

Decision-Making Note



Scottish Green Freeports selection decision-making note

Purpose

The purpose of this document is to set out clearly the decision-making process for determining Green Freeport locations. It was followed by officials and ministers according to the process and rationale which were published in the Green Freeports Bidding Prospectus.

For full details of that process and rationale, please refer to Chapter 5 of the Green Freeports Bidding Prospectus.

Pre-decision process summary

Pass/fail

Five Green Freeport bids were received on the closing date of 20 June 2022.

In the Pass/Fail stage, all bids received were initially assessed on the information they submitted in response to the Gateway Criteria in Section 5.7 of the Green Freeports Bidding Prospectus.

All bids passed the gateway assessment except for Orkney which assessors failed on question 1.15. The cross-government delivery teams queried whether this was proportionate and whether the concerns raised by the assessors would be resolved in the next phase of delivery, should the bid be successful.

The Senior Responsible Officer for the Green Freeports Programme in Scottish Government and the lead official for Freeports in UK Government were consulted and agreed with the concerns of the delivery teams in relation to proportionality. Both noted the decision to fail Orkney on 1.15 by assessors but agreed with the concerns raised in relation to proportionality and directed that the bid should proceed to full assessment. This decision was subsequently validated by the joint Green Freeports Board and the Accountable Officer for the Green Freeport Programme in Scottish Government.

Detailed assessment

In accordance with the process detailed in the Green Freeports Bidding Prospectus, officials representing all relevant policy interests, and departments across both governments,

assessed the five bids on their answers to the Detailed application information (section 5.8 of the Green Freeports Bidding prospectus).

Bidder responses were assessed against assessment guidance agreed by both governments, and in line with the requirements of the prospectus, awarded a score of 'High', 'Medium', or 'Low' in accordance with the mark scheme at Annex A of the Green Freeports Bidding Prospectus. For Criteria A, B, C and D, officials' assessment of the response provided (alongside the accompanying materials from pass/fail assessment (section 5.7)) accounted for 100% of the bidder's score for that criterion.

For Criteria E and F, bidders were required to respond to multiple questions each having an individual weighting for the overall score as set out in section 5.8 of the Green Freeports Bidding Prospectus. In assessing the answers to the questions, assessors also considered any relevant information provided in 5.7, as well as any publicly available data (e.g., unemployment levels) to test any assertions in the answers provided.

A process of primary moderation was then undertaken, consisting of internal moderation within assessor teams, and then final moderation sessions by a joint panel headed by Senior Civil Servants from both governments, representing key policy interests but who had not been directly involved in the assessment, covering all criteria. This moderation process considered both the overall assessment by policy officials and the supporting analysis, and involved cross-examination to, and challenge of, the lead assessors for each criterion.

Following moderation, each bid was assigned six 'High', 'Medium', and 'Low' scores, one against each of the criteria listed at 5.2.4 of the Green Freeports Bidding Prospectus. In a limited number of cases, officials noted that the response to some questions fell on the border between two of the bands e.g., "Low-Medium" or "Medium-High" and it was therefore proposed and supported by the panel that this be reflected in the final scores.

Of the five bids received, four met the threshold detailed at 5.2.6 of the Green Freeports Bidding Prospectus and were therefore considered appointable. The bid from Orkney did not meet the threshold as it scored "Medium – Low" on the lead criterion (A) to "Promote regeneration and high-quality job creation" and a "High" was needed for this criterion. It also had three "Low" scores across all six criteria, one above the two allowed to be considered appointable. Detailed scoring of bids is provided in Annex A.

A cross-government group of senior officials forming the Green Freeports Programme Board oversaw the process. As part of the agreed competition governance, they received information on the assessment process and the scoring of each bid (detailed at Annex A).

The Programme Board, having assured the process aligned with the Green Freeports Bidding Prospectus, approved the list of appointable candidates shown in Annex A, to be submitted to Ministers for selection. This was included in the information pack which also set out the outer boundary maps of each bid and a summary of officials' assessment against each criterion, as well as context-sensitive information as outlined in section 5.3.2 of the Green Freeports Bidding Prospectus, ensuring their decision was fully informed.

Ministerial decision-making: Green Freeport locations

Scottish Government's Deputy First Minister met with UK Government's Secretary of State for Levelling Up, Housing and Communities and subsequently the Secretary of State for Scotland, accompanied by Senior Civil Servants, to discuss the appointable bids.

In accordance with the process outlined in the Green Freeports Bidding Prospectus, ministers considered officials' assessments of the bids and were free to factor into their decision-making the 7 additional considerations listed at 5.3.2 of the Green Freeports Bidding Prospectus.

Ministers agreed that the priorities for additional considerations were:

- prioritising proposals with a “high” assessment for the decarbonisation criterion when choosing between similar appointable applications
- reserving the right to ensure a fair spread across Scotland

With these considerations in mind alongside the scores, ministers discussed the merits of each individual bid in the round.

The selection of Firth of Forth as the clear highest scoring bidder overall was taken. It was noted that the bids of Inverness and Cromarty Firth and Clyde held comparable scores. However, as per the published prospectus, Ministers chose to prioritise the bid that scored higher on the decarbonisation criteria and selected Inverness and Cromarty Firth. It was noted that this selection of bids also delivered a fair spread across Scotland.

Annex A: Bid scoring (alphabetical)

Green Freeport	Policy Criteria				Delivery Criteria	
	Criterion A: Promote regeneration and high-quality job creation	Criterion B: Promote decarbonisation and a just transition to a net zero economy	Criterion C: Establishing hubs for global trade and investment	Criterion D: Fostering an innovative environment	Criterion E: Deliverability of proposal effectively at pace	Criterion F: Level of private sector involvement in the proposal
Clyde Green Freeport	HIGH	MEDIUM	MEDIUM	MEDIUM/HIGH	HIGH	HIGH
Firth of Forth Green Freeport	HIGH	HIGH	HIGH	MEDIUM	HIGH	HIGH
Inverness and Cromarty Firth Green Freeport	HIGH	MEDIUM/HIGH	HIGH	MEDIUM/HIGH	MEDIUM	MEDIUM
North East Scotland Green Freeport	MEDIUM/HIGH	MEDIUM	MEDIUM	MEDIUM	HIGH	MEDIUM
Orkney Green Freeport*	MEDIUM/LOW	MEDIUM	LOW	LOW/MEDIUM	LOW	LOW

*This bid did not make the appointable list but has been included in the scoring table as it was subject to full assessment.