

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	Title of decision: Border Control Post SLA – Governance Arrangements			
2	Decision maker: Councillor Tudor Evans OBE (Leader of the Council)			
3	Report author and contact details: Katharine O'Connor (Service Manager). Katharine.O'Connor@plymouth.gov.uk / 01752 304142			
4	Decision to be taken: 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	Reasons for decision: 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	Alternative options considered and rejected: 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	Financial implications and risks: There will be a small income from London Port Health Authority for the Plymouth based work.			
8	Is the decision a Key Decision? (please contact Democratic Support for further advice) Please type an X into the relevant boxes	Yes	No X	Per the Constitution, a key decision is one which: 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 annually
			X	is significant in terms of its effect on communities living or working in an area comprising two or more wards in the area of the local authority.
	If yes, date of publication of the notice in the Forward Plan of Key Decisions	N/A		
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:	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.		
10	Please specify any direct environmental implications of the decision (carbon impact)	None. Only a small percentage of food imports will require physical checks. Imports are risk assessed and many checks can be undertaken remotely.		
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)
	Please type an X into the relevant box	No	X	(If no, go to section 13a)
12a	Reason for urgency:			
12b	Scrutiny Chair Signature:		Date	
	Scrutiny Committee name:			
	Print Name:			
Consultation				
13a	Are any other Cabinet members' portfolios affected by the decision?	Yes		
	Please type an X into the relevant box	No	X	(If no go to section 14)
13b	Which other Cabinet member's portfolio is affected by the decision?			

13c	Date Cabinet member consulted			
14	Has any Cabinet member declared a conflict of interest in relation to the decision? Please type an X into the relevant box	Yes		If yes, please discuss with the Monitoring Officer
		No	X	
15	Which Corporate Management Team member has been consulted?	Name	Ruth Harrell	
		Job title	Director of Public Health	
		Date consulted	22 April 2024	
Sign-off				
16	Sign off codes from the relevant departments consulted:	Democratic Support (mandatory)	DS06 23/24	
		Finance (mandatory)	DJN.24.25.018	
		Legal (mandatory)	LS/00001312/4/AC/30/5/24	
		Procurement (if applicable)	N/A	
		Corporate property (decisions involving Council owned land or facilities) (if applicable)	N/A	
		Human Resources (if applicable)	N/A	
Appendices				
17	Ref.			
	A	Briefing Report		
	B	Service Level Agreement		
	C	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		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 18b below. (Keep as much information as possible in the briefing report that will be in the public domain)
		No	X	
		Exemption Paragraph Number		

		1	2	3	4	5	6	7
18b	Confidential/exempt briefing report title:							
Background Papers								
19	<p>Please list all unpublished, background papers relevant to the decision in the table below.</p> <p>Background papers are <u>unpublished</u> works, relied on to a material extent in preparing the report, which disclose facts or matters on which the report or an important part of the work is based. If some/all of the information is confidential, you must indicate why it is not for publication by virtue of Part 1 of Schedule 12A of the Local Government Act 1972 by ticking the relevant box.</p>							
Title of background paper(s)		Exemption Paragraph Number						
		1	2	3	4	5	6	7
Cabinet Member Signature								
20	<p>I agree the decision and confirm that it is not contrary to the Council's policy and budget framework, Corporate Plan or Budget. In taking this decision I have given due regard to the Council's duty to promote equality of opportunity, eliminate unlawful discrimination and promote good relations between people who share protected characteristics under the Equalities Act (2010) and those who do not. For further details please see the EIA attached.</p>							
Signature				Date of decision	30 May 2024			
Print Name	Councillor Tudor Evans OBE (Leader of the Council)							