



Oversight and Governance

Chief Executive's Department

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Published 28/09/23

Delegated Decisions

Delegated Executive/Officer Decisions

Delegated Executive and Officer decisions 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/yddrql6>

Notice of call-in for non-urgent decisions must be given to the Democratic Support Unit by 4.30 pm on Thursday 05 October 2023. 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 decisions detailed below may be implemented on Friday 06 October 2023 if they are not called-in.

Delegated Decisions

I. Councillor Tudor Evans OBE (Leader of the Council):

I.1. L22 23/24 - Plymouth and South Devon Freeport Direct
Development

(Pages 1 - 32)

EXECUTIVE DECISION

made by a Cabinet Member




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

Executive Decision Reference Number – L22 23/24

Decision	
1	Title of decision: Plymouth and South Devon Freeport Direct Development
2	Decision maker: Councillor Tudor Evans OBE (Leader of the Council)
3	Report author and contact details: Sarah Partridge MRICS, Asset Manager, Land & Property sarah.partridge@plymouth.gov.uk
4	<p>Decision to be taken:</p> <ol style="list-style-type: none"> Approves the Part II Business Case to construct 50,000 sq ft of employment accommodation within the Langage Tax Site at the Plymouth and South Devon Freeport; Approves the allocation of the sum set out in the Part II Business Case for the project to the Capital Programme comprising Freeport Capital Seed Funding of £4,000,000 (following successful appraisal and agreement by the Freeport Board of Directors) and service borrowing; Authorises the procurement process to identify and select the main contractor; Delegates to the Strategic Director for Place to approve business cases and award contracts relating to this project where they would otherwise not have authority to do so; Delegates to the Section 151 Officer to sign off claims and release funding in connection with the Freeport Seed Capital Funding, where they would otherwise not have authority to do so.
5	<p>Reasons for decision:</p> <ol style="list-style-type: none"> Delivery of 50,000 sq ft of high-quality sustainable employment accommodation to promote economic and employment growth; To provide a catalyst for the development and delivery of the Plymouth and South Devon Freeport and its associated objectives.
6	<p>Alternative options considered and rejected:</p> <ol style="list-style-type: none"> Do nothing – no positive outputs and loss of opportunity to secure Freeport Seed Capital Funding to promote economic and employment growth and contribute towards the delivery of the Plymouth and South Devon Freeport and its associated objectives; Sale of land to third party - development unlikely to be implemented due to cost value gap and therefore associated benefits and linkages to the delivery of the Plymouth and South Devon Freeport objectives lost.

7	Financial implications and risks: The capital and revenue costs of the project are set out in the confidential Part II Business Case. The project will be funded by a combination of service borrowing for the sum set out in the Part II Business Case and Freeport Capital Seed Funding of £4,000,000 (following successful appraisal and agreement by the Freeport Board of Directors). The service borrowing will be repaid from the net rental income generated from the development. An allowance for void and risk has been incorporated into the financial model.			
8	Is the decision a Key Decision? (please contact Democratic Support for further advice) Please type an X into the relevant boxes	Yes	No	Per the Constitution, a key decision is one which:
		X		in the case of capital projects and contract awards, results in a new commitment to spend and/or save in excess of £3million in total
			X	in the case of revenue projects when the decision involves entering into new commitments and/or making new savings in excess of £1 million
			X	is significant in terms of its effect on communities living or working in an area comprising two or more wards in the area of the local authority.
	If yes, date of publication of the notice in the Forward Plan of Key Decisions	03 July 2023		
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 will contribute towards the following Corporate Plan priority of Green investment, jobs, skills and better education. Under the Corporate Plan, this will be delivered by: Spending money wisely. The project also contributes to the delivery of the Plymouth and South Devon Freeport policies and objectives.			
10	Please specify any direct environmental implications of the decision (carbon impact) The development is targeting BREEAM Excellent standards and / or Net Zero Carbon outcomes.			
Urgent decisions				
11	Is the decision urgent and to be implemented immediately in the interests of the Council or the public?	Yes		(If yes, please contact Democratic Support (democraticsupport@plymouth.gov.uk) for advice)
		No	X	(If no, go to section 13a)
12a	Reason for urgency:			
12b	Scrutiny Chair		Date	

