



**Oversight and Governance**

Chief Executive's Department

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Published 30/05/24

## Delegated Decisions

### Delegated Executive/Officer Decisions

Delegated Executive and Officer decisions are published 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/yddrql6>

Notice of call-in for non-urgent decisions must be given to the Democratic Support Team by 4.30 pm on 06 June 2024. 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 07 June 2024, if they are not called-in.

## **Delegated Decisions**

### **I. Councillor Tudor Evans OBE, Leader of the Council:**

- I.a. L01 24/25 - Border Control Post SLA - Governance Arrangements **(Pages 1 - 30)**
- I.b. L03 24/25 - Plymouth and South Devon Freeport: Langage Core Infrastructure **(Pages 31 - 76)**
- I.c. L04 24/25 - Support to Millfields Community Economic Development Trust **(Pages 77 - 104)**

# EXECUTIVE DECISION

made by a Cabinet Member




## REPORT OF ACTION TAKEN UNDER DELEGATED AUTHORITY BY A CABINET MEMBER

Executive Decision Reference Number – L01 24/25

Decision				
1	<b>Title of decision:</b> Border Control Post SLA – Governance Arrangements			
2	<b>Decision maker:</b> Councillor Tudor Evans OBE (Leader of the Council)			
3	<b>Report author and contact details:</b> Katharine O'Connor (Service Manager). Katharine.O'Connor@plymouth.gov.uk / 01752 304142			
4	<b>Decision to be taken:</b> 1. To amend the Leader's Scheme of Delegation to delegate to The Mayor and Commonalty and Citizens of the City of London the ability to undertake a regulatory Port Health Authority Service on behalf of Plymouth City Council to enforce the biosecurity requirements set out in Article 2(1) of the Official Controls Regulation OCR 2017/625 and other related legislation, effective from 13 May 2024 and remaining in place for the duration of the service legal agreement between the authorities.			
5	<b>Reasons for decision:</b> In decision L60 23/24 the Leader approved a service level agreement be entered into between the Council and the London Port Health Authority for the Border Control Post at Millbay docks. This new decision delegates authority to The Mayor and Commonalty and Citizens of the City of London acting as London Port Health Authority – City of London to undertake the service on behalf of the Council, supported by Plymouth City Council Port Health staff.			
6	<b>Alternative options considered and rejected:</b> Not to delegate the function of the port health authority – Rejected: In order to undertake the functions in the service level agreement The Mayor and Commonalty and Citizens of the City of London acting as London Port Health Authority – City of London need to have the functions of the Council in relation to the Border Control Post delegated to it.			
7	<b>Financial implications and risks:</b> There will be a small income from London Port Health Authority for the Plymouth based work.			
8	<b>Is the decision a Key Decision?</b> (please contact <a href="#">Democratic Support</a> for further advice) Please type an X into the relevant boxes	<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
			<b>X</b>	

			<b>X</b>	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> annually
			<b>X</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>	N/A		
<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>	Checks on food at the point of import into the UK are in place to control risks to health. Ensuring a resilient, efficient and effective service for food importers under the new Border Target Operating Model contributes to the vision of a vibrant waterfront city and protects Plymouth and the wider UK. Having a Designated Border Control Post puts Plymouth Port firmly on the map and supports growth.		
<b>10</b>	<b>Please specify any direct environmental implications of the decision (carbon impact)</b>	None. Only a small percentage of food imports will require physical checks. Imports are risk assessed and many checks can be undertaken remotely.		
<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)
	Please type an X into the relevant box	<b>No</b>	<b>X</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>		
	Please type an X into the relevant box	<b>No</b>	<b>X</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>			

<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> Please type an X into the relevant box	<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>	Ruth Harrell	
		<b>Job title</b>	Director of Public Health	
		<b>Date consulted</b>	22 April 2024	
<b>Sign-off</b>				
<b>I6</b>	<b>Sign off codes from the relevant departments consulted:</b>	<b>Democratic Support (mandatory)</b>	DS06 23/24	
		<b>Finance (mandatory)</b>	DJN.24.25.018	
		<b>Legal (mandatory)</b>	LS/00001312/4/AC/30/5/24	
		<b>Procurement (if applicable)</b>	N/A	
		<b>Corporate property (decisions involving Council owned land or facilities) (if applicable)</b>	N/A	
		<b>Human Resources (if applicable)</b>	N/A	
<b>Appendices</b>				
<b>I7</b>	<b>Ref.</b>			
	A	Briefing Report		
	B	Service Level Agreement		
	C	Equalities Impact Assessment		
<b>Confidential/exempt information</b>				
<b>I8a</b>	<b>Do you need to include any confidential/exempt information?</b> Please type an X into the relevant box	<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 1 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>	X	
		<b>Exemption Paragraph Number</b>		

		1	2	3	4	5	6	7
<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>							
Title of background paper(s)		Exemption Paragraph Number						
		1	2	3	4	5	6	7
<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 (2010) and those who do not. For further details please see the EIA attached.</p>							
<b>Signature</b>			<b>Date of decision</b>	30 May 2024				
<b>Print Name</b>	Councillor Tudor Evans OBE (Leader of the Council)							

**BORDER CONTROL POST – LONDON PHA**

Delegation of Port Health Authority Service to City of London  
PUBLIC PROTECTION SERVICE, ODPH

**1.0 BACKGROUND**

- 1.1 The Border Target Operating Model sets out the Government's new approach to Safety and Security controls (applying to all imports), and Sanitary and Phytosanitary controls (applying to imports of live animals, germinal products, animal products, plants and plant products) at the border. All such imports must come through a designated Border Control Post (BCP).
- 1.2 Plymouth Port Health Authority (part of ODPH) has a designated BCP at Millbay, however there were concerns about operating a resilient service on a full cost recovery basis due to the current low throughput of food freight.
- 1.3 Plymouth Port Health Authority entered into negotiations with London Port Health Authority – City of London to seek a service level agreement (SLA) for London PHA to undertake a regulatory Port Health Authority Service on behalf of Plymouth City Council.
- 1.4 The SLA with The Mayor and Commonalty and Citizens of the City of London as the London Port Health Authority is in Appendix B.

**2.0 DELEGATION**

- 2.1 In order for London Port Health Authority to undertake the required functions at the Border Control Post, it is necessary to formally delegate the Port Health Authority functions to The Mayor and Commonalty and Citizens of the City of London as the London Port Health Authority under Section 13 and 19 of the Local Government Act 2000 and the Local Authorities (Arrangements for the Discharge of Functions) (England) Regulations 2000.
- 2.2 This needs to be done by making an amendment to the Leaders Scheme of Delegation.
- 2.3 The proposed wording of the amendment is in Appendix A.
- 2.4 The delegation will remain in place for the duration of the SLA, proposed to be three years.

**3.0 FINANCIAL IMPLICATIONS AND RISK**

- 3.1 Under this arrangement there will be no costs to either Plymouth or London PHA – there will be a small income from London PHA to cover the local Plymouth PHA work. Plymouth PHA consider this as the best option for Plymouth in the short term, ensuring resilience, competence and good customer service at Plymouth Port in highly unpredictable circumstances.
- 3.2 Most of the food freight currently entering Plymouth will fall into the low and medium risk categories. It is likely that the most frequent freight carriers will benefit from the Trusted Trader scheme (currently in pilot), therefore there will be little demand for officers onsite. However, Plymouth offers a good route to Wales and the west side of England and may be a useful alternative to avoid delays at the short straits. Once the BCP is operational, Plymouth PHA believes that freight traffic will increase, especially if Plymouth offers a smooth, value for money service.

#### **4.0 TIMESCALES**

4.1 This arrangement will commence once confirmed by the Leader's Decision and will last for the duration of the SLA, currently proposed to be three years.

### **APPENDIX A**

#### **WORDING FOR AMENDMENT TO LEADERS SCHEME OF DELEGATION**

##### **Delegation to The Mayor and Commonalty and Citizens of the City of London as the London Port Health Authority – City of London for Port Health Service**

Plymouth City Council has entered into an agreement with **The Mayor and Commonalty and Citizens of the City of London (“London PHA”)** for a regulatory Port Health Authority Service to be delivered by London PHA at Millbay Docks on behalf of the Council to enforce the biosecurity requirements set out in Article 2(1) of the assimilated Official Controls Regulation OCR 2017/625 and other related legislation.

To facilitate this the Leader has delegated to **London PHA** the executive functions and powers calculated to facilitate, incidental to or conducive to the discharge of the functions outlined in the service level agreement on behalf of Plymouth City Council.



Date

May 2024

# **Service Level Agreement**

between

Plymouth City Council

and

The Mayor and Commonalty and Citizens of the City of  
London

For the provision of a Port Health Authority Service

**THIS AGREEMENT** dated **May 2024** is made between

- (1) **Plymouth City Council (“Plymouth City Council or PCC”)** of Ballard House, West Hoe Road, Plymouth, PL1 3BJ and
- (2) **The Mayor and Commonalty and Citizens of the City of London**, of Guildhall, PO Box 270, London EC2P 2EJ (**“London Port Health Authority – City of London or London PHA”**).

## **Background**

- a. This Agreement between **Plymouth City Council** and **London PHA** sets out the arrangements agreed between PCC and London PHA for a regulatory Port Health Authority Service to be delivered by London PHA at the Port on behalf of PCC to enforce the biosecurity requirements set out in Article 2(1) of the assimilated Official Controls Regulation OCR 2017/625 and other related legislation.
- b. The Secretary of State for Defra must ratify that individual veterinary surgeons are suitably trained to be Official Veterinary Surgeons for any BCP designated to import POAO. The Local Authority for an area with a BCP designated to import products must appoint suitably trained veterinary surgeons to be Official Veterinary Surgeons for the consignments designated at that BCP. If the BCP is only approved for animal by-products, either the Secretary of State or the Local Authority can appoint a veterinarian or inspector. If the BCP is approved for fishery products or composite products that only contain processed fishery products, and only those for human consumption, the Local Authority can appoint an Environmental Health officer (or suitably trained individual) to act as an Official Fish Inspector.
- c. For biosecurity border controls, the Official Inspector is any person or organisation with the authority to perform checks or make decisions at the BCP. Generally, this will be either the Official Veterinary Surgeon or the Official Fish Inspector. The Official Veterinary Surgeon is responsible for ensuring the effectiveness of official controls at the BCP.

## **1 Definitions and Interpretation**

1.1 In this Agreement unless the context otherwise requires the following terms shall have the following meanings:

### **APHA**

Animal and Plant Health Agency

### **Authorised Officer**

The person who is authorised by a Central Authority, a Local Authority or the FSA, either generally or specially, to act in matters arising under TARP Regulations whether or not they are an Officer of that Central Authority or Local Authority or of the FSA.

### **BCP**

A border control post approved under the OCR being a place, and the facilities belonging to it, designated by the appropriate Authority for the performance of the official controls provided for in Article 47(1) OCR.

**CHED**

Common Health Entry Documents as more particularly described in the TARP Regulations

**Designation**

Designation is the process required to formally confirm that facilities at a GB import point of entry comply with the OCR legal requirements for a facility to be designated. Designation allows a BCP to carry out biosecurity controls and checks on the specific import commodities for which it has been designated.

**FSA**

Food Standards Agency

**IPAFFS**

The Import of Products, Animals, Food and Feed System being a web-based service that facilitates the application for, and issuing of, CHEDs for imports into GB of live animals, their products and germplasm.

**IUU**

Sea Fishing (Illegal, Unreported and Unregulated Fishing) Order 2009.

**OCR**

Regulation (EU) 2017/625 of the European Parliament and of the Council known as the Official Control Regulation 2017/625.

**Official Controls**

Activities performed in accordance with Article 2(1) of the OCR and its delegated and implementing Acts.

**Official Fish Inspector (“OFI”)**

An environmental health officer appointed as a fish inspector by the Local Authority pursuant to Regulation 12(4) of the TARP Regulations.

**Official Inspector**

The Official Veterinarian or Official Fish Inspector at a BCP provided in this Agreement by London PHA. Any person or organisation with the authority to perform checks or make decisions at the BCP.

**Official Veterinary Surgeon (“OV”)**

A veterinary surgeon appointed by an appropriate authority as required by Regulation 12 of the TARP Regulations which authority for the purposes of this agreement shall be London PHA.

**Operator**

Any natural or legal person subject to one or more of the obligations provided for in the rules referred to in Article 1(2) of the OCR being the commercial or public sector body that operates a formally designated BCP.

**Organic Imports**

Organic products subject to import checks to ensure that they comply with GB rules.

**Plymouth BCP**

Plymouth Border Control Post at the Port

**Port**

ABP Plymouth BCP Building, Millbay Docks Plymouth, PL1 3EF.

**POAO**

Products of Animal Origin.

**Recharge Appendix**

The Appendix to this Agreement setting out the basis on which recharges for assistance provided by PCC staff to London PHA will be paid.

**Records and Documents**

The records and documents to be retained at the BCP as set out in Schedule 1 to this Agreement.

**Service**

Port Health Authority Service.

**TARP Regulations**

The Trade in Animals and Related Products Regulations 2011.

1.2 Reference to any statute or statutory provision includes a reference to that statute or statutory provision as from time to time amended extended or re-enacted.

1.3 Words importing the singular include the plural words importing any gender include every gender, words importing persons include bodies corporate and unincorporated; and (in each case) vice versa.

1.4 Reference to clauses and schedules are references to clauses and schedules of the Agreement and any reference to a sub provision is unless otherwise stated a reference to a sub provision of the provision in which the reference appears.

1.5 References to European Union (EU) legislation within this document are references to direct EU Legislation which has been assimilated in Great Britain (assimilated direct legislation), as defined in the Retained EU Law (Revocation and Reform) Act 2023.

