokerage programme to link people from deprived communities with opportunities. The Marine Skills Academy will assist with the development of apprenticeship and internship opportunities through and during construction phases. A local job club will be developed in the vicinity of South Yard in partnership with local communities to ensure that local residents have access to new skills and employment opportunities. Communications and engagement plans will be developed to raise awareness of these initiatives.</p>	<p>We are keen to ensure that people from Plymouth's most deprived areas benefit from the Freeport. Businesses will be encouraged to sign up via the gateway criteria to initiatives which enhance social mobility.</p> <p>Devonport, the location of the Freeport has one of the lowest cohesion scores in the city. There is strong evidence which shows that reducing deprivation through employment and education can improve cohesion. It is thus likely that the Freeport will indirectly improve the cohesion score in Devonport and in doing so, contribute towards meeting one of Plymouth City Councils equality objectives - Plymouth is a city where people from different backgrounds get along well.</p>



	most deprived 20 per cent of areas nationally for overall deprivation. In addition, within South Hams South Brent is within the most deprived 20 per cent of areas nationally for income deprivation affecting children.			
<b>Employment</b>	<p>Gross weekly pay for full-time workers in Plymouth for 2021 stood at £542.4. This is lower than both the gross weekly pay for Great Britain (£612.8) and the South West (£572.5) (NOMIS, 2021).</p> <p>Gross weekly full-time pay for Devon (as a whole) was £566.9. This is lower than both the gross weekly pay for Great Britain (£613.1) and the South West (£577.3) (NOMIS, 2021).</p> <p>Unemployment in Plymouth has been higher than the national average for the last five years (Annual Population Survey) and in Devonport adjacent to the South yard tax site it is double the City average.</p> <p>Claimant numbers remain higher than pre pandemic across the Freeport Area. The employment prospects of both younger and older people in our area have been negatively impacted by the pandemic. The Universal Credit claimant</p>	<p><b>Workers' rights</b> Although there are concerns for workers' rights within the Freeport, there are no differences between employment rights between those employed within the Freeport and those outside of it. There is one exception as employers within the Freeport are given a national insurance holiday for three years employed within the Freeport. We have regularly engaged with trade union representatives.</p> <p><b>Displacement</b> There is little risk within the city from economic displacement and this includes movement from wealthier areas to more deprived areas and from business moving into the Freeport from outside of its boundaries. This is because there are few benefits for businesses moving into the Freeport from outside the Freeport boundary area.</p>	<p><b>Employment and skills</b> An employment and skills plan will help to ensure that people from protected and disadvantaged groups are able to access all opportunities within the Freeport. This will include a targeted skills/jobs brokerage programme to link people from deprived communities with opportunities. The Marine Academy will assist with the development of apprenticeship and internship opportunities through and during construction phases.</p> <p><b>Displacement</b> To mitigate any potential negative impacts the Freeport gateway criteria has a clear policy on moving into the Freeport if not in local area (including wider geography and outer boundary). For example, the Freeport gateway criteria means that businesses cannot relocate to the</p>	<p><b>Employment and skills</b> The Freeport will increase the number of high-quality well-paid jobs in the city and will provide numerous skills development opportunities.</p>

	<p>count rose by 81 per cent for under 25s and 92 per cent for over 50s from March 2020 to April 2021.</p> <p>In the South Hams the rise was 204 per cent for under 25s and 152 per cent for over 50s in the same period.</p> <p>As the economy begins to recover many will return to work or find new jobs but will face longer term challenges.</p>		<p>Freeport purely to get tax/tariff exemptions.</p> <p>We will further mitigate any potential displacement by putting in place a gateway policy at all our tax sites. Businesses that express interest in the Freeport will need to demonstrate their compliance with the gateway policy.</p>	
<b>Local Services</b>	<p>Plymouth City Council, South Hams District Council and Devon County Council deliver a range of services to local people.</p>	<p>It is not possible to indicate potential impacts on local services until the modelling is complete.</p> <p>It is not anticipated that the Freeport will negatively affect housing availability and it is unlikely that the Freeport will increase demand for local housing. However, the Joint Local Plan identifies housing need until 2030 and based on the assumption of the sites which are being included in the Freeport being developed as employment spaces.</p> <p>Dependent on the numbers of people relocating to Plymouth there may be increased demand for local services such as dentists, primary care services and housing.</p>	<p>The Plymouth Plan topic paper 'Housing need and supply' sets out the strategy for housing provision in the city. The plan works towards supporting the ambitions within the Plymouth Plan of a 'growing city'. The Freeport is one component of the plan to grow the city and its economies.</p>	<p>The Freeport will help to accelerate the Sherford housing development, further enhancing the availability of good quality private housing stock.</p>



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Key:

Customs Site Boundary

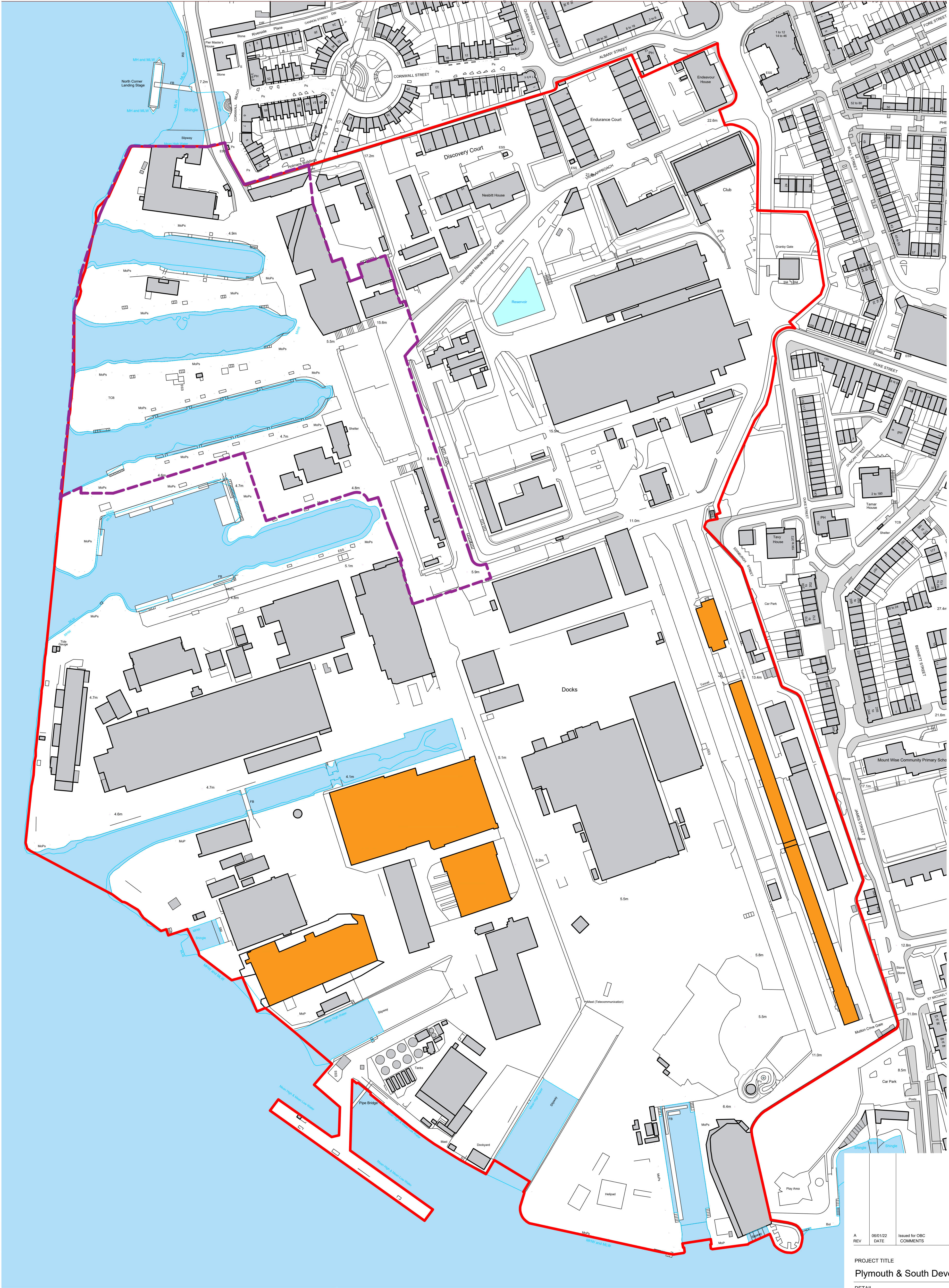
Tax Site Boundary

\*Note : - Where the Customs site and Tax site/Freeport boundaries coincide, the Customs Site boundary has been drawn inside the Freeport boundary site for clarity on the Drawings. The Actual Customs Site will extend to the Tax Site/Freeport boundary line

B A REV	18/03/22 12/01/21 DATE	Red line updated as instructed Issued for OBC COMMENTS	CC/ GD MO/ GD AUTHOR / CHECKED
PROJECT TITLE			
Plymouth & South Devon Freeport			
DETAIL			
Sherford Freeport Site Plan			
DRAWING NUMBER (PROJECT ORIGINATOR.ZONE.LEVEL.TYPE.ROLE.NUMBER)			
21086PF -LHC - 00 - 00 - DR - AR - 0102			
STATUS	STATUS DESCRIPTION		
S2			
REVISION	DATE	SCALE	
B	08/10/21	1:1250 @A1	
CONTRACTORS MUST CHECK ALL DIMENSIONS ON SITE - ONLY FIGURED DIMENSIONS ARE TO BE WORKED FROM - DISCREPANCIES MUST BE REPORTED TO THE ARCHITECT BEFORE PROCEEDING © THIS DRAWING IS COPYRIGHT		LHC PROJECT NUMBER 21086PF	
<div><div></div><div>lhc design</div></div>		<div><div><div><div></div><div>EXETER</div><div>01392 444334</div></div><div><div></div><div>PLYMOUTH</div><div>01752 669068</div></div><div><div></div><div>ST AUUSTELL</div><div>01726 213435</div></div></div><div>lhc.net</div></div>	

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Key:

Tax Site Boundary

Service Re-Provision

Vacant Buildings

**\*Note:**  
1. Service Re-Provision is a behind-the-wire proposal that facilitates pipeline projects by the private sector

A

REV

06/01/22

DATE

Issued for OMC

COMMENTS

MOJGD

AUTHOR / CHECKED

PROJECT TITLE

Plymouth & South Devon Freeport

DETAIL

South Yard Freeport Existing Site Plan

DRAWING NUMBER

(PROJECT-ORIGINATOR.ZONE-LEVEL-TYPE-ROLE-NUMBER)

21086PF -LHC - 00 - 00 - DR - AR - 0103

STATUS

S2

STATUS DESCRIPTION

REVISION

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DATE

31/08/21

SCALE

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LHC PROJECT NUMBER

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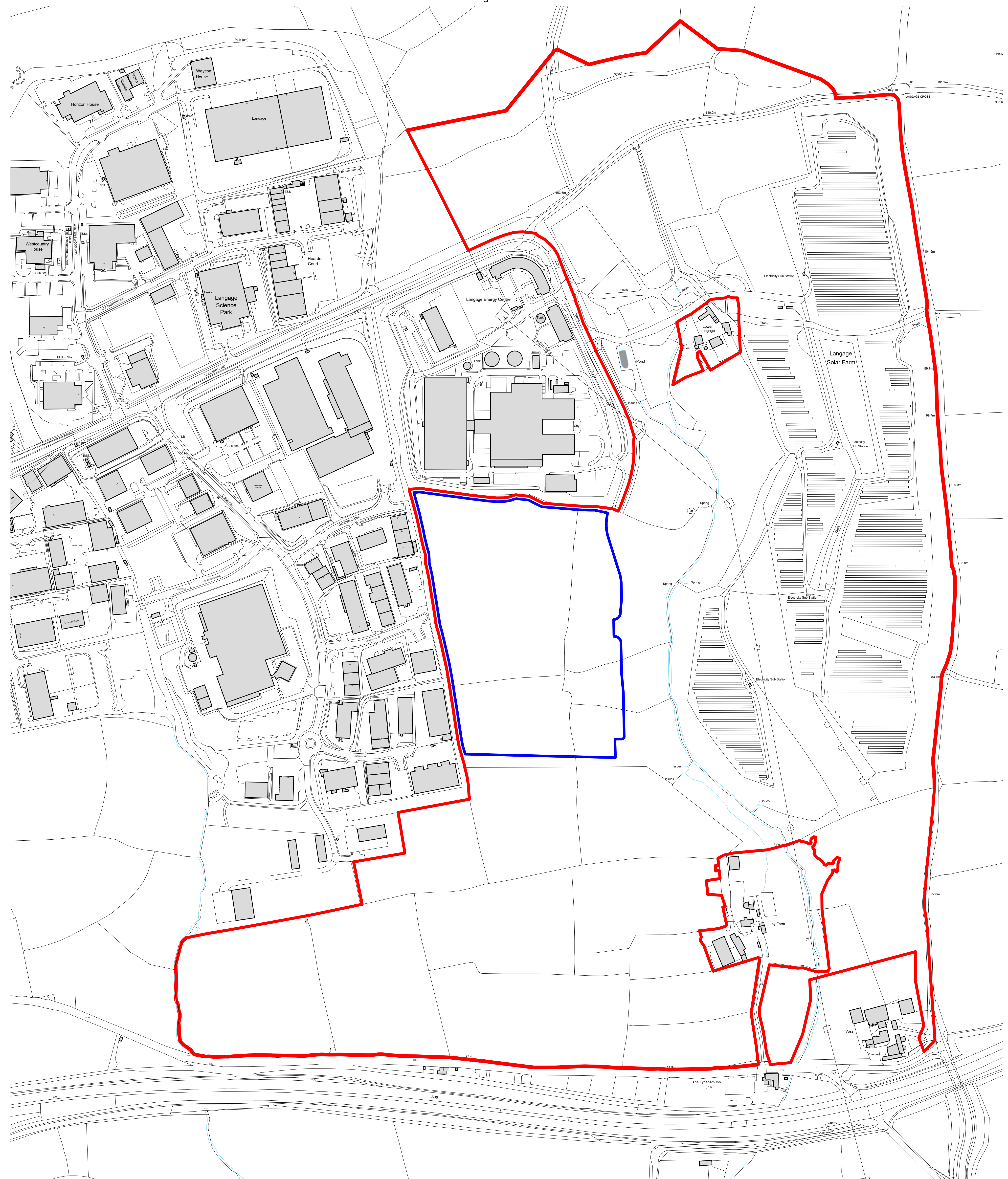
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A	12/01/21	Issued for OBC	MO/GD
REV	DATE	COMMENTS	AUTHOR / CHECKED

 EXETER  
01392 444334

\*Note : - Where the Customs site and Tax site/Freeport boundaries coincide, the Customs Site boundary has been drawn inside the Freeport boundary site for clarity on the Drawings. The Actual Customs Site will extend to the Tax Site/Freeport boundary line

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# EXECUTIVE DECISION

made by a Cabinet Member



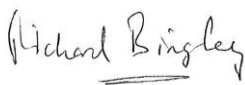
## REPORT OF ACTION TAKEN UNDER DELEGATED AUTHORITY BY AN INDIVIDUAL CABINET MEMBER

Executive Decision Reference Number – L4I 21/22

Decision				
1	<b>Title of decision:</b> Authorisation for Devon County Council to award the Traffic Signal Maintenance Contract on Plymouth City Councils behalf.			
2	<b>Decision maker (Cabinet member name and portfolio title):</b> Councillor Richard Bingley, Leader of the Council			
3	<b>Report author and contact details:</b> Nigel Taylor – Traffic Signal Engineer 01752 304198			
4	<b>Decision to be taken:</b> To delegate to Devon County Council on behalf of Plymouth City Council the award of the new joint Traffic Signal Maintenance Contract to the preferred bidder			
5	<b>Reasons for decision:</b> Devon County Council have led on a new joint traffic signal maintenance contract between Devon County Council, Plymouth City Council and Torbay Council. We have worked together throughout this process and are now in a position to award the contract to the preferred bidder. As Devon County Council have led the process we would like to give them authority to award the contract.			
6	<b>Alternative options considered and rejected:</b> If we do not award the contract we will not be in the position to have traffic signal maintenance cover when the current joint contract ends in June 2022.			
7	<b>Financial implications and risks:</b> If no traffic signal maintenance contract is in place any traffic signal faults would have to be dealt with on an ad hoc basis by a specialist contractor. This would be inherently more expensive and faults would not be attended and fixed in a timely manner putting members of the public at risk.			
8	<b>Is the decision a Key Decision?</b> (please contact <a href="#">Democratic Support</a> for further advice)	<b>Yes</b>	<b>No</b>	<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
		X		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>£1million</b>
			X	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>	3 February 2022		
<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>	Helps provide a varied, efficient, sustainable traffic signal network.		
<b>10</b>	<b>Please specify any direct environmental implications of the decision (carbon impact)</b>	None		
<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>		(If yes, please contact Democratic Support ( <a href="mailto:democraticsupport@plymouth.gov.uk">democraticsupport@plymouth.gov.uk</a> ) for advice)
		<b>No</b>	X	<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>	X	
		<b>No</b>		<b>(If no go to section 14)</b>
<b>13b</b>	<b>Which other Cabinet member's portfolio is affected by the decision?</b>	Councillor Jonathon Drean, Cabinet Member for Transport		
<b>13c</b>	<b>Date Cabinet member consulted</b>	28 February 2022		
<b>14</b>	<b>Has any Cabinet member declared a conflict of interest in relation to the decision?</b>	<b>Yes</b>		If yes, please discuss with the Monitoring Officer
		<b>No</b>	X	

15	<b>Which Corporate Management Team member has been consulted?</b>	<b>Name</b>	Anthony Payne					
		<b>Job title</b>	Strategic Director for Place					
		<b>Date consulted</b>	2 March 2022					
<b>Sign-off</b>								
16	<b>Sign off codes from the relevant departments consulted:</b>	<b>Democratic Support (mandatory)</b>	DS91 21/22					
		<b>Finance (mandatory)</b>	djn.21.22.289					
		<b>Legal (mandatory)</b>	LS/38170/AC/28/2/22					
		<b>Human Resources (if applicable)</b>	N/A					
		<b>Corporate property (if applicable)</b>	N/A					
		<b>Procurement (if applicable)</b>	N/A					
<b>Appendices</b>								
17	<b>Ref.</b>	<b>Title of appendix</b>						
	A	Briefing report for publication ( <i>mandatory</i> )						
	B	Equalities Impact Assessment ( <i>where required</i> )						
<b>Confidential/exempt information</b>								
18a	<b>Do you need to include any confidential/exempt information?</b>	<b>Yes</b>		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)				
		<b>No</b>	X					
		<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	<b>Confidential/exempt briefing report title:</b>							

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		23 March 2022		
Print Name		Councillor Richard Bingley						

# REVENUE INVESTMENT BUSINESS CASE

*Traffic Control Maintenance Contract*



## EXECUTIVE SUMMARY

*The Executive Summary is a short summary of the Business Case and should be the last section you complete, this will enable you to extract or only the key facts from relevant sections i.e. 'project on a page'. The summary is a 'snapshot' of the business case which will need to tell the story and sell the proposal.*

### *key notes*

Plymouth City Council, Devon County Council and Torbay Council currently have a joint Traffic Control Maintenance Contract, which allows for the traffic control infrastructure within Plymouth to be maintained and all faults fixed in a timely manner. This contract comes to an end on 30<sup>th</sup> June 2022 which would leave Plymouth in the position of having no way to attend and fix traffic signal faults when they occur, which would leave a dangerous situation for all users of the highway within the city.