Signature:				
Scrutiny Committee name:				
Print Name:				
Consultation				
I3a	Are any other Cabinet members' portfolios affected by the decision?	Yes	<input checked="" type="checkbox"/>	
		No	<input type="checkbox"/>	(If no go to section I4)
I3b	Which other Cabinet member's portfolio is affected by the decision?	Councillor Mark Lowry, Cabinet Member for Finance		
I3c	Date Cabinet member consulted	07/08/2023		
I4	Has any Cabinet member declared a conflict of interest in relation to the decision? Please type an X into the relevant box	Yes	<input type="checkbox"/>	If yes, please discuss with the Monitoring Officer
		No	<input checked="" type="checkbox"/>	
I5	Which Corporate Management Team member has been consulted?	Name	Anthony Payne	
		Job title	Strategic Director for Place	
		Date consulted	08/08/2023	
Sign-off				
I6	Sign off codes from the relevant departments consulted:	Democratic Support (mandatory)	DS 48 23/24	
		Finance (mandatory)	DJN.23.24.75	
		Legal (mandatory)	LS/00001312/1/AC/19/9/23	
		Human Resources (if applicable)		
		Corporate property (if applicable)		
		Procurement (if applicable)	HG/PS/700/ED/0923	
Appendices				
I7	Ref.	Title of appendix		
	A	Briefing report for publication		
	B	Equalities Impact Assessment		
Confidential/exempt information				

18a	Do you need to include any confidential/exempt information? Please type an X into the relevant box	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. (Keep as much information as possible in the briefing report that will be in the public domain)				
		No						
		Exemption Paragraph Number						
		1	2	3	4	5	6	7
18b	Confidential/exempt briefing report title: Part II Business Case			X				
Background Papers								
19	Please list all unpublished, background papers relevant to the decision in the table below. Background papers are <u>unpublished</u> works, relied on to a material extent in preparing the report, which disclose facts or matters on which the report or an important part of the work is based. If some/all of the information is confidential, you must indicate why it is not for publication by virtue of Part 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
Financial Analysis				X				
Cabinet Member Signature								
20	I agree the decision and confirm that it is not contrary to the Council's policy and budget framework, Corporate Plan or Budget. In taking this decision I have given due regard to the Council's duty to promote equality of opportunity, eliminate unlawful discrimination and promote good relations between people who share protected characteristics under the Equalities Act (2010) and those who do not. For further details please see the EIA attached.							
Signature				Date of decision	27 September 2023			
Print Name	Councillor Tudor Evans OBE, Leader of Plymouth City Council							

PART I BRIEFING REPORT

Plymouth and South Devon Freeport Direct Development
Property and Regeneration Fund, Land & Property



This project seeks approval for the direct development of a Plymouth City Council owned development plot of approximately 1.6 hectares (4 acres), located on part of the Plymouth and South Devon Freeport Langage Tax Site. The proposed scheme already has full planning consent for the development of approximately 4,615 sq m (50,000 sq ft) of sustainable, high quality, speculative employment accommodation for medium and large sized businesses to occupy. Specifically, in terms of supporting employment opportunities, the development is expected to create / support circa 138 FTE jobs (in addition to promoting construction related jobs and supply chain links during the build period).

The Langage Tax Site is the largest of the three tax sites in the Freeport area and is strategically significant for delivery of the Freeport vision as it provides the space and opportunities to support sector growth plans and economic specialisation, underpinning trade and investment objectives. This provides a strong rationale for its development. Furthermore, there is likely to be Freeport Capital Seed Funding to support the viability of the development of the Beaumont Way PCC owned portion of the site and this project is predicated on this funding being available and has been factored into the cash flow analysis.

The completed development will be available to occupy by eligible tenants, on a leasehold basis. The capital and revenue costs of the project are set out in the confidential Part II Business Case. The proposed project will be funded by a combination of service borrowing for the sum set out in the Part II Business Case and Freeport Capital Seed Funding of £4,000,000, following successful appraisal and agreement by the Freeport Board of Directors. The service borrowing will be repaid from the net rental income generated from the development. An allowance for void and risk has been incorporated into the financial model.

The completed scheme is also expected to potentially generate over £180,000 in annual Business Rates income, initially for the benefit of Plymouth and South Devon Freeport.