1.6 The clause and paragraph headings and titles appearing in the Agreement are for reference only and shall not affect its construction or interpretation.

**2. The Service**

In consideration of London PHA undertaking the Service on behalf of PCC and recovering charges for such Service from importers which would otherwise be due to PCC the parties agree as follows:

## **Provision of the Service**

2.1 London PHA agree to undertake the Service at the Port to ensure the relevant legislation is complied with and will carry out all required legal measures in the event of non-compliance.

2.2 Where PCC provides staff to assist the London PHA OV's OFIs in performing the Service, as more particularly set out in clauses 2.3, 2.6, 2.7, 2.9, 2.14, 2.15, 2.16.3, 2.16.5, 2.16.6, 2.17.2, 2.18, 2.26 and 2.27 the costs to PCC in providing that assistance shall be paid to PCC by London PHA in accordance with the provisions of the Recharges Appendix.

### **2.3 Appointing Official Veterinarians and Official Fish Inspectors**

2.3.1 London PHA will provide sufficient OV's and OFIs to undertake the Service.

2.3.2 PCC shall grant authority to the OV's and OFI to act on its behalf.

2.3.3 PCC will provide competent staff to assist the OV or OFI with checks under supervision by an OV or OFI in line with the RCVS Code of Professional Conduct.

### **2.4 Checks on goods and fishery products**

The OV will ensure that goods presented to the BCP are checked as set out in Commission Implementing Regulation 2019/2130. The OFI will ensure that fishery products presented to the BCP are checked as required in Commission Implementing Regulation 2019/2130.

### **2.5 Ensure equipment and facilities are available**

Until 31 July 2024 PCC will ensure that the necessary equipment and facilities are available at the BCP to enable the OV and OFI to undertake all checks required under the OCR and the Implementing Regulations 2019/1014 to be carried out effectively. Thereafter all equipment and facilities to enable the required checks to be undertaken for the Service at Plymouth BCP must be funded by **London PHA** via cost recovery from charges made.

### **2.6 Collecting samples for the National Monitoring Plan**

**PCC** will provide competent staff to assist with collecting samples under the supervision of the Official Inspector to ensure that sufficient appropriate samples (including samples for microbiological examination, such as detection of Salmonella) are collected and submitted for laboratory examination under the National Monitoring Plan, including where reinforced checks are in place. Samples will be submitted by PCC to a designated laboratory.

### **2.7 Attend all checks**

The OV and OFI must be present at the BCP when all veterinary checks are in progress. **PCC** will provide competent staff to assist with checks under the supervision of the Official Inspector.

**2.8 Issue the Common Health Entry Document (CHED)**

The OV and OFI will issue CHEDs for all consignments, and notifications of rejections (including rights of appeal) when consignments fail veterinary checks.

**2.9 Ensure rejected consignments are compliantly handled and disposed of**

The OV and OFI must ensure that rejected consignments are handled and disposed of in accordance with the relevant animal by-product enforcement regulations. **PCC** will provide competent staff to assist with ensuring rejected consignments are compliantly handled and disposed of.

**2.10 Ensure staff are properly managed and trained**

The OV and OFI shall ensure that staff working in the BCP are properly managed and trained. All staff involved with vet checks must be appropriately qualified and have the necessary skills and expertise for their roles. **PCC** will ensure that their staff undertake training as directed by **London PHA** in order to assist the OV with checks.

**2.11 Ensure all required Records and Documents are available**

The OV and OFI will ensure that all documents and records required to be retained are held at the BCP. **London PHA** will provide the required documentation and procedures. **PCC** will ensure that the Records and Documents are stored appropriately at the BCP and are available and that the required Records and Documents are site-specific to the BCP.

**2.12 Update the IPAFFS database**

**PCC** will ensure that **London PHA** has access to the **PCC** IPAFFS site to enable the OV and OFI to monitor IPAFFS for pre-notifications and messages about consignments scheduled to be handled at the BCP. The OV is responsible for ensuring CHEDs are fully completed on IPAFFS as required.

**2.13 Attend and lead external audits**

The OV and OFI supported by PCC must be present at and lead all external audits of the BCP. Organisations that can carry out BCP audits include APHA and the FSA.

**2.14 Ensure the BCP is managed in a hygienic manner**

PCC will provide assurance to the OV and OFI that the BCP is maintained and managed in a hygienic manner, in compliance with the retained EU Hygiene Regulations for the commodities concerned, and that the conduct of required controls at the BCP does not pose a biosecurity risk to the consignments being handled.

**2.15 Liaise with Customs officials**

PCC will assist the OV / OFI where required to liaise with Customs Officials at the BCP to:

- 2.15.1 ensure that adequate measures are in place to identify smuggled products of animal origin;
- 2.15.2 prevent unchecked products of animal origin leaving the Port; and
- 2.15.3 advise of any increased risks identified from rejected consignments.

2.16 Save as set out otherwise in this Agreement **London PHA** will be responsible for enforcing regulatory controls. **London PHA** roles and duties will include:

2.16.1 Providing sufficient OVs and OFIs and other non-veterinary staff resources to permit the checks required under OCR, IUU and for Organic Imports to be carried out effectively.

2.16.2 Collecting the charges as laid down in Annex IV of the OCR and passing the same on to **PCC** where agreed for Plymouth based checks and services

2.16.3 Liaising with APHA Centre for International Trade for POAO issues, if support or advice is needed where a problem has been detected with a consignment or with the BCP facilities with assistance from **PCC** where required to liaise with Customs Officials at the BCP.

2.16.4 Avoiding conflicts of interest by **London PHA** ensuring that procedures are in operation to check that BCP staff (including OVs, OFIs, technical officers and clerical staff) do not have any conflicts of interest, in line with Article 5 of the OCR.

2.16.5 Verifying that the checks carried out by OVs and OFIs meet the requirements of OCR legislation, in particular the elements covered by Chapter 5 of the OCR, as amended by The Official Controls (Animals, Feed and Food, Plant Health etc.) (Amendment) (EU Exit) Regulations 2020. **PCC** will provide competent staff to assist the OV or OFI with these checks.

2.16.6 Carrying out verification checks as required by Article 5 1(a) of the OCR. **PCC** will provide competent staff to assist the OV or OFI with these checks.

2.17 Under this Agreement, **PCC** role and duties will include:

2.17.1 Providing the equipment necessary at the Plymouth BCP to enable all checks required under the OCR and the Implementing Regulations 2019/1014 to be carried out effectively. This will be covered by Defra funding to **PCC** until 31 July 2024, after which time the service must be funded by **London PHA** via cost recovery from charges made.

2.17.2 Cleaning and hygiene at the BCP ensuring that the BCP is maintained and managed in a hygienic manner, consistent with OCR requirements and with the retained EU Hygiene Regulations for the consignments being handled.

2.17.3 Performing regulatory enforcement responsibilities on international catering waste: where port-side deficiencies on handling international catering waste are identified by APHA or equivalent relevant Agency.

## 2.18 Procedures for Veterinary Checks

**London PHA** will provide procedures for veterinary checks at Plymouth BCP. **PCC** will assist the OV / OFI where required to undertake veterinary checks at the BCP.

## 2.19 Procedures for Veterinary Checks - access to information at the BCP

BCP staff must ensure that the following up-to-date information is available (or accessible online) at the BCP, until the information is confirmed as uploaded and available on the IPAFFS. **PCC** will ensure access to this information is available at the Plymouth BCP.

Access to current lists of:

- countries (European Union (EU) and Rest of World (RoW)), or parts of countries, authorised to dispatch products to Great Britain (GB)
- establishments in countries (EU and RoW) authorised to dispatch products to GB
- national authorised establishments for non-harmonised products
- approved GB BCPs and their contact details
- approved EU BCPs
- United Kingdom establishments that can receive monitored products:
  - animal by-product (ABP) premises approved or registered by Defra
  - food for human consumption approved by Local Authorities, FSA or FSS
- UK approved free zones

Copies of or access to the latest versions of:

- legislation containing copies of the model health certificates
- all documents which must accompany products dispatched to GB
- any safeguard decisions that prohibit or restrict imports to GB
- relevant UK legislation for products and procedures covered by veterinary checks

Other relevant documents, including OVS notes and Import information notes, are provided by:

- the FSA for fishery and aquaculture products
- APHA Centre for International Trade for all other animal products

## 2.20 Procedures for Veterinary Checks - notification of arrival and presentation requirements



The person responsible for the consignment (e.g. importer or agent) must notify the Plymouth BCP, in advance of the consignment's arrival. **London PHA** and **PCC** will ensure that notifications for Plymouth BCP are appropriately directed to **London PHA**.

#### 2.21 **Pre-notifying and arriving at the BCP**

Should pre-notification of an import not be done at least one working day before the consignment is due to arrive provided that notification of the time of arrival is made at least 4 hours in advance **London PHA** will take a decision on whether the evidence of logistical constraints are enough to justify a late notification. **PCC** will assist with any site-specific information that may be relevant to the decision.

2.22 If the **London PHA** Official Inspector is not satisfied with the reason for giving a late notification in clause 2.21, appropriate action will be taken by **London PHA** as consignments arriving without pre-notification are classed as illegal.

#### 2.23 **Procedures for Veterinary Checks - manifest checks**

**PCC** will ensure that **London PHA** has access to the relevant manifests and software for the Plymouth BCP in order that the Official Inspector can, if they so wish, check on manifests whenever they need to identify anything that might require veterinary checks and be aware of any Border Force operations to detect undeclared products. This will be funded by Defra funding to **PCC** until 31 July 2024, after which time the service must be funded by **London PHA** via cost recovery of charges made.

#### 2.24 **Processes at the BCP**

**PCC** will ensure that the required processes are site-specific to the Plymouth BCP to identify any consignment moving through the Port that may contain products of animal origin or to stop suspicious consignments and supporting Border Force in taking necessary measures. This is so that the Official Inspector has free access to necessary information for all consignments carried on the specific means of transport. These processes should cover both consignments intended for import and those for transit, transshipment, or warehousing.

#### 2.25 **Procedures for Veterinary Checks - documentary checks**

**London PHA** will undertake documentary checks. A documentary check is defined in the OCR as "examination of the official certificates, official attestations and other documents including documents of a commercial nature, which are required to accompany the consignment". The documentary check will confirm that documents conform to the detail of the conditions for import. All consignments must undergo a documentary check. Documentary checks must confirm:

- the final destination of the goods
- that the goods have been appropriately certified
- that the goods are in accordance with the intended use

Every consignment intended for import must have a documentary check to ensure that the notification and the Health Certificate agree.

## 2.26 Procedures for Veterinary Checks - identity checks

**London PHA** will identify goods requiring identity checks which will be performed in line with the specific risk-based requirements for all types of commodities and countries of origin, which are set out in legislation. These identity checks involve checking that the stamps, official marks, official labelling and health or identification marks on the product or its packaging match with those recorded in the IPAFFS documents for the consignment. Official Inspectors must choose the packages or containers on which to conduct identity checks. **PCC** will provide competent staff to assist with checks under the supervision of the Official Inspector.

## 2.27 Procedures for Veterinary Checks - physical checks

**London PHA** will identify goods requiring physical checks and ensure the checks are undertaken. A physical check is defined (in Article 3 of the OCR) as: “a check on animals or goods and, as appropriate, checks on packaging, the means of transport, labelling and temperature, the sampling for analysis, testing or diagnosis and any other check necessary to verify compliance with the rules referred to in Article 1(2)”. **PCC** will provide competent staff to assist with physical checks under the supervision of the Official Inspector.

## 3. Duration

3.1 This Agreement is valid until 30 April 2027. Throughout the term of this Agreement, **London PHA** and **PCC** will monitor the Service in accordance with Schedule 2. On the basis of an annual review, **London PHA** and **PCC** will use this information and any further information submitted to decide whether it wishes to continue the Agreement. If **London PHA** or **PCC** considers that the Service fails in a material or substantial way it will terminate this Agreement in accordance with the provisions of clause 9 of this Agreement.

3.2 Three months prior to the end of this Agreement, **London PHA** and **PCC** will discuss and confirm in writing whether or not they wish to renew the Agreement at the end of the current term.

3.3 If either party states in writing that it does not want to continue this Agreement beyond the current term, this Agreement shall lapse at the end of the current term.

## 4. Operation

4.1 Associated British Ports at **Plymouth BCP** will operate 24 hours for arrival at the Port. The Service will operate the following opening hours:

Monday to Friday: **9:00 – 17:00**  
Saturday and Sunday: Closed

4.2 **London PHA** will operate the following opening hours:

Monday to Friday: **7:00 – 17:00**

Saturday: **08:00 – 14:00**

4.2 The key points of contact for **London PHA** will be:

- [porthealth@cityoflondon.gov.uk](mailto:porthealth@cityoflondon.gov.uk)
- 020 7332 1101
- [London Port Health Authority - City of London](#)
- [Timothy.Bage@cityoflondon.gov.uk](mailto:Timothy.Bage@cityoflondon.gov.uk)
- [Matthew.Purkiss@cityoflondon.gov.uk](mailto:Matthew.Purkiss@cityoflondon.gov.uk)

4.3 The key points of contact for **Plymouth City Council** will be:

- [Port.Health@plymouth.gov.uk](mailto:Port.Health@plymouth.gov.uk)
- 01752 398501
- [Port health | PLYMOUTH.GOV.UK](#)
- [Katharine.O'Connor@plymouth.gov.uk](mailto:Katharine.O'Connor@plymouth.gov.uk)
- [Caroline.Scott@plymouth.gov.uk](mailto:Caroline.Scott@plymouth.gov.uk)

4.4 Outside of opening hours the key points of contact for **London PHA** will be:

- [porthealth@cityoflondon.gov.uk](mailto:porthealth@cityoflondon.gov.uk)
- 020 7332 1101
- [London Port Health Authority - City of London](#)

4.5 Outside of opening hours the key points of contact for **Plymouth City Council** will be:

- [Port.Health@plymouth.gov.uk](mailto:Port.Health@plymouth.gov.uk)
- 01752 668000
- [Port health | PLYMOUTH.GOV.UK](#)

4.6 On all appropriate webpages, documentation or publicity there shall be an acknowledgement that the Service is being provided by **PCC** in partnership with **London PHA**.

