



**Oversight and Governance**

Chief Executive's Department

Plymouth City Council

Ballard House

Plymouth PL1 3BJ

T 01752 305155

[www.plymouth.gov.uk/democracy](http://www.plymouth.gov.uk/democracy)

Published 16/11/22

## Delegated Decisions

### Delegated Executive/Officer Decisions

Delegated Executive and Officer decisions are published every Wednesday 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 Unit by 4.30 pm on Wednesday 23 November 2022. 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 Cabinet decisions detailed below may be implemented on Thursday 24 November 2022 if they are not called-in. The non-key Council Officer Decision may be implemented immediately.

## **Delegated Decisions**

### **1. Councillor Richard Bingley, Leader of the Council:**

- 1.1. Civic Centre District Energy Scheme **(Pages 1 - 28)**
- 1.2. Appointment of shareholder representative and replacement Directors for CATERed Limited **(Pages 29 - 32)**

### **2. Councillor Bill Wakeham, Cabinet Member for Environment & Street Scene:**

- 2.1. Reinstatement of Charges for Non-Household Waste at Recycling Centres **(Pages 33 - 56)**

### **3. Council Officer Decision - Paul Barnard, Service Director for Strategic Planning & Infrastructure:**

- 3.1. Contract Award - Appointment of Contractor to undertake continued enabling works at Old Town Street and New George Street **(Pages 57 - 72)**

# EXECUTIVE DECISION

made by a Cabinet Member



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

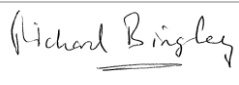
Executive Decision Reference Number – L11 22/23

Decision	
1	<b>Title of decision:</b> Civic Centre District Energy Scheme
2	<b>Decision maker (Cabinet member name and portfolio title):</b> Councillor Richard Bingley, Leader of the Council
3	<b>Report author and contact details:</b> Jon Selman, <a href="mailto:jonathan.selman@plymouth.gov.uk">jonathan.selman@plymouth.gov.uk</a> , 01752 307814
4	<p><b>Decision to be taken:</b></p> <ul style="list-style-type: none"> <li>• Approve the Business Case</li> <li>• Approve the application to BEIS run Green Heat Network Fund (GHNF) to secure additional grant to deliver the preferred scheme</li> <li>• If the Green Heat Network Fund is successful to Allocate <b>£2,972,906</b> for the project into the Capital Programme funded by: <ul style="list-style-type: none"> <li>○ Green Heat Network Fund grant of £1,200,000</li> <li>○ Community Infrastructure Levy funding £350,000</li> <li>○ Service Borrowing of £1,159,811</li> <li>○ Revenue Contribution £43,376</li> <li>○ Landowner Contributions £219,719</li> </ul> </li> <li>• If GHNF application is unsuccessful proceed with the fall-back scheme, and allocate £1,096,721 into the Capital Programme funded by: <ul style="list-style-type: none"> <li>○ Community Infrastructure Levy funding £350,000</li> <li>○ Service Borrowing of £564,885</li> <li>○ Revenue Contribution £95,415</li> <li>○ Landlord Contributions of £86,421</li> </ul> </li> <li>• Authorise the procurement process for either the preferred or fall-back scheme</li> <li>• Delegate the award of the contract to the Service Director for HROD</li> </ul>
5	<p><b>Reasons for decision:</b></p> <p>This business case relates to the development of low carbon and renewable energy infrastructure to achieve the City's commitments to carbon reduction, as part of the <b>Climate Emergency Action Plan</b> and seeks approval to apply for government funding to support the delivery of a District Energy scheme that will support the redevelopment of Civic Centre by Urban Splash, but also decarbonise Theatre Royal and the Plymouth Combined Courts. It would deliver an efficient district energy network that links the with the existing PCC heat network serving the Council House and the Guildhall and serve as potential enabling infrastructure for other nearby developments in the City Centre and Millbay. This report seeks approval to progress the preferred scheme if this grant funding is secured or a fall-back scheme if the grant funding is not secured, alongside secured CIL funding, service borrowing and some landowner contributions.</p>

	Heat networks are already a key component of the City's strategy ( <b>Plymouth Plan Policy GR07</b> ) which outlines a target to halve 2005 levels of carbon emissions by 2034 through the deployment of low carbon and renewable energy and specifically district energy networks and smart energy networks but also part of the <b>Plymouth and South West Devon Joint Local Plan (policy DEV 32)</b> and draft <b>Climate Emergency Planning Statement</b> .			
<b>6</b>	<p><b>Alternative options considered and rejected:</b></p> <p><b>Option 1: Do Nothing</b></p> <p>Urban Splash would need to deliver their own energy centre solution for Civic Centre, and secure additional capital to achieve this and for compliance with planning policy and Building Regulations. Theatre Royal and Plymouth Combined Courts would not be able to reduce their carbon emissions associated with heating.</p> <p>If the proposal does not proceed, PCC will be unable to meet its policy commitments in the Plymouth Plan or JLP, as well as the developers for Civic Centre having to secure additional capital funding for an alternative compliant scheme. PCC would also not be able to deliver the associated carbon or electricity savings or generate the additional income. Not proceed with the scheme, which would not generate the carbon savings for the buildings concerned, would not support the regeneration of Civic Centre nor enable more strategic connections allowing it to expand further in the future the wider build out of heat networks in the City Centre, nor take advantage of available government grant funding.</p>			
<b>7</b>	<p><b>Financial implications and risks:</b></p> <p>The preferred scheme would utilise £1.2m government Green Heat Network Fund grant towards the scheme, should this be successful. The fall-back scheme could still proceed without this, but is smaller in scale. Financial modelling has demonstrated there would be no revenue pressures created through the preferred or fall-back schemes and that both would generate a modest surplus over a 20 year period.</p> <p>The key risks are around delays in Civic Centre being brought forward, but also levels of occupancy and energy price volatility. These risks are set out in the Business Case, but it is considered these risks can be covered off through timing of project commencement dates and the commercial agreements.</p>			
<b>8</b>	<p><b>Is the decision a Key Decision?</b> (please contact <a href="#">Democratic Support</a> for further advice)</p>	<p><b>Yes</b></p>	<p><b>No</b></p>	<p><b>Per the Constitution, a key decision is one which:</b></p> <p>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</p> <p>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></p> <p>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.</p>
	<p><b>If yes, date of publication of the notice in the <a href="#">Forward Plan of Key Decisions</a></b></p>	N/A		
<b>9</b>	<p><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></p>	Heat networks are already a key component of the City's strategy ( <b>Plymouth Plan Policy GR07</b> ) but also part of the <b>Plymouth and South West Devon Joint Local Plan (policy DEV 32)</b> and draft <b>Climate Emergency</b>		

		<p><b>Planning Statement.</b> The scheme also contributes to the City's <b>Climate Emergency Action Plan</b>.</p> <p>The decision also links to the Councils corporate plan objective:</p> <p><b>Unlocking the City's Potential: A Green Sustainable City that cares about the environment.</b></p>		
<b>10</b>	<b>Please specify any direct environmental implications of the decision (carbon impact)</b>	The decision would result in the reduction of carbon emissions of at least 160t Carbon/ annum.		
<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)
		<b>No</b>	x	<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>	Yes	
		<b>No</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>	Councillor Stoneman, Cabinet Member for Climate Change Councillor Shayer, Deputy Leader of the Council		
<b>13c</b>	<b>Date Cabinet member consulted</b>	24 October 2022 4 November 2022		
<b>14</b>	<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>	x	
<b>15</b>	<b>Which Corporate Management Team member has been consulted?</b>	<b>Name</b>	Andy Ralphs	
		<b>Job title</b>	Strategic Director of Customer & Corporate Services	
		<b>Date consulted</b>	1 November 2022	

Sign-off									
16	Sign off codes from the relevant departments consulted:		Democratic Support (mandatory)			DS67 22/23			
			Finance (mandatory)			pl.22.23.255			
			Legal (mandatory)			MS/39356			
			Human Resources (if applicable)			N/A			
			Corporate property (if applicable)			S0002.DW.20221101			
			Procurement (if applicable)			N/A			
Appendices									
17	Ref.	Title of appendix							
	A	Civic Centre District Energy Capital Investment 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 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: Civic Centre District Energy Capital Investment 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
Cabinet Member Signature							
<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 and those who do not. For further details please see the EIA attached.						
<b>Signature</b>			<b>Date of decision</b>		16 November 2022		
<b>Print Name</b>	Councillor Richard Bingley, Leader of Plymouth City Council						

This page is intentionally left blank



## **Civic Centre District Energy Capital Investment**

### **Briefing Paper**



This briefing paper relates to the expansion of low carbon heat network infrastructure to support the City's commitment to carbon reduction but also the regeneration of Civic Centre. It seeks approval to deliver a district energy scheme that will support the redevelopment of the Civic Centre by Urban Splash and the decarbonisation of the Theatre Royal and Plymouth Combined Courts. The preferred scheme involves the expansion of an existing heat network serving the Council House and Guildhall. It will also serve as enabling infrastructure for other nearby developments in the City Centre and Millbay.

