

EXECUTIVE DECISION

made by a Cabinet Member




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

Executive Decision Reference Number – L18 24/25

Decision	
1	Title of decision: Plymouth and South Devon Freeport: Business Case Spine Road Langage
2	Decision maker: Councillor Tudor Evans OBE, Leader of the Council
3	Report author and contact details: Catherine Parnall E: Catherine.parnall@plymouth.gov.uk
4	<p>Decision to be taken:</p> <ol style="list-style-type: none"> To agree to allocate £1,300,000 of Freeport Seed Capital Funding into the Capital Programme for the detailed design and procurement as well as the actual construction of the PASDF Spine Road extension which will unlock Phase 1a of the Tax site at Langage; To authorise the Section 151 Officer to approve relevant funding claims up to the total Seed Capital amount of £1,300,000 as listed above.
5	<p>Reasons for decision:</p> <p>Plymouth City Council is the Accountable Body which 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; which includes the technical appraisal of individual business cases for Seed Capital projects.</p> <p>The decision is necessary in order to meet timeframes set by Department for Levelling Up, Housing & Communities (DLUHC) in order to deliver the proposed activities and spend the funds accordingly and in time.</p> <p>Construction of the Langage Spine Road to unlock the Langage Freeport site. The proposed new section of road is an extension of the existing spine road (Holland Road) which currently ends adjacent to the Carlton Power plant. A previous decision allocated £2,700,00 to develop this road, incorporating the design, procurement and construction. The detailed design works undertaken to date have unearthed challenges in terms of cost and programme. Ground investigations have identified that the road now needs raising due to issues with groundwater levels and some moisture sensitive material will need treating.</p> <p>An additional £1,300,000 is therefore required to fund these additional works. A further Project Change Request has been prepared to reallocate £1.3m of seed capital from another scheme to plug this gap.</p>
6	<p>Alternative options considered and rejected:</p> <p>1.) Do nothing: 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>Financial implications and risks: 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 & Communities (DLUHC) and further funding agreements between the Accountable Body and projects outlining that the funds are shouldered by the applicant as such is contractually obliged to deliver and spend according to the Fund parameters and requirements.</p> <p>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.</p>																				
8	<table border="1"> <thead> <tr> <th data-bbox="225 591 758 689">Is the decision a Key Decision? (please contact Democratic Support for further advice)</th> <th data-bbox="758 591 853 689">Yes</th> <th data-bbox="853 591 965 689">No</th> <th data-bbox="965 591 1495 689">Per the Constitution, a key decision is one which:</th> </tr> </thead> <tbody> <tr> <td data-bbox="225 689 758 853"></td> <td data-bbox="758 689 853 853"></td> <td data-bbox="853 689 965 853">x</td> <td data-bbox="965 689 1495 853">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</td> </tr> <tr> <td data-bbox="225 853 758 994"></td> <td data-bbox="758 853 853 994"></td> <td data-bbox="853 853 965 994">x</td> <td data-bbox="965 853 1495 994">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</td> </tr> <tr> <td data-bbox="225 994 758 1144"></td> <td data-bbox="758 994 853 1144"></td> <td data-bbox="853 994 965 1144">x</td> <td data-bbox="965 994 1495 1144">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.</td> </tr> <tr> <td data-bbox="225 1144 758 1272">If yes, date of publication of the notice in the Forward Plan of Key Decisions</td> <td colspan="3" data-bbox="758 1144 1495 1272">N/A</td> </tr> </tbody> </table>	Is the decision a Key Decision? (please contact Democratic Support for further advice)	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 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		
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9	Please specify how this decision is linked to the Council's corporate plan/Plymouth Plan and/or the policy framework and/or the revenue/capital budget:	This 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	Please specify any direct environmental implications of the decision (carbon impact)	The design of the spine road should include dedicated cycle and pedestrian facilities in order to allow and encourage more walking and cycling. There is a shared footway/ cycleway along the existing Langage spine road. Continuation of such provision along the spine road is consistent with the Freeport net zero objective, and with the provision of the shared cycle/pedestrian bridge at the Deep Lane junction.																			
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 Signature:		Date
	Scrutiny Committee name:		
	Print Name:		
Consultation			
13a	Are any other Cabinet members' portfolios affected by the decision?	Yes	
		No	<input checked="" type="checkbox"/> (If no go to section 14)
13b	Which other Cabinet member's portfolio is affected by the decision?		
13c	Date Cabinet member consulted		
14	Has any Cabinet member declared a conflict of interest in relation to the decision?	Yes	If yes, please discuss with the Monitoring Officer
		No	<input checked="" type="checkbox"/>
15	Which Corporate Management Team member has been consulted?	Name	Karime Hassan
		Job title	Interim Strategic Director for Growth
		Date consulted	10 September 2024
Sign-off			
16	Sign off codes from the relevant departments consulted:	Democratic Support (mandatory)	DS50 24/25
		Finance (mandatory)	CH.24.25.032
		Legal (mandatory)	LS.2333.kt.10924
		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 Supporting Summary Report	
	B	Equalities Impact Assessment	

	C	Climate Impact Assessment						
Confidential/exempt information								
18a	Do you need to include any confidential/exempt information?	Yes		If yes, prepare a second, confidential ('Part II') briefing report and indicate why it is not for publication by virtue of Part I of Schedule 12A of the Local Government Act 1972 by ticking the relevant box in 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: Part II Briefing Report			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
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	1 st October 2024				
Print Name	Councillor Tudor Evans OBE (Leader of the Council)							