## 5. Funding

5.1 In accordance with the HMG UK Border Target Operating Model, the Service will be funded by cost recovery from charges made on importers wishing to use the Plymouth BCP. **London PHA** will recover all costs from importers and transfer any sums owed to **PCC** for support services as described in this Agreement on the basis set out in the Recharges Appendix.

## 6 Security

6.1 All BCP staff visiting the Plymouth BCP will follow Associated British Ports and Border Force security procedures. **PCC** will ensure that **London PHA** staff are fully briefed on site-specific arrangements for security and access.

## 7 ICT services and equipment

- 7.1 **PCC** will ensure that **London PHA** staff have access to the required documents, records and information while onsite. Access to PCC accounts on IPAFFS, TRACES, and CNS or similar will be provided to the designated and appointed OV's / OFIs.

## **8. Monitoring and Review**

- 8.1 This Agreement can only be reviewed by **PCC** and **London PHA**, by mutual consent. The areas that will form the basis of the monitoring and review appear in Schedule 2.
- 8.2 An Annual Report will be prepared by **PCC** and **London PHA** as set out in Schedule 2.

## **9. Termination**

- 9.1 If at any time either party wishes to terminate the Agreement, it may do so by giving to the other party three months' prior written notice to be sent to the other party's last known address.
- 9.2 The Agreement will also terminate at the end of the current term if it has not been renewed.
- 9.3 Any attempt to terminate the Agreement in any way which does not comply shall not be valid.

## **10 Insurance / Indemnity**

- 10.1 Both parties will ensure that valid policies of insurance are in place with a reputable insurance company for professional liability risks in respect of any claim arising from use of the Service.

## **11 Confidentiality**

- 11.1 Neither of the parties nor their agents, staff or representatives shall during this Agreement and after it has been terminated use or disclose to any person who has no right to receive it, any Confidential Information which comes to the knowledge of the other party as a result of being involved in the making and implementation of this Agreement. If one party is unsure as to whether or not a particular piece of information is confidential it shall check in writing its status with the other party before disclosing it to a third party.
- 11.2 Each party shall take all reasonable steps to prevent the use or disclosure by their representatives, officers or employees of the confidential information.
- 11.3 Both parties shall comply with all applicable requirements of the Data Protection Legislation. For the avoidance of doubt, Data Protection Legislation means all applicable data protection and privacy legislation in force from time to time in the UK including the UK GDPR; the Data Protection Act 2018 (and regulations made thereunder) and the Privacy and Electronic Communications Regulations 2003 (S/

2003/2426) as amended and the guidance and codes of practice issued by the Information Commissioner or other relevant regulatory authority and applicable to a party.

**12. General Clauses**

- 12.1 No amendment to this Agreement shall be valid unless it is agreed by both parties and evidenced in writing.
- 12.2 The invalidity, illegality or unenforceability of any term or condition shall not affect the validity, legality or enforceability of any other term or condition used in this Agreement.
- 12.3 This Agreement shall not create any rights for the benefit of or enforceable by any person who is not a party hereto. The provisions of the Contracts (Rights of Third Parties) Act 1999 are expressly excluded.
- 12.4 This Agreement shall be construed in accordance with English law and the parties hereby submit to the exclusive jurisdiction of the English Courts.

**IN WITNESS** whereof the parties have signed this Agreement the day and year first before written

SIGNED: \_\_\_\_\_  
For an on behalf of **Plymouth City Council**

NAME \_\_\_\_\_  
(Please print)

SIGNED: \_\_\_\_\_  
For and on behalf of **The Mayor and Commonalty and Citizens of the City of London**

NAME \_\_\_\_\_  
(Please print)

## SCHEDULE 1

### Records and Documents

Examples of required records and documents include:

#### General

- Records of internal verification checks on procedures / training, to include any remedial action required and outcomes.
- Training records - including evidence of internal and cascade training.
- Declarations of conflicts of interest.
- Records / evidence of meetings / contact with other government bodies, particularly engagement with Border Force.
- Contingency plans - e.g. a manual / alternative clearance procedure.
- Distribution of information to all officers (e.g. OVS notes).
- Contact details of key operational partners and stakeholders.

#### Structure and operation

- Protocol for movement of consignments from quayside to BCP, including use of computerised or manual freight systems, application of “holds” on system, request for consignment to be presented at the BCP, and controls on consignments which exit, and re-enter customs approved areas.
- Cleaning and disinfection protocols and timetables, with supporting docs to demonstrate correct implementation.
- Maintenance plan - with a Standard Operating Procedure (SOP), and evidence of monitoring by PHA.
- A SOP describing how movements of personnel and products are carried out to minimise the risk of cross contamination (per OCR Regulation 2019/1014 Art 3.9) for BCPs designated for multiple product types (e.g. POAO, HC & NHC, FNAO, allergens). SOPs must cover all areas of the inspection facilities and be reflected in the cleaning protocol above.
- Pest control records, including evidence of action taken on recommendations.
- Contingency plan for additional storage in unusual or unexpected circumstances.
- Site-specific Memorandum of Understanding if BCP facilities are used by other competent authorities.
- Copies of plans held at BCP, to include:
  - Location of BCP within the curtilage of the port
  - Customs approved area
  - Detailed design of BCP/IC as designated.
  - If there are separate Inspection Centres at the BCP, a list of consignments inspected in each one.
- Evidence of any non-compliance or enforcement action taken by the PHA against the BCP operator or their contractors.
- Records of internal verification checks on BCP facilities, to include any remedial action required, with target dates and outcomes recorded.

### **Veterinary checks records**

- Manifest checks.
- Requests for further details on consignments with incomplete or incorrect descriptions of, e.g., groupage or consolidation.
- Documentary checks.
- ID checks.
- Physical checks.
- Actions taken on rejected consignments – re-export, destruction or transformation.
- Procedure for random selection of consignments for identity checks, including a system for selecting consignments for full turn-out.
- Procedure for random selection of consignments for physical checks.
- Goods subject to monitoring procedures (previously called channelling) (OCR Regulation 2019/1666).
- Transits and Transhipments (OCR Regulation 2019/2124).
- Sampling plan - in line with the National Monitoring Plan. • Sampling procedure - to include storage & despatch.
- Intensified Official Controls.
- SOP for illegal imports – instructions for referral to Border Force. •
- Follow-up register, to cover:
  - Transits
  - Transhipments
  - Monitored goods
  - Rejected consignments.

**Schedule 2**

**Performance Monitoring and Review**

1. The monitoring and review process will be a joint activity between **PCC** and **London PHA** with the aim of ensuring:
  - the best service possible to customers
  - the most effective use possible of the resources available
  - that issues relating to the provision of and the delivery of the Service. – and, where appropriate, the condition and use of the building where the Service is undertaken – are resolved.

2. **PCC** and **London PHA** wish to ensure that the arrangements set out in this Agreement work smoothly, and that improvements to the service to customers can be made wherever possible. A key element of the review process, therefore, will be to monitor the efficient working of these processes to identify problems and improvements and to act on this wherever possible.

3. **Annual Report:**

The Annual Report will consist of

- a. A brief annual report to cover:
  - major events during the year
  - new initiatives introduced
  - plans for the next 12 months
- b. Review of Key Performance Indicators over the last financial year (April–March)
- c. A record of costs recovered from the operation
- d. Any other issues



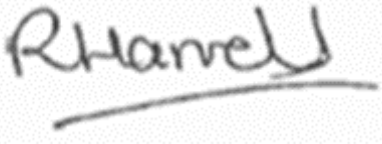
**Appendix 1**

Recharges

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# EQUALITY IMPACT ASSESSMENT – BORDER CONTROL POST AT MILLBAY

## SECTION ONE: INFORMATION ABOUT THE PROPOSAL

<b>Author(s):</b> This is the person completing the EIA template.	KATHARINE O'CONNOR	<b>Department and service:</b>	PUBLIC PROTECTION SERVICE, ODPH	<b>Date of assessment:</b>	23 FEBRUARY 2024
<b>Lead Officer:</b> Please note that a Head of Service, Service Director, or Strategic Director must approve the EIA.	RUTH HARRELL	<b>Signature:</b>		<b>Approval date:</b>	13 MARCH 2024
<b>Overview:</b>	The Border Target Operating Model sets out the Government's new approach to Safety and Security controls (applying to all imports), and Sanitary and Phytosanitary controls (applying to imports of live animals, germinal products, animal products, plants and plant products) at the border. All such imports must come through a designated Border Control Post (BCP). Plymouth Port Health Authority (part of ODPH) is in the final stages of gaining designated BCP status at Millbay, however there are concerns about operating a resilient service on a full cost recovery basis due to the current low throughput of food freight.				
<b>Decision required:</b>	1. To amend the Leader's Scheme of Delegation to delegate to The Mayor and Commonalty and Citizens of the City of London the ability to undertake a regulatory Port Health Authority Service on behalf of Plymouth City Council to enforce the biosecurity requirements set out in Article 2(1) of the Official Controls Regulation OCR 2017/625 and other related legislation, effective from 13 May 2024 and remaining in place for the duration of the service legal agreement between the authorities.				

## SECTION TWO: EQUALITY IMPACT ASSESSMENT 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>	<input type="checkbox"/>	<b>No</b>	<b>X</b>
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<p><b>Potential internal impacts:</b> Does the proposal have the potential to negatively impact Plymouth City Council employees?</p>	<p><b>Yes</b></p>		<p><b>No</b></p>	<p><b>X</b></p>
<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>	<p><b>Yes</b></p>		<p><b>No</b></p>	<p><b>X</b></p>
<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 proposal is a no cost resilient option for Plymouth CC, mainly affecting international trade. This proposal is not expected to impact negatively on any individual with protected characteristics</p>			

**SECTION THREE: FULL EQUALITY IMPACT ASSESSMENT**

<p><b>Protected characteristics (Equality Act, 2010)</b></p>	<p><b>Evidence and information (e.g. data and consultation feedback)</b></p>	<p><b>Adverse impact</b></p>	<p><b>Mitigation activities</b></p>	<p><b>Timescale and responsible department</b></p>
<p><b>Age</b></p>	<p>Plymouth</p> <ul style="list-style-type: none"> <li>• 16.4 per cent of people in Plymouth are children aged under 15.</li> <li>• 65.1 per cent are adults aged 15 to 64.</li> <li>• 18.5 percent are adults aged 65 and over.</li> <li>• 2.4 percent of the resident population are 85 and over.</li> </ul> <p>South West</p> <ul style="list-style-type: none"> <li>• 15.9 per cent of people are aged 0 to 14, 61.8 per cent are aged 15 to 64.</li> </ul>			

	<ul style="list-style-type: none"> <li>• 22.3 per cent are aged 65 and over.</li> </ul> <p>England</p> <ul style="list-style-type: none"> <li>• 17.4 per cent of people are aged 0 to 14.</li> <li>• 64.2 per cent of people are aged 15 to 64.</li> <li>• 18.4 per cent of people are aged 65 and over.</li> </ul> <p>(2021 Census)</p>			
<p><b>Care experienced individuals</b> (Note that as per the Independent Review of Children’s Social Care recommendations, Plymouth City Council is treating care experience as though it is a protected characteristic).</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>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>			

<b>Disability</b>	<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>			
<b>Gender reassignment</b>	<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>			
<b>Marriage and civil partnership</b>	<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>			
<b>Pregnancy and maternity</b>	<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><b>Race</b></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)</p> <p>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)</p> <p>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><b>Religion or belief</b></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).</p> <p>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><b>Sex</b></p>	<p>51 per cent of our population are women and 49 per cent are men (2021 Census).</p>			
<p><b>Sexual orientation</b></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 orientation as gay or lesbian. 0.42 per cent of residents describe their sexual orientation using a different term (2021 Census).</p>			

**SECTION FOUR: HUMAN RIGHTS IMPLICATIONS**

<b>Human Rights</b>	<b>Implications</b>	<b>Mitigation Actions</b>	<b>Timescale and responsible department</b>
	No impact		

**SECTION FIVE: OUR EQUALITY OBJECTIVES**

<b>Equality objectives</b>	<b>Implications</b>	<b>Mitigation Actions</b>	<b>Timescale and responsible department</b>
<b>Celebrate diversity and ensure that Plymouth is a welcoming city.</b>	No impact		
<b>Pay equality for women, and staff with disabilities in our workforce.</b>	No impact		
<b>Supporting our workforce through the implementation of Our People Strategy 2020 – 2024</b>	No impact		
<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>	No impact		
<b>Plymouth is a city where people from different backgrounds get along well.</b>	No impact		