The paper seeks approval to utilise CIL grant and service borrowing towards the preferred scheme alongside connection charges and an application for a BEIS Green Heat Network Fund (GHNF) grant. Should the GHNF application be unsuccessful, a fall-back scheme would involve connecting (initially) the Civic Centre and the Combined Courts, with an option to expand the network to the Theatre Royal at a later date.

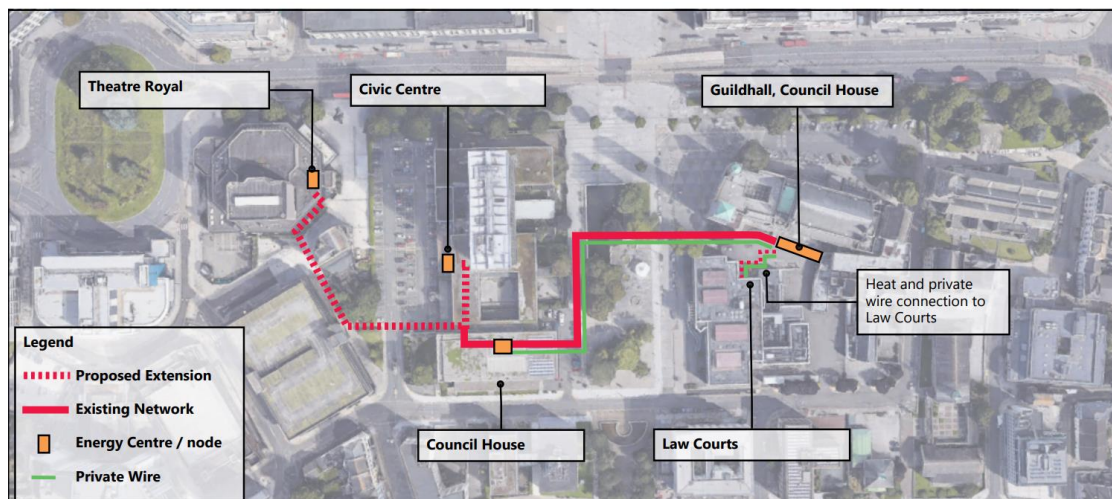
Plymouth has an existing heat network connecting the Council House and Guildhall. Until recently, the network was served exclusively by a number of gas boilers sited at the Guildhall. Work is currently advanced on site to decarbonise this heat network by constructing a new energy centre served by an air source heat pump sited adjacent to the Guildhall. Construction work is due to be completed in November 2022. The energy centre is designed to accommodate an expansion of the heat network to supply decarbonised heat to the Plymouth Combined Courts, Civic Centre and Theatre Royal (along with other new low carbon heat generation equipment).

Some of these buildings are challenging to decarbonise individually, as they have insufficient space to install an air source heat pump. Sharing low carbon heat pumps across buildings (in combination with solar PV) supports decarbonisation by delivering low carbon heat in the most efficient and cost-effective manner.

Extensive engagement has taken place with Urban Splash to explore the benefits of a heat network solution for the Civic Centre in parallel with developing their plans for the building. Its redevelopment is due to commence soon, firstly with a strip out works contract, followed by the main contract for delivery of the mixed used scheme. This heat network investment proposal directly supports these redevelopment works through the provision of decarbonised heat. It also supports the wider development of a City Centre heat network by providing an additional energy centre.

There is a specific requirement for a heat network connection with space allocated for an energy centre at the Civic Centre, secured through the existing planning consent. Timescales for the implementation of the redevelopment plans and the heat network are also well aligned.

The scheme comprises the extension of an existing heat network connecting additional properties, as well as the installation of a (400kW) air source heat pump at a new energy centre within the Civic Centre. It will provide low carbon heat to the extension connections thereby contributing to the further decarbonisation of the existing network. The BEIS application for technology funding is not to address any pre-existing performance issues.



The project has been through the various stages of technical development and design and a RIBA 3 design pack has been prepared. A full capital costing exercise has also been carried out by an external cost consultant. The capital costs allow for a commercialization phase to enable terms to be agreed with the building owners and to support the scheme's procurement and delivery.

Detailed project development work has been completed comprising an energy centre, located in the basement of the Civic Centre. This uses renewable energy in the form of an air source heat pump (ASHP), and associated equipment, in addition to its connection to the existing low carbon equipment at the Guildhall. Together, they will deliver a low carbon heat solution for the network of connected buildings.

Techno economic modelling of the project has identified the funding gap in order to achieve Plymouth performance requirements. The results show that, with a grant contribution towards the capital costs, the scheme is viable, operationally profitable and sustainable in the long term. The financial model explores the cashflow and revenue implications over the term of the investment (20 years). It shows that with the funding mix for either the preferred or fall-back scheme there should be no additional revenue pressures. The results show that the projected sales of heat have the potential to generate an operating surplus and a reduction in carbon emissions for the Civic Centre, Theatre Royal and Plymouth Combined Courts of at least 161t/ annum against a gas counterfactual.

The scheme has an IRR which is below what would usually be acknowledged as a commercial return. However, PCC consider this lower return to be acceptable on account of the project's relatively low risk and that it will enable further City-wide decarbonisation through the expansion of the network. Connection and commercial agreements have been prepared and shared with the three building owners. The arrangement involves a bulk heat supply through a separate (retail) heat provider supplying to the domestic customers. This will ensure that PCC is billing only commercial heat customers which will minimise its on-going costs and administrative responsibilities.

The financial modelling demonstrates that there should not be revenue pressures for either the preferred or fall-back schemes. Whilst there are a number of key risks including occupancy levels, timing and energy market volatility, these risks will be covered in the Commercial Agreements. Supply chain volatility could also impact the overall capital costs, although the costs are based on recent scheme costs and include some contingency.

The preferred scheme that would serve the Civic Centre, Theatre Royal and the Combined Court has a capital requirement of £2.973m. Other than the CIL Funding of £350k secured, together with

service borrowing and a Revenue Contribution, with contributions from land owners in discussion, there is the opportunity to secure the remaining funding requirement of £1.2m from the Green Heat Network Fund (GHNF). This is a BEIS supported programme of grant investment which was opened to applications in 2022, to support this type of low carbon heat network project. Should the GHNF application be unsuccessful, PCC could proceed with a fall-back scheme serving the Civic Centre and the Combined Court only. This has a lower capital requirement of £1.1m.

Project delivery would involve preparing a design & build contract based on a performance specification, with an extended commissioning, monitoring and defects period, to allow for operational optimisation.

This page is intentionally left blank


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.

Document is Restricted

This page is intentionally left blank

# EQUALITY IMPACT ASSESSMENT – CIVIC CENTRE DISTRICT ENERGY SCHEME

## SECTION ONE: INFORMATION ABOUT THE PROPOSAL

<b>Author(s):</b> This is the person completing the EIA template.	Jon Selman	<b>Department and service:</b>	SP&I	<b>Date of assessment:</b>	25/10/2022
<b>Lead Officer:</b> Please note that a Head of Service, Service Director, or Strategic Director must approve the EIA.	Kat Deeney	<b>Signature:</b>		<b>Approval date:</b>	02/11/22
<b>Overview:</b>	This business case relates to the development of energy infrastructure to achieve the City's commitments to carbon reduction and renewable energy. It seeks approval to progress the development of a District Energy scheme that will support the redevelopment of Civic Centre by Urban Splash, but also support decarbonisation of the Theatre Royal and Plymouth Combined Courts. It will deliver an efficient district energy network that links with the existing PCC heat network serving Council House and Guildhall and serve as potential enabling infrastructure for other nearby developments in the City Centre and Millbay. The business case seeks approval to deliver a preferred scheme using government grant funding, if secured, or a fall-back scheme if not secured.				
<b>Decision required:</b>	<b>Decision to be taken:</b> <b>It is recommended that the Leader of the Council:</b> <ul style="list-style-type: none"> <li>• Approves the Business Case</li> <li>• Allocates <b>£2,972,906</b> for the project into the Capital Programme funded by:             <ul style="list-style-type: none"> <li>○ Green Heat Network Fund grant of £1,200,000</li> <li>○ CIL funding £350,000</li> <li>○ Service Borrowing of £1,010,397</li> <li>○ Revenue Contribution £192,789</li> <li>○ Landowner Contributions £219,719</li> </ul> </li> <li>• If GHNF application is unsuccessful proceed with the fall-back scheme, and allocate £1,096,721 into the Capital Programme funded by:             <ul style="list-style-type: none"> <li>○ CIL funding £350,000</li> <li>○ Service Borrowing of £564,885</li> <li>○ Revenue Contribution £95,415</li> <li>○ Landlord Contributions of £86,421</li> </ul> </li> <li>• Approval to apply to BEIS run Green Heat Network Fund (GHNF) to secure additional grant to deliver the preferred scheme</li> <li>• Authorises the procurement process for either the preferred or fall-back scheme</li> <li>• Delegates the award of the contract to Service Director for HROD</li> </ul>				