### *key risks*

*If we have no traffic signal maintenance contract we will leave ourselves open to the real threat of traffic signal failure and dangerous electric systems on street. This will provide a danger to all highway users within the city.*

## SECTION I: PROJECT DETAIL

<b>Project Value (indicate capital or revenue)</b>	Approx £150000 per year on a 5 + 5 contract - Revenue	<b>Contingency (show as £ and % of project value)</b>	N/A
<b>Programme</b>	Low Carbon	<b>Directorate</b>	Place
<b>Portfolio Holder</b>	Cllr Jonathan Drean	<b>Service Director</b>	
<b>Senior Responsible Officer (client)</b>		<b>Project Manager</b>	
<b>Address and Post Code</b>	N/A	<b>Ward</b>	Citywide

**Current Situation:** *(Provide a brief, concise paragraph outlining the current situation and explain the current business need, problem, opportunity or change of circumstances that needs to be resolved)*

Plymouth City Council, Devon County Council and Torbay Council currently have a joint Traffic Control Maintenance Contract, which allows for the traffic control infrastructure within Plymouth to be maintained and all faults fixed in a timely manner. This contract comes to an end on 30<sup>th</sup> June 2022 which would leave Plymouth in the position of having no way to attend and fix traffic signal faults when they occur, which would leave a dangerous situation for all users of the highway within the city.

**Proposal:** *(Provide a brief, concise paragraph outlining your scheme and explain how the business proposal will address the current situation above or take advantage of the business opportunity) and (What would happen if we didn't proceed with this scheme?)*

As previously Devon County Council, Torbay Council and Plymouth City Council want to work together to have another joint Traffic Control Maintenance Contract, with Devon County

Council happy to lead on the contract with input from all the authorities. This contract will continue to provide economy of scale for all the authorities and will ensure that faults with all traffic control equipment will be maintained in a timely manner keeping all highway users within the city of Plymouth safe and ensure the city keeps moving.

If this opportunity is not taken we will be left with no way to maintain the traffic control infrastructure within the city, which would leave a dangerous situation for all users of the highway within the city.

Milestones and Date:		
Contract Award Date	Start On Site Date	Completion Date
31/03/22	01/07/2022	30/06/2027

## SECTION 2: PROJECT RISK, OUTCOMES AND BENEFITS

**Risk Register:** The Risk Register/Risk Log is a master document created during the early stages of a project. It includes information about each identified risk, level of risk, who owns it and what measures are in place to mitigate the risks (cut and paste more boxes if required).

Potential Risks Identified		Likelihood	Impact	Overall Rating
<b>Risk</b>	No Traffic Signal Maintenance Contract	Low	Low	Low
<b>Mitigation</b>	Having a joint traffic signal maintenance contract with Devon County Council and Torbay Council	Low	Low	Low
<b>Calculated risk value in £ (Extent of financial risk)</b>	£0			

## Outcomes and Benefits

**List the outcomes and benefits expected from this project.**

(An **outcome** is the result of the change derived from using the project's deliverables. This section should describe the anticipated outcome)

(A **benefit** is the measurable improvement resulting from an outcome that is perceived as an advantage. Benefits are the expected value to be delivered by the project, measurable whenever possible)

Financial outcomes and benefits:	Non-financial outcomes and benefits:
Continuation of current traffic signal maintenance service. Failure to provide a service will result in traffic signal failures and a dangerous situation for all users of the highway within Plymouth.	Continuation of current traffic signal maintenance service. Failure to provide a service will result in traffic signal failures and a dangerous situation for all users of the highway within Plymouth.

## Low Carbon

<b>What is the anticipated impact of the proposal on carbon emissions</b>	As the proposal is a continuation of a current contract it will provide us with the continued ability to keep traffic moving throughout the city as smoothly as possible keeping carbon emissions as low as possible.
<b>How does it contribute to the Council becoming Carbon neutral by 2030</b>	The contract will provide a schedule of rates for the replacement of old equipment. All new equipment installed will be Extra Low Voltage and have LED signal aspects which will reduce energy use and therefore reduce carbon emissions.

<b>Have you engaged with Procurement Service?</b>		Yes
<b>Procurement route options considered for goods, services or works</b>	It was considered to go to tender for a Plymouth only maintenance contract, but the economy of scale from another joint contract with both Devon and Torbay was the obvious way forward.	
<b>Procurements Recommended route.</b>	A joint contact with Devon and Torbay with Devon providing the lead.	
<b>Who is your Procurement Lead?</b>	Paul Williams.	
<b>Is this business case a purchase of a commercial property</b>		No
<b>If yes then provide evidence to show that it is not 'primarily for yield'</b>	N/A	
<b>Which Members have you engaged with and how have they been consulted (including the Leader, Portfolio Holders and Ward Members)</b>	Cllr Jonathon Drean	

#### SECTION 4: FINANCIAL ASSESSMENT

**FINANCIAL ASSESSMENT:** *In this section the robustness of the proposals should be set out in financial terms. The Project Manager will need to work closely with the capital and revenue finance teams to ensure that these sections demonstrate the affordability of the proposals to the Council as a whole.*

##### CAPITAL COSTS AND FINANCING

<b>Breakdown of project costs including fees surveys and contingency</b>	<b>Prev. Yr. £m</b>	<b>22/23 £m</b>	<b>23/24 £m</b>	<b>24/25 £m</b>	<b>25/26 £m</b>	<b>26/27 £m</b>	<b>Future Yrs. + 5 £m</b>	<b>Total £m</b>
Maintenance Contract	0.130	0.150	0.150	0.150	0.150	0.150	0.750	1.5
<b>Total spend</b>	0.13	0.15	0.15	0.15	0.15	0.15	0.75	1.5

##### Provide details of proposed funding: *Funding to match with Project Value*

<b>Breakdown of proposed funding</b>	<b>Prev. Yr. £m</b>	<b>21/22 £m</b>	<b>22/23 £m</b>	<b>23/24 £m</b>	<b>24/25 £m</b>	<b>25/26 £m</b>	<b>Future Yrs. £m</b>	<b>Total £m</b>
As above								
<b>Total funding</b>								

<b>Which external funding sources been explored</b>	n/a
<b>Are there any bidding constraints and/or any restrictions or conditions</b>	n/a

attached to your funding	
Tax and VAT implications	
Tax and VAT reviewed by	

### REVENUE COSTS AND IMPLICATIONS

#### Cost of Developing the Capital Project (To be incurred at risk to Service area)

Total Cost of developing the project	N/A
Revenue cost code for the development costs	N/A
Revenue costs incurred for developing the project are to be included in the capital total, some of the expenditure could be capitalised if it meets the criteria	N/A
Budget Managers Name	N/A

#### Ongoing Revenue Implications for Service Area

			Prev. Yr.	21/22 £	22/23 £	23/24 £	23/24 £	25/25 £m	Future Yrs.
Service area revenue cost									
Other (eg: maintenance, utilities, etc)									
Loan repayment (terms agreed with Treasury Management)									
Total Revenue Cost (A)									
Service area revenue benefits/savings									
Annual revenue income (eg: rents, etc)									
Total Revenue Income (B)									
Service area net (benefit) cost (B-A)									
Has the revenue cost been budgeted for or would this make a revenue pressure									
Which cost centre would the revenue pressure be shown			6124/5002		Has this been reviewed by the budget manager			Y	
Name of budget manager			Phil Bellamy						
Loan value	£	Interest Rate	%	Term Years		Annual Repayment	£		
Revenue code for annual repayments									
Service area or corporate borrowing									



<b>Revenue implications reviewed by</b>	
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**Version Control:** *(The version control table must be updated and signed off each time a change is made to the document to provide an audit trail for the revision and update of draft and final versions)*


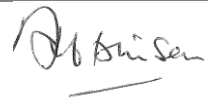
<b>Author of Business Case</b>	<b>Date</b>	<b>Document Version</b>	<b>Reviewed By</b>	<b>Date</b>
Nigel Taylor	13/10/2021	v 1.0		00/00/2021
	00/00/2021	v 2.0		00/00/2021

## SECTION 6: RECOMMENDATION AND ENDORSEMENT

### Recommended Decision

**It is recommended that the Leader of the Council:**

- Approves the Business Case
- Delegates to Devon County Council to award the Traffic Signal Maintenance Contract on Plymouth City Councils behalf.

<b>Councillor Richard Bingley, Leader</b>		<b>Service Director</b>	
<b>Either email dated:</b>	<i>date</i>	<b>Either email dated:</b>	<i>Date</i> 22.03.2022
<b>Or signed:</b> 		<b>Signed:</b> 	
<b>Date:</b> 23 March 2022		<b>Date:</b> 22.03.2022	
		<b>Service Director</b>	
		<i>[Name, department]</i>	
		<b>Either email dated:</b>	<i>date</i>
		<b>Signed:</b>	
		<b>Date:</b>	

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# EQUALITY IMPACT ASSESSMENT

Highways, Parking and Marine Services



## STAGE 1: WHAT IS BEING ASSESSED AND BY WHOM?

<b>What is being assessed - including a brief description of aims and objectives?</b>	The need for a new Traffic Control Maintenance Contract which is a joint contract between Plymouth City Council, Devon County Council and Torbay Council to provide a maintenance service for all traffic control equipment within Plymouth, Devon and Torbay.
<b>Author</b>	Nigel Taylor
<b>Department and service</b>	Street Services – Plymouth Highways
<b>Date of assessment</b>	15/10/21

## STAGE 2: EVIDENCE AND IMPACT

Protected characteristics (Equality Act)	Evidence and information (eg data and feedback)	Any adverse impact See <a href="#">guidance</a> on how to make judgement	Actions	Timescale and who is responsible
<b>Age</b>	None	None	N/A	N/A
<b>Disability</b>	None	None	N/A	N/A
<b>Faith/religion or belief</b>	None	None	N/A	N/A
<b>Gender - including marriage, pregnancy and maternity</b>	None	None	N/A	N/A
<b>Gender reassignment</b>	None	None	N/A	N/A
<b>Race</b>	None	None	N/A	N/A

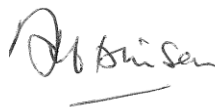
<b>Sexual orientation - including civil partnership</b>	None	None	N/A	N/A
---	------	------	-----	-----

**STAGE 3: ARE THERE ANY IMPLICATIONS FOR THE FOLLOWING? IF SO, PLEASE RECORD ACTIONS TO BE TAKEN**

Local priorities	Implications	Timescale and who is responsible
<b>Reduce the inequality gap, particularly in health between communities.</b>	Provision of a new traffic control maintenance contract will help provide reliability of all new traffic control systems within the city aiding all highway users (private vehicles/public transport/walking/cycling etc) to use the facilities provide to travel throughout all areas of the city.	Ongoing Plymouth Highways
<b>Good relations between different communities (community cohesion)</b>	No adverse impact on community cohesion is anticipated.	Ongoing Plymouth Highways
<b>Human rights</b> Please refer to <a href="#">guidance</a>	This service recognises Article 14 of Human Rights Act – The right to receive Equal Treatment and prohibits discrimination including sex, race, religion and economic and social status in conjunction with the Equalities Act which includes age and disability.  All staff and service users will be treated fairly and that their human rights will be respected.  No adverse impact on human rights has been identified.	Ongoing Plymouth Highways
<b>Principles of fairness</b> Please refer to <a href="#">guidance</a>	The highway infrastructure is used daily by the majority of the travelling public for commuting, business, social and leisure activities and is fundamental to the economic, social and environmental wellbeing of local communities, and the city as a whole.  Objective and transparent evaluation criteria are embedded in the decision making for where in the City highway interventions are required.	Ongoing Plymouth Highways

**STAGE 4: PUBLICATION**

Responsible Officer



Date 29/10/2021

Director, Assistant Director or Head of Service

# EXECUTIVE DECISION

## made by a Cabinet Member




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

Executive Decision Reference Number – L49 21/22

Decision				
1	<b>Title of decision:</b> S256 Agreement with the NHS Devon CCG Integrated Care Enabling Activities			
2	<b>Decision maker (Cabinet member name and portfolio title):</b> Councillor Richard Bingley - Leader, Plymouth City Council			
3	<b>Report author and contact details:</b> David Northey, Head of Integrated Finance – david.northey@plymouth.gov.uk			
4	<b>Decision to be taken</b> To delegate to the Service Director for Finance the authority to enter into the S256 Agreement with the Clinical Commissioning Group and to accept the sum of £14.5m on behalf of Plymouth City Council.			
5	<b>Reasons for decision:</b> There is a formal S75 Agreement in place, but this fund will be discrete from the other existing section 75 pooled budget arrangements.  The key outcome required is to reduce demand & growth in resources for secondary healthcare, such as avoidable planned and unplanned admissions and referrals to specialist mental and physical health providers by making targeted investments across health and social care that improve integration.			
6	<b>Alternative options considered and rejected:</b> Do nothing – Plymouth would miss out on this fund which will underwrite any additional NHS capacity required to ensure treatment of Priority 1, 2 and 3 elective patients.			
7	<b>Financial implications and risks:</b> The key outcome required is to reduce demand & growth in resources for secondary healthcare, such as avoidable planned and unplanned admissions and referrals to specialist mental and physical health providers. The £14.5m is required to ensure this key outcome can be achieved.			
8	<b>Is the decision a Key Decision?</b> (please contact <a href="#">Democratic Support</a> for further advice)	<b>Yes</b>	<b>No</b>	<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
			x	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>
			x	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.
	If yes, date of publication of the notice in the <b>Forward Plan of Key Decisions</b>			
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:		This service links with the corporate priority of Caring for People and Communities and keeping adults safe and supporting them to be able to lead independent lives.	
10	Please specify any direct environmental implications of the decision (carbon impact)		N/A	
<b>Urgent decisions</b>				
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 ( <a href="mailto:democraticsupport@plymouth.gov.uk">democraticsupport@plymouth.gov.uk</a> ) for advice)
		No	x	(If no, go to section 13a)
12a	Reason for urgency:			
12b	Scrutiny Chair Signature:		Date	
	Scrutiny Committee name:			
	Print Name:			
<b>Consultation</b>				
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?	This decision has an impact on all Children and Young People and Adults.		
13c	Date Cabinet member consulted	22 March 2022		
14	Has any Cabinet member declared a	Yes		If yes, please discuss with the Monitoring

	conflict of interest in relation to the decision?	No	x	Officer			
15	Which Corporate Management Team member has been consulted?	Name		Brendan Arnold			
		Job title		Service Director for Finance			
		Date consulted		22/3/2022			
<b>Sign-off</b>							
16	Sign off codes from the relevant departments consulted:	Democratic Support (mandatory)			DS135 21/22		
		Finance (mandatory)			djn.21.22.316		
		Legal (mandatory)			MS/38321		
		Human Resources (if applicable)			NA		
		Corporate property (if applicable)			NA		
		Procurement (if applicable)					
<b>Appendices</b>							
17	Ref.	Title of appendix					
	A	S256 Agreement					
<b>Confidential/exempt information</b>							
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 <b>18b</b> below.  (Keep as much information as possible in the briefing report that will be in the public domain)			
		No	x				
		<b>Exemption Paragraph Number</b>					
		1	2	3	4	5	6
18b	Confidential/exempt briefing report title:						
<b>Background Papers</b>							
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						

<p>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
<p><b>Cabinet Member Signature</b></p>							
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>						
<p><b>Signature</b></p> 		<p><b>Date of decision</b></p>		<p>23 March 2022</p>			
<p><b>Print Name</b></p>		<p>Councillor Richard Bingley, Leader</p>					



## **Memorandum of Agreement**

### **Section 256 transfer**

Title of scheme: Integrated Care Enabling Activities

#### **1. How will the section 256 transfer secure more health gain than an equivalent expenditure of money in the NHS?**

The key outcome required is to reduce demand & growth in resources for secondary healthcare, such as avoidable planned and unplanned admissions and referrals to specialist mental and physical health providers by making targeted investments across health and social care that improve integration. More details are set out in section 2.

#### **2. Description of scheme**

The programme will support the implementation of the Devon ICS [Together for Devon] single system plan, including supporting the transition and restoration of services impacted significantly by the Covid pandemic, through alignment of a number of key priority areas which benefit the population of Devon; will seek to improve the financial sustainability of both the NHS and Local Authority; and meet the strategic goals of health, public health and social care commissioners. In particular, this will involve looking across the Devon ICS [Together for Devon] work programmes for (1) Integrated Care, including discharge from hospital (2) Mental Health, LD & Autism and (3) Children's and Families, making targeted investments which improve integration:

- of services commissioned across health, social care and public health commissioners
- between statutory and VCSE health and care provider organisations
- between physical health and care; and mental health and care provider organisations
- between health and care services providers and organisations whose goals address wider determinants of health such as better housing provision, management of debt, or drug and alcohol services

The key outcome required is to reduce demand & growth in resources for secondary healthcare, such as avoidable planned and unplanned admissions and referrals to specialist mental and physical health providers.