The Council has commissioned an external demand and supply report and this has confirmed that Plymouth has a distinct shortage of high quality, modern employment space facilities. PCC have also completed a number of direct development projects within the locality, all of which have performed exceptionally well and are fully let.


It is intended that this development proposal closely aligns itself with other PCC successful direct development projects. Accordingly, the scheme has been designed to be highly sustainable and incorporates sustainable technologies to minimise carbon emissions and running costs, including solar photovoltaic, increased levels of insulation, higher levels of natural daylight and ventilation, EV charging pods and highly efficient heating systems.

This development will continue the range of projects to be funded and form part of the Property and Regeneration Fund (PRF). The project will achieve the investment objectives of the fund of stimulation of economic and employment growth in Plymouth.

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EQUALITY IMPACT ASSESSMENT – PLYMOUTH AND SOUTH DEVON FREEPORT DIRECT DEVELOPMENT

SECTION ONE: INFORMATION ABOUT THE PROPOSAL

Author(s): This is the person completing the EIA template.	Sarah Partridge MRICS, Asset Manager, Land & Property	Department and service:	Land & Property, Economic Development, Place Directorate	Date of assessment:	08/08/2023
Lead Officer: Please note that a Head of Service, Service Director, or Strategic Director must approve the EIA.	James Watt MRICS, Head of Land & Property	Signature:		Approval date:	08/08/2023
Overview:	Direct development of a vacant PCC owned development site as part of the Council's Property and Regeneration Fund. The project comprises the delivery of 50,000 sq ft of high-quality sustainable employment accommodation to promote economic and employment growth. The project will also provide a catalyst for the development and delivery of the Plymouth and South Devon Freeport and its associated objectives. It should be noted that Plymouth and South Devon Freeport has its own over-arching EIA.				
Decision required:	<ol style="list-style-type: none"> 1. Approves the Part II Business Case to construct 50,000 sq ft of employment accommodation within the Langage Tax Site at the Plymouth and South Devon Freeport; 2. Approves the allocation of the sum set out in the Part II Business Case for the project to the Capital Programme comprising Freeport Capital Seed Funding of £4,000,000 (following successful appraisal and agreement by the Freeport Board of Directors) and service borrowing; 3. Authorises the procurement process to identify and select the main contractor; 4. Delegates to the Strategic Director for Place to approve business cases and award contracts relating to this project where they would otherwise not have authority to do so; 5. Delegates to the Section 151 Officer to sign off claims and release funding in connection with the Freeport Seed Capital Funding, where they would otherwise not have authority to do so. 				

SECTION TWO: EQUALITY IMPACT ASSESSMENT SCREENING TOOL

<p>Potential external impacts: Does the proposal have the potential to negatively impact service users, communities or residents with protected characteristics?</p>	Yes		No	X
<p>Potential internal impacts: Does the proposal have the potential to negatively impact Plymouth City Council employees?</p>	Yes		No	X
<p>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)</p>	Yes		No	X
<p>If you do not agree that a full equality impact assessment is required, please set out your justification for why not.</p>	<p>This EIA is supporting a Decision that seeks approval to project funding i.e. approval of service borrowing provided Freeport Seed Capital is also secured</p>			

SECTION THREE: FULL EQUALITY IMPACT ASSESSMENT

Protected characteristics (Equality Act, 2010)	Evidence and information (e.g. data and consultation feedback)	Adverse impact	Mitigation activities	Timescale and responsible department
Age	Plymouth			

	<ul style="list-style-type: none"> • 16.4 per cent of people in Plymouth are children aged under 15. • 65.1 per cent are adults aged 15 to 64. • 18.5 percent are adults aged 65 and over. • 2.4 percent of the resident population are 85 and over. <p>South West</p> <ul style="list-style-type: none"> • 15.9 per cent of people are aged 0 to 14, 61.8 per cent are aged 15 to 64. • 22.3 per cent are aged 65 and over. <p>England</p> <ul style="list-style-type: none"> • 17.4 per cent of people are aged 0 to 14. • 64.2 per cent of people are aged 15 to 64. • 18.4 per cent of people are aged 65 and over. <p>(2021 Census)</p>			
<p>Care experienced individuals</p> <p>(Note that as per the Independent Review of Children’s Social Care recommendations, Plymouth City Council is treating care experience</p>	<p>It is estimated that 26 per cent of the homeless population in the UK have care experience. In Plymouth there are currently 7 per cent of care leavers open to the service (6 per cent aged 18-20 and 12 per cent of those aged 21+) who are in unsuitable accommodation.</p> <p>The Care Review reported that 41 per cent of 19-21 year old care leavers are not in education, employment or training (NEET) compared to 12 per cent of all other young people in the same age group.</p>			