**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 two)	<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.	N/A			

**SECTION THREE: FULL EQUALITY IMPACT ASSESSMENT**

<b>Protected characteristics (Equality Act, 2010)</b>	<b>Evidence and information (e.g. data and consultation feedback)</b>	<b>Adverse impact</b>	<b>Mitigation activities</b>	<b>Timescale and responsible department</b>
<b>Age</b>	<p>All data is from the 2011 Census except for age and sex which has been updated with 2021 data. Data will be updated with the 2021 Census data as it becomes available.</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>	N/A		



	<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>(Data sourced from the 2021 Census)</p>			
<b>Disability</b>	10 per cent of our population have their day-to-day activities limited a lot by a long-term health problem or disability (2011 Census).	N/A		
<b>Gender reassignment</b>	<p>There are no official estimates for gender reassignment at either national or local level (awaiting 2021 Census data).</p> <p>However, in a study funded by the Home Office, the Gender Identity Research and Education Society (GIRES) estimate that between 300,000 and 500,000 people aged 16 or over in the UK are experiencing some degree of gender variance.</p>	N/A		
<b>Marriage and civil partnership</b>	<p>There were 234,795 marriages in England and Wales in 2018.</p> <p>In 2020, there were 7,566 opposite-sex civil partnerships formed in England and Wales, of which 7,208 were registered in England and 358 were registered in Wales.</p>	N/A		

	<p>There were 785 civil partnerships formed between same-sex couples in England and Wales in 2020, of which 745 were registered in England and 40 were registered in Wales.</p>			
<b>Pregnancy and maternity</b>	<p>There were 640,370 live births in England and Wales in 2019, a decrease of 2.5 per cent since 2018. The mid-year 2019 population estimates show that there were 2,590 births in Plymouth.</p> <p>The total fertility rate (TFR) for England and Wales decreased from 1.70 children per woman in 2018 to 1.65 children per woman in 2019.</p>	N/A		
<b>Race</b>	<p>92.9 per cent of Plymouth's population identify themselves as White British. 7.1 per cent identify themselves as Black, Asian or Minority Ethnic.</p> <p>Census data suggests at least 43 main languages are spoken in the city, showing Polish, Chinese and Kurdish as the top three (2011 Census).</p>	N/A		
<b>Religion or belief</b>	<p>Christianity is the biggest faith in the city with more than 58 per cent of the population (148,917). 32.9 per cent (84,326) of the Plymouth population stated they had no religion (2011 Census).</p> <p>Those who identified as Muslim were just under 1 per cent while Hindu, Buddhist, Jewish or Sikh combined totalled less than 1 per cent (2011 Census).</p>	N/A		

<b>Sex</b>	51 per cent of our population are women and 49 per cent are men (2021 Census).	N/A		
<b>Sexual orientation</b>	There is no precise local data on sexual orientation in Plymouth (awaiting 2021 Census data).	N/A		

#### SECTION FOUR: HUMAN RIGHTS IMPLICATIONS

Human Rights	Implications	Mitigation Actions	Timescale and responsible department
	N/A	N/A	

#### SECTION FIVE: OUR EQUALITY OBJECTIVES

Equality objectives	Implications	Mitigation Actions	Timescale and responsible department
<b>Celebrate diversity and ensure that Plymouth is a welcoming city.</b>	N/A	N/A	
<b>Pay equality for women, and staff with disabilities in our workforce.</b>	N/A	N/A	
<b>Supporting our workforce through the implementation of Our People Strategy 2020 – 2024</b>	N/A	N/A	
<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>	N/A	N/A	
<b>Plymouth is a city where people from different backgrounds get along well.</b>	N/A	N/A	

This page is intentionally left blank

# EXECUTIVE DECISION

made by a Cabinet Member



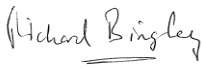
## REPORT OF ACTION TAKEN UNDER DELEGATED AUTHORITY BY AN INDIVIDUAL CABINET MEMBER

Executive Decision Reference Number – L17 22/23

Decision				
1	<b>Title of decision:</b> Appointment of shareholder representative and replacement Directors for CATERed Limited			
2	<b>Decision maker (Cabinet member name and portfolio title):</b> Councillor Richard Bingley (Leader)			
3	<b>Report author and contact details:</b> Jamie Sheldon (Senior Governance Advisor)			
4	<b>Decision to be taken:</b> <ol style="list-style-type: none"> <li>1. Tina Brinkworth (Head of Skills and Post 16) to resign as a director for Catered Limited and be replaced with Mark Trewin as a director for Catered Limited.</li> <li>2. To appoint Tina Brinkworth, (Head of Skills and Post 16) to act as Shareholder Representative to exercise all voting rights on behalf of the Council subject to Key Decisions (as defined by the Council's Constitution) being reserved to the Leader/ Cabinet and take any necessary action to protect, safeguard and effectively manage the Council's interest in Catered Limited including making decisions relating to the appointment and resignation of directors.</li> </ol>			
5	<b>Reasons for decision:</b> <p>Following the retirement of Alison Botham (former Director of Children's Services) The Shareholder representative is needed so that the representative can make decisions and vote on behalf of the council in general meetings.</p> <p>There is also a need to appoint replacement directors to fill the vacant positions. The council may appoint two directors the Board according to the Catered's Articles of Association. As such, it is recommended that the officer named in the above section are appointed as director of Catered.</p>			
6	<b>Alternative options considered and rejected:</b> <p>The alternative option would be to not appoint replacement director. This option is rejected as it will remove a line of sight at Catered's Board level decisions; and will lead to lack of oversight of the company's management and financial health.</p>			
7	<b>Financial implications and risks:</b> <p>None</p>			
8	<b>Is the decision a Key Decision?</b> (please contact <a href="#">Democratic Support</a> for further advice)	Yes	No	<b>Per the Constitution, a key decision is one which:</b> <p>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</p>
			x	

			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>
			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>			
<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>	CaterEd is a ground breaking and co-operative way of working with our partners to deliver healthy locally sourced school meals in partnership with schools. Supporting Covid-19 emergency food supplies and meeting the urgent food needs of both adults and children's.		
<b>10</b>	<b>Please specify any direct environmental implications of the decision (carbon impact)</b>	None.		
<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)
		<b>No</b>	x	<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>		
		<b>No</b>	x	<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>	<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>		Sharon Muldoon					
		<b>Job title</b>		Director of Children's Services					
		<b>Date consulted</b>		15 November 2022					
<b>Sign-off</b>									
<b>I6</b>	<b>Sign off codes from the relevant departments consulted:</b>	<b>Democratic Support (mandatory)</b>			DS70 22/23				
		<b>Finance (mandatory)</b>			DJN22.23.253				
		<b>Legal (mandatory)</b>			MS/39403 & EJ/38851/16.11.2 2(1)				
		<b>Human Resources (if applicable)</b>			N/A				
		<b>Corporate property (if applicable)</b>			N/A				
		<b>Procurement (if applicable)</b>			N/A				
<b>Appendices</b>									
<b>I7</b>	<b>Ref.</b>	<b>Title of appendix</b>							
<b>Confidential/exempt information</b>									
<b>I8a</b>	<b>Do you need to include any confidential/exempt information?</b>	<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 I 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>							
		<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>6</b>	<b>7</b>	
<b>I8b</b>	<b>Confidential/exempt briefing report title:</b>								

Background Papers							
<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
Cabinet Member Signature							
<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 and those who do not. For further details please see the EIA attached.</p>						
<b>Signature</b>			<b>Date of decision</b>		16 November 2022		
<b>Print Name</b>	Councillor Richard Bingley						