# EXECUTIVE DECISION

made by a Cabinet Member




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

Executive Decision Reference Number – L03 24/25

Decision	
1	<b>Title of decision:</b> Plymouth and South Devon Freeport: Langage Core Infrastructure
2	<b>Decision maker:</b> Councillor Tudor Evans OBE, Leader of The Council
3	<b>Report author and contact details:</b> Catherine Parnall, <a href="mailto:Catherine.parnall@plymouth.gov.uk">Catherine.parnall@plymouth.gov.uk</a>
4	<p><b>Decision to be taken:</b></p> <ul style="list-style-type: none"> <li>To allocate <b>£925,000</b> of Freeport Seed Capital Funding into the Capital Programme for the delivery of an 11kv underground cable to bring power to Plots 2 &amp; 3 of the Langage Tax site. These are currently the two prime developable plots at this time.</li> <li>To authorise the Section 151 Officer to approve relevant funding claims up to the total Seed Capital amount of <b>£925,000</b> as listed above.</li> </ul>
5	<p><b>Reasons for decision:</b></p> <ol style="list-style-type: none"> <li>Plymouth City Council is the Accountable Body which will receive and allocate the seed capital to support the delivery of the Freeport Annual Plan.</li> <li>The Accountable Body is responsible for the effective programme management of the Seed capital programme pipeline; which includes the technical appraisal of individual business cases for Seed Capital projects,</li> <li>The decision is necessary in order to meet timeframes set by Department for Levelling Up, Housing &amp; Communities (DLUHC) in order to deliver the proposed activities and spend the funds accordingly and in time.</li> </ol> <p>- Deliver an 11kv underground cable to bring power to Plots 2 and 3. This will include preparation works with trenching, laying, and connecting of cables. The installation of the necessary switchgear and control systems will also be delivered in preparation for energisation along with the package substations to deliver power to the nodes on the ring. The final element of the proposal is the installation of a battery, this unlocks the potential of nearby solar generation.</p>
6	<p><b>Alternative options considered and rejected:</b></p> <p>1.) Do nothing</p> <p>This would severely impact on the ability to spend the allocated amount for this financial year but also to submit the required planning permission to ensure the project remains on track.</p>
7	<p><b>Financial implications and risks:</b> The funding is received from Government for the purpose of delivering the Seed Capital Freeport funding and is underpinned by a Memorandum of Understanding and further funding agreements that binds Plymouth City Council and Partners within the Freeport delivery governance into an agreement with the Department for Levelling Up, Housing &amp; Communities (DLUHC) and further funding agreements between the Accountable Body and projects outlining that the</p>

	funds are shouldered by the applicant as such is contractually obliged to deliver and spend according to the Fund parameters and requirements. Projects are subject to Accountable Body processes involving but not limited to procurement regulations, monitoring and governance, as such, failure to follow requirements from either the Accountable Body or DLUHC runs the risk of remedial action. We will maintain robust programme management protocols through regular monitoring and review to ensure that the projects are delivered within the grant terms and conditions. Remedial action will be taken where necessary.			
8	<b>Is the decision a Key Decision?</b> (please contact <a href="#">Democratic Support</a> for further advice)  Please type an X into the relevant boxes	<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> annually
			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>			
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>	This decision can be linked to the Plymouth Plan Growing City and International City as well as other frameworks including the Climate Emergency Action Plan. This decision would be directly linked to the capital budget and will be managed and monitored in accordance with Plymouth City Council processes.		
10	<b>Please specify any direct environmental implications of the decision (carbon impact)</b>	These works will contribute towards a larger solution, including a network to LEPL's already established 5MW solar park.		
<b>Urgent decisions</b>				
11	<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>
12a	<b>Reason for urgency:</b>			
12b	<b>Scrutiny Chair Signature:</b>		<b>Date</b>	

	<b>Scrutiny Committee name:</b>			
	<b>Print Name:</b>			
<b>Consultation</b>				
I3a	<b>Are any other Cabinet members' portfolios affected by the decision?</b>	<b>Yes</b>		
		<b>No</b>	<input checked="" type="checkbox"/>	<b>(If no go to section I4)</b>
I3b	<b>Which other Cabinet member's portfolio is affected by the decision?</b>			
I3c	<b>Date Cabinet member consulted</b>			
I4	<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>	<input checked="" type="checkbox"/>	
I5	<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>	21/05/2024	
<b>Sign-off</b>				
I6	<b>Sign off codes from the relevant departments consulted:</b>	<b>Democratic Support (mandatory)</b>	DS04 24/25	
		<b>Finance (mandatory)</b>	DJN.24.25.017	
		<b>Legal (mandatory)</b>	LS/2333/KT/I7524	
		<b>Procurement</b>		
		<b>Corporate property</b>		
		<b>Human Resources</b>		
<b>Appendices</b>				
I7	<b>Ref.</b>	<b>Title of appendix</b>		
	A	Part I Supporting Summary Report		
	B	Equalities Impact Assessment		
	C	Climate Impact Assessment		
<b>Confidential/exempt information</b>				
I8a	<b>Do you need to include any</b>	<b>Yes</b>	<input checked="" type="checkbox"/>	If yes, prepare a second, confidential ('Part II')

	<b>confidential/exempt information?</b>			briefing report and 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 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:</b> Part II Business Case			x					
<b>Background Papers</b>									
<b>19</b>	Please list all unpublished, background papers relevant to the decision in the table below.  Background papers are <u>unpublished</u> works, relied on to a material extent in preparing the report, which disclose facts or matters on which the report or an important part of the work is based. If some/all of the information is confidential, you must indicate why it is not for publication by virtue of Part 1 of Schedule 12A of the Local Government Act 1972 by ticking the relevant box.								
<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>	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.								
<b>Signature</b>					<b>Date of decision</b>		30 May 2024		
<b>Print Name</b>		Councillor Tudor Evans OBE, Leader of Plymouth City Council							

# BRIEFING PAPER FOR PASD FREEPORT PROJECT DECISION - LANGAGE

Overview of project



## BACKGROUND

Langage is a greenfield site within the Eastern corridor of Plymouth, in close proximity to the A38 Expressway. Although it is a strategic employment allocation within the Joint Local Plan the site had not historically been brought forward due to the viability gap (i.e. the high opportunity costs associated with development which have proven to be prohibitive for businesses).

The Freeport programme provided a policy mechanism to bridge this gap and the site was identified within the FBC as creating the critical mass needed for achieving the Freeport's objectives - unlocking space for business growth and clustering. As the largest site within the Freeport, when developed, Langage will provide the greatest range of opportunities for businesses looking to locate or expand into the area, offering both tax and customs benefits.

As a greenfield site, electricity is required in order for it to be developed. The core objective of this project therefore is to provide the required plot access through delivering the spine road extension, specifically for Phase 1a as highlighted above.

The core objective of the project is to deliver an 11kv underground cable to bring power to Plots 2 and 3. This will include preparation works with trenching, laying, and connecting of cables. The installation of the necessary switchgear and control systems will also be delivered in preparation for energisation along with the package substations to deliver power to the nodes on the ring. The final element of the proposal is the installation of a battery, this unlocks the potential of nearby solar generation. These plots are the prime developable plots on the Langage site at the current time. Plots 5 and 6 require road widening/improvements; and Plots 7 and 8 require the new spine road to be completed. There are other advantages to these locations: Plot 2 adjacent to the starter units, is currently in the process of a full planning application submission. This is separate from the application for the cabling which can be granted relatively swiftly with an expected turnaround of end of March. Plot 3 already has planning permission secured.

A larger import connection from the grid will currently not be available until c.2030 so LEPL must make use of headroom currently accessible until a larger connection can be made. It is through the innovative solution of collocating the battery with the solar generation that greater capacity can be made available.

The business case is now covered by the Subsidy Scheme recently introduced by DLUHC and thus there is no requirement for subsidy control assessment by LEPL or PCC.

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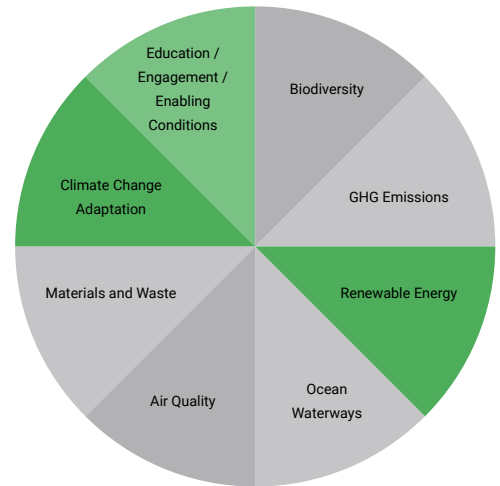
The following relates to exempt or confidential matters (Para(s) 3 of Part 1, Schedule 12A of the Local Govt Act 1972). Any breach of confidentiality could prejudice the Council/person/body concerned & might amount to a breach of the councillors /employees codes of conduct.

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# Plymouth and South Devon Freeport FINAL



**Assessment ID:** PLY444

**Assessment Author:** Polly Frost

**Assessment Initial Summary:**

copy summary of project ; why, outcomes, impact ...

**Assessment Final Summary:**

**Biodiversity Score:** 2

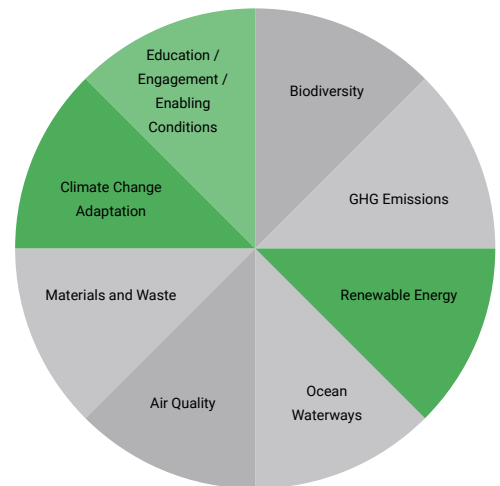
**Biodiversity Score Justification:** Potential Impact and Risk; - Loss of protected species through development operation of tax/customs sites - Damage to National Marine Park through increased shipping/port activity. The presence of protected species and Priority Habitats and Species and consideration of impacts of a proposed development upon them is a material consideration. Protected species receive levels of protection according to their designation (European, National and Priority Species), and of particular relevance to the JLP area are: ☒ European Protected Species that are most likely to be encountered within the Plan Area are bats (17 species), dormice, otters and great crested newts; ☒ Nationally protected species most likely to be encountered within the Plan Area are reptiles, Barn Owls and badgers; ☒ Priority Species/Species of Principal Importance are identified at a UK scale, a shortlist of which have been identified locally as particularly important and for which Devon has a key responsibility for looking after the species and their supporting habitats, for example, Cirl Bunting; ☒ Priority Habitats/Habitats of Principal Importance of which there should be no net loss (otherwise an application may be refused). The vast majority of hedgerows in Devon are Priority Habitats, please see guidance at 'Trees, woodlands and hedgerows (DEV28)' for specific considerations and requirements relating to hedgerows. Supplementary Planning Guidance DEV 26.5 states that net gains in biodiversity will be sought from all major development proposals. The LPAs will consider a 10 per cent increase in biodiversity units when applying the Defra Biodiversity Metric to be policy compliant. Mandatory biodiversity net gain is part of the planning process and applications are required to meet BNG requirements.

**Biodiversity Score Mitigate:** Yes

**Biodiversity Revised Score:** 3

**Biodiversity Revised Score Justification:** Mitigation by freeport: Conduct an Environmental Impact assessment to identify specific risks for protected sites and species, including those offshore. If required, new surveys to be undertaken during correct window to observe wildlife. Work with stakeholders such as the National Marine Park and Local Nature

# Plymouth and South Devon Freeport FINAL



Partnership to mitigate risks outside the tax sites (including offshore) as well as identify opportunities for Biodiversity Net Gain and sites that can be enjoyed by people working and living in the sites. Mitigation by landlords and tenants: If it is found that there was an impact on protected species through development of the Freeport tax/customs sites, statutory obligations will need to be satisfied.

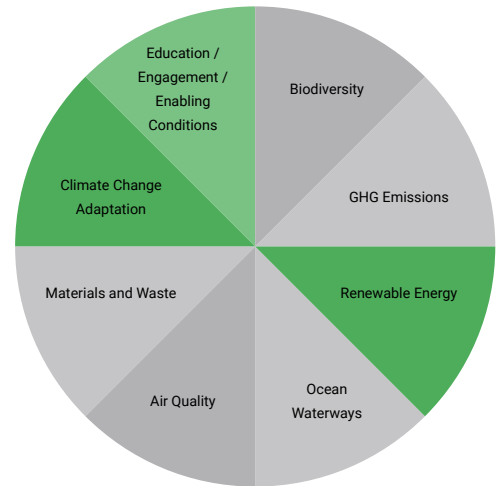
## GHG Emissions Score: 2

**GHG Emissions Score Justification:** Delivery of the tax sites will be co-ordinated by the Freeport Delivery Team which will comprise representatives from Plymouth City Council, Devon County Council and South Hams District Council, in direct collaboration with the responsible planning and transport authorities, landowners, tenants / occupiers and key stakeholders. This is underpinned by robust governance structures which include landowner representation and backed up by our Gateway Policy and landowner agreements, thus enabling Freeport benefits to be realised. Our Gateway Policy and site specific agreements will support us to realise benefits :- South Yard is a 31.9 hectare site located along the waterfront, near to the Port of Plymouth and adjacent to the existing Oceansgate Enterprise Zone. It will form the centrepiece of the Innovation Hotbed. This is a brownfield site and remediation and retrofit works will enhance the energy performance of existing buildings and operations. 48.5 hectares, Langage is our largest tax site which also incorporates a customs site. The site 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, with low carbon applications, enabling us to support business expansion, investment and clustering to support the Freeport vision. As part of our value proposition, the site will also be home to a Green Hydrogen Electrolyser. 7.9 hectare Sherford tax site which occupies part of a larger greenfield site owned by the Sherford Consortium with a view to it being developed as warehousing, storage and engineering space. Development of greenfield sites is governed by Freeport commitment to PAS2080 and Planning regulations to minimise GHG emissions throughout construction, operation and end of life. The freeport has conducted a GHG emissions baseline that will be monitored throughout the project.

