

EXECUTIVE DECISION

made by a Cabinet Member




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

Executive Decision Reference Number – L22 23/24

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

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

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

18a	Do you need to include any confidential/exempt information? Please type an X into the relevant box	Yes	X	If yes, prepare a second, confidential ('Part II') briefing report and indicate why it is not for publication by virtue of Part I of Schedule 12A of the Local Government Act 1972 by ticking the relevant box in 18b below. (Keep as much information as possible in the briefing report that will be in the public domain)				
		No						
		Exemption Paragraph Number						
		1	2	3	4	5	6	7
18b	Confidential/exempt briefing report title: Part II Business Case			X				
Background Papers								
19	Please list all unpublished, background papers relevant to the decision in the table below. Background papers are <u>unpublished</u> works, relied on to a material extent in preparing the report, which disclose facts or matters on which the report or an important part of the work is based. If some/all of the information is confidential, you must indicate why it is not for publication by virtue of Part I of Schedule 12A of the Local Government Act 1972 by ticking the relevant box.							
Title of background paper(s)		Exemption Paragraph Number						
		1	2	3	4	5	6	7
Financial Analysis				X				
Cabinet Member Signature								
20	I agree the decision and confirm that it is not contrary to the Council's policy and budget framework, Corporate Plan or Budget. In taking this decision I have given due regard to the Council's duty to promote equality of opportunity, eliminate unlawful discrimination and promote good relations between people who share protected characteristics under the Equalities Act (2010) and those who do not. For further details please see the EIA attached.							
Signature				Date of decision	27 September 2023			
Print Name	Councillor Tudor Evans OBE, Leader of Plymouth City Council							