# EXECUTIVE DECISION

## made by a Cabinet Member




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

Executive Decision Reference Number – ESS04 22/23

Decision				
1	<b>Title of decision:</b> Reinstatement of Charges for Non-Household Waste at Recycling Centres			
2	<b>Decision maker (Cabinet member name and portfolio title):</b> Councillor Bill Wakeham, Cabinet Member for Environment & Street Scene			
3	<b>Report author and contact details:</b> Phil Rudin, Head of Strategic Contracts and Disposal, Street Services: <a href="mailto:Phil.Rudin@plymouth.gov.uk">Phil.Rudin@plymouth.gov.uk</a>			
4	<b>Decision to be taken:</b> To reinstate charges for non-household waste at Recycling Centres and to approve the business case.			
5	<p><b>Reasons for decision:</b></p> <p>In January 2021 charges for disposing of plasterboard, soil and rubble and asbestos were introduced at Chelson Meadow HWRC.</p> <p>The scheme operated successfully for 5 months and during that period a total of £56,000 was recovered in charges to offset disposal costs.</p> <p>Charges were subsequently withdrawn in June 2021 following a change in political administration.</p> <p>Against a backdrop of the unprecedented financial pressures the Council are facing this proposal has been put forward to reinstate the charges for the disposal of certain types of waste at the Chelson Meadow HWRC. Items which arise from DIY, construction and demolition works to a home are not legally classed as domestic waste and therefore a charge can be levied. The materials in scope are soil and rubble, plasterboard and asbestos. The Council currently accepts all these materials without charge but faces significant onward disposal costs, and therefore currently subsidises household construction projects indirectly.</p> <p>There is a positive impact of £177,000 Per annum with no known risks related to this decision.</p>			
6	<b>Alternative options considered and rejected:</b>			
	A do nothing option has been considered but discounted as it will not lead to the predicted changes in behaviour with regard to waste disposal or provide the forecast savings.			
7	<b>Financial implications and risks:</b>			
	None			
8	<b>Is the decision a Key Decision? (please contact <a href="#">Democratic Support</a> for further advice)</b>	<b>Yes</b>	<b>No</b>	<b>Per the Constitution, a key decision is one which:</b>
			x	

				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>
			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>	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>	This proposal supports the Corporate Plan specifically that it supports a green, sustainable city that cares about the environment		
<b>10</b>	<b>Please specify any direct environmental implications of the decision (carbon impact)</b>	It is predicted that the introduction of charges will drive a behaviour change amongst residents resulting in a reduction in waste being presented for disposal.  Waste minimisation is at the top of the Waste Hierarchy and regarded as the most environmentally beneficial approach to managing waste.		
<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)
		<b>No</b>	x	<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>		
		<b>No</b>	x	<b>(If no go to section 14)</b>
<b>13b</b>	<b>Which other Cabinet member's</b>			

	portfolio is affected by the decision?							
<b>13c</b>	Date Cabinet member consulted							
<b>14</b>	Has any Cabinet member declared a conflict of interest in relation to the decision?	Yes		If yes, please discuss with the Monitoring Officer				
		No	x					
<b>15</b>	Which Corporate Management Team member has been consulted?	Name	Anthony Payne					
		Job title	Strategic Director for People					
		Date consulted	08 November 2022					
<b>Sign-off</b>								
<b>16</b>	Sign off codes from the relevant departments consulted:	Democratic Support (mandatory)	DS72 22/23					
		Finance (mandatory)	DJN.22.23.281					
		Legal (mandatory)	EJ/38851/16.11.22(3)					
		Human Resources (if applicable)	N/A					
		Corporate property (if applicable)	N/A					
		Procurement (if applicable)	N/A					
<b>Appendices</b>								
<b>17</b>	Ref.	Title of appendix						
	A	Briefing report for publication						
	B	Equalities Impact Assessment						
	C	Business Case – Reinstatement of Charges at HWRC						
<b>Confidential/exempt information</b>								
<b>18a</b>	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 <b>18b</b> below.  (Keep as much information as possible in the briefing report that will be in the public domain)				
		No	x					
		<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>I8b</b>	<b>Confidential/exempt briefing report title:</b>							
<b>Background Papers</b>								
<b>I9</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>							
<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>	<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 and those who do not. For further details please see the EIA attached.</p>							
<b>Signature</b>				<b>Date of decision</b>	09 November 2022			
<b>Print Name</b>	Councillor Bill Wakeham							

## APPENDIX A - BRIEFING REPORT

### REINSTATEMENT OF CHARGES FOR NON-HOUSEHOLD WASTE AT RECYCLING CENTRES



#### 1. EXECUTIVE SUMMARY

In January 2021 charges for disposing of plasterboard, soil and rubble and asbestos were introduced at Chelson Meadow HWRC.

The scheme operated successfully for 5 months and during that period a total of £56,000 was recovered in charges to offset disposal costs. The scheme did not operate for a long enough period to be able to gain meaningful data on the impact on waste volumes.

Charges were subsequently withdrawn in June 2021 following a change in political administration.

The infrastructure remains in place to allow charging to be reintroduced at short notice. To remobilise the scheme would require refresher training for staff, some minor changes to signage on site, an update to the relevant pages on the website and an information campaign to let customers know the intention to re-introduce charging.

It is estimated that charging for non-household waste would result in a saving of £177k per year to the service. The actual savings would depend on how much of these waste types continue disposed of at the site and the extent of waste reduction and diversion that occurs.

#### 2. BACKGROUND

##### 2.1 Obligations

The key legislation relevant for this decision is the Environmental Protection Act (1990) and the Controlled Waste Regulations (England and Wales) 2012. The Environmental Protection Act (EPA) sets out the principle that waste presented at civic amenity sites, such as the HWRC's, are able to levy charges for types of waste which aren't classed as household.

##### 2.2 Details of the Scheme

It is proposed that if the decision is taken to re-instate charging at Chelson Meadow the system that operated successfully in 2001 should be adopted.

The details of that scheme are as follows:

**Charges:** The charges are aligned to the highest offered by neighbouring Local Authorities to ensure that there is no incentive for non-Plymouth residents to attempt to visit Chelson Meadow to dispose of these items. The charges were as follows:

- Soil & rubble £2.40 per bag or item
- Plasterboard £6 per bag or sheet
- Bonded Asbestos £11 per bag or sheet

**Payment:** Payment is made on site by credit/debit card only. No cash or cheques accepted.

**Operation:** Gates and fencing have been installed on site so that the areas where the chargeable waste is stored are locked. Any customers wanting to dispose of a chargeable waste type are directed to the area where an operative will assess the extent of waste they have and calculate the charge due. Payment is taken and then the area for disposal is unlocked to allow the customer to dispose of their waste. The customer is made aware of the charges before they dispose of their waste and given the option of finding an alternative means of disposal. No

negotiations are made as to the cost of disposal. There is a dedicated portable building on site where the payments are taken and electronic equipment is stored.

### 3. IMPACT OF RE-INSTATING CHARGES AT CHELSON MEADOW HWRC

**Costs:** The estimated total cost saving per year would be £177k made up of the following:

<b>Additional staffing costs</b>	<b>(£29k)</b>
<b>Disposal cost saving</b>	<b>£54k</b>
<b>Revenue from charges</b>	<b>£146k.</b>
<b>Increased commercial revenue</b>	<b>£6k</b>

**Personnel:** the cost estimate assumes that an additional member of staff will be required at busy times.

**Level of service to residents:** the only impact to the service provided to residents is that a charge will be levied for the disposal of waste types that fall within the scheme.

**Chelson Meadow HWRC:** infrastructure improvements were made to the site prior to the introduction of charges in 2001 so no further adjustments to the site are required. The cost of these improvements is already being charged to the site operating costs.

**Waste reduction:** The introduction of charges encourages greater reuse of materials thus reducing environmental impact of disposal process. Experience where similar schemes that have been introduced in other areas show a significant reduction in quantities of the waste types attracting charges and it is expected that a similar impact would be experienced at Chelson Meadow. For the purposes of the business case an 80% reduction for soil, rubble and plasterboard was used.

### 4. RISKS

**Risk of queuing:** Risk of queuing at site resulting in tailbacks onto the Highway as a result of the extra time taken to process charges. To mitigate this a separate reception area has been created to process charges to avoid any impact of flow of traffic through the site. No excessive queueing was experienced during the previous operational period.

**Alternative disposal routes:** there is a potential that increased volumes of non-household waste will be placed into domestic wheelie bins to avoid charges. This has been recognised in the business plan and a proportional increase in disposal fees has been included within the revised disposal cost scenarios.

**Political Risk:** the introduction of charges in 2021 resulted in very little opposition from customers however the economic landscape has changed significantly with the recent high profile increases in the cost of living so the re-introduction of charges could be very negatively received by site users.

**Fly Tipping:** Possibility of an increase in fly tipping. This risk was covered in significant detail in the initial proposal and there is evidence nationally that there is no significant increase in fly tipping as a result of the introduction of charges for waste at HWRC sites.

S.75 Environmental Protection Act 1990 (the 1990 Act) sets out the definitions of controlled waste into three categories of waste (i.e. household, industrial and commercial waste). The Controlled Waste (England & Wales) Regulations 2012 (the Regulations) provides further clarification, although there remains a lack of legal clarity over whether household waste falls to include DIY waste or whether it falls to be construction waste as it is waste from improvement, repair or alteration. Nevertheless, many local authorities continue to charge, in spite of government indicating an intention to provide clearer guidance, which may lead to prohibiting charging – a view supported by DEFRA's who recognise the need to update current rules. Therefore some risk exists, however as above it is not uncommon for disposal charges to be made by Disposal Authorities across the county and, were the matter clear, legislative clarity would not be needed.