<p>as though it is a protected characteristic).</p>	<p>In Plymouth there are currently 50 per cent of care leavers aged 18-21 Not in Education Training or Employment (54 per cent of all those care leavers aged 18-24 who are open to the service).</p> <p>There are currently 195 care leavers aged 18 to 20 (statutory service) and 58 aged 21 to 24 (extended offer). There are more care leavers aged 21 to 24 who could return for support from services if they wished to.</p>			
<p>Disability</p>	<p>9.4 per cent of residents in Plymouth have their activities limited ‘a lot’ because of a physical or mental health problem.</p> <p>12.2 per cent of residents in Plymouth have their activities limited ‘a little’ because of a physical or mental health problem (2021 Census)</p>			
<p>Gender reassignment</p>	<p>0.5 per cent of residents in Plymouth have a gender identity that is different from their sex registered at birth. 0.1 per cent of residents identify as a trans man, 0.1 per cent identify as non-binary and, 0.1 per cent identify as a trans women (2021 Census).</p>			
<p>Marriage and civil partnership</p>	<p>40.1 per cent of residents have never married and never registered a civil partnership. 10 per cent are divorced, 6 percent are widowed, with 2.5 per cent are separated but still married.</p> <p>0.49 per cent of residents are, or were, married or in a civil partnerships of the same sex. 0.06 per cent of residents are in a civil partnerships with the opposite sex (2021 Census).</p>			

<p>Pregnancy and maternity</p>	<p>The total fertility rate (TFR) for England was 1.62 children per woman in 2021. The total fertility rate (TFR) for Plymouth in 2021 was 1.5.</p>			
<p>Race</p>	<p>In 2021, 94.9 per cent of Plymouth’s population identified their ethnicity as White, 2.3 per cent as Asian and 1.1 per cent as Black (2021 Census) People with a mixed ethnic background comprised 1.8 per cent of the population. 1 per cent of the population use a different term to describe their ethnicity (2021 Census) 92.7 per cent of residents speak English as their main language. 2021 Census data shows that after English, Polish, Romanian, Chinese, Portuguese, and Arabic are the most spoken languages in Plymouth (2021 Census).</p>			
<p>Religion or belief</p>	<p>48.9 per cent of the Plymouth population stated they had no religion. 42.5 per cent of the population identified as Christian (2021 Census). Those who identified as Muslim account for 1.3 per cent of Plymouth’s population while Hindu, Buddhist, Jewish or Sikh combined totalled less than 1 per cent (2021 Census).</p>			
<p>Sex</p>	<p>51 per cent of our population are women and 49 per cent are men (2021 Census).</p>			
<p>Sexual orientation</p>	<p>88.95 per cent of residents aged 16 years and over in Plymouth describe their sexual orientation as straight or heterosexual. 2.06 per cent describe their sexuality as bisexual, 1.97 per cent of people describe their sexual</p>			

	orientation as gay or lesbian. 0.42 per cent of residents describe their sexual orientation using a different term (2021 Census).			
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SECTION FOUR: HUMAN RIGHTS IMPLICATIONS

Human Rights	Implications	Mitigation Actions	Timescale and responsible department
	No adverse impacts anticipated		

SECTION FIVE: OUR EQUALITY OBJECTIVES

Equality objectives	Implications	Mitigation Actions	Timescale and responsible department
Celebrate diversity and ensure that Plymouth is a welcoming city.	No adverse impacts anticipated		
Pay equality for women, and staff with disabilities in our workforce.	No adverse impacts anticipated		
Supporting our workforce through the implementation of Our People Strategy 2020 – 2024	No adverse impacts anticipated		
Supporting victims of hate crime so they feel confident to report incidents, and working with, and through our partner organisations to achieve positive outcomes.	No adverse impacts anticipated		
Plymouth is a city where people from different backgrounds get along well.	No adverse impacts anticipated		

The following relates to exempt or confidential matters (Para(s) 3, 4 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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