**GHG Emissions Score Mitigate: Yes**

**GHG Emissions Revised Score: 3**

# Plymouth and South Devon Freeport FINAL

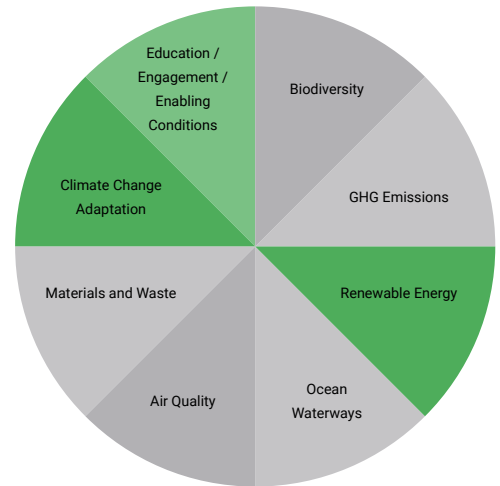


**GHG Emissions Revised Score Justification:** The freeport's Gateway Policy forms the basis for agreements between the PASD Freeport Board, private sector landowners and tenants who will ultimately be the beneficiaries of the tax site levers including Business Rates Retention (BRR). Compliance with 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; advanced manufacturing and engineering with a particular focus on marine, defence and space with low carbon applications. Our carbon and climate monitoring will identify any residual carbon emissions that have not been mitigated during the construction, operation of the freeport. The freeport business plan declares that 1/3 of retained business rate income to the freeport (once local authority loans have been repaid) will be spent on Net Zero projects, this is likely to include offsetting residual carbon. The Freeport NZ lead works closely with Plymouth Net Zero Action Group and is actively engaged in developing local insetting projects to ensure that any offsets are validated, authentic and provide an income source for local carbon sequestering projects, like seagrass and aqua culture as well as retrofit. Retained business rate policy states that once the borrowing costs of Plymouth City Council, Devon County Council and South Hams District Council have been met, any surplus receipts will be allocated to priorities mutually agreed between the partners at the Freeport Members Steering Group. It is forecast that 33% will be spent on Carbon net zero projects; Developing and delivering arange of low carbon solutions to decrease carbon emissions againstour baseline in accordance with our net zero strategy. This includesopportunities from FLOW, expanding Hydrogen Hubs and other greentechnology opportunities.

## Renewable Energy Score: 5

**Renewable Energy Score Justification:** PASDF Seed capital funded Infrastructure projects include: A Green hydrogen generation plant, which is being developed by landowner Carlton Power. The scheme is a major part of the Freeport's net zero strategy. Renewable energy will be used to produce green hydrogen fuel which will decarbonise industry both within the freeport and in surrounding areas. In the future the upscaled Langage Green Hydrogen plant will also provide energy for transport and heating. Initial (2025) capacity of 10MW, enough to heat 14,000 homes. The plant is a modular build so can expand as the business case becomes viable and grid connections are available. Carlton Power has signed partnership agreements to supply Sibelco and Imerys. The Green Hydrogen plant will become operational in 2025. PASD Freeport Full

# Plymouth and South Devon Freeport FINAL



Business Case and Net Zero Opportunities Assessment has conducted a full options analysis for renewable energy opportunities. This is aligned to the commitment to building, operating and end of life plans for the sites to meet PAS 2080 guidelines. These criteria identify additional Opportunities for onsite renewable energy generation, notably solar PV and wind. This is alongside PAS2080 guidance on energy efficiency in buildings operation and construction. Embedded and operational carbon emissions will be monitored by the Freeport company on a quarterly basis. Conditions to do this are included in seed capital business cases and After care plans. Additionally the innovation and operations within the freeport also focus on renewable energy, i.e. being in the supply chain for Celtic sea FLOW. Innovation strands in freeport key sectors; marine, defence and space also prioritise innovations like increase short sea shipping, autonomous shipping, and working with University and innovation partners to clean green industry and advanced manufacturing supply chain and business operations.

**Renewable Energy Score Mitigate:** Yes

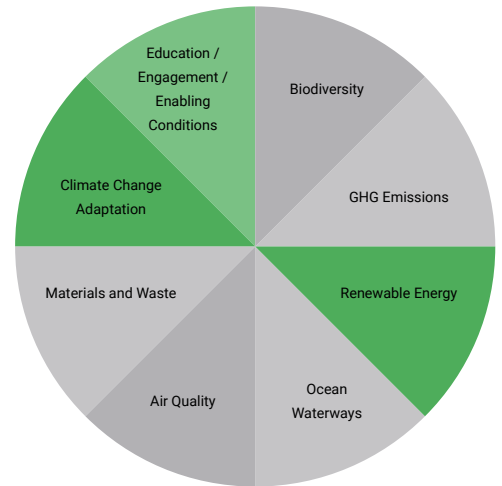
**Renewable Energy Revised Score:** 5

**Renewable Energy Revised Score Justification:** Our carbon and climate monitoring will identify any residual carbon emissions that have not been mitigated. The freeport business plan declares that 1/3 of retained business rate income to the freeport (once local authority loans have been repaid) will be spent on Net Zero projects, this is likely to be additional renewable energy generation.

**Ocean and Waterways Score:** 2

**Ocean and Waterways Score Justification:** Any Freeport related planning applications will need to comply with the Plymouth and SW Devon Supplementary Planning Document, which contains a section titled 'DEV2.1 and DEV2.3 – Water. This states: DEV2.3 ensures development will not result in an unacceptable harm to the water environment through the deterioration of water quality, and will look to improve water quality. This is required in line with the objectives of the Water Framework Directive (WFD), and to meet requirements under The Habitat Regulations (2017). The WFD sets out objectives to ensure the protection and improvement of the water environment, this includes achieving “good status” of all water bodies and groundwater bodies by set deadlines. Relevant information on water bodies is available via the Environment Agency’s Catchment Data Explorer, whilst the River Basin Management Plan sets out objectives for how

# Plymouth and South Devon Freeport FINAL



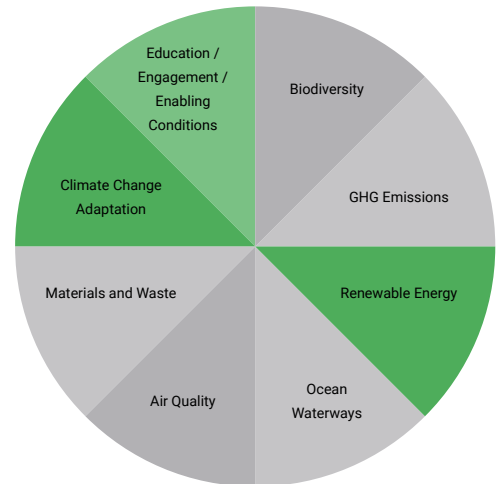
water quality will be improved. It is expected that all developments will comply with the aforementioned documents. All developments should consider potential impacts, direct, indirect or cumulative, to water quality during construction or operation. Any forthcoming applications that are likely to impact the water environment should clearly show how the development may affect relevant water bodies and how any negative impacts are to be mitigated, if these cannot first be avoided. Wherever possible applicants should explore opportunities to improve and/or restore water quality. The environmental sensitivity of the site should also be considered as set out at 7 'Natural environment (DEV23-DEV28)'. All construction activities should follow Pollution Prevention Guidance 6 (PPG 6) and all relevant current Construction Industry Research and Information Association (CIRIA) guidance. Evidence will be required to show that impacts have been considered in relation to the environmental sensitivity of the site. The initial assessment should be proportional to the scale of the development, any significant impacts will be required to be addressed through a Water Framework Directive Assessment. Development may not be supported if there is likely to be an interruption to the quantity or quality of water available to off-site supplies. Evidence may be required if a development is identified as having an unacceptable impact on private water supplies in the vicinity of the proposed development. Plymouth Marine Park are a stakeholder of the Freeport and we work closely with them on joint engagement and opportunities.

**Ocean and Waterways Score Mitigate:** Yes

**Ocean and Waterways Revised Score:** 3

**Ocean and Waterways Revised Score Justification:** Any Freeport related planning applications will need to comply with the Plymouth and SW Devon Supplementary Planning Document, which contains a section titled 'DEV2.1 and DEV2.3 – Water. This states: DEV2.3 ensures development will not result in an unacceptable harm to the water environment through the deterioration of water quality, and will look to improve water quality. This is required in line with the objectives of the Water Framework Directive (WFD), and to meet requirements under The Habitat Regulations (2017). The WFD sets out objectives to ensure the protection and improvement of the water environment, this includes achieving "good status" of all water bodies and groundwater bodies by set deadlines. Relevant information on water bodies is available via the Environment Agency's Catchment Data Explorer, whilst the River Basin Management Plan sets out objectives for how water quality will be improved. It is expected that all developments will comply with the aforementioned documents. All developments should consider potential impacts, direct, indirect or cumulative, to water quality during construction or operation. Any forthcoming

# Plymouth and South Devon Freeport FINAL



applications that are likely to impact the water environment should clearly show how the development may affect relevant water bodies and how any negative impacts are to be mitigated, if these cannot first be avoided. Wherever possible applicants should explore opportunities to improve and/or restore water quality. The environmental sensitivity of the site should also be considered as set out at 7 'Natural environment (DEV23-DEV28)'. All construction activities should follow Pollution Prevention Guidance 6 (PPG 6) and all relevant current Construction Industry Research and Information Association (CIRIA) guidance. Evidence will be required to show that impacts have been considered in relation to the environmental sensitivity of the site. The initial assessment should be proportional to the scale of the development, any significant impacts will be required to be addressed through a Water Framework Directive Assessment. Development may not be supported if there is likely to be interruption to the quantity or quality of water available to off-site supplies. Evidence may be required if a development is identified as having an unacceptable impact on private water supplies in the vicinity of the proposed development. Plymouth Marine Park are a stakeholder of the Freeport and we work closely with them on joint engagement and opportunities.

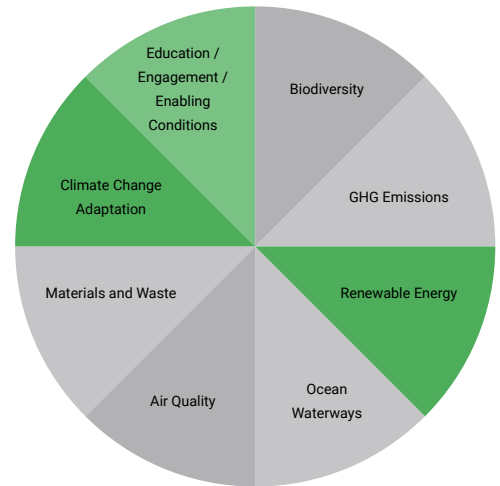
## Air Quality Score: 3

**Air Quality Score Justification:** Impact/ Risk; Reduction in air quality standards due to increased road and sea traffic and industrial processes. Any Freeport related planning applications will need to comply with the Plymouth and SW Devon Supplementary Planning Document, which contains a section titled 'DEV2.1 and DEV2.2 – Air. Both DEV2.1 and DEV2.2 aim to minimise negative air quality impacts by development proposals. Developments will normally be refused where a development is going to have a significant impact on an Air Quality Management Areas (AQMA), create a new AQMA, or result in an adverse effect on a European Site. Maps showing the AQMAs across the Plan Area are available for Plymouth City Council and South Hams District Council. When ensuring development proposals avoid or mitigate against having a negative impact on air, the type of mitigation required on a particular development should be informed by:

- ☐ Outcomes from transport statements, assessments and plans;
- ☐ Air Quality Assessments or emission profiling;
- ☐ LPAs' Air Quality Action Plans;
- ☐ Specific needs identified in site specific spatial policy allocations;
- ☐ Travel awareness/planning and highway development requirements;
- ☐ The latest Defra Local Air Quality Management Guidance. The latest information to be found on the UK Air Pollution Information System;
- ☐ Relevant technical guidance and acknowledged best practice; and/or
- ☐ Any other measures that the applicant can evidence which will result in a



# Plymouth and South Devon Freeport FINAL



net reduction in the air quality impact of the development. Whilst the LPAs recognise the importance of the Government's 'Road to Zero Strategy' and supports the aim of decarbonising transport networks, there are also other opportunities within the transport networks to make small improvements that will have significant positive impacts on air quality. The LPAs expect all new development proposals to take into consideration the below list of potential measures:

- ☐ Provision of electric vehicle charging points (Guidance on the requirements of electric vehicle charging points can be found at 'Specific provisions relating to transport (DEV29)');
- ☐ Designation of parking spaces for low emission vehicles;
- ☐ Provision of facilities to encourage sustainable travel, such as cycling facilities;
- ☐ Travel planning with new residents/businesses to encourage travel by sustainable transport modes as well as the uptake of ultra-low emission vehicles;
- ☐ Green travel vouchers;
- ☐ Facilities within developments which support active modes of transport such as: drying rooms; showers and lockers etc.
- ☐ Ensuring good connectivity to existing and future public transport, cycle and pedestrian routes;
- ☐ The provision of appropriate trees and landscaping features to reflect the importance of 'right tree (or landscaping feature) in the right place'.

For major developments which are likely to have a negative impact on air quality, the level of contribution towards offsetting measures will be calculated based upon the damage caused by the additional emissions, having regard to published national guidance on the calculations of such costs such as the Land-Use Planning & Development Control: Planning For Air Quality. This approach allows for mitigation measures to be delivered in line with any existing air quality action plans. Any mitigation measures will be secured through planning conditions or through planning obligations and will be negotiated on a case-by-case basis.