This page is intentionally left blank



## CAPITAL INVESTMENT BUSINESS CASE

Reinstatement of Charges at HWRC



### EXECUTIVE SUMMARY

*The Executive Summary is a short summary of the Business Case and should be the last section you complete, this will enable you to extract or only the key facts from relevant sections i.e. 'project on a page'. The summary is a 'snapshot' of the business case which will need to tell the story and sell the proposal.*

The proposal being put forward is to reinstate charging for non-household waste at the Household Waste Recycling Centres (HWRC).

In January 2021 charges for disposing of plasterboard, soil and rubble and asbestos were introduced at Chelson Meadow HWRC.

The scheme operated successfully for 5 months and during that period a total of £56,000 was recovered in charges to offset disposal costs. The scheme did not operate for a long enough period to be able to gain meaningful data on the impact on waste volumes.

Charges were subsequently withdrawn in June 2021 following a change in political administration.

Against a backdrop of the unprecedented financial pressures the Council are facing and a proposal has been put forward to follow the example of our neighbouring Local Authority's and charge for the disposal of certain types of waste at the Chelson Meadow HWRC. Items which arise from DIY, construction and demolition works to a home are not legally classed as domestic waste and therefore a charge can be levied. The materials in scope are soil and rubble, plasterboard and asbestos. The Council currently accepts all these materials without charge but faces significant onward disposal costs, and therefore currently subsidises household construction projects indirectly. It is proposed that charges will initially be set to be in line with the highest of our neighbours to avoid any incentive for cross boarder waste disposal.

From the experience of Devon County Council, who introduced these charges in 2011, it is hoped that Plymouth will observe a significant shift in resident behaviour, as charges will incentivise the reduction and reuse as much of this type of waste as possible within project design. This will help reduce the environmental impact of the disposal of this type of waste.

A risk associated with charging for waste is a potential increase in flytipping incidents, albeit it is acknowledged that it is a significant step for residents to commit criminal activity simply to avoid charges. Evidence from Devon County Council shows a downward trend in flytipping incidents over the 5 years following the implementation of charges, however the business case sets out a series of proposals for improving the management of flytipping.

The implementation of charges will have a twofold financial benefit. Firstly, any reduction in the volume of waste will reduce the disposal charges the Council pay, and secondly, any remaining waste will then generate income from the charges levied. This helps create sustainable income and savings which can be then reinvested in the delivery of valued services which help to keep the city clean and tidy.

SECTION 1: PROJECT DETAIL			
<b>Project Value</b> (indicate capital or revenue)	£177,000	<b>Contingency</b> (show as £ and % of project value)	
<b>Programme</b>		<b>Directorate</b>	Place - SP&I
<b>Portfolio Holder</b>	Bill Wakeham	<b>Service Director</b>	Anthony Payne
<b>Senior Responsible Officer (client)</b>	Philip Robinson	<b>Project Manager</b>	Phil Rudin
<b>Address and Post Code</b>		<b>Ward</b>	Citywide
<b>Current Situation:</b> <i>(Provide a brief, concise paragraph outlining the current situation and explain the current business need, problem, opportunity or change of circumstances that needs to be resolved)</i>			
<p>In January 2021 charges for disposing of plasterboard, soil and rubble and asbestos were introduced at Chelson Meadow HWRC.</p> <p>The scheme operated successfully for 5 months and during that period a total of £56,000 was recovered in charges to offset disposal costs. The scheme did not operate for a long enough period to be able to gain meaningful data on the impact on waste volumes. Charges were subsequently withdrawn in June 2021 following a change in political administration.</p>			
<b>Proposal:</b> <i>(Provide a brief, concise paragraph outlining your scheme and explain how the business proposal will address the current situation above or take advantage of the business opportunity) and (What would happen if we didn't proceed with this scheme?)</i>			
<p>The proposal is to reinstate charging for non-household waste at the Household Waste Recycling Centres. It is estimated that charging for non-household waste would result in a saving of £177k per year to the service. The actual savings would depend on how much of these waste types continue disposed of at the site and the extent of waste reduction and diversion that occurs. The infrastructure remains in place to allow charging to be reinstated so there is no capital investment required.</p>			

Milestones and Date:		
Contract Award Date	Start On Site Date	Completion Date

SECTION 2: PROJECT RISK, OUTCOMES AND BENEFITS					
<b>Risk Register:</b> <i>The Risk Register/Risk Log is a master document created during the early stages of a project. It includes information about each identified risk, level of risk, who owns it and what measures are in place to mitigate the risks (cut and paste more boxes if required).</i>					
<b>Potential Risks Identified</b>			<b>Likelihood</b>	<b>Impact</b>	<b>Overall Rating</b>
<b>Risk</b>	Increase in illegal disposal of waste, flytipping		Medium	Low	Medium
<b>Mitigation</b>	As outlined in the risk section of the proposal section of the business case		Medium	Low	Medium
<b>Calculated risk value in £</b> (Extent of financial risk)	Not calculated	<b>Risk Owner</b>	Service Manager		

<b>Risk</b>	Potential that increased volumes of non household waste will be placed into domestic wheelie bins to avoid charges.	Medium	Medium	Medium
<b>Mitigation</b>	A proportional increase in disposal fees has been included within the revised disposal cost scenarios.	Medium	Low	Low
<b>Calculated risk value in £ (Extent of financial risk)</b>	Offset by income / savings	<b>Risk Owner</b>	Service Manager	
<b>Risk</b>	Risk of queuing at site resulting in tailbacks onto the Highway	Medium	Medium	Medium
<b>Mitigation</b>	Operational plan devised to direct customers with chargeable waste away from reception point so as not to impact on general flow.	Low	Low	Low
<b>Calculated risk value in £ (Extent of financial risk)</b>	£0	<b>Risk Owner</b>	Project Manager	

### Outcomes and Benefits

#### List the outcomes and benefits expected from this project.

(An **outcome** is the result of the change derived from using the project's deliverables. This section should describe the anticipated outcome)

(A **benefit** is the measurable improvement resulting from an outcome that is perceived as an advantage. Benefits are the expected value to be delivered by the project, measurable whenever possible)

#### Financial outcomes and benefits:

Reduced disposal costs for materials  
New income streams for non household waste

#### Non-financial outcomes and benefits:

Greater reuse of materials thus reducing environmental impact of disposal process.  
Staff development and training.  
Better data intelligence on customer waste disposal.

### Low Carbon

#### What is the anticipated impact of the proposal on carbon emissions

The amount of waste presented for disposal is likely to be reduced which will result in a reduction of carbon emissions

#### How does it contribute to the Council becoming Carbon neutral by 2030

It will reduce the overall carbon emissions by reducing the amount of waste the Council is responsible for.

#### Have you engaged with Procurement Service?

Yes

#### Procurement route options considered for goods, services or works

N/A

#### Procurements Recommended route.

#### Who is your Procurement Lead?

#### Is this business case a purchase of a commercial property

No

#### If yes then provide evidence to show that it is not 'primarily for yield'

Which Members have you engaged with and how have they been consulted (including

The Portfolio Holder has been consulted on the proposal

the Leader, Portfolio Holders and Ward Members)

## SECTION 4: FINANCIAL ASSESSMENT

**FINANCIAL ASSESSMENT:** In this section the robustness of the proposals should be set out in financial terms. The Project Manager will need to work closely with the capital and revenue finance teams to ensure that these sections demonstrate the affordability of the proposals to the Council as a whole. Exact amounts only throughout the paper - not to be rounded.