The KPIs that may be used to measure the impact are as follows:

1. Adult Acute and Community Services (Integrated Care)

- cost weighted unplanned secondary care activity per/1000 population for Older People (emergency admissions & bed days and A&E/UTC attendances, NHS community contacts)
- increase proportion of successful hospital discharges to home first compared to 20/21
- the rate per/1000 population level of Priority 1, 2 & 3 planned care inpatient admission treated within NHSE clinical standards
- the rate per/1000 population for Ambulatory Care Sensitive (ACS) conditions

2. Mental Health, LD & Autism

- Reduced section 3 admissions
- Reduced bed days in Out of Area LD, Acute, PICU and Locked Rehabilitation packages
- Reduce nursing/residential care packages for LD and Autism
- Reduced cost of s117 aftercare due to reduced demand and more cost-effective interventions

3. Children and Families

- The Framework of Integrated Care represents a significant opportunity to support and strengthen children and young people's services across the wider Devon system. Enabling collaboration within and across those agencies, with the vision to facilitate integrated trauma-informed and responsive systems that enable Children and Young People (CYP) with complex needs to thrive.
- and to support the development of services that prevent children needing to access high-cost placements in the NHS, reduce placements out of the Devon area and transition to adulthood and lifecycle costs
- reduced emergency admissions for children with chronic conditions (asthma, diabetes and epilepsy)

The programme will use evidence-based interventions and benchmarking to target investment in areas where greater than £ for £ savings in NHS services will be delivered; it is expected that these investments may also deliver additional savings for public health and social care commissioned services.

The investment is intended to compliment, but not overlap with the aims of the Better Care Fund.

### 3. Financial details (and timescales):

Total amount of money to be transferred and amount in each year (if this subsequently changes, the memorandum must be amended and re-signed)

Year(s)	Amount	Capital	Revenue
2021/22	£14,500,000	£0	£14,500,000

Representing a fixed contribution to the cost of the scheme.

#### **Relationship with Better Care Fund and/or other existing section 75 pooled budget arrangements**

- This fund will be discrete from Better Care Fund and/or other existing section 75 pooled budget arrangements

### 3. **NHS Elective Care**

4.

- This fund will underwrite any additional NHS capacity required to ensure treatment of Priority 1, 2 and 3 elective patients. This immediate clinical risk will be prioritised over longer term admission and prevention initiatives

#### **Hospital Discharge Fund, Discharge to Assess and Urgent Care Winter Pressures**

- This fund will underwrite any ongoing NHS or Social Care costs of Discharge to Assess services that cannot otherwise be reimbursed by continuing Government Hospital Discharge Fund
- This fund will underwrite any ongoing Extra Care Housing and Pathway 3 that cannot otherwise be reimbursed by continuing Government Hospital Discharge Fund
- This fund will underwrite costs of winter schemes that cannot otherwise be reimbursed any Winter Pressure funding and not already funded elsewhere in BCF or Hospital Discharge Fund.
- The fund will not contribute to the cost of ongoing Care Act or Continuing Healthcare eligible packages of Domiciliary, Residential or Nursing Care after agreed operational standards

#### **Market Management**

- The programme will support a joint objective of stabilising social care market capacity in order to support hospital flow and to build resilience in time for autumn and winter.


#### **Health Prevention/Promotion**

- Implementation of a range of health prevention and health promotion initiatives to include pilots and pump-priming community initiatives to enable communities to continue programmes of work.

**4. Please state the evidence you will use to indicate that the purposes described at questions 1 & 2 have been secured.**

- Benchmarking analysis prepared over a range of pathways.
- NHSE/LA guidance and policies.
- Deep dive information produced to highlight specific areas for change and to facilitate redesign of existing pathways where appropriate.
- Emerging body of UK and international evidence of the benefits of integrated care identified in the Devon ICS [Together for Devon] single system plan.
- The development of the ‘System Wide dataset’ that will provide outputs of combined Health and Social Care performance and financial information, such that monthly financial and activity monitoring of the outcomes of the programme can be understood.

Signed



..... for NHS Devon CCG  
Director of Finance

..... Position

17.3.22..... Date

..... for Plymouth City Council

..... Position

17.3.22..... Date

**SECTION 256 ANNUAL VOUCHER**

**Plymouth City Council**

**PART 1 STATEMENT OF EXPENDITURE FOR THE YEAR 31 MARCH 2022.**

(if the conditions of the payment have been varied, please explain what the changes are and why they have been made)

<u>Scheme Ref. No and Title of Project</u>	<u>Revenue Expenditure</u> £		<u>Capital Expenditure</u> £	<u>Total Expenditure</u> £
Integrated Care enabling activities	£14,500,000	£0		£14,500,000

**PART 2 STATEMENT OF COMPLIANCE WITH CONDITIONS OF TRANSFER**

I certify that the above expenditure has been incurred in accordance with the conditions, including any cost variations, for each scheme agreed by the NHS Devon Clinical Commissioning Group in accordance with these Directions.

Signed.....

Date.....

Director of finance or responsible officer of the recipient (see paragraph 5(3) of the Directions)

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# EXECUTIVE DECISION

## made by a Cabinet Member



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


Executive Decision Reference Number – L46 21/22

Decision				
1	<b>Title of decision:</b> Home Upgrade Grant (HUG)			
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> <a href="mailto:Kurt.Borth@plymouth.gov.uk">Kurt.Borth@plymouth.gov.uk</a>			
4	<b>Decision to be taken:</b> <ul style="list-style-type: none"> <li>Approves the Business Case.</li> <li>Allocates £2,254,202.19 for the project into the Capital Programme funded by a grant from BEIS Home Upgrade Grant Phase 1.</li> <li>Delegate's authority to Section 151 officer and Chief Executive to sign the MoU.</li> <li>Delegate authority to the Service Director for Strategic Planning &amp; Infrastructure to spend the allocated funds and enter into further agreements in relation to it.</li> </ul>			
5	<b>Reasons for decision:</b> <ul style="list-style-type: none"> <li>To allow for the delivery of energy efficiency upgrades of 115 (off gas) homes experiencing fuel poverty in Plymouth.</li> </ul>			
6	<b>Alternative options considered and rejected:</b> <b>Do Nothing option:</b> This would be ignoring an opportunity to deliver energy efficiency upgrade programmes to vulnerable households with external funds. The project has the capacity to improve the living conditions and health of some of the most vulnerable households in the city. The project has the capacity to further improve the living conditions and health of some of the most vulnerable households in the city. The Council successfully bid for these funds and as such should use them. The funds can only be used for the purposes outlined above.			
7	<b>Financial implications and risks:</b> There are no negative financial implications in undertaking this decision.			
8	<b>Is the decision a Key Decision?</b> (please contact <a href="#">Democratic Support</a> for further advice)	<b>Yes</b>  <input type="checkbox"/>	<b>No</b>  <input checked="" type="checkbox"/>	<b>Per the Constitution, a key decision is one which:</b>  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
			X	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>£1million</b>
			X	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.
	If yes, date of publication of the notice in the <b>Forward Plan of Key Decisions</b>			
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:		The project is an excellent fit with the strategic objectives of The Council. Social inequalities will be reduced by the provision of efficient heating and efficiency measures to social housing households experiencing fuel poverty. This not only provides a much healthier, warmer, and comfortable environment for the householder, it also reduces the annual energy bill ensuring vulnerable households income is maximised. The retrofitted energy efficiency measures will help to reduce the carbon emissions of the city, contributing to the delivery of the Joint Local Plan and Climate Emergency Action Plan.	
10	Please specify any direct environmental implications of the decision (carbon impact)		The project will aim to improve households to a goal of an EPC rating of C with the measures installed. This improvement will realize extensive Carbon emission and fuel bill savings.	
<b>Urgent decisions</b>				
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 ( <a href="mailto:democraticsupport@plymouth.gov.uk">democraticsupport@plymouth.gov.uk</a> ) for advice)
		No	X	(If no, go to section 13a)
12a	Reason for urgency:			
12b	Scrutiny Chair Signature:		Date	
	Scrutiny Committee name:			
	Print Name:			
<b>Consultation</b>				
13a	Are any other Cabinet members' portfolios affected by the decision?	Yes	X	
		No		(If no go to section 14)



<b>13b</b>	<b>Which other Cabinet member's portfolio is affected by the decision?</b>	Councillor Rebecca Smith - Cabinet Member for Homes and Communities						
<b>13c</b>	<b>Date Cabinet member consulted</b>	22/03/2022						
<b>14</b>	<b>Has any Cabinet member declared a conflict of interest in relation to the decision?</b>	<b>Yes</b>		If yes, please discuss with the Monitoring Officer				
		<b>No</b>	x					
<b>15</b>	<b>Which Corporate Management Team member has been consulted?</b>	<b>Name</b>		Anthony Payne				
		<b>Job title</b>		Director of Place				
		<b>Date consulted</b>		18 March 2022				
<b>Sign-off</b>								
<b>16</b>	<b>Sign off codes from the relevant departments consulted:</b>	<b>Democratic Support (mandatory)</b>			DS132 21/22			
		<b>Finance (mandatory)</b>			ba.21.22.303.			
		<b>Legal (mandatory)</b>			LS/38219/JJP/080322			
		<b>Human Resources (if applicable)</b>						
		<b>Corporate property (if applicable)</b>						
		<b>Procurement (if applicable)</b>						
<b>Appendices</b>								
<b>17</b>	<b>Ref.</b>	<b>Title of appendix</b>						
	<b>A</b>	Business Case						
	<b>B</b>	Executive Decision Briefing Note						
<b>Confidential/exempt information</b>								
<b>18a</b>	<b>Do you need to include any confidential/exempt information?</b>	<b>No</b>		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)				
		<b>No</b>	x					
		<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>

<b>18b</b>	<b>Confidential/exempt briefing report title:</b>							
<b>Background Papers</b>								
<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 1 of Schedule 12A of the Local Government Act 1972 by ticking the relevant box.</p>							
<b>Title of background paper(s)</b>		<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>
<b>Cabinet Member Signature</b>								
<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						

## EXECUTIVE DECISION BRIEFING NOTE

### Home Upgrade Grant (HUG) Programme



This briefing note provides context for the accompanying Executive Decision and Business Case regarding the Home Upgrade Grant (HUG) programme.

#### **Scheme Summary**

PCC is allocating **£2,254,202.19** to the Home Upgrade Grant (HUG) programme. 115 (off gas) homes (in addition to the 185 under the LAD3 programme) experiencing fuel poverty will be improved in Plymouth. The scheme will help to tackle the prevalence of fuel poverty across the 13,500 households in the city who are currently experiencing it. Low-income households in Plymouth will see their energy bills reduced by up to £200 a year. It is the first round of funding from a total of £950 million from the department of Business, Energy, and Industrial Strategy (BEIS) that was allocated to the HUG scheme by the government last year and this first phase will see works completed by April 2023.

#### **3.0 REVENUE IMPLICATIONS**

The required revenue spend associated with this project (staff time) will come from the awarded funds.

#### **4.0 RISKS**

The risk element in receiving the grant is low:

- The demand for the service is high, with a considerable pipeline of households requiring assistance already building up.

#### **5.0 RECOMMENDATION**

It is recommended that the Leader:

- Approves the Business Case and Exec Decision.
- Delegate's authority to Section 151 officer and Chief Executive to sign the MoU.
- Allocates £2,254,202.19 for the project into the Capital Programme funded by Government.
- Delegate authority to the Service Director for Strategic Planning & Infrastructure to spend the allocated funds and enter into further agreements in relation to it.

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# CAPITAL INVESTMENT BUSINESS CASE

## Home Upgrade Grant (HUG) Phase I



### EXECUTIVE SUMMARY

*The Executive Summary is a short summary of the Business Case and should be the last section you complete, this will enable you to extract or only the key facts from relevant sections i.e. 'project on a page'. The summary is a 'snapshot' of the business case which will need to tell the story and sell the proposal.*

*key notes from section 1*

The scheme will help to tackle the prevalence of fuel poverty across the 13,500 households in the city who are currently experiencing it. PCC has been awarded £2,254,202.19 of funding as part of the Government's Sustainable Warmth Fund – Home Upgrade Grant (HUG) phase I. Low-income households in Plymouth will see their energy bills reduced by up to £200 a year. It is the first round of funding from a total of £950 million from the department of Business, Energy, and Industrial Strategy (BEIS) that was allocated to the HUG scheme by the government last year and will be available over the next 3 years to 2025.

*key notes from section 2*

*It will provide an estimated £1 m of additional turnover for local installers. Households are predicted (be BEIS) to save over £200 per year on fuel costs with these upgrades.*

*The project is low risk as it is 100% externally funded.*

*key notes from section 4*

*The project will utilise £2,254,202.19 million external funding from the government.*

### SECTION I: PROJECT DETAIL

<b>Project Value</b> (indicate capital or revenue)	£2,254,202.19	<b>Contingency</b> (show as £ and % of project value)	
<b>Programme</b>	Housing	<b>Directorate</b>	Place
<b>Portfolio Holder</b>	Rebecca Smith - Cabinet Member for Homes and Communities	<b>Service Director</b>	Paul Barnard (Strategic Planning & Infrastructure)
<b>Senior Responsible Officer (client)</b>	Kathryn Deeney	<b>Project Manager</b>	Kurt Borth
<b>Address and Post Code</b>	Various	<b>Ward</b>	Citywide

**Current Situation:** *(Provide a brief, concise paragraph outlining the current situation and explain the current business need, problem, opportunity or change of circumstances that needs to be resolved)*

PCC has been awarded £2,254,202.19 of funding as part of The Government's Sustainable Warmth Fund – Home Upgrade Grant (HUG) phase I. The scheme will help to tackle the prevalence of fuel poverty across the 13,500 households in the city who are currently suffering

this. Low-income households in Plymouth will see their energy bills reduced by up to £200 a year. It is the first round of funding from a total of £950 million that was allocated to the HUG scheme by the government last year and will be available over the next 3 years to 2025.

The project will improve the energy efficiency of 115 owner occupier, fuel poor off-gas households currently rated E, F, or G on the EPC. This work will also see significant energy efficiency and insulation improvements for up to 45 park homes in Plymouth.

This funding forms part of the government's Home Upgrade Grant (HUG) scheme and will be allocated to local authorities across England to improve up to 4,300 low-income, off-gas grid households - which are reliant on alternatives such as bottled gas and oil to heat their homes. Grants will pay for energy efficiency measures such as wall and roof insulation as well as some new low-carbon heating systems, thermostats and room heating controls, expected to be delivered before the end of March 2023. This funding will also support new and existing jobs in the local green energy sector.

**Proposal:** *(Provide a brief, concise paragraph outlining your scheme and explain how the business proposal will address the current situation above or take advantage of the business opportunity) and (What would happen if we didn't proceed with this scheme?)*

The project will improve the energy efficiency of 115 owner occupier, fuel poor households currently rated E, F, or G on the EPC and up to 40 Park Homes. Delivery will be completed by utilising an existing partnership between Plymouth City Council (PCC) and Plymouth Energy Community (PEC). We expect to install approximately 450 measures (including loft, underfloor, cavity wall and external wall insulation, draught proofing, and low carbon heating options across the HUG programme.

To maximise the delivery window the project will effectively continue the previous and ongoing LAD phase 1a delivery schemes that PCC were delivering in this space up to October 2021. As such PCC's HUG project will take the form of a grant programme to fuel poor households, whereby the household enters into a contract with their chosen installer after securing a grant from PCC.

PEC will provide quality and unbiased advice to householders on the most appropriate measures to be installed. This advice will also cover what to expect before, during, and after installation – effectively hand holding the householder as necessary to ensure a successful installation for all concerned.

If this programme did not proceed it is highly unlikely that these households would lower their carbon emissions and reduce their risk of fuel poverty.

#### Strategic Case:

**Which Corporate Plan priorities does this project deliver?**

a green sustainable city that cares about the environment  
reduced health inequalities  
Select a priority

**Explain how the project delivers or supports delivery of Joint Local Plan/Plymouth Plan Policies (include policy references)**

HEA 8 – Meeting local housing needs  
  
The above policy directly references fuel poverty:  
  
'Tackling fuel poverty through supporting supplier switching, fuel debt relief, and community-led energy supply services, and promoting domestic and non-domestic energy efficiency.'

<b>Who are the key customers and Stakeholders</b>	Fuel Poor Households Installers	<b>Which Partners are you working with</b>	Plymouth Energy Community Local Installers

## SECTION 2: PROJECT RISK, OUTCOMES AND BENEFITS

**Risk Register:** The Risk Register/Risk Log is a master document created during the early stages of a project. It includes information about each identified risk, level of risk, who owns it and what measures are in place to mitigate the risks (cut and paste more boxes if required).

<b>Potential Risks Identified</b>		<b>Likelihood</b>	<b>Impact</b>	<b>Overall Rating</b>
<b>Risk</b>	Completing full spend by March 2023 is not achieved	Low	Low	Low
<b>Mitigation</b>	We have completed a realistic delivery profile with level of forecast level of install We have engaged with installers in order to be ready for funding award There is no PCC funding required for this so lack of delivery will have no financial impacts	Low	Low	Low
<b>Calculated risk value in £ (Extent of financial risk)</b>	£0	<b>Risk Owner</b>	Kurt Borth	
<b>Risk</b>		Select value	Select value	Select value
<b>Mitigation</b>		Select value	Select value	Select value
<b>Calculated risk value in £ (Extent of financial risk)</b>	£	<b>Risk Owner</b>		

### Outcomes and Benefits

<b>Financial outcomes and benefits:</b>	<b>Non-financial outcomes and benefits:</b>
The funding will create an additional £1m of turnover for local businesses. Households are predicted (be BEIS) to save over £200 per year on fuel costs with these upgrades.	Improved Health & Wellbeing outcomes for those fuel poor households

### Low Carbon

<b>What is the anticipated impact of the proposal on carbon emissions</b>	Significantly reduce carbon emissions on by installing etc etc these will be reported to BEIS..
<b>How does it contribute to the Council becoming Carbon neutral by 2030</b>	As above

<b>Which Members have you engaged with and how have they been consulted (including the Leader, Portfolio Holders and Ward Members)</b>	Rebecca Smith - Cabinet Member for Homes and Communities
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**Equalities Impact Assessment completed** *(This is a working document which should inform the project throughout its development. The final version will need to be submitted with your Executive Decision)*

Yes

## SECTION 4: FINANCIAL ASSESSMENT

**FINANCIAL ASSESSMENT :** *In this section the robustness of the proposals should be set out in financial terms. The Project Manager will need to work closely with the capital and revenue finance teams to ensure that these sections demonstrate the affordability of the proposals to the Council as a whole.*

### CAPITAL COSTS AND FINANCING

Breakdown of project costs including fees surveys and contingency	Prev. Yr. £	20/21 £	21/22 £	22/23 £	23/24 £	24/25 £	Future Yrs. £	Total £
Capital grants to householders				£1,950,000.00				
Capitalised Salaries PCC				£67,332				
Partner Admin and Ancillary				£236,869.11				
<b>Total capital spend</b>								

### Provide details of proposed funding: Funding to match with Project Value

Breakdown of proposed funding	Prev. Yr. £	20/21 £	21/22 £	22/23 £	23/24 £	24/25 £	Future Yrs. £	Total £
BEIS - Sustainable Warmth Competition Grant				£2,254,202.19				£2,254,202.19
<b>Total funding</b>				<b>£2,254,202.19</b>				<b>£2,254,202.19</b>

**S106 or CIL**  
(Provide Planning App or site numbers)

**Which alternative external funding sources have been explored**  
(Provide evidence)

**Are there any bidding constraints and/or any restrictions or conditions attached to your funding**

This is 100% funded by the department for Business, Energy, and Industrial Strategy (BEIS). There are no alternative funding sources for this scale of project

Funding agreement is a MoU signed by section 151 officer. The funding will have terms and conditions attached to it. These will be reviewed when received and pending successful funding award. However, as there is no requirement for PCC to use its own funding the conditions will not impact on PCC's finance.