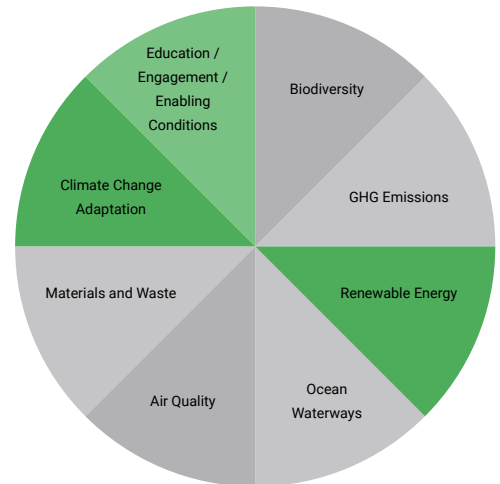
**Air Quality Score Mitigate:** Yes

**Air Quality Revised Score:** 3

**Air Quality Revised Score Justification:** Mitigations by Freeport: Conduct an Environmental Impact assessment to identify specific air quality risks. Potential to undertake a strategic transport vision across all three site and transport assessments with low-med-high scenarios including robust transport modelling. Seed capital will be used to build pedestrian/cycle bridge between Sherford and Langage to reduce commuter emissions. Other mitigations are likely to include:

- ☐ Development of an Air Quality Plan to reduce emissions from diesel engines. Which may include the introduction of an Air Quality Management Area within Plymouth Sound. (linked to smart sound) in which vessels are required to switch to clean propulsion systems when they enter
- ☐ Development of a Green Transport Plan for the Freeport and each tax site to include - Public transport
  - o Walking and cycling
  - o Charging infrastructure
  - o Low carbon freight options

# Plymouth and South Devon Freeport FINAL



(potentially linked to the Green Hydrogen plant) Innovation activity without industrial and academic partners to develop cleaner/low emission processes (e.g. Princess Yachts are breaking new ground in large scale resin infusion technology, a closed moulded process which almost completely eliminates styrene emissions in the workplace and local environment) Mitigations by landowners/tenants: Will be required to meet planning requirements Identification and mitigation of any industrial processes which may result in emissions and compliance with relevant legislation Participation in Freeport initiatives to reduce transport related emissions Participation in voluntary innovation activity to develop cleaner processes.

## Materials and Waste Score: 2

**Materials and Waste Score Justification:** The risk is failure to ensure waste is disposed of responsibly and in accordance with the law. The freeport refers to Environmental Protection Act Hazardous Waste Regulations Producer Responsibility Obligations Waste Electrical and Electronic Equipment. Paragraph 8 of the National Planning Policy for Waste and Policy W4 of the Devon Waste Plan requires major development proposals within Devon County Council (sites Sherford and Langage) to be accompanied by a Waste Audit Statement. Devon County Council has published a Waste Management and Infrastructure SPD that provides guidance on the production of Waste Audit Statements. This can be found online at: <https://new.devon.gov.uk/planning/planning-policies/other-county-policy-and-guidance>

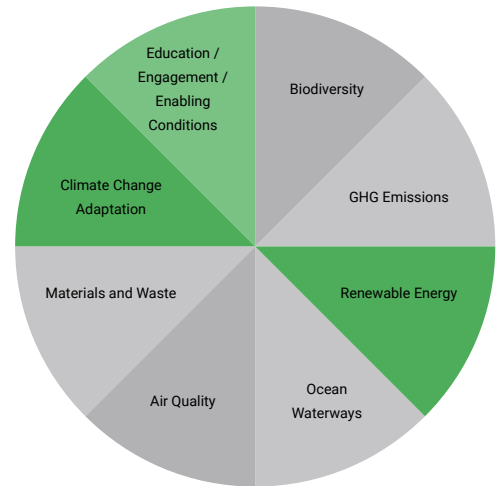
## Materials and Waste Score Mitigate: Yes

## Materials and Waste Revised Score: 3

**Materials and Waste Revised Score Justification:** Mitigations by Freeport; Conduct an Environmental Impact assessment to identify specific waste management risks Work with landowners and tenants to identify and mitigate waste management risks Develop initiatives which encourage landowners/tenants to: Reduce, re-use, recycle Minimise waste going to landfill Increase recycling Reduce waste in the economy (e.g. through circular economy principles) Promote complementary initiatives such as the Preventing Plastic Pollution Project (an Interreg project involving PCC and PU). Mitigations by Tenants and Landlords: Ensure all waste management regulations are complied with and the approach to waste management follows the Waste Management Plan for England. Participation in voluntary



# Plymouth and South Devon Freeport FINAL



wastemanagementinitiatives such asthe PreventingPlastic PollutionProject.

### Climate Change Adaptation Score: 3

**Climate Change Adaptation Score Justification:** The freeport has contributed to and is informed byThe Devon Cornwall and Isles of Scilly Climate Adaptation Strategy. This helps communities and organisations across the Southwest better understand the risks their area will face in the future, as climate change increasingly affects the UK. It will also help them to adapt to these changes, thereby improving their resilience and community safety.Resources to help individuals, communities, organisations and local policy makers take action for climate adaptation and prepare for climate impacts. Using this framework and the Freeport's own Net Zero Strategy and Action Plan the freeport will monitor it's delivery and actions in the face of changing climate and adaptations.

### Climate Change Adaptation Score Mitigate: Yes

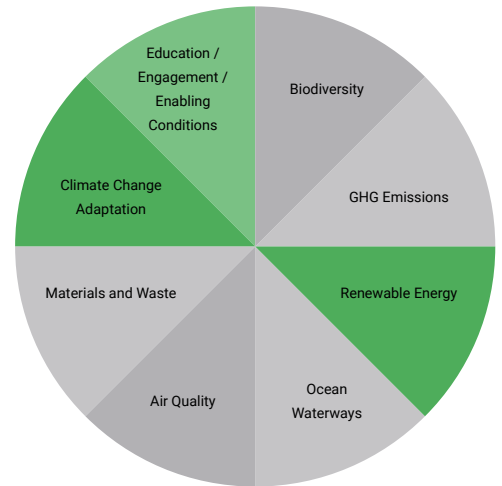
### Climate Change Adaptation Revised Score: 5

**Climate Change Adaptation Revised Score Justification:** The freeport has contributed to and is informed byThe Devon Cornwall and Isles of Scilly Climate Adaptation Strategy. This helps communities and organisations across the Southwest better understand the risks their area will face in the future, as climate change increasingly affects the UK. It will also help them to adapt to these changes, thereby improving their resilience and community safety.Resources to help individuals, communities, organisations and local policy makers take action for climate adaptation and prepare for climate impacts. Using this framework and the Freeport's own Net Zero Strategy and Action Plan the freeport will monitor it's delivery and actions in the face of changing climate and adaptations.

### Education / Engagement / Enabling Conditions Score: 5

**Education / Engagement / Enabling Conditions Score Justification:** Impact of skills strategy;The Freeport is a facilitator of closer collaboration between businesses and education providers, with the following objectives as focal points:Retaining people in the regionDeveloping new course content and future rolesProvision of tutors and spacesDefining future skills roles in greater

# Plymouth and South Devon Freeport FINAL



detail. Working across the Freeport Skills advisory board the freeport will build greater gender diversity, particularly in those moving into employment post-qualification, supplementing the various other inclusivity workstreams underway or planned within the region. The Freeport acts as a natural focal point for businesses and education providers. This collaboration already exists, however the Freeport can serve to aggregate pockets of collaboration and drive greater ambition across the region. With target sectors and long term investments planned for the Freeport, greater and clearer needs can create a mandate for collaboration. The Freeport can serve as a beacon for great careers and build a strong reputation for any employers active on the site. A Government mandate by virtue of public investment and tax incentives can be used to drive progress. The Pedestrian and Cycle bridge will create new opportunities for green and active travel.

**Education / Engagement / Enabling Conditions Score Mitigate: Yes**

**Education / Engagement / Enabling Conditions Revised Score: 5**


**Education / Engagement / Enabling Conditions Revised Score Justification:** The freeport and its construction partners and contractors are part of Plymouth Skills Launchpad and Skills 2 Plymouth which includes construction skills. Procured construction companies will adhere to social value requirements. Additionally working with partners like Trade Unions, Plymouth National Marine Park, training providers and colleges raised the profile of green skills among residents in the city.

## Wheel Key

- Long lasting or severe negative impact
- Short term or limited negative impact
- No impact or neutral impact
- Short term or limited positive impact
- Long lasting or extensive positive impact

# FEQUALITY IMPACT ASSESSMENT – [FREEPORT PROJECT BUSINESS CASE EXECUTIVE DECISION]

## SECTION ONE: INFORMATION ABOUT THE PROPOSAL

<b>Author(s):</b> This is the person completing the EIA template.	Cath Parnall	<b>Department and service:</b>	Economic Development	<b>Date of assessment:</b>	17/05/24
<b>Lead Officer:</b> Please note that a Head of Service, Service Director, or Strategic Director must approve the EIA.	Amanda Ratsey	<b>Signature:</b>		<b>Approval date:</b>	17/05/24
<b>Overview:</b>	<p>Plymouth City Council is the Accountable Body for the Freeport and will receive and allocate the Seed Capital to support the delivery of the Freeport Annual Plan.</p> <p>The Accountable Body is responsible for the effective programme management of the Seed capital programme pipeline, including appraisal of individual business cases for Seed Capital projects.</p> <p>This decision is necessary in order to meet timeframes set by Department for Levelling Up, Housing &amp; Communities (DLUHC) in order to deliver the proposed activities as set out in the Business Case and spend the funds accordingly and in time.</p> <p><b>Business Case Summary</b></p> <p>The core objective of the project is to deliver an 11kv underground cable to bring power to Plots 2 and 3 of the Langage Energy Power Ltd site. This will include preparation works with trenching, laying, and connecting of cables. The installation of the necessary switchgear and control systems will also be delivered in preparation for energisation along with the package substations to deliver power to the nodes on the ring. The final element of the proposal is the installation of a battery, this unlocks the potential of nearby solar generation These plots are the prime developable plots on the Langage site at the current time. The project primarily supports two Freeport policy objectives:</p>				

	<ul style="list-style-type: none"> <li>• <b>Establishing a national hub for global trade and investment</b> – by accelerating the development of employment land with the aim of enabling a key local employer to create a new Logistics Facility onsite.</li> <li>• <b>Promoting regeneration and job creation</b> – by creating the conditions to support the development of new jobs.</li> </ul> <p>It also, less directly, supports the long-term sustainability of the Freeport’s hotbed for innovation because the end user of the site will have a significant supply chain, creating demand and opportunity for collaboration and development.</p> <p>The project itself is a straightforward transaction. It will use the seed capital allocation of £925,000, in order to deliver an 11kv underground cable to bring power to Plots 2 and 3 at the Langage site. A larger import connection from the grid will not currently be available until c.2030 so LEPL (Langage Energy Park Ltd) must make use of headroom currently available until a larger connection can be made. It is through the innovative solution of co-locating the battery with the solar generation that greater capacity can be made available</p>
<b>Decision required:</b>	<ol style="list-style-type: none"> <li>1. To agree to allocate £925,000 of Freeport Seed Capital Funding into the Capital Programme to be used for power installation at Langage Energy Park Ltd.</li> <li>2. To authorise the Section 151 Officer to approve relevant funding claims up the total Seed Capital amount of £925,000 as listed above.</li> </ol>

**SECTION TWO: EQUALITY IMPACT ASSESSMENT 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.	A full EIA has been completed below despite the answers above.			