### CAPITAL COSTS AND FINANCING

Breakdown of project costs including fees surveys and contingency	Prev. Yr. £	22/23 £	23/24 £	24/25 £	25/26 £	26/27 £	Future Yrs. £	Total £
<b>Total capital spend</b>								

### Provide details of proposed funding: *Funding to match with Project Value*

Breakdown of proposed funding	Prev. Yr. £	22/23 £	23/24 £	24/25 £	25/26 £	26/27 £	Future Yrs. £	Total £
As above								
<b>Total funding</b>								

<b>Which external funding sources been explored</b>	N/A
<b>Are there any bidding constraints and/or any restrictions or conditions attached to your funding</b>	N/A
<b>Tax and VAT implications</b>	
<b>Tax and VAT reviewed by</b>	

### REVENUE COSTS AND IMPLICATIONS

#### *Cost of Developing the Capital Project (To be incurred at risk to Service area)*

<b>Total Cost of developing the project</b>	N/A
<b>Revenue cost code for the development costs</b>	

<b>Revenue costs incurred for developing the project are to be included in the capital total, some of the expenditure could be capitalised if it meets the criteria</b>					Y/N		
<b>Budget Managers Name</b>							
<b>Ongoing Revenue Implications</b>							
	<b>Prev. Yr.</b>	<b>19/20 £</b>	<b>20/21 £</b>	<b>21/22 £</b>	<b>22/23 £</b>	<b>23/24 £</b>	<b>Future Yrs.</b>
<b>Revenue cost</b>							
<b>Staffing</b>					29,000	29,000	29,000
<b>Total Revenue Cost (A)</b>					29,000	29,000	29,000
<b>Service area revenue benefits/savings</b>							
<b>Annual revenue savings (reduced disposal costs)</b>					(54,000)	(54,000)	(54,000)
<b>Annual revenue savings (increased HWRC revenue)</b>					(146,000)	(146,000)	(146,000)
<b>Annual revenue savings (increased Commercial Weighbridge revenue)</b>					(6,000)	(6,000)	(6,000)
<b>Total Revenue Savings (B)</b>					(206,000)	(206,000)	(206,000)
<b>Service area net (benefit) cost (B-A)</b>					(177,000)	(177,000)	(177,000)
<b>Has the revenue cost been budgeted for or would this make a revenue pressure</b>	Revenue costs are captured within this proposal and offset by forecast income & savings.						
<b>Which cost centre would the revenue pressure be shown</b>	n/a	<b>Has this been reviewed by the budget manager</b>				Y	
<b>Name of budget manager</b>	Phil Rudin						
<b>Loan value</b>		<b>Interest Rate</b>		<b>Term Years</b>		<b>Annual Repayment</b>	
<b>Revenue code for annual repayments</b>							
<b>Service area or corporate borrowing</b>	Service						
<b>Revenue implications reviewed by</b>							

**Version Control:** (The version control table must be updated and signed off each time a change is made to the document to provide an audit trail for the revision and update of draft and final versions)

Author of Business Case	Date	Document Version	Reviewed By	Date
	00/00/2022	v 1.0		00/00/2022
	00/00/2022	v 2.0		00/00/2022

**SECTION 6: RECOMMENDATION AND ENDORSEMENT**

**Recommended Decision**

It is recommended that the Leader of the Council:

- Approves the Business Case

<b>Cllr Bill Wakeham, Environment and Street Scene</b>		<b>Service Director</b>	
<b>Either email dated:</b>	09/11/22	<b>Either email dated:</b>	date
		<b>Signed:</b>	
<b>Or signed:</b>			
<b>Date:</b>		<b>Date:</b>	
		<b>Service Director</b>	
		Philip Robinson	
		<b>Either email dated:</b>	Date: 8 November 2022
		<b>Signed:</b>	
		<b>Date:</b>	

# APPENDIX B - EQUALITY IMPACT ASSESSMENT – REINTRODUCTION OF CHARGES FOR NON-HOUSEHOLD WASTE AT RECYCLING CENTRES

## SECTION ONE: INFORMATION ABOUT THE PROPOSAL

<b>Author(s):</b> This is the person completing the EIA template.	Phil Rudin	<b>Department and service:</b>	Street Services	<b>Date of assessment:</b>	19/10/22
<b>Lead Officer:</b> Please note that a Head of Service, Service Director, or Strategic Director must approve the EIA.	Phil Rudin, Head of Strategic Contracts and Disposal	<b>Signature:</b>	P Rudin	<b>Approval date:</b>	19/10/22
<b>Overview:</b>	<p><b>BACKGROUND</b></p> <p>The Equality Act 2010 harmonised and replaced pre-existing equality legislation and extended statutory protection across nine 'protected characteristics'. It recognised forms of discrimination that were previously beyond the scope of legislation and introduced the concept of the Public Sector Equality Duty (PSED).</p> <p>The protected characteristics include; <a href="#">age</a>, <a href="#">disability</a>, <a href="#">gender reassignment</a>, <a href="#">marriage and civil partnership</a>, <a href="#">pregnancy and maternity</a>, <a href="#">race</a>, <a href="#">religion or belief</a>, <a href="#">sex</a> and <a href="#">sexual orientation</a>.</p> <p>The PSED placed specific responsibilities on public sector organisations to consider equality in their decision making. It consists of a general equality duty, supported by specific duties, which are imposed by secondary legislation. In summary, those subject to the equality duty must, in the exercise of their functions, have due regard to the need to:</p> <ul style="list-style-type: none"> <li>• Eliminate unlawful discrimination, harassment and victimisation and other prohibited conduct.</li> <li>• Advance equality of opportunity between people who share a protected characteristic, and those who do not.</li> <li>• Promote good relations between people who share a protected characteristic and those who do not</li> </ul> <p><b>CONTEXT</b></p> <p>Plymouth City Council is facing significant budget pressures. The business case which is being presented sets out the rationale for re-introducing a charge for the disposal of non-household waste delivered to Household Waste Recycling</p>				

	<p>Centres. The re-instatement of these charges would contribute to helping mitigate the Council’s unprecedented budget pressures and improve public behaviour towards waste minimisation.</p> <p><b>DECISION</b></p> <p>It is recommended that the Cabinet Member for Environment and Street Scene :</p> <ul style="list-style-type: none"> <li>• Approves the Business Case</li> <li>• Approves the re-introduction of charges for the disposal of non-household waste at the council’s HWRC sites.</li> </ul>
--	--

**SECTION TWO: EQUALITY IMPACT ASSESSMENT SCREENING TOOL**

<b>Potential external impacts:</b>	<b>Yes</b>		<b>No</b>	x
Does the proposal have the potential to negatively impact service users, communities or residents with protected characteristics?				
<b>Potential internal impacts:</b>	<b>Yes</b>		<b>No</b>	x
Does the proposal have the potential to negatively impact Plymouth City Council employees?				
Is a full Equality Impact Assessment required?	<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.	Not applicable.			

**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
<b>Age</b>	We do not have a detailed age profile of our customers from our surveys but 2011 Census	No adverse impacts are anticipated from this decision.	Not applicable.	Not applicable.



	<p>data the % of the population represented by age is as follows;</p> <p>0-4 years – 6%</p> <p>5-9 years – 5%</p> <p>10 -14 years – 5%</p> <p>15-19 yrs. – 7%</p> <p>20 -24 yrs. – 10%</p> <p>25 -29 yrs. - 7%</p> <p>30 -34% - 6%</p> <p>35 -39 – 6%</p> <p>40 -44 yrs. – 7%</p> <p>45 -49 yrs. – 7%</p> <p>50 -54 - 6%</p> <p>55-59 yrs. – 5%</p> <p>60 -64 yrs. – 6%</p> <p>65 – 69 yrs. – 6%</p> <p>70- 74 yrs. – 4%</p> <p>75 -79 yrs. – 3%</p> <p>80-84 yrs. – 2%</p> <p>85+ -2%</p> <p>23% are 19 years or younger</p> <p>43% are 19 -49 years</p> <p>17% are 50 to 64 years</p> <p>17% are 65 years plus</p>			
--	---	--	--	--

<b>Disability</b>	<p>30,000 people in Plymouth will have some form of Mental Health issue. 0.8 % (2118) of those registered with a GP as listed on the Mental Health register.</p> <p>A total of 31,164 (28.5% of households) people declared themselves as having a long term disability in the 2011 Census. This is compared the national average of 27.7%.</p> <p>10% of Plymouths population have their day to day activities limited by a long term disability or long term health problem</p> <p>1224 adults currently registered with a GP in Plymouth have some form of learning disability</p>	No adverse impacts are anticipated from this decision.	Not applicable.	Not applicable.
<b>Gender reassignment</b>	<p>There are no official estimates for gender reassignment at either a national or local level. However in a Home Office funded study (GIREs, Gender Identity Research and Education Society) estimated that between 3000,000 and 500,000 are experiencing some degree of gender variance nationally. If we apply this to Plymouth this equates to between 1,200 and 2000 adults.</p>	No adverse impacts are anticipated from this decision.	Not applicable.	Not applicable.
<b>Marriage and civil partnership</b>	<p>There were 234,795 marriages in England and Wales in 2018.</p>	No adverse impacts are anticipated from this decision.	Not applicable.	Not applicable.

	<p>In 2020, there were 7,566 opposite-sex civil partnerships formed in England and Wales, of which 7,208 were registered in England and 358 were registered in Wales.</p> <p>There were 785 civil partnerships formed between same-sex couples in England and Wales in 2020, of which 745 were registered in England and 40 were registered in Wales.</p>			
<b>Pregnancy and maternity</b>	<p>There were 640,370 live births in England and Wales in 2019, a decrease of 2.5 per cent since 2018. The mid-year 2019 population estimates show that there were 2,590 births in Plymouth.</p> <p>The total fertility rate (TFR) for England and Wales decreased from 1.70 children per woman in 2018 to 1.65 children per woman in 2019.</p>	No adverse impacts are anticipated from this decision.	Not applicable.	Not applicable.
<b>Race</b>	<p>92.9 of Plymouths population identify themselves as White British</p> <p>7.1% identify as Black and Minority Ethnic (BME)</p> <p>White (other) 2.7 %</p> <p>Chinese (0.5%)</p> <p>Other Asian (0.5%)</p> <p>Our recorded BME population rose from 3% in 2001 to 6.7% in the 2011 census.</p>	No adverse impacts are anticipated from this decision.	Not applicable.	Not applicable.