<b>Tax and VAT implications</b>	n/a		
<b>Tax and VAT reviewed by</b>			
<b>Will this project deliver capital receipts?</b> (If so please provide details)	no		
Schemes in excess of £0.5m should be supported by a Cost Benefit Analysis. Calculations undertaken should be attached as an appendix to support financial implications shown below. Please contact your revenue accountant for assistance with this section.			
<b>Is the capital ask greater than £0.5m</b>	No – external funding	<b>If the answer is yes, have you attached the Cost Benefit Analysis</b>	Y/N

### REVENUE COSTS AND IMPLICATIONS

#### Cost of Developing the Capital Project (To be incurred at risk to Service area)

<b>Total Cost of developing the project</b>	£0 ( no risk to service area)
<b>Revenue cost code for the development costs</b>	
<b>Revenue costs incurred for developing the project are to be included in the capital total, some of the expenditure could be capitalised if it meets the criteria</b>	Y/N
<b>Budget Managers Name</b>	Paul Elliott

#### Ongoing Revenue Implications for Service Area

	Prev. Yr.	19/20 £	20/21 £	21/22 £	22/23 £	23/24 £	Future Yrs.
<b>Service area revenue cost</b>							
<b>Loan repayment</b> (terms agreed with Treasury Management)							
<b>Other</b> (eg: maintenance, utilities, etc)							
<b>Total Revenue Cost (A)</b>							
<b>Service area revenue benefits/savings</b>							
<b>Annual revenue income</b> (eg: rents, etc)							
<b>Total Revenue Income (B)</b>							
<b>Service area net (benefit) cost (B-A)</b>							
<b>Has the revenue cost been budgeted for or would this make a revenue pressure</b>	Yes – included in the funding award						

<b>Which cost centre would the revenue pressure be shown</b>					<b>Has this been reviewed by the budget manager</b>		
<b>Name of budget manager</b>							
<b>Loan value</b>	£	<b>Interest Rate</b>	%	<b>Term Years</b>		<b>Annual Repayment</b>	£
<b>Revenue code for annual repayments</b>			n/a				
<b>Service area or corporate borrowing</b>			n/a				
<b>Revenue implications reviewed by</b>							

**Version Control:** (The version control table must be updated and signed off each time a change is made to the document to provide an audit trail for the revision and update of draft and final versions)


Author of Business Case	Date	Document Version	Reviewed By	Date
Kurt Borth	03/03/2022	v 1.0	Ruth Didymus	16/03/2022

## SECTION 6: RECOMMENDATION AND ENDORSEMENT

### Recommended Decision

**It is recommended that the Portfolio Holder:**

- Approves the Business Case and Executive Decision.
- Delegate's authority to Section 151 officer to sign the MoU.
- Allocates £2,254,202.19 for the project into the Capital Programme funded by BEIS Home Upgrade Grant (HUG) Programme.

<b>Councillor Richard Bingley, Leader</b>		<b>Paul Barnard</b>	
<b>Either email dated:</b>	22/03/2022	<b>Either email dated:</b>	18.03.2022
<b>Or signed:</b>		<b>Signed:</b>	
			
<b>Date:</b>		<b>Date:</b> 18.03.2022	
		<b>Service Director</b>	
		[Name, department]	
		<b>Either email dated:</b>	date
		<b>Signed:</b>	
		<b>Date:</b>	

# EXECUTIVE DECISION

made by a Cabinet Member



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

Executive Decision Reference Number – L45 21/22

Decision	
1	<b>Title of decision:</b> Plymouth & South Devon Community Forest
2	<b>Decision maker (Cabinet member name and portfolio title):</b> Councillor Richard Bingley, Leader of the Council
3	<b>Report author and contact details:</b> Chris Avent 304184
4	<b>Decision to be taken:</b> <ul style="list-style-type: none"> <li>• Approves the Business Case</li> <li>• Allocates £8.651m into the Capital Programme, to be funded by Trees for Climate Funding £8.630m and Local Councillor Grant Contributions of £0.021m</li> <li>• Delegates the award of contracts, land acquisitions and procurement process to the Strategic Director for Place</li> </ul>
5	<b>Reasons for decision:</b> <p>The council and its partners have been successful in a bid to DEFRA and England's Community Forests. The Plymouth and South Devon Community Forest will stretch from the heart of the city to the edge of the moor. It will encompass 1,900 hectares of tree planting amongst a much wider landscape to form a mosaic of different forest habitats within the urban and rural areas. It is a long-term project with 30-40 year objectives with an ambition to deliver 500 hectares of new forest creation in the first 5 years. The new planting will be on both public and private land with a landowner offer formed to provide the Community Forest to act as a grant awarding body under landowner agreements.</p> <p>Delivery against the ambition of 500 hectares of planting will see the project secure up to £8.830m from the Trees for Climate Fund for this and the next three financial years.</p> <p>It accesses a significant and unrivalled source of funding for PCC and its partners to achieve the goals set out in the JLP, Corporate Plan and Plymouth's Plan for Trees.</p>
6	<b>Alternative options considered and rejected:</b> <p>Do Nothing – Turn down grant funding offer.</p> <p>Deliver similar scale tree planting programme through other unsecured funding routes and partnerships. Rejected as we have secured the Trees for Climate funding and commitment from funders.</p>
7	<b>Financial implications and risks:</b>

Total Project cost = £8.851 million				
Trees for Climate Fund (Capital) = £8.630m				
Local Councillor Grant contribution = £0.021m				
Trees for Climate Fund (Revenue) = £0.200m				
The risk that the project and decision presents is low as all project governance is in place and project funding has been secured, with Grant Onward Agreement letter issued from the grant funder.				
8	Is the decision a Key Decision? (please contact <a href="#">Democratic Support</a> for further advice)	Yes	No	Per the Constitution, a key decision is one which:
			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
			x	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>
		x	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.	
	If yes, date of publication of the notice in the <a href="#">Forward Plan of Key Decisions</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:	<u>Corporate Plan</u> A green, sustainable city that cares about the environment <u>Joint Local Plan</u> <ul style="list-style-type: none"><li>DEV026 Protecting and enhancing biodiversity and geological conservation,</li><li>DEV028 Trees, woodlands and hedgerows</li></ul> <u>Plymouth Plan</u> <ul style="list-style-type: none"><li>SO1 – Delivering a healthy city</li><li>HEA7 - Optimising the health and wellbeing benefits of the natural environment</li></ul>		
10	Please specify any direct environmental implications of the decision (carbon impact)	This programme of works aligns with and supports the delivery of the Plymouth Climate Emergency Action Plan by delivering a programme of works that will enhance and add resilience to the city's green estate.  Plymouth currently has just under 400,000 trees which contribute £4.6m of annual benefits to the city through the Ecosystem Services that they provide, including £1.1 million of carbon storage and £2.9 million of pollution removal (i-Tree Eco survey 2020). This work		

		<p>will enhance this service provision.</p> <p>The Community Forest planting will increase carbon capture/CO2 by 83% from current levels, once fully established, helping us in our fight to become carbon neutral by 2030.</p>		
<b>Urgent decisions</b>				
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 ( <a href="mailto:democraticsupport@plymouth.gov.uk">democraticsupport@plymouth.gov.uk</a> ) for advice)
		No	x	(If no, go to section 13a)
12a	Reason for urgency:			
12b	Scrutiny Chair Signature:		Date	
	Scrutiny Committee name:			
	Print Name:			
<b>Consultation</b>				
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 Patrick Nicholson – Deputy Leader Councillor Mrs Maddi Bridgeman – Environment and Street Scene		
13c	Date Cabinet member consulted	31.01.2022		
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	Anthony Payne	
		Job title	Strategic Director of Place	
		Date consulted	22/03/22	
<b>Sign-off</b>				

16	Sign off codes from the relevant departments consulted:	Democratic Support (mandatory)	DS126 21/22
		Finance (mandatory)	pl.21.22.312
		Legal (mandatory)	LS/38252/JP/150322
		Human Resources (if applicable)	NA
		Corporate property (if applicable)	NA
		Procurement (if applicable)	NA

### Appendices

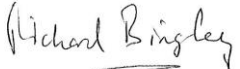
17	Ref.	Title of appendix
	A	Briefing report for publication (mandatory) "220307 Briefing Report Part I_Plymouth and South Devon Community Forest"
	B	Equalities Impact Assessment "220307 EIA_Plymouth South Devon Community Forest"
	C	Business Case "220317 Business Case_CommunityForest"

### 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 <b>18b</b> 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
18b	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 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
<b>Cabinet Member Signature</b>							
<b>20</b>	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.						
<b>Signature</b>			<b>Date of decision</b>		23 March 2022		
<b>Print Name</b>	Councillor Richard Bingley						

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## PLYMOUTH & SOUTH DEVON COMMUNITY FOREST BRIEFING PAPER



### **Background**

In May 2020 Plymouth City Council (PCC) was approached by England's Community Forests (ECF) team with an offer of producing a proposal for a Plymouth Community Forest and being able to access a 'Trees for Climate' Funding package from DEFRA.

PCC conducted an initial scoping exercise alongside existing policy and engaged with local stakeholders to assess the viability of a proposal. An initial partnership formed around the project consisting of PCC, South Hams and West Devon, National Trust and Woodland Trust. A Council project mandate was signed and the partnership submitted an Expression of Interest to the ECF in March 2021. After consideration ECF and DEFRA both accepted the proposal and invited PSDCF to become England's 11<sup>th</sup> Community Forest with the vision:

***A new 21<sup>st</sup> century woodland network created by young people to inspire and support future generations of Plymouth and SW Devon. PCF will create space for nature, encourage enterprise, deliver a positive transition to net zero and enable young people to influence their futures.***

The proposal for the Plymouth and South Devon Community Forest will stretch from the heart of the city to the edge of the moor. It will encompass 1,900 hectares of tree planting amongst a much wider landscape to form a mosaic of different forest habitats within the urban and rural areas. It is a long-term project with 30-40 year objectives with an ambition to deliver 500 hectares of new forest creation in the first 5 years. The new planting will be on both public and private land, with a landowner offer formed to provide the Community Forest to act as a grant awarding body under landowner agreements.

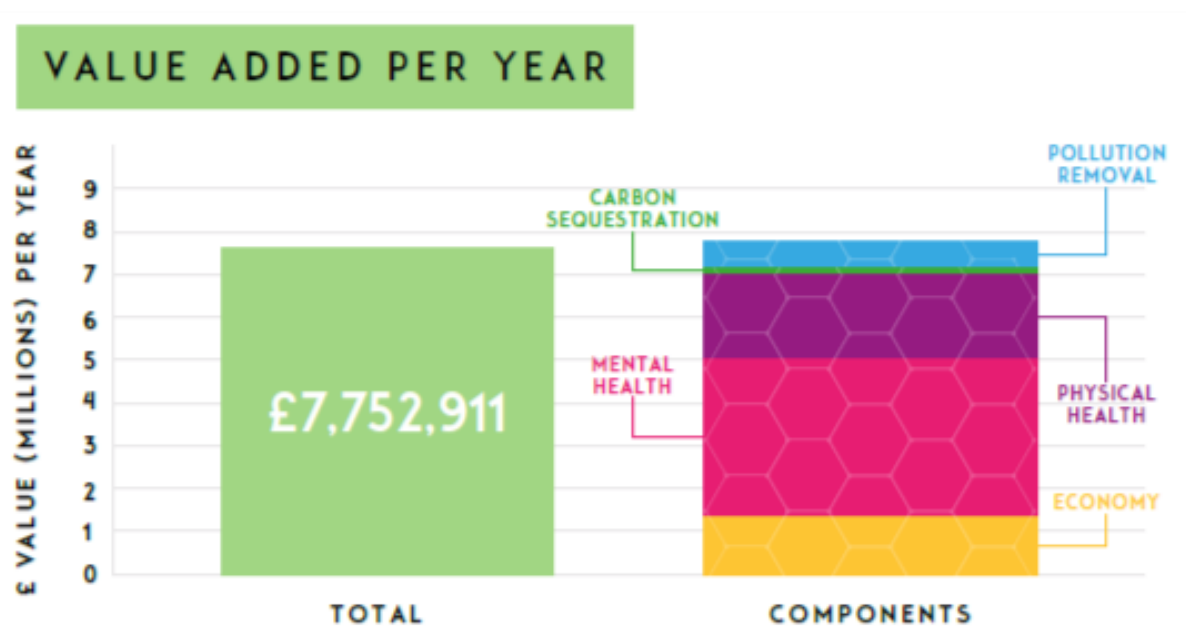
Delivery against the ambition of 500 hectares of planting will see the project secure up to £8.830m from the Trees for Climate Fund for this and the next three financial years.

It accesses a significant and unrivalled source of funding for PCC and its partners to achieve objectives set out in the Joint Local Plan, Corporate Plan, Climate Emergency Action Plan (CEAP) and Plymouth's Plan for Trees.

### **Benefits and risks**

Many of the benefits of the Community Forest have been modelled and are significant, especially in terms of health and wellbeing value to local communities. This is shown in Figure 1 below.

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**Fig 1. Monetary value added per year from PSDCF (Vivid Economics, 2021)**

The objectives of the project are wide-ranging and capture social, economic and environmental outcomes. These are set out in Table I below.

The greatest risks/ challenges for the project now are:

1. to ensure that it generates genuine community buy-in to the proposal, the funding has been secured but now this needs to be invested to ensure that the benefits that we know can be realised, are realised and the Community Forest genuinely emerges as a project with community value for many generations
2. to build a credible strategy and pipeline of planting sites to form the basis for the Community Forest, this will need to include some key public sites that people can engage and interact with to bring the project to life and build momentum
3. utilising the initial round of funding to ensure a sustainable financial plan beyond this phase to realise the benefits of the Community Forest

### **Links to other areas of work**

The PSDCF supports the delivery of a number of projects and areas of work including:

- **Habitat Banking** – linked to the new approach to biodiversity net gain required by the Environment Act. Funding secured through the sale of ‘biodiversity units’ as part of a developing habitat banking market linked to the new requirements of the Environment Act 2021.
- **Woodland Carbon Credits** – established scheme where carbon credits from woodlands is traded and could form part of the Plymouth and South Devon Community Forest model.
- **National Marine Park** – the Community Forest is the green arc of the strategic natural space space encircling the city and complements the ambition of the NMP to have people at its heart.
- **Sustainable Urban Drainage (SUDs)** – potential payment scheme linked to a new approach to surface water management, delivering new SUDs features throughout the City.

<b>5 year priorities</b>	<b>Target Year 2025 (500 hectares)</b>	<b>Full establishment 2034 (1600ha)</b>	<b>Activities - how we will achieve the targets</b>
<b>Urban &amp; rural regeneration</b>	Local economy uplift: <ul style="list-style-type: none"> <li>Operational business model for PCF</li> <li>Estimated creation of 64.7 job years in forestry and 16.8 job years in services to building and landscape including 5 apprentices</li> <li>Business case for sawmill/firewood</li> <li>Included in 'Destination Plymouth' visitor strategy</li> <li>Recognisable branding of PCF as tourism destination</li> </ul>	Local economy uplift: <ul style="list-style-type: none"> <li>200 green jobs created</li> <li>£1,384,111 local property value uplift per year</li> <li>Destination for ecotourism</li> </ul>	<ul style="list-style-type: none"> <li>Training and education programmes targeted at local residents.</li> <li>Create high quality community forest which attracts inward investment.</li> <li>Sawmill/firewood Community Interest Company (CIC)</li> <li>Future Forester Apprenticeship programme in place</li> <li>Agroforestry enterprises</li> <li>Branding and marketing strategy developed</li> <li>Reintroduction of beavers and red squirrels</li> <li>Creation of suitable nesting sites for white-tailed eagle and osprey</li> </ul>
<b>Supporting local communities</b> (Engagement & involvement & access)	<ul style="list-style-type: none"> <li>320ha publicly accessible woodland</li> <li>Intergenerational participation with emphasis on young people</li> <li>Reduced health inequalities across the city</li> </ul>	Health uplift Value: <ul style="list-style-type: none"> <li>Mental health value £3,685,801 per year</li> <li>Physical health value £2,018,627 per year</li> <li>Projected 300,000 recreational visits per year</li> </ul>	<ul style="list-style-type: none"> <li>Network of cycle and walking paths</li> <li>Designated areas for recreation such as mountain biking</li> <li>Youth Panel steering creation and management of PCF</li> <li>Promotion/marketing of PCF and ways to use it through</li> </ul>

			comms strategy coordinated with partners <ul style="list-style-type: none"> <li>▪ Innovative interpretation and creation of art and culture trails</li> </ul>
<b>Carbon</b>	<ul style="list-style-type: none"> <li>▪ Local carbon sequestration monitoring framework in place</li> <li>▪ PCF approved as seller of carbon credits</li> <li>▪ Established and enacted impact monitoring programme</li> </ul>	<ul style="list-style-type: none"> <li>▪ Increase of 10,000 tons of carbon sequestered per year through PCF</li> </ul>	<ul style="list-style-type: none"> <li>▪ Defined areas left to naturally regenerate to maximize carbon sequestration</li> <li>▪ Increase in local goods and services to enhance the development of a low carbon circular economy for Plymouth</li> </ul>
<b>Improved habitats for wildlife</b>	<ul style="list-style-type: none"> <li>▪ 320 ha community woodland planted</li> <li>▪ 110ha private woodland</li> <li>▪ 70 ha urban woodland/street trees</li> <li>▪ 2.5km hedgerow</li> <li>▪ Improved connectivity between existing woodland habitats</li> <li>▪ Enhancements to 100% existing woodland blocks</li> <li>▪ Riparian buffer strips enhanced</li> <li>▪ Improved water quality demonstrated by monitoring</li> <li>▪ Establishment of priority habitat</li> <li>▪ Established and enacted impact monitoring programme</li> </ul>	<ul style="list-style-type: none"> <li>▪ 1100 hectares of additional native broadleaf woodland, orchards and hedgerow</li> <li>▪ Rewilding principles being applied</li> <li>▪ Species reintroduction programmes in place including Eurasian beavers</li> </ul>	<ul style="list-style-type: none"> <li>▪ Combination of re-wilding, enhancing existing woodlands and tree planting</li> <li>▪ Focus on enhancing riparian corridors</li> </ul>
<b>Investment</b>	<ul style="list-style-type: none"> <li>▪ Fund attracting investment of targeted £100k per year through sale of carbon and biodiversity credits</li> </ul>	<ul style="list-style-type: none"> <li>▪ Investment fund attracting ongoing and increased investment to sustain growth and management of PCF</li> </ul>	<ul style="list-style-type: none"> <li>▪ PCF investment fund and strategy established</li> </ul>

**Table 1 – Objectives for PSDCF****Summary and Recommendations**

The opportunities presented by the partnership being able to access the Trees for Climate funding are significant and provide dedicated resource to meet a range of Corporate objectives linked to social, economic and environmental outcomes. There is a recognised need and ambition to achieve and this provides opportunity to realise this.