**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
<p><b>Age</b></p>	<p>Plymouth</p> <ul style="list-style-type: none"> <li>• 16.4 per cent of people in Plymouth are children aged under 15.</li> <li>• 65.1 per cent are adults aged 15 to 64.</li> <li>• 18.5 percent are adults aged 65 and over.</li> <li>• 2.4 percent of the resident population are 85 and over.</li> </ul> <p>South West</p> <ul style="list-style-type: none"> <li>• 15.9 per cent of people are aged 0 to 14, 61.8 per cent are aged 15 to 64.</li> <li>• 22.3 per cent are aged 65 and over.</li> </ul> <p>England</p> <ul style="list-style-type: none"> <li>• 17.4 per cent of people are aged 0 to 14.</li> <li>• 64.2 per cent of people are aged 15 to 64.</li> </ul>	<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> The Freeport will increase the amount of traffic on Plymouth roads, especially on roads near to the Freeport and within the Freeport itself. 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><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 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>March 2025 Economic Development</p>

	<ul style="list-style-type: none"> <li>• 18.4 per cent of people are aged 65 and over.</li> </ul> <p>(2021 Census)</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>                  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 affect young people as their lungs are still developing.</p> <p><b>Emissions – Plymouth Port</b>                  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>                  The increase in freight traffic and associated traffic within the Freeport will likely increase local traffic and thus local emissions.</p>	<p><b>Noise and disturbance – Increased traffic</b>                  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 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</p>	
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			as walking and cycling, which build on existing infrastructure such as cycle ways.	
<p><b>Care experienced individuals</b></p> <p>(Note that as per the Independent Review of Children’s Social Care recommendations, Plymouth City Council is treating care experience as though it is a protected characteristic).</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>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>	No adverse impact anticipated.	Not applicable.	March 2025 Economic Development
<p><b>Disability</b></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><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</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</p>	March 2025 Economic Development

	<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>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> 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> The Freeport will increase the amount of traffic on Plymouth roads, especially on roads near to the Freeport and within the Freeport itself. 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> 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> 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</p>	<p>not possible to mitigate against this impact given its nature.</p> <p>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 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> 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</p>	
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		<p>underlying health condition related to their breathing or lungs.</p> <p><b>Emissions – Plymouth Port</b> 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> The increase in freight traffic and associated traffic within the Freeport will likely increase local traffic and thus local emissions.</p> <p><b>Accessibility</b> The large majority of buildings within the Freeport will be closed to members of the public, however we recognise that accessibility is still important. Where buildings are older, guidance will be taken from the appropriate colleagues and heritage organisation when appropriate</p>	<p>(such as solar or heat pumps) integrated. All construction will be delivered in line with local guidance to ensure minimal disruption to the local area. Within the Freeport we will use a combination of electric and hydrogen powered vehicles to move cargo between the Port and 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.</p>	
<p><b>Gender reassignment</b></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>No adverse impacts are anticipated.</p>	<p>Not applicable.</p>	<p>March 2025 Economic Development</p>

<p><b>Marriage and civil partnership</b></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>No adverse impacts are anticipated.</p>	<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. 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>March 2025 Economic Development</p>
<p><b>Pregnancy and maternity</b></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>No adverse impacts are anticipated.</p>	<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. 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>March 2025 Economic Development</p>

<p><b>Race</b></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>No adverse impacts are anticipated.</p>	<p>The employment and skills plan will include 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.                   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.                   Key information within the Freeport will be available in different languages, recognising the diversity of people using and passing through the Freeport.                   Staff employed by the Freeport will be trained in cultural awareness and cultural accessibility.</p>	<p>March 2025                  Economic Development</p>
<p><b>Religion or belief</b></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,</p>	<p>Not applicable</p>	<p>Not applicable</p>	<p>March 2025                  Economic Development</p>

	Jewish or Sikh combined totalled less than 1 per cent (2021 Census).			
<b>Sex</b>	51 per cent of our population are women and 49 per cent are men (2021 Census).	No adverse impacts are anticipated.	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.  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.	March 2025 Economic Development
<b>Sexual orientation</b>	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 orientation as gay or lesbian. 0.42 per cent of residents describe their sexual orientation using a different term (2021 Census).	No adverse impacts are anticipated.	Not applicable	March 2025 Economic Development

**SECTION FOUR: HUMAN RIGHTS IMPLICATIONS**

Human Rights	Implications	Mitigation Actions	Timescale and responsible department
	No adverse human rights implications are anticipated.	Not applicable. This will be reviewed and updated if or when any adverse impacts arise as a result of the project.	Not applicable.

**SECTION FIVE: OUR EQUALITY OBJECTIVES**

Equality objectives	Implications	Mitigation Actions	Timescale and responsible department
<p><b>Work together in partnership to:</b></p> <ul style="list-style-type: none"> <li>▪ <b>promote equality, diversity and inclusion</b></li> <li>▪ <b>facilitate community cohesion</b></li> </ul> <p><b>support people with different backgrounds and lived experiences to get on well together</b></p>	There are no anticipated direct negative implications to this objective.	Not applicable. This will be reviewed if in the case that any adverse impacts should arise during delivery.	March 2025. Economic Development
<p><b>Give specific consideration to care experienced people to improve their life outcomes, including access to training, employment and housing</b></p>	There are no anticipated direct negative implications to this objective.	Not applicable. This will be reviewed if in the case that any adverse impacts should arise during delivery.	March 2025. Economic Development
<p><b>Build and develop a diverse workforce that represents the community and citizens it serves.</b></p>	There are no anticipated direct negative implications to this objective.	Not applicable. This will be reviewed if in the case that any adverse impacts should arise during delivery.	March 2025. Economic Development

<b>Support diverse communities to feel confident to report crime and anti-social behaviour, including hate crime and hate incidents, and work with partners to ensure Plymouth is a city where everybody feels safe and welcome</b>	There are no anticipated direct negative implications to this objective.	Not applicable. This will be reviewed if in the case that any adverse impacts should arise during delivery.	March 2025. Economic Development
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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 – L04 24/25

Decision	
1	<b>Title of decision:</b> Support to Millfields Community Economic Development Trust
2	<b>Decision maker:</b> Councillor Tudor Evans OBE, Leader of Plymouth City Council
3	<b>Report author and contact details:</b> Anna Peachey, Economy, Partnerships and Regeneration Manager, <a href="mailto:anna.peachey@plymouth.gov.uk">anna.peachey@plymouth.gov.uk</a> ; 01752 307840
4	<p><b>Decision to be taken:</b></p> <ol style="list-style-type: none"> <li>1. Provide a bridging loan to repay the original loan that was provided by Somerset County Council (on behalf of Heart of SW LEP) to Millfields Community Economic Development Trust (the Trust) for the development of the Genesis building, Union Street, Plymouth.</li> <li>2. Delegate authority to the Section 151 Officer to agree the final terms and conditions of the bridging loan, to a value not to exceed £1.7m.</li> </ol>
5	<p><b>Reasons for decision:</b></p> <p>Further to Cabinet Decision ‘Urban Enterprise’: New Enterprise Units at Millfields Trust” Passed on 13 March 2013, Plymouth City Council acted as a guarantor for a £2.1m loan to the Trust from the Heart of SW LEP for developing the Genesis Building in 2013 (the LEP loan). Somerset County Council was acting as accountable body for the LEP. This loan from PCC to the Trust is intended to forestall default on settlement of the LEP loan.</p> <p>The LEP loan was made on condition of refinancing after 10 years, and the balance is due to be repaid by 30 June 2024 (extended from 31 October 2023). The Trust has been negotiating a commercial loan with a high street bank since July 2023. Delays due to changes in personnel have been exacerbated by the need to agree renewal of lease and grant agreements with Plymouth City Council.</p> <p>The Council has been working closely with the Trust to understand and meet requirements of the Bank in applying for a commercial loan. There is a high probability that the bank loan will not be drawn down before the LEP deadline.</p> <p>As one of Plymouth City Council’s strategic Community Economic Development Trusts, the Trust receives support from the Council to improve economic participation and benefit their community. The loan would be made on commercial terms and secured against capital assets. The terms will be agreed by the Director for Place and Section 151 Officer following completion of due diligence and legal advice.</p>
6	<b>Alternative options considered and rejected:</b> The alternative to PCC repaying the loan settlement is to risk default and invocation of the Guarantee.
7	<b>Financial implications and risks:</b> As a loan Guarantor, there has always been a risk that the Council would be required to finance the payment of the loan balance to the Heart of SW LEP.

	<p>The Trust has partly repaid the loan over 10 years, so the value of the financial liability to the City Council is less than the original £2.1m that was agreed by Cabinet in 2013.</p> <p>A commercial loan agreement and a charge against the Trusts' capital assets will minimise risk.</p> <p>As this is a bridging loan it is being accounted for as a short term arrangement and therefore will not be added to our capital programme. If circumstances change, this accounting treatment may change.</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>
			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> annually
		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>			
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>	Unlocking the city's potential - has a vibrant economy offering quality jobs and skills; Delivering on our commitments by: - Enabling our people to deliver - Engaging with and listening to our residents, businesses, and communities		
10	<b>Please specify any direct environmental implications of the decision (carbon impact)</b>	None.		

#### Urgent decisions

11	<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>
12a	<b>Reason for urgency:</b>			
12b	<b>Scrutiny Chair Signature:</b>		<b>Date</b>	
	<b>Scrutiny Committee name:</b>			
	<b>Print Name:</b>			



Consultation				
13a	Are any other Cabinet members' portfolios affected by the decision?	Yes		
		No	x	(If no go to section 14)
13b	Which other Cabinet member's portfolio is affected by the decision?	Councillor Chris Penberthy, Cabinet Member for Housing, Cooperative Development and Communities. Councillor Penberthy is aware of the work but has declared a conflict of Interest as a Trust Board member.		
13c	Date Cabinet member consulted	08/09/2024		
14	Has any Cabinet member declared a conflict of interest in relation to the decision?	Yes	x	If yes, please discuss with the Monitoring Officer
		No		
15	Which Corporate Management Team member has been consulted?	Name	Anthony Payne	
		Job title	Strategic Director for Place	
		Date consulted	10 May 2024	
Sign-off				
16	Sign off codes from the relevant departments consulted:	Democratic Support (mandatory)	DS05 24/25	
		Finance (mandatory)	DJN.24.24.015	
		Legal (mandatory)	LS/00001312/3/AC/30/5/24	
		Procurement (if applicable)		
		Corporate property (decisions involving Council owned land or facilities) (if applicable)		
		Human Resources (if applicable)		
Appendices				
17	Ref.	Title of appendix		
	A	Part I Briefing Report		
	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

		<b>No</b>	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>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</b>			x				

**Background Papers**

**19** Please list all unpublished, background papers relevant to the decision in the table below.  
 Background papers are unpublished 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

**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.

<b>Signature</b>		<b>Date of decision</b>	30 May 2024
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**Print Name** Councillor Tudor Evans OBE, Leader of Plymouth City Council

# MILLFIELDS COMMUNITY ECONOMIC DEVELOPMENT TRUST LOAN REFINANCE JUNE 2024 (PART I REPORT)



## 1. Decision to be taken:

- If required, provide a bridging loan to repay the original loan that was provided by Somerset County Council (on behalf of Heart of SW LEP) to Millfields Community Economic Development Trust (“the Trust”) for the development of the Genesis building, Union Street, Plymouth.
- Delegate authority to the Section 151 Officer to agree the final terms and conditions of the bridging loan, to a value not to exceed £1.7m.

## 2. Organisation being supported.

**Name** Millfields Community Economic Development Trust

**Registered Address** HQ 237 Union Street, Stonehouse, Plymouth, PL1 3HQ.

**Registration number** 03513202

## 3. Background

### Profile of the Trust

- 3.1. The Trust, a trading social enterprise, was founded in 1999 with the goal of revitalising Plymouth's Stonehouse community. Its goal is to revitalize Union Street as a civic spine and provide residents in the heart of Stonehouse with chances for employment that will change their lives, re-establishing the city's once-important connection to Devonport.
- 3.2. The Trust is a democratic organisation with membership open to anyone over the age of 17. Members elect Directors to the Board of management on an annual basis.
- 3.3. This is accomplished through delivering high-quality, reasonably priced office space for renting on flexible terms, as well as a platform for SMEs to grow and thrive. Its facilities are built to accommodate beginning, small, and medium-sized businesses in many industries. New, growing, and existing firms from various industries, including the creative and third sectors and social enterprises, are housed in the business spaces.
- 3.4. The Trust has been using its trading surplus in part to develop work with young people in Stonehouse and to support other community initiatives. This is undertaken in part via its sister charity, Millfields Inspired, which runs a programme with the goal of raising the aspirations of year 5 children. For the last 14 years, this work has supported approximately 200 children a year.
- 3.5. The Trust recorded an operating profit of £203,056 before tax during the year 2021/22 compared to £226,255 in the preceding year. Income was almost exclusively generated via the letting of business units and conference rooms.
- 3.6. Throughout the year, the Trust ran a series of events to support local businesses and to forge links with the community. This included celebrating 20 years at HQ with tenants.
- 3.7. Following funding of £194,000 from Homes England, secured in 2019 for the development of Block D at the HQ site, a planning application was submitted in December 2021.

Profile of the Stonehouse area:

- 3.8. Stonehouse is an inner-city neighbourhood of Plymouth and forms part of the St Peter and the Waterfront Ward. Stonehouse has a population of approximately 9000 people. In 2019 the overall Index of Multiple Deprivation score for St Peter Ward was 47.1 This ranks the ward as 1 in the City. In 2019, 11.5% of the population were claiming universal credit, compared to 5.6% across the City as a whole.
- 3.9. The neighbourhood is also characterized by high levels of social housing and poor-quality private sector housing.
- 3.10. Stonehouse also has a lower life expectancy than the Plymouth average and is the worst neighbourhood in terms of anti-social behaviour. The Ward has the highest rates of child protection cases and children going into care.
- 3.11. Stonehouse is a densely populated neighbourhood, with flats and houses in proximity. With the decline of the pubs and the loss of two community centres and the local health centre, the area lacks places where people can congregate, socialize, meet their neighbours and friends, plan and conduct normal community activities.

**4. Loan Background**

- 4.1. Through Heart of the South West LEP ("HSW LEP"), the Trust secured funds from the Growing Places Fund in November 2013 for the building of Genesis (Unit C), HQ building, 237 Union Street, Plymouth, of £2,100,00. This was in the form of a loan from HSW LEP.
- 4.2. Terms and conditions of the loan requested that the balance of the loan be repaid within 10 years (by 31 October 2023 and since extended to 30 June 2024). PCC acted as a guarantor to this agreement and a charge was placed on the Trust's property by PCC (second to the Charge by Devon County Council acting at that time for the HSW LEP).
- 4.3. The loan and Guarantor agreements have since been novated to Somerset County Council who became the accountable body for HSW LEP.
- 4.4. More details of the outstanding balance of the loan are in Part 2 of the report to this Executive Decision.
- 4.5. The Trust has been proactively tracking commercial loan availability for several years and in June 2023 chose a bank with which to secure the loan. Personnel changes in both the Trust and the Bank have delayed finalisation of the loan offer and this was exacerbated by the bank's request that renewal of a lease and a grant from Plymouth City Council also be confirmed.

**5. Decision**

- 5.1. This loan from PCC is being requested in the realistic anticipation that the bank will not be able to transfer the money to the Trust by early June, ready for repayment to Somerset County Council by the end of the month.
- 5.2. It is recommended that Plymouth City Council either loan the money to the Trust or pay Somerset County Council directly – but with a loan agreement in place with the Trust for reimbursement.