<b>Religion or belief</b>	58.1% (148,917) people identify themselves as Christian. This has decreased from 73.6% reported in 2001  32.9% of the population stated that they had no religion  Those stating Hindi, Buddhist, Sikh, or Jewish religion totalled less than 1% combined	No adverse impacts are anticipated from this decision.	Not applicable.	Not applicable.
<b>Sex</b>	Overall 50.6% of the population of Plymouth are women and 49.4% are men. This reflects the national figure of 50.8% women and 49.2% men.	No adverse impacts are anticipated from this decision.	Not applicable.	Not applicable.
<b>Sexual orientation</b>	There is no definitive data on sexual orientation at a local or national level, however a recent estimate from 2015 ONS Annual Population Survey (APS) suggests that; 1.7% of UK is LGB. This equates to just over 3,600 people in Plymouth There is no precise local data on sexual orientation in Plymouth (we are awaiting 2021 Census data).	No adverse impacts are anticipated from this decision.	Not applicable.	Not applicable.

**SECTION FOUR: HUMAN RIGHTS IMPLICATIONS**

<b>Human Rights</b>	<b>Implications</b>	<b>Mitigation Actions</b>	<b>Timescale and responsible department</b>
	No adverse impacts on human rights are expected from this decision.	Not applicable.	Not applicable.

**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>	Plymouth City Council remains committed to celebrating the diversity of the city.	Not applicable.	Not applicable.
<b>Pay equality for women, and staff with disabilities in our workforce.</b>	Plymouth City Council is committed to equal opportunities and the fair treatment of its workforce. As an employer, we have a clear policy of paying employees equally for the same or equivalent work regardless of gender or disability. The Council operates a comprehensive job evaluation scheme to ensure that rates of pay are fair and are based wholly on the role being undertaken. Click here to enter text.	Not applicable.	Not applicable.
<b>Supporting our workforce through the implementation of Our People Strategy 2020 – 2024</b>	Our People Strategy 2020 – 2024 sets out our approach towards ensuring that the Council's workforce can adapt and meet the ever changing needs of the Council and our residents.	Not applicable.	Not applicable.
<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>	The Council is committed to reducing and tackling hate crime and ensuring that victims are treated in a trauma informed manner to ensure that they get the outcome which is most appropriate for them. The Council works closely with the Safer Plymouth Partnership, the community safety	Not applicable.	Not applicable.

	partnership for the city. Hate crime data is monitored.		
<b>Plymouth is a city where people from different backgrounds get along well.</b>	The Council is committed to promoting cohesion within the city.	Not applicable.	Not applicable.



This page is intentionally left blank



# EXECUTIVE DECISION

made by a Council Officer




## REPORT OF ACTION TAKEN UNDER DELEGATED AUTHORITY BY AN INDIVIDUAL COUNCIL OFFICER

Executive Decision Reference Number – COD29 22/23

Decision	
1	<b>Title of decision:</b> Contract Award - Appointment of Contractor to undertake continued enabling works at Old Town Street and New George Street.
2	<b>Decision Maker :</b> Paul Barnard, Service Director for Strategic Planning and Infrastructure
3	<b>Report author and contact details:</b> : Catherine Arthurs, Design and Delivery Co-ordinator, Tel: 01752 305440 catherine.arthurs@plymouth.gov.uk
4a	<p><b>Decision to be taken:</b></p> <p>To award a contract to undertake continued enabling works in Old Town Street and New George Street in respect of the Council's Better Places Programme of public realm improvements to Morgan Sindall Construction and Infrastructure Ltd.</p> <p>It is intended to award the contract using a Short Form Delivery Agreement using the SCAPE Framework.</p>
4b	<b>Reference number of original executive decision or date of original committee meeting where delegation was made:</b> Executive Decision L43 19/20 03.07.20
5	<p><b>Reasons for decision:</b></p> <p>The Better Places Programme seeks to address years of under-investment in city centre streets and spaces; to transform the look and feel of the city centre; to support and lever in further inward investment in retail, leisure, employment and housing.</p> <p>Undertaking a second phase of enabling works is necessary for the Council to maintain its commitment to expend central government grant money that is time restricted; and to progress the construction of its extensive programme of public realm improvements within Plymouth City Centre in a timely fashion, minimising disruption to the public and its retail partners.</p> <p>Old Town Street and New George Street are identified as a priority projects which reinforce the Council's actions to regenerate key areas of Plymouth's city centre.</p>
6	<p><b>Alternative options considered and rejected:</b></p> <p><b>Option 1: Do Nothing</b> – This is not an option since the project is already committed to as a result of earlier enabling works and an order has been placed to purchase granite.</p> <p><b>Option 2: Do Nothing and await the award of the main contract-</b> If the Council doesn't continue these works, serious delays will result to the construction programme for the project.</p> <p>Not completing the schemes in a timely manner will lead to increased costs and may lead to the loss of external funding for the project and will seriously damage the current good reputation the Council has established for the delivery of high quality public realm schemes.</p>

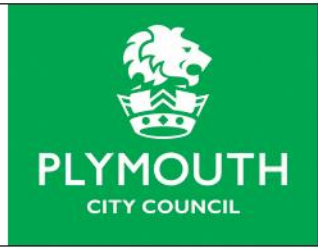
7	<p><b>Financial implications and risks:</b></p> <p>£9.935m of funding been secured for the project from the Transforming Cities Fund which needs to be spent by March 2023 or returned to the funder. The contract value is £967,708.78.</p>																
8	<table border="1"> <thead> <tr> <th data-bbox="244 331 758 427">Is the decision a Key Decision? (please contact <a href="#">Democratic Support</a> for further advice)</th> <th data-bbox="758 331 852 427">Yes</th> <th data-bbox="852 331 1007 427">No</th> <th data-bbox="1007 331 1495 427"><b>Per the Constitution, a key decision is one which:</b></th> </tr> </thead> <tbody> <tr> <td data-bbox="244 427 758 595"></td> <td data-bbox="758 427 852 595"></td> <td data-bbox="852 427 1007 595">x</td> <td data-bbox="1007 427 1495 595">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</td> </tr> <tr> <td data-bbox="244 595 758 779"></td> <td data-bbox="758 595 852 779"></td> <td data-bbox="852 595 1007 779">x</td> <td data-bbox="1007 595 1495 779">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></td> </tr> <tr> <td data-bbox="244 779 758 920"></td> <td data-bbox="758 779 852 920"></td> <td data-bbox="852 779 1007 920">x</td> <td data-bbox="1007 779 1495 920">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.</td> </tr> </tbody> </table>	Is the decision a Key Decision? (please contact <a href="#">Democratic Support</a> for further advice)	Yes	No	<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>			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.
Is the decision a Key Decision? (please contact <a href="#">Democratic Support</a> for further advice)	Yes	No	<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>														
		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.														
8b	<p>If yes, date of publication of the notice in the <a href="#">Forward Plan of Key Decisions</a></p>	n/a															
9	<p><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></p>	<p>Growing Plymouth - The outcomes of this project will help support a growing city by encouraging inward investment in the retail, leisure and cultural offer of Plymouth city centre and supporting the diversification of uses including residential and office.</p> <p>Providing aesthetically attractive and inviting city centre streets and spaces that function better through day and into evening will attract increased visitors to the city centre for prolonged periods of time resulting in higher spend, more viable businesses and a more competitive city centre further establishing Plymouth's position as a premier retail and shopping destination for the South West.</p> <p>Caring Plymouth - The project will support the creation of positive spaces for residents from across the city, supporting the achievement of health and wellbeing outcomes and promoting social inclusion.</p> <p>This project will directly support the growth of the city by encouraging visitors and enabling increased investment from the community and private sector.</p>															
10	<p><b>Please specify any direct environmental implications of the decision (carbon impact)</b></p>	<p>The project aims to deliver significant environmental improvements to the city centre including a net increase in trees and tree canopy cover, biodiversity net gain through the introduction of new species including those that support pollinating insects. The scheme will deliver a new Sustainable Urban Drainage (SUDs) system that will form part of a wider strategic network in the city centre. The SUDs systems includes 'rain gardens' which integrate the</p>															

		drainage system with the cities green infrastructure to make the best use of surface water. Construction materials have been selected for long-term robustness and durability to reduce lifecycle carbon footprint.		
<b>Urgent decisions</b>				
I1	Is the decision urgent and to be implemented immediately in the interests of the Council or the public?	Yes		(If yes, please contact <a href="#">Democratic Support</a> for advice)
		No	x	(If no, go to section I3a)
I2a	Reason for urgency:			
I2b	Scrutiny Chair signature:		Date	
	Scrutiny Committee name:			
	Print Name:			
<b>Consultation</b>				
I3a	Are any other Cabinet members' portfolios affected by the decision?	Yes	x	
		No		(If no go to section I4)
I3b	Which other Cabinet member's portfolio is affected by the decision?	Councillor Jonathan Drean, Cabinet Member for Transport		
I3c	Date Cabinet member consulted	09 November 2022		
I4	Has any Cabinet member declared a conflict of interest in relation to the decision?	Yes		If yes, please discuss with the Monitoring Officer
		No	x	
I5	Which Corporate Management Team member has been consulted?	Name	Anthony Payne	
		Job title	Strategic Director for Place	
		Date consulted	11 November 2022	
<b>Sign-off</b>				
I6	Sign off codes from the relevant departments consulted:	Democratic Support (mandatory)	DS71 22/23	
		Finance (mandatory)	pl.22.23.278	
		Legal (mandatory)	MS/39427	
		Human Resources (if applicable)	N/A	
		Corporate property (if applicable)	N/A	