It is therefore recommended that the Leader of the Council:

1. Approves the Business Case for the Plymouth and South Devon Community Forest and to allocate £8.651m into the Capital Programme, to be funded by Trees for Climate Funding £8.630m and Local Councillor Grant Contributions of £0.021m

*Reason: To enable the Council and its partners to access the funding available from Trees for Climate Fund and the support of the national Community Forest network.*

2. Approves the procurement process and award of any contracts or land acquisitions to the Strategic Director of Place

*Reason: In line with standard Council Contract Standing Order*

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## CAPITAL INVESTMENT BUSINESS CASE

*Plymouth and South Devon Community Forest*



### EXECUTIVE SUMMARY

*The Executive Summary is a short summary of the Business Case and should be the last section you complete, this will enable you to extract or only the key facts from relevant sections i.e. 'project on a page'. The summary is a 'snapshot' of the business case which will need to tell the story and sell the proposal.*

- Total project value of £8.851m over 10 years to deliver 500 hectares of new Community Forest sites across the Plymouth and South Devon urban fringe area.
- Funded by Capital (£8.630m @ £17,299 per hectare) and Revenue (£200k baseline) from DEFRA Trees for Climate Fund with an additional income of £0.021 from Local Councillor Grants.
- The funding is eligible to cover all project costs for 10 years towards the planting and establishment of the new sites. This can include capitalised salaries for the project delivery team, consultant costs for design, materials, labour and legal costs.

Key outcomes and benefits of the proposal are:

- Forecast of 353 job years created over the first ten years of the project with plenty of apprenticeships across a broad range of roles. (*Vivid Economics, 2020*)
- The health benefits of the Community Forest are forecast to equate to around £5.7 million per year. (*Vivid Economics, 2020*)
- Higher quality natural infrastructure for the more deprived (Canopy cover and socio-economic) of the city, levelling up access to high quality green space and the associated benefits.
- The Community Forest planting will increase carbon capture/CO<sub>2</sub> by 83% from current levels, once fully established, helping us in our fight to become carbon neutral by 2030.

Key risks are:

- Recruitment of suitably skilled project team
- Procurement delays to supply of consultant support and materials for project delivery
- Lack of landowner buy-in to provide the necessary scale of land required to meet the project targets
- Lack of community support and engagement for proposed schemes
- Covid-19 (or other unforeseen event) delaying project delivery

**It is recommended that the Leader of the Council:**

- Approves the Business Case
- Allocates £8.651m into the Capital Programme, to be funded by Trees for Climate Funding £8.630m and Local Councillor Grant Contributions of £21,000
- Delegates the award of contracts, land acquisitions and procurement process to the Strategic Director for Place

SECTION I: PROJECT DETAIL			
<b>Project Value</b> (indicate capital or revenue)	£8.851m	<b>Contingency</b> (show as £ and % of project value)	£0.21m @ 3%
<b>Programme</b>	Natural Infrastructure	<b>Directorate</b>	Place
<b>Portfolio Holder</b>	Maddi Bridgeman	<b>Service Director</b>	Philip Robinson (Street Services)
<b>Senior Responsible Officer (client)</b>	Kat Deeney	<b>Project Manager</b>	Chris Avent
<b>Address and Post Code</b>	City wide	<b>Ward</b>	Citywide
<b>Current Situation:</b> <i>(Provide a brief, concise paragraph outlining the current situation and explain the current business need, problem, opportunity or change of circumstances that needs to be resolved)</i>			
<p>The Plymouth and South Devon Community Forest (P&amp;SDCF), was chosen to become England's 11th Community Forest after submitting an EOI to England's Community Forest and DEFRA in 2021.</p> <p>The Community Forest partners have now been provided with the funding agreement which provides access to DEFRA's Trees for Climate funding programme for the next 4 years.</p>			
<b>Proposal:</b> <i>(Provide a brief, concise paragraph outlining your scheme and explain how the business proposal will address the current situation above or take advantage of the business opportunity) and (What would happen if we didn't proceed with this scheme?)</i>			
<p>The Plymouth and South Devon Community Forest will stretch from the heart of the city to the edge of the moor. It will encompass 1,900 hectares of tree planting amongst a much wider landscape to form a mosaic of different forest habitats within the urban and rural areas. It is a long-term project with 30-40 year objectives with an ambition to deliver 500 hectares of new forest creation in the first 5 years. The new planting will be on both public and private land with a landowner offer formed to provide the Community Forest to act as a grant awarding body under landowner agreements. Delivery against the ambition of 500 hectares of planting will see the project secure £8.830m from the Trees for Climate Fund for this and the next three financial years.</p>			
<b>Why is this your preferred option:</b> <i>(Provide a brief explanation why this option is preferred) and (Explain why this is a good capital investment and how this would be an advantage for the Council) and (explain how the preferred option is the right balance between the risks and benefits identified below).</i>			
<p>It accesses a significant and unrivalled source of funding for PCC and its partners to achieve the goals set out in the JLP, Corporate Plan and Plymouth's Plan for Trees.</p>			
<b>Option Analysis:</b> <i>(Provide an analysis of 'other' options which were considered and discounted, the options considered must be a 'do Nothing' and 'do minimum' and 'viable alternative' options. A SWOT – Strength, Benefit, Opportunity, Threat analysis could be attached as an appendix).</i>			
<b>Do Nothing Option</b>	Pass up opportunity to deliver the Community Forest		
<b>List Benefits:</b>	None		
<b>List Risk / Issues:</b>	Negative PR		
<b>Cost:</b>	£0		
<b>Why did you discount this option</b>	Lost opportunity and negative impact on Corporate identity and partnership		



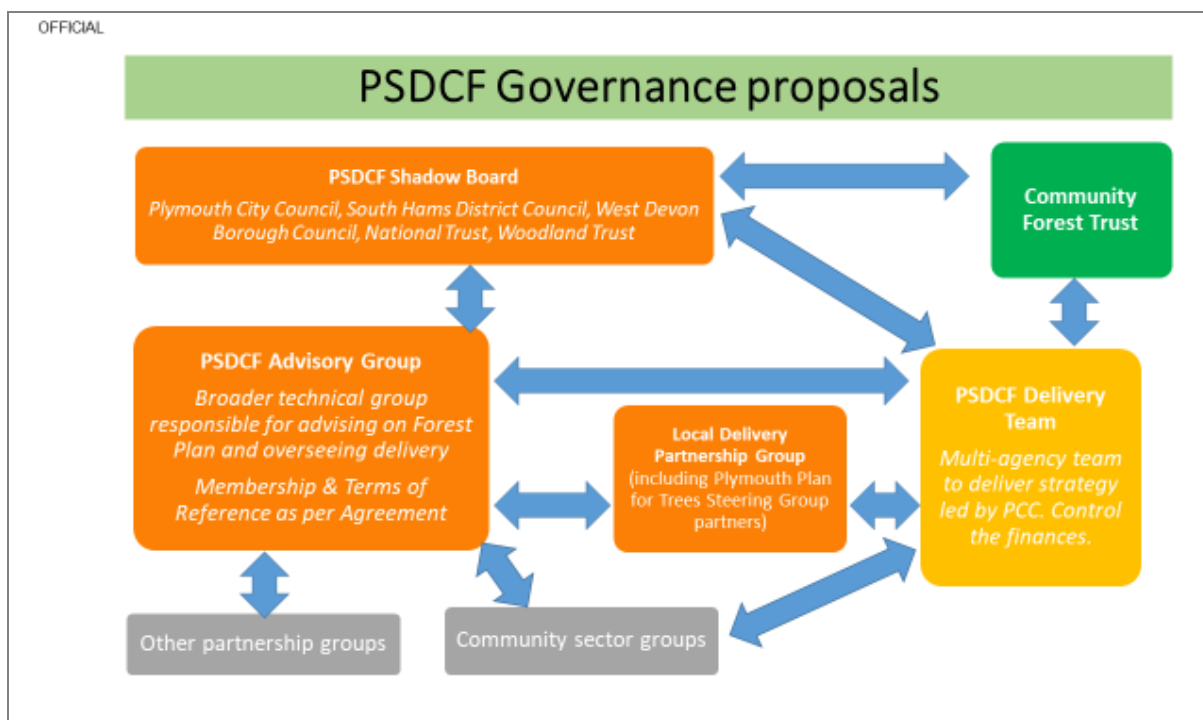
<b>Do Minimum Option</b>	This is not an option
<b>List Benefits:</b>	NA
<b>List Risk / Issues:</b>	NA
<b>Cost:</b>	NA
<b>Why did you discount this option</b>	NA
<b>Viable Alternative Option</b>	Deliver tree planting programme at this scale with alternative funding sources
<b>List Benefits:</b>	None
<b>List Risk / Issues:</b>	Funding levels lower than that available through Trees for Climate fund Negative impact on partnerships as not establishing a Community Forest under the national Community Forest umbrella
<b>Cost:</b>	£8.830m
<b>Why did you discount this option</b>	Insufficient access to alternative funds at this scale.

<b>Strategic Case:</b>	
<b>Which Corporate Plan priorities does this project deliver?</b>	a green sustainable city that cares about the environment
	a clean and tidy city
	reduced health inequalities
<b>Explain how the project delivers or supports delivery of Joint Local Plan/Plymouth Plan Policies (include policy references)</b>	<u>Joint Local Plan</u> <ul style="list-style-type: none"> <li>DEV026 Protecting and enhancing biodiversity and geological conservation,</li> <li>DEV027 Green and play spaces</li> <li>DEV028 Trees, woodlands and hedgerows</li> </ul>
	<u>Plymouth Plan</u> <ul style="list-style-type: none"> <li>SO1 – Delivering a healthy city</li> <li>HEA7 - Optimising the health and wellbeing benefits of the natural environment</li> <li>INT6 - Enhancing Plymouth's 'green city' credentials</li> </ul>

**Project Scope:** *(To avoid scope creep and cost escalation it is important to have an agreed scope of what the project will and will not deliver. List below what is included and not included in the project 'budget'. Projects should be delivered within scope and budget, but should project change happen then the business case requires revisiting, updating and re-approval)*

<b>In Scope</b>	<b>Out of Scope</b>
Delivery of 500 hectares of new Community Forest sites within the project area	Development mitigation tree planting schemes

**Project Governance :** *How the project delivery is structured (amend example chart as appropriate)*  
*High Risk Projects will require a Project Board Chaired by Portfolio Holder*  
*Low Risk Projects will require a structured Project Team reporting to Portfolio Holder*



### Milestones and Date:

Contract Award Date	Start On Site Date	Completion Date
March 2022	November 2022	March 2025

<b>Who are the key customers and Stakeholders</b>	Council Staff & Members City residents Businesses Young people	<b>Which Partners are you working with</b>	Internal SSW, Low Carbon, External South Hams DC, West Devon BC, National Trust, PCH, Woodland Trust, Plymouth Tree Partnership, Plymouth Open Space Network
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## SECTION 2: PROJECT RISK, OUTCOMES AND BENEFITS

**Risk Register:** The Risk Register/Risk Log is a master document created during the early stages of a project. It includes information about each identified risk, level of risk, who owns it and what measures are in place to mitigate the risks (cut and paste more boxes if required).

Potential Risks Identified			Likelihood	Impact	Overall Rating
<b>Risk</b>	Recruitment of suitably skilled project team delays start of project		Medium	High	High
<b>Mitigation</b>	Utilise support of project partners for recruitment process		Low	High	Medium
<b>Calculated risk value in £ (Extent of financial risk)</b>	£20k	<b>Risk Owner</b>	Chris Avent		

<b>Risk</b>	Procurement delays to supply of consultant support and materials for project delivery	Medium	Low	Medium
<b>Mitigation</b>	Early engagement with procurement and building on learning and processes in place from previous 2 years of tree planting programmes. Take advantage of partner supply routes where suitable	Low	Low	Low
<b>Calculated risk value in £ (Extent of financial risk)</b>	£20k	<b>Risk Owner</b>	Chris Avent	
<b>Risk</b>	Lack of landowner buy-in to provide the necessary scale of land required to meet the project targets	Medium	Medium	Medium
<b>Mitigation</b>	Utilise existing woodland creation partnerships to unlock landowner engagement and promote Community Forest offer	Low	Medium	Medium
<b>Calculated risk value in £ (Extent of financial risk)</b>	£100k	<b>Risk Owner</b>	Chris Avent	

### Outcomes and Benefits

#### List the outcomes and benefits expected from this project.

(An **outcome** is the result of the change derived from using the project's deliverables. This section should describe the anticipated outcome)

(A **benefit** is the measurable improvement resulting from an outcome that is perceived as an advantage. Benefits are the expected value to be delivered by the project, measurable whenever possible)

#### Financial outcomes and benefits:

- Forecast of 353 job years created over the first ten years of the project with plenty of apprenticeships across a broad range of roles.
- The health benefits of the Community Forest are forecast to equate to around £5.7 million per year. This is calculated from modelling using national health data and expected number of visits to the Forest each year. (*Vivid Economics, 2020*)

#### Non-financial outcomes and benefits:

- Higher quality natural infrastructure for the more deprived (Canopy cover and socio-economic) of the city, levelling up access to high quality green space and the associated benefits.
- The Community Forest planting will increase carbon capture/CO2 by 83% from current levels, once fully established, helping us in our fight to become carbon neutral by 2030.

### SECTION 3: CONSULTATION

<b>Does this business case need to go to CMT</b>	Yes	<b>Date business case approved by CMT (if required)</b>	
<b>Have you engaged with Planning Department.</b> (If no, please state the reason)			<b>Yes</b>
<b>If yes, summarise the planning requirements.</b> (If PP is required ensure you engage with planning prior to	No planning requirements but we have discussed how the creation of the Community Forest Plan fits alongside the JLP.		

seeking approval of this Business Case)	
<b>Is the budget cost reflective of planning requirements</b>	Yes – Community Forest plan creation budgeted
<b>Who is the Planning Officer you consulted with.</b>	Jonathan Bell
<b>Planning Consent Date</b>	NA

<b>Have you engaged with Building Control.</b> (If no, please state the reason)	<b>No</b>
<b>Is the Building Control pre-application registered</b>	No
<b>What is the pre-application number</b>	NA
<b>Is this classed as a HRRB building</b>	No
<b>Is this building classed as 'high risk'</b>	No
<b>Who is the Building Control Case Officer</b>	Choose an item.