- 5.3. Should a loan agreement not be put in place between PCC and the Trust, repayment of the loan from HSW LEP is likely to be enforced against either the Trust or PCC in its role as guarantor. Recovery of the outstanding value of the LEP loan would be enforced by Somerset County Council enforcing the legal charge on the Trust's properties or requiring repayment from PCC.
- 5.4. Confidential details about the loan and security arrangements are in the Part 2 report with this decision.

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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.


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# EQUALITY IMPACT ASSESSMENT – MILLFIELDS COMMUNITY ECONOMIC DEVELOPMENT TRUST LOAN REFINANCE JUNE 2024

## SECTION ONE: INFORMATION ABOUT THE PROPOSAL

<p><b>Author(s):</b> The person completing the EIA template.</p>	<p>Anna Peachey Economy, Partnerships, Regeneration Manager</p>	<p><b>Department and service:</b></p>	<p>Economic Development, Economy, Employment, Enterprise</p>	<p><b>Date of assessment:</b></p>	<p>13 May 2024</p>
<p><b>Lead Officer:</b> Head of Service, Service Director, or Strategic Director.</p>	<p>Amanda Ratsey Head of Economy, Employment and Enterprise</p>	<p><b>Signature:</b></p>		<p><b>Approval date:</b></p>	<p>13 May 2024</p>
<p><b>Overview:</b></p>	<p>Further to Cabinet Decision ‘Urban Enterprise’: New Enterprise Units at Millfields Trust” Passed on 13 March 2013, Plymouth City Council acted as a guarantor for a £2.1m loan to the Trust from the Heart of SW LEP for developing the Genesis Building in 2013 (the LEP loan). Somerset County Council was acting as accountable body for the LEP. This loan from PCC to the Trust is intended to forestall default on settlement of the LEP loan.</p> <p>The LEP loan was made on condition of refinancing after 10 years, and the balance is due to be repaid by 30 June 2024 (extended from 31 October 2023). The Trust has been negotiating a commercial loan with a high street bank since July 2023. Delays due to changes in personnel have been exacerbated by the need to agree renewal of lease and grant agreements with Plymouth City Council.</p> <p>The Council has been working closely with the Trust to understand and meet requirements of the Bank in applying for a commercial loan. There is a high probability that the bank loan will not be drawn down before the LEP deadline.</p> <p>As one of Plymouth City Council’s strategic Community Economic Development Trusts, the Trust receives support from the Council to improve economic participation and benefit their community. The loan would be made on commercial terms and secured against capital assets. The terms will be agreed by the Director for Place and Section 151 Officer following completion of due diligence and legal advice.</p>				

<b>Decision required:</b>	<ol style="list-style-type: none"> <li>1. Provide a bridging loan to repay the original loan that was provided by Somerset County Council (on behalf of Heart of SW LEP) to Millfields Community Economic Development Trust (the Trust) for the development of the Genesis building, Union Street, Plymouth.</li> <li>2. Delegate authority to the Section 151 Officer to agree the final terms and conditions of the bridging loan, to a value not to exceed £1.7m.</li> </ol>
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**SECTION TWO: EQUALITY IMPACT ASSESSMENT 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>	x	<b>No</b>	
<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>	x	<b>No</b>	
If you do not agree that a full equality impact assessment is required, please set out your justification for why not.				

**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

<p><b>Age</b></p>	<p>Plymouth</p> <ul style="list-style-type: none"> <li>• 16.4 per cent of people in Plymouth are children aged under 15.</li> <li>• 65.1 per cent are adults aged 15 to 64.</li> <li>• 18.5 percent are adults aged 65 and over.</li> <li>• 2.4 percent of the resident population are 85 and over.</li> </ul> <p>South West</p> <ul style="list-style-type: none"> <li>• 15.9 per cent of people are aged 0 to 14, 61.8 per cent are aged 15 to 64.</li> <li>• 22.3 per cent are aged 65 and over.</li> </ul> <p>England</p> <ul style="list-style-type: none"> <li>• 17.4 per cent of people are aged 0 to 14.</li> <li>• 64.2 per cent of people are aged 15 to 64.</li> <li>• 18.4 per cent of people are aged 65 and over.</li> </ul> <p>(2021 Census)</p>	<p>There is no service delivery associated with this decision although it does enable the Trust to continue to operate its business premises. If the service delivery is not mindful of the potential economic challenges for people of different ages, there is a possibility that they will be economically vulnerable and ‘left behind’.</p> <p>Age groups with common economic challenges are children, 16–25-year-olds and over 50s.</p> <p>Age also provides considerable intersectionality for example with people caring for children and older people.</p> <p>The deprived nature of the communities where the Trust works means that environments of low educational achievement, low wage jobs and health challenges can also add to the challenges of age groups.</p>	<p>Meetings between the Economic Development lead officer and Trust representative will ensure that understanding of the challenges for different age groups provides a foundation for planning of services.</p> <p>Services will therefore take a proactive approach to equality and inclusivity and will be targeted where appropriate on age groups that require specialist interventions.</p>	<p>Less than 1 year Economic Development Economy, Employment and Enterprise</p>
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<p><b>Care experienced individuals</b> (Note that as per the Independent Review of Children’s Social Care recommendations, Plymouth City Council is treating care experience as though it is a protected characteristic).</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>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>If the service delivery is not mindful of the potential economic challenges for care experienced individuals there is a possibility that they will be economically vulnerable and ‘left behind’.</p> <p>There is some intersectionality with other protected characteristics.</p> <p>The deprived nature of the communities where the Trust works means that environments of low educational achievement, low wage jobs and health challenges can also impact care experienced individuals differently.</p>	<p>Meetings between the Economic Development lead officer and Trust representative will ensure that understanding of the challenges for care experienced individuals.</p>	<p>Less than 1 year Economic Development Economy, Employment and Enterprise</p>
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<p><b>Disability</b></p>	<p>9.4 per cent of residents in Plymouth have their activities limited ‘a lot’ because of a physical or mental health problem. 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>If the service delivery is not mindful of the potential economic challenges for people with different health challenges, there is a possibility that they will be economically vulnerable and ‘left behind’. Physical and mental health problems can add to the challenges of finding and retaining jobs and running a business. Neurodiversity is also classified as a disability and would be of interest in planning these services. Many types of health challenge are more prevalent in areas of deprivation such as those covered by the Trust.</p>	<p>Meetings between the Economic Development lead officer and Trust representative will ensure that understanding of the challenges for people with different disabilities provides a foundation for planning of services. Services will therefore take a proactive approach to equality and inclusivity and will be targeted where appropriate on types of disability that require specialist interventions.</p>	<p>Less than 1 year Economic Development Economy, Employment and Enterprise</p>
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<p><b>Gender reassignment</b></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>If the service delivery is not mindful of the potential economic challenges for people with a gender identity that is different from their sex registered at birth, there is a possibility that they will be economically vulnerable and 'left behind'.</p>	<p>Meetings between the Economic Development lead officer and Trust representative will ensure that understanding of the challenges for people with gender reassignment provides a foundation for planning of services.</p> <p>Services will therefore take a proactive approach to equality and inclusivity. It is likely that services supporting people with gender reassignment would be integrated with those delivered across the city and this agreement would seek to enable signposting and support.</p>	<p>Less than 1 year Economic Development Economy, Employment and Enterprise</p>
<p><b>Marriage and civil partnership</b></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>If the service delivery is not mindful of the potential economic challenges for people with different partnership and marriage status, there is a possibility that people affected will be economically vulnerable and 'left behind'.</p> <p>There is also considerable intersectionality with the other protected characteristics.</p>	<p>Meetings between the Economic Development lead officer and Trust representative will ensure that understanding of the challenges for people with different partnership and marriage status provides a foundation for planning of services.</p>	<p>Less than 1 year Economic Development Economy, Employment and Enterprise</p>

<p><b>Pregnancy and maternity</b></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>If the service delivery is not mindful of the potential economic challenges for pregnant people, there is a possibility that they will be economically vulnerable and 'left behind'.</p> <p>There is also considerable intersectionality with the other protected characteristics.</p>	<p>Meetings between the Economic Development lead officer and Trust representative will ensure that understanding of the challenges for pregnant people provides a foundation for planning of services.</p>	<p>10-year programme Economic Development  Economy, Employment and Enterprise</p>
<p><b>Race</b></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)</p> <p>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)</p> <p>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>If the service delivery is not mindful of the potential economic challenges for people from different races and ethnicities, there is a possibility that they will be economically vulnerable and 'left behind'.</p> <p>There is some intersectionality with other protected characteristics such as religion and sex that affect the challenges that people of different ethnicities can face at work.</p>	<p>Meetings between the Economic Development lead officer and Trust representative will ensure that understanding of the challenges for people of different ethnicities provides a foundation for planning of services.</p>	<p>Less than 1 year Economic Development  Economy, Employment and Enterprise</p>

<p><b>Religion or belief</b></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).</p> <p>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>If the service delivery is not mindful of the potential economic challenges of people with different religions and beliefs, there is a possibility that they will be economically vulnerable and ‘left behind’.</p> <p>There is some intersectionality with other protected characteristics for example sex, where religious practices can be more visible in men or women.</p>	<p>Meetings between the Economic Development lead officer and Trust representative will ensure that understanding of the challenges for people of different religions or beliefs, provides a foundation for planning of services.</p>	<p>Less than 1 year Economic Development Economy, Employment and Enterprise</p>
<p><b>Sex</b></p>	<p>51 per cent of our population are women and 49 per cent are men (2021 Census).</p>	<p>If the service delivery is not mindful of the potential economic challenges for men and women, there is a possibility that they will be economically vulnerable and ‘left behind’.</p> <p>Sex also provides considerable intersectionality for example with people caring for children and older people.</p> <p>The deprived nature of the communities where the Trust works means that environments of low educational achievement, low wage jobs and health challenges can also impact men and women differently.</p>	<p>Meetings between the Economic Development lead officer and Trust representative will ensure that understanding of the challenges for men and women, provides a foundation for planning of services.</p>	<p>12. Less than 1 year Economic Development Economy, Employment and Enterprise</p>



<p><b>Sexual orientation</b></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 orientation as gay or lesbian. 0.42 per cent of residents describe their sexual orientation using a different term (2021 Census).</p>	<p>If the service delivery is not mindful of the potential economic challenges for people with different sexual orientation, there is a possibility that they will be economically vulnerable and 'left behind'.</p> <p>There is some intersectionality with age and sex that impact on the discrimination that people with different sexual orientations experience in the workplace. This is also an issue in different types of work.</p>	<p>Meetings between the Economic Development lead officer and Trust representative will ensure that understanding of the challenges for people of different sexual orientation, provides a foundation for planning of services.</p> <p>Services will therefore take a proactive approach to equality and inclusivity. It is likely that services supporting people with any challenges associated with their sexual orientation would be integrated with those delivered across the city and this agreement would seek to enable signposting and support.</p>	<p>Less than 1 year Economic Development Economy, Employment and Enterprise</p>
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**SECTION FOUR: HUMAN RIGHTS IMPLICATIONS**

Human Rights	Implications	Mitigation Actions	Timescale and responsible department
	<p>With a focus on economic development, operation of the Trust that results from this loan need to be mindful of the Human rights act and the rights of the communities covered by the Trust. The HRA conveys the right to:</p> <ul style="list-style-type: none"> <li>○ life</li> <li>○ freedom from torture and degrading treatment</li> <li>○ freedom from slavery and forced labour.</li> </ul>	<p>Meetings between the Economic Development lead officer and Trust representative will ensure that understanding of the HRA provides a foundation for planning of services. While the purpose of this document is to ensure compliance with the HRA, it is noted that breaches of the HRA are sometimes associated with work and can provide challenges for those people in the</p>	<p>Less than 1 year Economic Development Economy, Employment and Enterprise</p>

	<ul style="list-style-type: none"> <li>○ liberty</li> <li>○ a fair trial</li> <li>○ respect for private and family life</li> <li>○ thought, conscience and religion, and freedom to express your beliefs.</li> <li>○ freedom of expression</li> <li>○ freedom of assembly and association</li> <li>○ marry and to start a family.</li> <li>○ peaceful enjoyment of your property</li> <li>○ an education</li> <li>○ participate in free elections.</li> </ul> <p>and the right not to be.</p> <ul style="list-style-type: none"> <li>○ subjected to the death penalty.</li> <li>○ punished for something that wasn't a crime when you did it.</li> <li>○ discriminated against in respect of these rights and freedoms.</li> </ul>	<p>workplace. Hence, awareness of the HRA is important for delivery of these services.</p>	
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**SECTION FIVE: OUR EQUALITY OBJECTIVES**

Equality objectives	Implications	Mitigation Actions	Timescale and responsible department
<p><b>Work together in partnership to:</b></p> <ul style="list-style-type: none"> <li>▪ promote equality, diversity and inclusion</li> <li>▪ facilitate community cohesion</li> <li>▪ support people with different backgrounds and lived experiences to get on well together</li> </ul>	<p>No one is employed directly under the Agreement that is the subject of this EIA and there are no services.</p>		

<b>Give specific consideration to care experienced people to improve their life outcomes, including access to training, employment and housing.</b>	No one is employed directly under the Agreement that is the subject of this EIA and there are no services.		
<b>Build and develop a diverse workforce that represents the community and citizens it serves.</b>	No one is employed directly under the Agreement that is the subject of this EIA and there are no services.		
<b>Support diverse communities to feel confident to report crime and anti-social behaviour, including hate crime and hate incidents, and work with partners to ensure Plymouth is a city where everybody feels safe and welcome.</b>	No one is employed directly under the Agreement that is the subject of this EIA and there are no services.		

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