		<b>Procurement (if applicable)</b>	HG/PS/658/ED/1 122					
<b>Appendices</b>								
<b>17</b>	<b>Re f.</b>	<b>Title of appendix</b>						
	A	Contract Award Report Part I						
<b>Confidential/exempt information</b>								
<b>18a</b>	<b>Do you need to include any confidential/exempt information?</b>	<b>Yes</b>	<input checked="" type="checkbox"/>	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 <b>18b</b> below.				
		<b>No</b>	<input type="checkbox"/>					
		<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> Contract Award Report Part 2			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 I 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>Council Officer 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 and those who do not. For further details please see the EIA attached.							
<b>Signature</b>					<b>Date of decision</b>		10/11/2022	
<b>Print Name</b>		Paul Barnard, Service Director SP&I						

**PROCUREMENT GATEWAY 3 -  
CONTRACT AWARD REPORT - PART I**

Old Town Street & New George Street Public Realm



**1. INTRODUCTION**

**2. BACKGROUND**

**3. PROCUREMENT PROCESS**

**4. TENDER EVALUATION CRITERIA**

**5. SUMMARY OF EVALUATION**

**6. FINANCIAL IMPLICATIONS**

**7. RECOMMENDATIONS**

**8. APPROVAL**

## I. INTRODUCTION

This contract award report is in relation to the procurement of Old Town Street & New George Street public realm works and entering into a second Short Delivery Agreement to undertake continued enabling works. The scope of the second tranche of enabling works is:

**Phase I** (within the existing hoardings outside House of Fraser only).

Reduce Level Dig down to correct Level and Dispose of Materials

Excavate Rain Gardens and Dispose of Materials.

Excavate and Install Drainage

Install Rain Gardens as follows:

- Greenleaf 2000 Root Barrier or equivalent and approved.
- Pea gravel - Drainage Layer RH37
- Sand – To be measured as part of the Irrigation system Provisional Sum.
- Topsoil - filling of excavations
- Topsoil - filling up to make levels Irrigation system – Provisional

Slot Drain (Subject to VE confirmation and also ability to install within allowed Programme).

Stone up and trim with Type I, compact. Fill to correct levels for Concrete Slab (Centre area to be complete for 16th November 2022 – benefit of Christmas lights switch on walkway)

Install 150mm thick Concrete Slab to Hard Areas

**Phase Ia** (within the existing hoardings East of New George Street only)

Site Clearance – removal of:

- Concrete Paving
- Existing Tarmac
- Removal of Concrete slab to rain garden section only. Assumed all other concrete slab to remain and mediated.
- Remove Existing Kerbs
- Removal of all material

Reduce Level Dig (to top of Existing Concrete Slab) and dispose of material

Excavate Rain Garden and Dispose of Material

Excavate and Install Drainage

Install Rain Gardens as follows:

- Greenleaf 2000 Root Barrier or equivalent and approved.
- Pea gravel - Drainage Layer RH37
- Sand – To be measured as part of the Irrigation system Provisional Sum.
- Topsoil - filling of excavations
- Topsoil - filling up to make levels I
- Irrigation system – Provisional Slot Drain (Subject to VE confirmation and also ability to install within allowed Programme)

Installation of 3 Nr 150mm Ducting as drawing 3588695c WPD Enabling Works. Subject to approval of use of Heras outside of the working area.

BT & Virgin Media Diversions – Prov Sum.

Stone up and trim with Type I, compact. Fill to correct levels for Concrete Slab

Install 150mm thick Concrete Slab to Hard Areas

### **General**

Groundworks Preliminaries allowed for 8 Weeks

Vac Ex – Provisional Allowance – Client Risk on Services.

Foundations to Street Furniture and Objects – allowed as Provisional Sum as awaiting final decisions on the Street Furniture and objects to dictate foundation requirement.

Provisional Dayworks Allowance - to complete incomplete works on the First SDA due to ongoing changes in Drainage design to overcome Service Clashes on Old Town Street.

Install 2 Split Ducts to OTS/St Andrews Transition Plate Bearing Test to Civic Sq. – Provisional Sum

PASI28 Level B Survey to Civic Square

OTS/NGS Payment to Secure Trees – Provisional Sum (awaiting confirmation form YGS Landscapes) Test Cleaning of Areas to Civic Square – Allowance for one day only.

Recovery of Overspend on initial SDA – As Agreed in meeting of 31st October 2022

**Contract Duration:** Initial estimate is 8 weeks until 3<sup>rd</sup> January 2022.

## **2. BACKGROUND**

The Better Places Programme seeks to address years of under-investment in city centre streets and spaces; to transform the look and feel of the city centre; to support and lever in further inward investment in retail, leisure, employment and housing.

The contractor is being procured via the SCAPE framework and there is an option to undertake advance works under a Short Form Delivery Agreement prior to the main contract commencing. This contract award is to undertake a second tranche of enabling works prior to the main contract being put in place in the new year. This is necessary in order for the Council to maintain its commitments to expended central government grant money that is time restricted; and to progress the construction of its extensive programme of public realm improvements within Plymouth City Centre in a timely fashion, minimising disruption to the public and its retail partners.

Old Town Street and New George Street are identified as a priority projects which reinforce the Council's actions to regenerate key areas of Plymouth's city centre.

## **3. PROCUREMENT PROCESS**

The SCAPE Construction Framework is being utilised to procure this requirement, which is specifically for public sector bodies' use. The chosen framework delivery partner is Morgan Sindall, via a direct award appointment. Morgan Sindall is a delivery partner on the construction framework for projects valued up to £75 million.

This framework route has been chosen, following a thorough review of the procurement options available for this project. This review concluded that the best option is to utilise the SCAPE Construction framework.



SCAPE is a public-sector partnership. This framework enables construction works suited to the requirement of this project.

The applicable terms and conditions for this stage of the project will be NEC4 Engineering and Construction Short Contract 2017 (with necessary amendments)

#### 4. TENDER EVALUATION CRITERIA

This procurement path will ensure value for money as the SCAPE framework is an OJEU compliant procurement process, which was subject to EU wide competition when it was set up.

Framework delivery partners have already been suitability pre-qualified and are performance monitored on a regular basis.

SCAPE have a project process map which outlines all the necessary steps and documentation that need to be completed throughout the procurement process.

#### 5. SUMMARY OF EVALUATION

The outcome of this review is contained within the confidential Part II paper.

#### 6. FINANCIAL IMPLICATIONS

The contract value for this project is £967,708.78. Details of the financial implications are contained within the Part II paper.

#### 7. RECOMMENDATIONS

It is recommended that the second tranche Short Delivery Agreement phase of the project be awarded to Morgan Sindall.


The main Construction Phase (works) contract will be subject of a separate award report with those works commencing in the new year if appointed.

There is no guarantee Morgan Sindall will be awarded the construction contract, however, under this procurement process, provided Morgan Sindall meet all the necessary requirements, the Council can direct award the construction contract to them.

#### 8. APPROVAL

##### Authorisation of Contract Award Report

Author (Responsible Officer / Project Lead)	
<b>Name:</b>	Catherine Arthurs
<b>Job Title:</b>	Design and Delivery Coordinator
<b>Additional Comments (Optional):</b>	
<b>Signature:</b>	<i>C Arthurs</i>
<b>Date:</b>	08.11.22

<b>Service Director</b> <b>[Signature provides authorisation to this award report and award of Contract]</b>			
<b>Name:</b>	Paul Barnard		
<b>Job Title:</b>	Service Director SP&I		
<b>Additional Comments (Optional):</b>			
<b>Signature:</b>		<b>Date:</b>	10/11/2022

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.

Document is Restricted

This page is intentionally left blank