<b>Low Carbon</b>	
<b>What is the anticipated impact of the proposal on carbon emissions</b>	The Community Forest planting will increase carbon capture/CO2 by 83% from current levels, once fully established, helping us in our fight to become carbon neutral by 2030
<b>How does it contribute to the Council becoming Carbon neutral by 2030</b>	In addition to above, more tree planting and carbon sequestration will maintain and add to the current levels which sequester 152,783 tonnes of carbon and help to balance PCC's carbon budget

<b>Have you engaged with Procurement Service.</b>	<b>Yes</b>
<b>Procurement route options considered for goods, services or works</b>	Standard PCC T&C's for goods, services and works as necessary throughout the project
<b>Procurements Recommended route.</b>	Traditional procurement route
<b>Who is your Procurement Lead.</b>	Paul Williams

<b>Which Members have you engaged with and how have they been consulted</b> (including the Leader, Portfolio Holders and Ward Members)	Portfolio holders – Cllr Nicholson and Cllr Bridgeman have been briefed on the project.
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<b>Confirm you have taken necessary Legal advice, is this proposal State Aid compliant, if yes please explain why.</b>	TfC Funding agreement, Partnership Agreement and Business Case reviewed by Legal team
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<b>Who is your Legal advisor you have consulted with.</b>	Mo Sajjad & Julie Parkin
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<b>Equalities Impact Assessment completed</b> <i>(This is a working document which should inform the project throughout its development. The final version will need to be submitted with your Executive Decision)</i>	Yes
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#### SECTION 4: FINANCIAL ASSESSMENT

**FINANCIAL ASSESSMENT:** *In this section the robustness of the proposals should be set out in financial terms. The Project Manager will need to work closely with the capital and revenue finance teams to ensure that these sections demonstrate the affordability of the proposals to the Council as a whole.*

Breakdown of project costs including fees surveys and contingency	21/22 £m	22/23 £m	23/24 £m	24/25 £m	Future Yrs. £m	Total £m
Direct delivery planting costs - labour & materials	0.151	0.157	0.157	0.157	0	<b>0.622</b>
Direct delivery establishment costs - labour & materials	0	0.029	0.057	0.086	0.562	<b>0.734</b>
Direct delivery - Site infrastructure	0	0.235	0.240	0.244	0	<b>0.719</b>
Project management costs	0.034	0.160	0.164	0.167	0	<b>0.525</b>
Landowner Grant award - planting	0	0.350	1.02	1.02	0	<b>2.39</b>
Landowner Grant award - establishment	0	0	0.018	0.069	1.109	<b>1.196</b>
Legal costs	0	0.100	0.060	0.050	0	<b>0.210</b>
Direct Land acquisition costs	0	0.405	0.405	0.405	0	<b>1.215</b>
Surveys, design and reports	0.005	0.060	0.030	0.030	0	<b>0.125</b>
EIA & consents	0	0.015	0.015	0.015	0	<b>0.045</b>
Consultation	0	0.035	0.015	0.005	0	<b>0.055</b>

Engagement	0.005	0.150	0.160	0.160	0	<b>0.475</b>
Marketing & Branding	0	0.080	0.025	0.025	0	<b>0.130</b>
Contingency	0.030	0.060	0.060	0.060		<b>0.210</b>
<b>Total capital spend</b>	<b>0.225</b>	<b>1.836</b>	<b>2.426</b>	<b>2.493</b>	<b>1.671</b>	<b>8.651</b>

Breakdown of proposed funding	21/22 £m	22/23 £m	23/24 £m	24/25 £m	Future Yrs. £m	Total £m
Trees for Climate Funding	0.204	1.836	2.426	2.493	1.671	8.630
LCG	0.021	0	0	0	0	0.021
<b>Total funding</b>	<b>0.225</b>	<b>1.836</b>	<b>2.426</b>	<b>2.493</b>	<b>1.671</b>	<b>8.651</b>

<b>S106 or CIL</b> (Provide Planning App or site numbers)	None Available
<b>Which alternative external funding sources have been explored</b> (Provide evidence)	<u>Alternative financing</u> Environmental Investment Funding – in development with Finance Earth as part of development of the Future Parks Programme. This is not yet set up and ready to use for this proposal.
<b>Are there any bidding constraints and/or any restrictions or conditions attached to your funding</b>	Yes set out in funding agreement
<b>Tax and VAT implications</b>	The project will not directly generate any significant amounts of VAT-exempt income for the Council. The proposals relate to the planting of new trees both within parks and green spaces for the community to enjoy and use free of charge, and this is a non-business activity of the Council.  Any VAT incurred by the Council, therefore, on costs relating to the purchase of the materials will be fully recoverable and there will be no adverse impact on the Council's partial exemption position.
<b>Tax and VAT reviewed by</b>	Sarah Scott
<b>Will this project deliver capital receipts?</b> (If so please provide details)	Potentially through Woodland Carbon Code payments

Is the capital ask greater than £0.5m	No	If the answer is yes, have you attached the Cost Benefit Analysis	NA
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**Cost of Developing the Capital Project** (To be incurred at risk to Service area)

<b>Total Cost of developing the project</b>	£200,000
<b>Revenue cost code for the development costs</b>	2114 (until new Revenue code established)
<b>Revenue costs incurred for developing the project are to be included in the capital total, some of the expenditure could be capitalised if it meets the criteria</b>	Trees for Climate funding also provides revenue budget @ £50k per year which is used to cover the development and ongoing revenue costs
<b>Budget Managers Name</b>	Chris Avent

[illegible]

Which cost centre would the revenue pressure be shown			6030	Has this been reviewed by the budget manager		Y	
Name of budget manager			Andy Sharp				
Loan value	£0m	Interest Rate	NA	Term Years	NA	Annual Repayment	NA
Revenue code for annual repayments			NA				
Service area or corporate borrowing			NA				
Revenue implications reviewed by			Emma White, Jozef Lewis				

## SECTION 5: MONITORING PERFORMANCE & POST PROJECT REVIEW

*To conclude, the purpose of a business case is to outline the business rationale for undertaking a project and to provide a means to continually assess and evaluate project progress throughout delivery. It is the responsibility of the project manager to ensure the project remains on time and within budget during delivery and to monitor the project throughout and provide a Post Project Review on completion.*

### Investment Team Monitoring:

*The Investment Team are required to report on completed projects and what they have achieved. To do this information will need to be captured during delivery and on completion of the project from your Post Project Review including:*

Did the project deliver the intended outcomes and benefits as stated in the business case.

Which company was the contract awarded, is this a local company.

How many jobs did this project provide.

How much income from Council Tax and NHB will be collected.

How has the carbon omissions been mitigated and how much did this cost

Was the project delivered on time and on budget (including contingency)

### Finance Monitoring :

It is essential for Capital Finance Team to monitor the financial element of projects during delivery for reporting purposes. Monthly spend profiles against budget, matching with finance profiles will be collected monthly during delivery and on completion of the project.

**Version Control:** *(The version control table must be updated and signed off each time a change is made to the document to provide an audit trail for the revision and update of draft and final versions)*

Author of Business Case	Date	Document Version	Reviewed By	Date
Chris Avent	01/02/2022	v 1.0	Ruth Didymus, Mo Sajjad, Julie Parkin, Hannah West	28/02/2022
Chris Avent	17/03/2022	V2.0	Ruth Didymus	21/03/2022
				00/00/2020

## SECTION 6: RECOMMENDATION AND ENDORSEMENT

**Recommended Decision**



**It is recommended that the Leader of the Council:**

- Approves the Business Case
- Allocates £8.651m into the Capital Programme, to be funded by Trees for Climate Funding £8.630m and Local Councillor Grant Contributions of £0.021m
- Delegates the award of contracts, land acquisitions and procurement process to the Strategic Director for Place

**Councillor Richard Bingley, Leader**

**Either email dated:**

*Date: 22/03/2022*

**Philip Robinson, Service Director**

**Either email dated:**

*Date  
22/03/2022*

**Signed:**



**Date:**

**Signed:**

**Date:**

**Service Director**

*[Name, department]*

**Either email dated:**

*date*

**Signed:**

**Date:**

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# EQUALITY IMPACT ASSESSMENT

Project Title: Plymouth and South Devon Community Forest

Environmental Planning



## STAGE 1: What is being assessed and by whom?

What is being assessed - including a brief description of aims and objectives?

Plymouth's natural capital is key to the growth and social and environmental wellbeing of the city. The Plymouth and South Devon Community Forest will stretch from the heart of the city to the edge of the moor. It will encompass 1,900 hectares of tree planting amongst a much wider landscape to form a mosaic of different forest habitats within the urban and rural areas. It is a long-term project with 30-40 year objectives with an ambition to deliver 550 hectares of new forest creation in the first 5 years. The new planting will be on both public and private land with a landowner offer formed to provide the Community Forest to act as a grant awarding body under landowner agreements.

Delivery against the ambition of 550 hectares of planting will see the project secure £9.692m from the Trees for Climate Fund for this and the next three financial years.

Responsible Officer

Chris Avent

Department and Service

Green Estate, Environmental Planning, Strategic Planning & Infrastructure

Date of Assessment

07/03/2022

## STAGE 2: Evidence and Impact

Protected Characteristics (Equality Act)	Evidence and information (e.g. data and feedback)	Any adverse impact?	Actions	Timescale and who is responsible?
Age	Access to the public green spaces being used in the Community Forest will continue to be open to all age groups and the additional investment raised and subsequent site improvements will include improving access infrastructure for all abilities where appropriate.	No adverse impact, all age groups will have increased opportunity to visit green spaces as a result of the Community Forest.	N/A	N/A
Disability	Access to monitoring forms and networks that are developed will conform to the requirements of the Equality Act and recommended guidelines for users with a disability.  Improvements will comply with the Equality Act and recommended guidelines for users with a disability	No adverse impact of the project. The project will be accessible to all abilities.	N/A	N/A
Faith, Religion or Belief	Christian: 58.1% Islam: 0.8% Buddhism: 0.3%	No adverse impact  The project will be accessible to all faiths,	N/A	N/A

STAGE 2: Evidence and Impact				
Protected Characteristics (Equality Act)	Evidence and information (e.g. data and feedback)	Any adverse impact?	Actions	Timescale and who is responsible?
	Hinduism: 0.2% Judaism: 0.1% Sikhism: <0.1% No religion: 32.9%	religions and beliefs.		
Gender - including marriage, pregnancy and maternity	Overall 50.6% of our population are women; this reflects the national figure of 50.8%.  There will be no gender barrier to being involved in this project.	No adverse impact, there will be no barriers to involvement based on gender.	N/A	N/A
Gender Reassignment	Access to being involved in the project will not be limited by gender reassignment.	No adverse impact, there will be no barriers to involvement based on gender reassignment.	N/A	N/A
Race	White (all): 96.1% Mixed (all): 1.3% Asian (all): 1.5% Black (all): 0.7% Other: 0.4%  The project will be open	No adverse impact, the project will be open to all to participate regardless of race.	N/A	N/A

<b>STAGE 2: Evidence and Impact</b>				
<b>Protected Characteristics (Equality Act)</b>	<b>Evidence and information (e.g. data and feedback)</b>	<b>Any adverse impact?</b>	<b>Actions</b>	<b>Timescale and who is responsible?</b>
	to all to participate regardless of race.			
Sexual Orientation -including Civil Partnership	The project will be open to all to participate regardless of sexual orientation.	No adverse impact, the project will be open to all to participate regardless of sexual orientation.	N/A	N/A

<b>STAGE 3: Are there any implications for the following? If so, please record 'Actions' to be taken</b>		
<b>Local Priorities</b>	<b>Implications</b>	<b>Timescale and who is responsible?</b>
Reduce the inequality gap, particularly in health between communities.	The project is a city-wide provision and will provide enhancements on public spaces with free open access for all and improvements will actively enhance the surrounding environment for all.	This work will commence in 2022 and will be delivered by the Green Estate Team.
Good relations between different communities (community cohesion).	The project will require input from all user-groups and both design and enhancements will involve as many community members as possible	This work will commence in 2022 and will be delivered by the Green Estate Team.
Human Rights	This service recognises Article 14 of Human Rights Act – The right to receive Equal Treatment and prohibits discrimination including sex, race, religion and economic and social status in conjunction with the Equalities Act which includes age and disability.	N/A

<b>STAGE 3: Are there any implications for the following? If so, please record 'Actions' to be taken</b>		
<b>Local Priorities</b>	<b>Implications</b>	<b>Timescale and who is responsible?</b>
	<p>All staff and service users will be treated fairly and that their human rights will be respected.</p> <p>No adverse impact on human rights has been identified.</p>	

<b>STAGE 4: The Principles of Fairness</b>	
<b>Principles</b>	<b>Comment</b>
People should be able to access opportunity whatever their circumstances	The use and enjoyment of the public spaces improved by the Community Forest will remain open to all.
The city should give priority to those in greatest need when it allocates resources	The project will be open to all and will give equal weight to the information provided to it by all members of society. Improvements will take into account the needs of all users and promote equality of access.
Things that make the biggest difference to people's lives should get priority when deciding where resources go	The project will ensure that the people of Plymouth will have access to high quality natural spaces and play benefitting from the associated health and social benefits
The way things are done in the city matters just as much as what is done	The project will actively provide opportunity for local stakeholders to contribute to the design of sites.
Unfairness which takes time to remove needs policies for the long term	Access to and enjoyment of all sites is open to all and is fair for all.
Preventing inequalities is more effective than trying to eliminate them	The project will work on the premise of preventing inequality within communities by providing opportunity for all to be involved.
Services should be provided 'with' people, not 'for' them	Input from the community will be vital in the delivery of this project in order to ensure the improvements meet their needs. The community will be involved at each level of governance for the Community Forest.
The needs of future and current generations should be balanced when making	The Governance of the project will have representation from a range of age

decisions.	groups with a key focus on young people.
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STAGE 4: Publication			
Head of Service approving EqIA.	Kat Deeney	Date	07.03.2022



# EXECUTIVE DECISION

made by a Council Officer



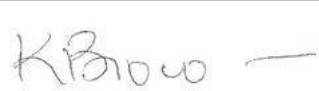
## REPORT OF ACTION TAKEN UNDER DELEGATED AUTHORITY BY AN INDIVIDUAL COUNCIL OFFICER

Executive Decision Reference Number – COD22 21/22

Decision	
1	<b>Title of decision:</b> Procurement (open competition) of asbestos (United Kingdom Accreditation Service) accredited consultant.
2	<b>Decision maker (Council Officer name and job title):</b> Kim Brown – Service Director HROD
3	<b>Report author and contact details:</b> Ralph Bint – Facilities Manager (Hard Services)
4a	<b>Decision to be taken:</b> <ol style="list-style-type: none"> <li>1. To approve the Business Case which sets out the phased approach to the management of risk;</li> <li>2. To agree to the procurement of the asbestos management contract</li> <li>3. Delegate the award of the Asbestos Contract to the Facilities Manager (Hard Services), where they would not otherwise have the authority to do so.</li> </ol>
4b	<b>Reference number of original executive decision or date of original committee meeting where delegation was made:</b>
5	<b>Reasons for decision:</b> To procure an asbestos contractor via 'open market competition'. Plymouth City Council has c104 buildings which have Asbestos Containing Materials (ACMs) within their fabric. The Council has a legal and statutory obligations to manage asbestos in accordance with the requirements of the following regulations and non-compliance can lead to enforcement action, fines and reputational damage. <ul style="list-style-type: none"> <li>• Health and Safety at Work Act 1974</li> <li>▪ Workplace (Health, Safety and Welfare) Regulations 1992</li> <li>▪ Management of Health and Safety at Work Regulations 1999</li> <li>▪ Management of Asbestos Regulations 2012</li> <li>▪ Construction (Design and Management) regulations 2015</li> </ul> The attached business case has been approved by the Service Director HROD

6	<b>Alternative options considered and rejected:</b> Attempts have been made to source this statutory requirement through the reactive maintenance term contract. However, there are conflicts of interest, not providing value for money, nor sufficient control over the process. There are no asbestos specialist contractors on the framework contracts available to PCC.			
7	<b>Financial implications and risks:</b> The cost of the procurement will be met by Facilities Management revenue budget (£240,000). The risk to PCC is non compliance with Health and Safety Executive regulations for the management of asbestos in our buildings.			
8	Is the decision a Key Decision? (please contact <a href="#">Democratic Support</a> for further advice)	Yes	No	Per the Constitution, a key decision is one which:
			No	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
			No	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>£1million</b>
			No	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.
8b	If yes, date of publication of the notice in the <a href="#">Forward Plan of Key Decisions</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:			
10	Please specify any direct environmental implications of the decision (carbon impact)	There are no direct environmental implications of this decision.		
<b>Urgent decisions</b>				
11	Is the decision urgent and to be implemented immediately in the interests of the Council or the public?	Yes		(If yes, please contact <a href="#">Democratic Support</a> for advice)
		No	X	(If no, go to section 13a)
12a	Reason for urgency:			
12b	Scrutiny Chair		Date	

<b>signature:</b>				
<b>Scrutiny Committee name:</b>				
<b>Print Name:</b>				
<b>Consultation</b>				
<b>I3a</b>	<b>Are any other Cabinet members' portfolios affected by the decision?</b>	<b>Yes</b>		
		<b>No</b>	X	(If no go to section I4)
<b>I3b</b>	<b>Which other Cabinet member's portfolio is affected by the decision?</b>			
<b>I3c</b>	<b>Date Cabinet member consulted</b>			
<b>I4</b>	<b>Has any Cabinet member declared a conflict of interest in relation to the decision?</b>	<b>Yes</b>		If yes, please discuss with the Monitoring Officer
		<b>No</b>	X	
<b>I5</b>	<b>Which Corporate Management Team member has been consulted?</b>	<b>Strategic Director</b>	Andy Ralphs	
		<b>Job title</b>	Strategic Director Customer and Corporate Services	
		<b>Date consulted</b>		
<b>Sign-off</b>				
<b>I6</b>	<b>Sign off codes from the relevant departments consulted:</b>	<b>Democratic Support (mandatory)</b>	DSI17 21/22	
		<b>Finance (mandatory)</b>	ba.21.22.265	
		<b>Legal (mandatory)</b>	MS/I/16.12.21	
		<b>Human Resources (if applicable)</b>		
		<b>Corporate property (if applicable)</b>		
		<b>Procurement (if applicable)</b>		
<b>Appendices</b>				
<b>I7</b>	<b>Ref.</b>	<b>Title of appendix</b>		
	A	Business Case Asbestos Management v.7 ( <i>mandatory</i> )		
	B	Equalities Impact Assessment		

Confidential/exempt information							
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 18b below.			
		No					
		Exemption Paragraph Number					
		1	2	3	4	5	6
18b	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 I of Schedule 12A of the Local Government Act 1972 by ticking the relevant box.</p>						
Title of background paper(s)		Exemption Paragraph					
		3 (B) (Part)	3(C) (Part)				
Council Officer 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		02.03.2022	
Print Name		KIM BROWN					

**BUSINESS CASE: MANAGEMENT OF ASBESTOS**

HROD: FM

**1. INTRODUCTION**

Plymouth City Council has c104 buildings which have Asbestos Containing Materials (ACMs) within their fabric. When materials that contain asbestos are disturbed or damaged, fibres are released into the air and when inhaled they can cause serious diseases. These diseases often take a long time to develop, but once diagnosed, it is often too late to do anything. The HSE reports that:

- Asbestos still kills around 5000 workers each year, this is more than the number of people killed on the road.
- Around 20 tradesman die each week as a result of past exposure
- Asbestos can be present today in any building built or refurbished before the year 2000.

For this reason, the Management of Asbestos is a legal requirement under the:

- Health and Safety at Work Act 1974
- Workplace (Health, Safety and Welfare) Regulations 1992
- Management of Health and Safety at Work Regulations 1999
- Management of Asbestos Regulations 2012
- Construction (Design and Management) regulations 2015

This Business Case outlines the core requirements of the Management of Asbestos Regulations 2012. It then identifies a phased plan of action, which will take 26 months to deliver, following a procurement process and award of contract and then require an on-going programme of monitoring and review thereafter to maintain compliance.

**2. THE MANAGEMENT OF ASBESTOS REGULATIONS 2012**

The following is an overview only. The Council is required to:

- Take reasonably practicable steps to identify Asbestos containing materials (ACMs) across the estate and presume the presence of ACMs unless there are good reasons not to.
- Record the location and condition of ACMs, and undertake a risk assessment to reduce the risk of exposure to as low as reasonably practicable.
- Develop an Asbestos Management Plan to determine how the ACMs will be actively managed.
- Monitor the effectiveness of the plan periodically over the course of a year.
- Annual review, including the asbestos survey to maintain an up to date understanding of the risks in each building, and to actively manage the risks.

In order to fulfil these requirements The Council must have a designated Competent Person for Asbestos, and suitably Competent Persons to provide:

- a detailed Asbestos Management Survey of each building
- production of an asbestos management plan
- active management of ACMs identified
- annual monitoring and review of the asbestos management survey, asbestos management plan and effectiveness of the management arrangements
- analysis of any proposed works involving ACMs ensuring they are undertaken safely

- the safe demolition and removal of any ACMs

Each activity requires different levels of asbestos competence.

### 3. CURRENT ARRANGEMENTS WITHIN PCC

The following table illustrates the current arrangements within PCC:

ASPECT	CURRENT POSITION
Management of Asbestos a) Competent Persons	The Council has a Competent Person for Asbestos Management who sits within HROD Hard FM Services. The post holder is a full time qualified Surveyor, with the relevant qualifications, skills, knowledge and experience to provide Competent Advice to colleagues across the Council in all matters relating to the management of asbestos.
b) PICs	The Council has designated Persons in Control (PICs) of each building who have delegated responsibility to manage asbestos in their designated buildings. This requires them to: <ul style="list-style-type: none"> <li>▪ Inspect every asbestos material, at least annually.</li> <li>▪ Risk assess each asbestos material</li> <li>▪ Devise and implement an asbestos management plan</li> <li>▪ Ensure ACMs are labelled</li> <li>▪ Ensure staff they delegate duties to are competent</li> <li>▪ Visually inspect ACMs to ensure they remain in good condition</li> <li>▪ Ensure anyone likely to disturb asbestos is shown the asbestos register and reminded of the need for an assessment prior to destructive works and have signed to confirm this</li> <li>▪ Ensure staff are aware of the plan</li> <li>▪ Review the asbestos management plan annually</li> <li>▪ Make checks every 6 months to ensure safeguards and procedures are working</li> </ul>

	<ul style="list-style-type: none"> <li>▪ Ensure the asbestos management survey is updated annually and following changes</li> <li>▪ Review risk assessments and the entire management plan annually or following significant changes</li> </ul> <p><i>[N.B. this does not include every facet of a PICs delegated duty]</i></p>
c) Asbestos Management Surveys  Annual re-inspections and updates	The Council commissions Asbestos Management Surveys, Annual re-inspections and updates as required.
Asbestos Analysts	The Council currently commissions its asbestos contractor who subcontract the role of Asbestos Analyst, Analysts check asbestos contractor's method statements and work on behalf of the client to ensure it is compliant.
Asbestos Policy	The Council has an Asbestos Policy (2018) published which outlines roles and responsibilities and operational management of asbestos in accordance with HSG264
CDM (2015)	The Council has a Health and Safety Performance Standard (HSPS) for CDM which contains the necessary requirements for the management of asbestos in construction projects.

## 4. OPTIONS APPRAISAL

Phase 1 is to procure an asbestos accredited consultant.

Phase 2 Recruitment of Asbestos Officers will be completed in accordance with existing recruitment policy and procedure and requires no further approval.

### 4a Asbestos Surveys

All asbestos compliance related activity hinges on having an up to date and accurate asbestos survey. It is therefore a matter of priority to engage a suitably qualified Asbestos consultancy to undertake a new baseline survey of approximately 104 sites. The order of the surveys will be determined by a prioritisation process and from the point of awarding a contract will take approximately 24 months to complete. Progress will be heavily dependent on the cooperation of the various services and organisations who control access to our buildings.

12 months after the first buildings have been surveyed, annual re-inspections will become due as an ongoing requirement of the regulations. The re-inspections need to be carried out by an accredited surveying practice. This would carry an ongoing yearly cost, which will be significantly less than completing the new surveys.

To prevent re-survey pressures the initial surveys should be carried out evenly over one to two years.

### 4b Asbestos Management Plans

Once each survey has been completed, a management plan can be developed, by a suitably competent person (P405). PICs are not currently trained to this level and there are options as to how to achieve the initial and ongoing requirements for annual reviews (or sooner if there is an asbestos incident).

REF	OPTION	PROS	CONS
I	Direct employment of 2 full time, experienced, P405 qualified persons This could potentially be appropriately qualified existing employees.  (Indicative cost £27,041-£32,910 x 2 depending on JE)	The approach would provide the simplest option with regard to management, quality and control of the process. This may offer a quick solution if appropriately qualified and experienced personnel can be recruited.  This grading is believed to be appropriate, but until a role profile is graded this is not confirmed. However, it is believed to be about right for recruiting externally, given this is	Additional to establishment  <b>This or option 3 are considered to be the most appropriate options.</b>



		<p>the same as is being paid for asbestos surveyors in the public and private sectors in the SW. And this role is above that of an asbestos surveyor.</p> <p>This is believed to be a cost effective route for the Council to take Once the initiative becomes a rolling cyclical programme, efficiencies may be possible.</p>	
2	<p>Re-deploy 2 existing employees, who can demonstrate potential on a fixed term contract / secondment basis*. Put these through the P405 or equivalent course, if they do not already hold the qualification, and develop them.</p> <p>(Indicative cost £27,041-£32,910 x 2 depending on JE)</p>	<p>A good option for overall control and quality. FM are able to mentor the development of individuals and previous experience in the council would be of benefit.</p> <p>Following the initial roll out of the programme, there should be savings due an overlap in duties with Compliance Technicians and the push to have electronic compliance documentation held centrally in our property database.</p> <p>Existing compliance technicians are graded F. This role will be more autonomous and demanding. But it would take over one of the principle duties of the compliance technicians. And it could be expanded, once bedded in to encompass other checks, currently done by technicians. Compliance technicians complete QA, The MAC role could complete audits.</p>	<p>Additional to establishment.</p> <p>Quality, experience and not aptitude may not be available. Will not be ready in time for start of process within a short time scale, therefore additional resources would be required until they are competent and qualified. Will have limited experience and will require mentoring/management, at least until experience built. This is estimated as a minimum of 2 years if no previous experience.</p> <p>If the council decide not to go with options one or three, this would be the next best route. But it would take longer to implement meaning some agency staff would be required in the beginning. And there would be an implication for the posts they would be leaving, which might mean going out to the market anyway.</p> <p><b>This option is not supported by FM</b></p>

3	<p>Resource 2 experienced, P405 qualified persons through an agency on a fixed term contract*.</p> <p>(Indicative cost £27,041 - £32,910 x 2 depending on JE + agency costs)</p>	<p>A good option for overall control and quality. Could be the one of the quickest ways of sourcing the expertise. More likely to have an asbestos/construction background. Will require less day to day management.</p> <p>Procurement support this approach. Would be quick to implement if the grade is appropriate.</p> <p>Offers flexibility of capacity, which may be appropriate if the estate is reduced.</p>	<p>If the estate is reduced this option offers flexibility.</p> <p>Uncertainty over longevity of staff.</p> <p>Agency costs will need to be considered.</p> <p><b>This or option 1 (one) are considered to be the most appropriate options.</b></p>
4	<p>Engage a consultancy to provide the 2 x FTE support roles on a fixed term contract*. Would have to be a different consultant to whoever is delivering surveys due to a conflict of interest</p> <p>(Indicative cost £27,041 - £32,910 x 2 depending on JE + consultancy costs)</p>	<p>Procurement also support this approach. Would be quick to implement if the grade is appropriate.</p>	<p>This did not work in the pilot programme despite our best efforts.</p> <p><b>This option is not supported by FM</b> due to the outcome of the pilot trial. The lessons learnt should be accepted.</p>
5	<p>Train the current Facilities Team leaders (Full time PICS) to P405 level and extend their roles re asbestos to cover all 104 buildings</p> <p>(Indicative costs £5,600 for training + on going mentoring needs)</p>	<p>Zero costs for MACs</p> <p>Fully employed as a PIC</p>	<p>P405 Training costs x 7 and mentoring needs.</p> <p>No capacity to cover additional buildings in relation to asbestos.</p> <p><b>This option is not supported by FM.</b></p>
6	<p>Train the current Facilities Team leaders to P405 level to produce and update asbestos management plans for their buildings AND appoint a Management Asbestos Consultant (MAC) to work alongside PICs in the remaining buildings on a fixed term contract*(as per options 1-4)</p> <p>(Indicative cost £27,041 - £32,910 x 1 depending on JE +</p>	<p>Costs reduce by half</p> <p>Fully employed as a MAC therefore no role conflicts; could also provide cover / mentoring for PICs</p>	<p>P405 Training costs x 7 and mentoring needs</p> <p>Would it be possible to recruit to a FTE MAC role – is it desirable?</p> <p><b>This option is not supported by FM</b></p>

	£5,600 for training Super PICs + on-going mentoring needs)		
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\* Fixed term for up to 2 years pending evaluation of role in the context of wider FM structure requirements for the future estate.

### TRAINING: P405

4 day taught course (or online equivalent) with an exam at the end of the course. It's not easy and requires significant preparation and additional, own time study. Particularly if a student doesn't already hold the P402 certificate, which use to be a pre-requisite.

Cost per person £800

### Asbestos management – demolition and disposal

The consultancy side of the current contract requires reviewing.

Costings will need to be obtained through Procurement and Market testing.

## 5. RECOMMENDATIONS

It is recommended that a phase approach to the management of risk is taken as follows:

- Instigate the temporary procedure outlined in Appendix D.

**To be actioned immediately.**

- Commission replacement asbestos management surveys.

**Action: Procurement commenced March - April 2022**

- Initiate the revised PIC initiative. This includes individual and service roles and responsibilities, key person profiles and competencies, procedures reporting and line management etc.

**Action: A Draft Revised PIC policy is with HSW Steering group. This needs ratifying and implementing at the earliest opportunity. (February / March 2022)**

- Recruiting P405 level support as outline in option one or three above.

**Action: Agree which action is to be taken no later than April 2022**

- **The decision should be made by the Service Director HROD to select option 1 or 3. Both are technically appropriate. However, these have differing long term implications in HR terms.**

- **The Service Director HROD to approve option 1 or 3.**

- **Options: 2,4,5,6 are not recommended by FM.**

- Re-commence Asbestos awareness training.

**Action: 3 quotes for P405 training to be obtained during March - April 2022.**

- Procure the services of an accredited analyst/surveying consultancy – for all the council's Asbestos surveying and analysts work.

**Action: Procurement to start no later than end of March / April 2022.**

**Action: Review current arrangements when an alternative supplier has been procured.**

## **6. APPENDICES**

- A. Asbestos Survey Scheduled plan.
- B. Commissioning Specification for Asbestos Management Surveys.
- C. Commissioning Specification for Asbestos Survey Consultants.
- D. Interim arrangements.

## **APPENDIX A**

### **Asbestos Management within PCC**

**Specification for the undertaking, and reporting on, asbestos surveys, updates to surveys, re-inspections and sampling on behalf of Plymouth City Council.**

***(See also -Specification for Asbestos Consultants conducting Asbestos Management Surveys, Pre- Refurbishment or Demolition Surveys and Annual Re-inspections, including the sampling of bulk material for the presence of asbestos on behalf of Plymouth City Council).***

**All surveys will be planned and conducted in accordance with, inter-alia, the following, being current at the time of the survey**

The Health and Safety at Work Etc. Act 1974, The Control of Asbestos Regulations, The Construction, Design and Management Regulations, HSG 264, UKAS RG8 and the consultancies' own accredited systems, policies and procedures, the consultancies' quality management systems, Plymouth City Council's Asbestos Policy. If there is a discrepancy, the statutory framework and HSE Health and Safety Guidance will take precedence.

Testing laboratories must be UKAS accredited ISO/IEC 17025 and comply with the guidance and recommendations in UKAS LAB30. Indeed, all consultants/ testing laboratories are required to comply with current editions of all UKAS publications relevant to their areas of accreditation or application and should also be aware of international publications relevant to their areas of accreditation. (E.g. The current editions of UKAS LAB 30 and RG8, as updated from time to time).

#### **Updates to asbestos management surveys following significant works**

It is council policy that asbestos information such as management surveys and plans are maintained and kept updated. Particularly following significant works to an asset. This responsibility lies with the officer administering or commissioning the work. The surveying consultancy should be called upon by the contract administrator/commissioner, in such circumstances, firstly to undertake a pre-refurbishment or demolition survey, and secondly to update the premises asbestos management survey, on the completion of the works. The asbestos surveyor should make such checks and enquiries so as to be sure that all material changes have been accurately reflected in the updated document. If the surveying consultancy should become aware, at any time, or have suspicions, that the above procedures are not being followed, the consultancy must make the council aware ASAP of their concerns.

#### **Updates to asbestos management surveys during re-inspections**

Notwithstanding the requirement to update information following significant works, during cyclical, planned re-inspections, the asbestos surveyor must carefully check the premises asbestos management survey, and contact the delegated duty holder, to ascertain if any significant changes have occurred since the last re-inspection, and to update the survey report to reflect such changes. Changes would include, but not be limited to, changes in layout effecting floorplans and/or room numbering, asbestos materials that have been removed or discovered, changes in condition of asbestos materials, and so on. Such changes should be minimal. However, if they are not – the surveyor should contact the council before proceeding further, to consider if a new asbestos management survey is required, rather than a re-inspection.

### **Building plans used in asbestos surveys**

Wherever possible, the council will provide site block and floor plans. However, consultants will be expected to check plans on site and to update them, as required, and where necessary produce new accurate floorplans, in accordance with the council's drawing protocol, which are integral to asbestos surveys. Floorplans do not have to be to scale but must be proportionally correct and all areas, rooms, cupboards, cubicles, stairs, lifts, circulation routes, etc, will be uniquely numbered in accordance with the council's drawing protocol. Drawings should be standardised in terms of the information they provide. A drawing should have a title panel which identifies what the drawing relates to and a key. E.g. Name and full address of property, the floor or elevation, the survey type, purpose of the drawing, date, drawn by, and so on. Drawings should be sized such that they are easily read and interpreted. Please refer to pdf file "Typical Drawing layout and information example". Although the actual information provided by a drawing may differ, from time to time, this example is typical of the standard, relative size, layout and format that will be expected for all drawings. The exception being that it will acceptable to represent walls with a single line.

### **Photographs used in surveys**

As a minimum, photographs of the main entrance façade of the building and all identified or presumed asbestos containing materials are required. Photographs should be in colour and of a reasonable size and quality, bearing in mind they will be used to help identify hazardous materials. Photographs should clearly identify the material in question and its location within a room or area. All photographs should be annotated with a description of the material in question, along with any other information that would be helpful. Where appropriate arrows should be used to further identify a material and/or its extent.

### **Priority Risk Assessments**

The council acknowledges the "duty holders" responsibility to conduct a priority risk assessment. When it is appropriate, (such as for an asbestos management survey or for re-inspections), the Council will require the Consultant to send the delegated person the priority risk assessment scoring sheets for every asbestos material, on a room by room basis, and require the delegated duty holder to confirm the Priority risk assessments are reasonable, given their knowledge of the premise. The request should state further that, if no response is received within 5 working days, the consultant will assume that the delegated duty holder agrees with the scores as being reasonable. And to subsequently report the conclusion and the total risk score, (TRS), along with recommendations for management and control actions that flow from the TRS. If the delegated duty holder does not respond to the asbestos surveyor's request, within a reasonable timeframe, or their response is inappropriate, the consultant should report the matter immediately, via email, to the council.

### **Asbestos management surveys - areas not accessed**

This must be the exception, rather than the rule. Generic caveats should be avoided unless agreed with the council beforehand. Surveys must be properly planned and resourced in order to facilitate full access to all areas and rooms. Voids where destructive works would be required to gain access are an example of an exception. In circumstances where the provision of safe access would be prohibitively expensive, such areas, along with the above mentioned voids, should be clearly defined in the survey reports with

clear and unambiguous advice including the assumption that asbestos materials, which may not be in a good condition, are present/contained within. Furthermore, that access for any purpose must be restricted until such time as the area in question has been inspected.

### **Representative sampling**

In order to reduce the likelihood of false negative results, potentially giving rise to release of asbestos fibres, sampling strategies must be robust and representative of the whole of a particular material, and of the presence of materials throughout a building. This is particularly important for non-homogenous or site mixed materials.

### **Asbestos management surveys - comments against all rooms/areas of the building**

There must be a comment against all rooms/areas of the building, inside and out. Either that there was no access, (*see also - Asbestos management surveys - areas not accessed:*), or that asbestos material(s) have been located, with further information, or where strong presumptions are made – and on what basis, or that no asbestos materials have been visually observed in that particular room or area.

### **Timescales – Surveys**

Most asbestos surveys are pre-planned. Each survey, or tranche of surveys should have a completion date agreed in advance, before works on site commence. The Consultant will be expected to proceed regularly and diligently towards the agreed completion date. Ditto for phased works where a number of surveys are required to be completed in a timeframe, such as per week, month or year. Furthermore, must make the council aware, via email, as soon as there is likely to be a delay, and not to wait until there is a delay. This includes making the council aware of any problems encountered, which are beyond the consultants control, such as difficulties in gaining access or in arranging meetings, etc. Such difficulties should be reported, by the latest, on the next working day.

There are occasions when a surveyor is required at very short notice due to circumstances beyond the council's control. E.g. unplanned damage to a building that has exposed hitherto unknown materials, which would lead to closure of the building or prevent a front line service from being delivered. Consultancies must be in a position, and willing to deploy a surveyor on such occasions, to arrive at the address within 2 hours of receiving a request, during normal working hours. (Normal working hours for the purposes of this specification will be 8am to 5pm Weekdays). Any visit request received after 3pm would be fulfilled at 9 am, or later by prior agreement with the council, on the next working day.

**Timescales – Testing & reporting:** Most surveys and sampling are pre-planned. However, there are occasions when a surveyor is required at very short notice, due to circumstances beyond our control. E.g. unplanned damage to a building that has exposed hitherto unseen and potential asbestos containing materials, which could necessitate closure of a building or prevent a front line service from being delivered. Consultancies must be in a position, and willing to test and report on samples in such circumstances as follows, (notwithstanding practical issues, such as drying a material prior to analysis):

During normal working hours, if a sample is taken in the morning, before 12 noon, – to test and report ASAP the same day, and before 5pm.

If a sample is taken of an afternoon – to test and report ASAP and by the latest 11am on the next working day. (Normal working hours for the purposes of this specification will be 8am to 5pm Weekdays).

**APPENDIX B**

## Plymouth City Council Asbestos Management Surveys

**\*In red – to be confirmed at the time of tendering process**

This requirement must be read in conjunction with:

- PCC Specification for Asbestos Surveying Consultants
- PCC Specification for Asbestos Surveys
- Typical Drawing layout and information example

Plymouth City Council currently has a responsibility for the management of asbestos in buildings across **104** sites within the city. (Most sites have one building. Some sites have multiple buildings). Due to acquisitions and disposals this number may change from time to time and the council reserves the right to remove or add to the number. Tendering consultants should allow for this possibility in their pricing. Any assets acquired during the term of the contract will be priced and agreed at the time a survey is requested.

Each site has an asbestos management survey, but some may need updating, particularly with regard to changes to floor layouts, and reviewed in accordance with HSG 264. Accordingly, the City wishes to ensure all of its asbestos management surveys are compliant and fit for purpose.

The City would like lump sum quotations from UKAS accredited asbestos surveying organisations for the surveying and preparation of new asbestos management surveys in accordance with HSG 264 and the above named PCC specifications and drawing layout example. Lump sum quotations must indicate a build-up comprising the cost of providing a compliant asbestos management survey, in the required formats, for each and every site. The lump sum should also indicate the cost of mapping the survey information for inputting into TF Cloud.

The City would also like the following rates in respect of ad-hoc asbestos surveying, and sampling in addition to the above requirement for all types of asbestos surveys and sampling;

1. A fully inclusive, all-in hourly rate to carry out asbestos surveys and sampling. The hourly rate will only be chargeable for the time the surveyor spends conducting the survey or sampling at the PCC premise, and for reasonable time spent producing a report. Not for travelling.
2. A fully inclusive, all-in cost of laboratory sampling and reporting, per sample for a result within 24 hours of the request.
3. A fully inclusive, all-in cost of laboratory sampling and reporting, per sample for a result within 3 days of the request.

Please note:

- An all-in price for surveying would not include for other trades to attend such as electricians. And whilst it would include for items such as a ladder or steps, it would not include for scaffolding, scaffold towers, and cherry pickers.  
The city would expect most work to be carried out by a surveyor working alone.  
If 2 surveyors are deemed to be required for a particular job, this must be agreed, with reasoning, in advance.  
In respect of ad-hoc asbestos surveying and sampling, the council cannot guarantee any work.

Consultants wishing to quote for this work are encouraged to contact the council with any queries or requests for clarification, or further information, at the earliest opportunity within the 6 week timeframe for the return of quotations.



Because of the internal resources required to complete reviews of asbestos management plans following cyclical re-inspections, the City requires the surveys to be undertaken and the reports completed, evenly over a 24 month period, following a period of mobilisation and preparation. 24 months equates to the completion, on average, of just over 4 sites per calendar month, every month. In reality, due to Christmas closures and such like, it will be closer to 5 sites per month, on average. It is imperative that the surveys are completed in line with the above timescales. 5 sites on average per month – every month does not mean 8 sites completed in one month and 2 in the next. The commission, including for initial preparation over approximately 2 months, must be completed within 26 months of award of contract.

The Council prioritises its property assets with a rating called a Property S rating. S1 to S5. (S1 being the most important). Within the 26 month timescale for the completion of this contract, S1 assets must be completed first, followed in a logical order through to S5 assets.

The City will provide the following information for every site to quoting consultants:

1. An electronic copy of the current asbestos management survey with integral floor plans
2. The full postal address of the property
3. The name and contact details of the person in control of the site
4. The property S rating.

Monthly, interim payments will only be authorised for completed asbestos management surveys received by PCC, on time and which are compliant with HSG264 and the council's specifications referred to above, and in the agreed formats. By definition, this means fully inputted into the Council's TF Cloud Database. (See below).

The asbestos management surveys must be delivered in the following formats and monthly, all at the same time:

1. Via mapping from the surveying organisations own surveying and reporting software for direct input into the Council's TF Cloud Property Database by council staff. (The whole cost of which, save for council staff time, must be included, as an itemised amount in the lump sum quotation).
2. A Pdf Copy,
3. A bound, quality, full colour paper copy delivered to each site.

Project programme:

1. Date for return of quotations: 6 weeks from RFQ
2. Mobilisation from award of contract: 1 week
3. Date for completion of mapping to TF Cloud and conducting trial survey: 9 weeks from award of contract.
4. Date by which access arrangements must have been made for first monthly surveys: 4 weeks from award of contract. Thereafter, a minimum of 4 weeks' notice in advance to persons in control to arrange access for surveys.
5. Date for completion of the first month's 5 surveys, defined as receipt of reports in formats required, including successful inputting to PCC TF Cloud: 13 weeks from award of contract
6. Date for completion of commission: 26 months from award of contract

**Forecast timeline with key events for delivery of premises asbestos management surveys and re-inspections, in line with the council's statutory duty:**

1. Contract awarded to consultant for delivery of approximately 104 asbestos surveys, over 26 months, and other ad-hoc asbestos surveys during the length of the contract.
2. Months 1 and 2 = preparation phase; mapping, trial input to TF and access arrangements for first batch of surveys. Surveys prioritised by property S rating.
3. Months 3 to 26 = Total 24 months. Delivery of 104 asbestos management surveys, averaging 5 sites per month. (Includes for Xmas shut down and a contingency allowance).
4. Months 6 to 7 = Formal performance and project delivery review and feedback following first 3 months - 15 surveys completed. Note: in reality performance monitoring by the city will be an ongoing monthly function.
5. Months 6 to 12 = Preparation and tendering of a 5 year programme for the delivery of ongoing annual asbestos re-inspections for approximately 104 sites, and ad-hoc asbestos surveying, in addition to the re-inspections, for all types of asbestos surveys. Award of 5 year contract – end of Month 12.
6. Months 13 to 14 = preparation phase; mapping, trial input to TF and access arrangements for first batch of re-inspections. Re-inspections must occur on, or shortly before the anniversary of the completion of each asbestos management survey. So there will be an overlap of the 2 contracts.
7. Month 15 and ongoing = delivery of ongoing annual asbestos re-inspections.
8. Month 27 to month 36 = following the completion of the first contract in month 26 the authority will, for a 12 month period, gradually increase the number of re-inspections per month, as more sites reach the anniversary of the delivery of their replacement asbestos management surveys.
9. Month 36 to 75, and ongoing = Allowing for the Xmas shut down and a contingency, the council will require re-inspections, at an average rate of 10 per month. It is estimated that this would require the equivalent of 2 full time posts to deliver, assuming the various services responsible, manage and implement the council's policies and procedures.

## APPENDIX C

**Specification for Asbestos Consultants conducting Asbestos Management Surveys, Pre-Refurbishment or Demolition Surveys and Annual Re-inspections, including the sampling of bulk material for the presence of asbestos on behalf of Plymouth City Council.**

*(See also – Specification for the undertaking, and reporting on, asbestos surveys, updates to surveys, re-inspections and sampling on behalf of Plymouth City Council).*

**Location of HQ/branch office/Laboratories:** Consultants should ideally be based in Plymouth or have a significant presence within the city. Consultants based outside the city limits will be considered, but must have their head office and main operating centre in Devon, Cornwall or within a maximum 20 miles of the Devon Border. Accredited testing laboratories used must also be located within these geographical boundaries.

**Resources:** Consultants will be required to demonstrate, by way of a structure chart that they have a suitable and sufficient management & staff structure to service such a contract on behalf of the council. This will include contractual and operational management, and adequate numbers of trained, experienced, directly employed analysts, surveyors, and support staff. There must be no sub-contracting of key staff such as surveyors.

Surveyors and analysts must be based within Devon, Cornwall or within a maximum 20 miles of the Devon Border. Where consultants use a third party accredited testing laboratory, the consultant should also provide the same details in respect of the resource capability of the laboratory to service the requirements of the council.

Consultants/laboratories should be able to demonstrate suitable and sufficient resources, such as equipment used for surveying, sampling, testing and analysis, both in the laboratory and in the field.

**Competence:** It is essential that consultants undertaking surveys and/or re-inspections should have as a minimum the qualifications, experience and knowledge set out in Tables 1 and 2 of UKAS RG8. Consultants must be UKAS accredited ISO/IEC 17020 for inspections and the sampling of bulk material for the presence of asbestos in respect of the following:

Asbestos management Surveys. *To locate and describe, as far as reasonably practical, the presence and extent of any suspect asbestos containing material (ACM) in the building which could be damaged or disturbed during normal occupancy, including foreseeable maintenance and installation, and to assess their condition.*

Asbestos pre-refurbishment and demolition surveys. *To locate and describe, as far as reasonably practicable, all ACMs in the area where refurbishment work will take place, or in the whole building if demolition is planned.*

Re-inspections. *UKAS considers re-inspection of known asbestos, conducted on behalf of the client as part of the “Duty to Manage” defined in the CAR, to be an accredited service of the inspection body. These re-inspections should be conducted by a qualified and authorised surveyor in accordance with UKAS RG 8 as review of Material Assessments will be required. Should additional survey and sampling be required during this work, this will become a management survey.*

Details of the work scope covered under each type of the above surveys are described in HSG 264. All surveying and sampling for asbestos must comply with HSG 264. Surveys may combine any and all survey

types depending on the needs and plans of the council. For combined surveys the scope of the duty holder's requirements must be clearly described within reports.

Testing laboratories must be UKAS accredited ISO/IEC 17025 and comply with the guidance and recommendations in UKAS LAB30. Indeed, all consultants/ testing laboratories are required to comply with current editions of all UKAS publications relevant to their areas of accreditation or application and should also be aware of international publications relevant to their areas of accreditation. (E.g. The current editions of UKAS LAB 30 and RG8, as updated from time to time).

Consultants experience of surveying in various types of Premises. The council are duty holders for a range of buildings typical for a local authority, including municipal buildings, office blocks, commercial and industrial estates and works depots, adult and children's day care and sleeping accommodation, libraries, community centres, and so on. Accordingly, consultants and individual surveyors, must be able to demonstrate experience of surveying and sampling for asbestos in a broad range of premises, as described above.

Competence of Key staff: It is essential that all persons undertaking surveys and/or re-inspections should have as a minimum the qualifications, experience and knowledge set out in Tables 1 and 2 of UKAS RG8, unless they are working under the direct supervision of appropriately qualified and authorised persons. It is desirable that such persons also have a P405 qualification.

The persons responsible for the supervision of technical activities, in addition to the qualifications, experience and knowledge specified above and in Tables 1 and 2 of UKAS RG8, should hold a P405, or equivalent, and have experience in:

- (a) All areas of asbestos survey work including survey planning, resourcing, technical specifications, quality control and reporting and;
- (b) Asbestos containing material assessment criteria.

Other support staff that may be involved with the surveying activities should have the relevant level of training and experience for the tasks they are undertaking.

**Inspection methods and procedures:** will comply with: the Control of Asbestos Regulations, the Approved Code of Practice L143, HSG 264 and HSG 248.

In accordance with UKAS RG8, quality assurance checks on surveys must be carried out on a regular basis by randomly reviewing a percentage, (typically 5%), of areas surveyed and subsequent assessment. These quality assurance checks:

Shall be a documented second survey conducted by an individual authorised to conduct such quality assurance checks, without prior knowledge of the areas to be re-surveyed to provide an unbiased assessment;

Shall include a record of subsequent comparison data of the two surveys, and the significance of discrepancies shall be considered and acted upon where necessary using the organisation's non-conforming work procedure.

### **Presentation of results – Survey reports**

Consultants tendering for asbestos surveying contracts will be required to submit a typical completed asbestos management survey. The council may require additional information to be added in the form of guidance notes and relating to PCC policy and procedures, to be agreed with the consultant.

## Health and Safety

Health and safety accreditation is required fromSSIP members such as CHAS, Acclaim or Safe Contractor. There are other risks, other than from asbestos, in undertaking building surveys. Risk assessments and method statements should not be generic. They should address risks specific to a particular task in a particular location.

## Management System Requirements

The Consultants management system should comply with the Guidance in ISO/IEC 17020, Clause 8.

**Impartiality and independence.** In accordance with UKAS RG8, Consultants should have in place documented procedures to identify and address risks to impartiality on an ongoing basis from whatever source, including links to other organisations, its activities and/or its relationships (including personnel).

**Confidentiality:** Consultants/laboratories should have in place suitable and sufficient, legally enforceable, confidentiality agreements with staff and support services.

**Insurance:** Suitable insurance cover shall be obtained by the Consultant in line with the council's requirements. These include Employers Liability, Public Liability and Professional Indemnity insurance. The consultant shall ensure that cover for 'bodily injury' and 'property damage' is included within the Professional Indemnity insurance policy.

**TF Cloud:** It is the council's intention to use Technology Forge, (TF) Cloud as a tool to store information and assist with the management of asbestos, going forward. Experience of working with TF Cloud is not essential, but it is desirable. The council understands that various consultants will have their own asbestos surveying and reporting software. However, the council will expect its asbestos surveying consultants to work with the council in order to produce input sheets that will subsequently be completed by the surveying consultant and provided by the consultant for management surveys and re-inspections. The input sheets in turn will be used to populate and/or update TF cloud by the council. In respect of management surveys and re-inspections, this requirement is additional to the requirement for a colour, bound paper copy and a pdf copy of the survey to be provided. The successful input of asbestos report information, in the agreed format, is integral to the fulfilment of the commission and must be successfully delivered for the council to input into TF at the same time as the pdf survey report, is delivered, for a claim for payment to be approved.

**APPENDIX D****Asbestos Management within PCC****INTERIM CONTROL MEASURES PENDING THE ROLL OUT OF THE WIDER RECOMMENDATIONS**

For any asset constructed prior to 2000, and for which the council is the duty holder, or has shared responsibilities, as follows:

(a) every person who has, by virtue of a contract or tenancy, an obligation of any extent in relation to the maintenance or repair of non-domestic premises or any means of access or egress to or from those premises; or

(b) in relation to any part of non-domestic premises where there is no such contract or tenancy, every person who has, to any extent, control of that part of those non-domestic premises or any means of access or egress to or from those premises,

and where there is more than one such duty holder, the relative contribution to be made by each such person in complying with the requirements of this regulation will be determined by the nature and extent of the maintenance and repair obligation owed by that person.

Specifically with regard to the duty to manage asbestos under Regulation 4 of the Control of Asbestos Regulations 2012.

**Recommendations**

For every building built prior to 2000, (currently C 104 buildings), the council should:

*(Note: the buildings and their PICs should already be known to the compliance team and details available in list form, on Technology Forge Cloud - property database, (TF)).*

- I. Request, without delay, each person in control, (PIC), or their line manager, using the premises asbestos management survey, (AKA the asbestos register), carries out a visual check of all identified r presumed asbestos materials, where it is safe to do so, and confirm the following:

*(Note - checks should only be of materials, which can be routinely seen when walking around the building and without the need for access equipment, or by entering ducts, voids and the likes, which should be avoided. PICs who have not yet received asbestos awareness training should arrange for a service colleague who has, to undertake this on their behalf).*

- i. If there is any obvious damage to an asbestos containing material, ACM. And if so, stop, and vacate the area immediately, isolate and prevent access, and

report the matter to FM clearly identifying the material and its location.

Examples of damage are: *broken edges on boards and tiles, significant breakage of materials or several small areas where material has been damaged, delamination of materials, sprays and thermal insulation and visible debris from an ACM.* If a PIC has any concerns or requires advice and support, in order to undertake the task, they should contact FM before proceeding. For any asbestos material found to be damaged, isolation will control the immediate risk, pending remedial measures.

- ii. For any asbestos materials that are NOT checked, for whatever reason, the PICs should:
    - a. create a list identifying each material and its location, and the reason for not checking, and forward to FM.
    - b. Consider the asbestos products in such areas to be not in good condition and treat them accordingly; isolate the area and prevent access, pending an inspection by an asbestos surveyor. In many instances a permit to work can be put in place to prevent works taking place in some areas, typically services ducting and the likes, until an asbestos surveyor has assessed the area prior to works commencing. Because these areas are only accessed for works. This should continue until a new asbestos management survey is available, any potential remedial works have been carried out and a management plan is in place.
  - iii. For areas or rooms expressly identified in the premises asbestos management survey as not being accessible or not included in the survey – these should be treated identical to point ii b above: Isolate the area and/or prevent access, pending an inspection by an asbestos surveyor. This will either be prior to access being required to carry out work, or when a new survey is commissioned, whichever is the sooner.
  - iv. For each asbestos material seen, confirm to FM if it is labelled or if there is warning signage present, or not.
2. Request, without delay, each person in control, (PIC), or their line manager, to confirm that a contractors asbestos acknowledgement form is attached to the premises asbestos management survey and that arrangements are in place such that anyone visiting the building who might disturb asbestos materials will be shown the asbestos management survey, and asked to sign the acknowledgement form, on every occasion. I have attached a copy of the form. For unoccupied buildings, alternative arrangements will be required to comply with this.
  3. Formally remind all services and term contractors, and any other contractors that may be asked to carry out works for various services from time to time, that an assessment must be carried out before equipment is repaired/ replaced or destructive works take place. The type of assessment will be commensurate with the nature of the work. Furthermore, that the contractors must, in writing, confirm the assessment has taken place, giving brief details of the assessment. FM could arrange for this to be communicated/required for maintenance term contractors. Individual services/teams commissioning any works to assets would be responsible for individual projects. For term contractors, and internal maintenance personnel, there should be a requirement to update Firmstep with brief details confirming this has occurred for each case. Likewise, it should be an integral requirement of any project, with the project lead being responsible for ensuring compliance.
  4. Formerly make PICs and those responsible for undertaking or arranging works, or professional commissions on council assets aware that locations such as ducts, voids, (including above suspended ceilings), loft spaces, unoccupied buildings, or any area, room or location that is

rarely visited should be treated with caution, as to its condition, and that of any materials within. Ideally, such locations should be assessed first, and appropriate PPE/RPE worn, as a precaution. Alternatively, such locations could be pre-checked by contractors with the appropriate PPE/RPE and training, such as an asbestos contractor or surveyor. Examples of potential hazardous materials may include, but not be limited to asbestos, dust, man-made fibres, lead paint residues, dead birds and animals and their faeces, etc. This is even more important as a safeguard if materials such as asbestos have not been regularly monitored. RAMs should be required.

5. Require PICs to communicate to staff in their buildings, any measures they have put in place. And who staff should speak to for further advice, or to report any concerns. Normally, this would be the PIC themselves, or their deputy.
6. Agree and have in place deadlines and an escalation and resolution process to prevent unnecessary delays in implementing these control measures.
7. Services, at the appropriate level, should be made aware of these measures, and the instructions to be made to their staff, (the PIC's), along with the required deadlines, in order for them to support the measures.

The alternative to the above control measures would be to close a building pending the completion of an asbestos management survey, any remedial measures if required, and the production of a management plan.



The following relates to exempt or confidential matters (Para(s) 3 of Part 1, Schedule 12A of the Local Govt Act 1972). Any breach of confidentiality could prejudice the Council/person/body concerned & might amount to a breach of the councillors /employees codes of conduct.

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