



Oversight and Governance

Chief Executive's Department

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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 14 June 2023. 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 non-key officer decision detailed below may be implemented immediately.

Delegated Decisions

I. Council Officer Decision - Ruth Harrell, Director of Public Health:

- I.I. COD 03 23/24 - Variation to the Appointment of Consultancy Services for the Bereavement Infrastructure Project **(Pages 1 - 14)**

EXECUTIVE DECISION

made by a Council Officer



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


Executive Decision Reference Number – COD 03 23/24

Decision	
1	<p>Title of decision:</p> <p>Variation to the Appointment of Consultancy Services for the Bereavement Infrastructure Project.</p>
2	<p>Decision maker:</p> <p>Ruth Harrell, Director of Public Health</p>
3	<p>Report author and contact details:</p> <p>Sandra Pentney, 305939 or Sandra.Pentney@plymouth.gov.uk</p>
4a	<p>Decision to be taken:</p> <p>Approve the variation to the contract TC/17014 for Consultancy Services with AECOM Infrastructure & Environment UK Ltd (AECOM) to the value of £255,000</p>
4b	<p>Reference number of original executive decision or date of original committee meeting where delegation was made:</p> <p>Executive Decision Ref L10 18/19 dated 23 July 2018</p>
5	<p>Reasons for decision:</p> <p>As part of their wider design team AECOM have been undertaking the role of Quantity Surveyor since January 2018. Due to delays in the programme related to Covid, value engineering and issues in the construction industry the contract now needs to be varied to incorporate the additional time taken to deliver the new crematorium. Construction work has started on site under an NEC4 contract with the total project sum of £21m this is significantly at risk without a suitably qualified and knowledgeable Quantity Surveying resource to oversee the project and minimise risk to PCC. Aecom were appointed through a competitive tender process. This is not a substantial variation to the original contract.</p>
6	<p>Alternative options considered and rejected:</p> <p>Allocate an alternative QS resource from within PCC to the scheme – rejected as no resource is available and they would be joining the scheme starting from scratch. This would result in significantly increased risk dealing with a contractor under an NEC4 contract.</p> <p>Open tender for Quantity Surveying consultancy – rejected on the basis that work has started on site and this process could take 3 months to complete. PCC would also need to identify suitable resource to manage this which is not available.</p>
7	<p>Financial implications and Risks:</p> <p>The original appointment costs were part of a package of works much of which has now been completed. The ongoing fees related to this appointment of £255,000 are to be met from the approved budget for the new Crematorium facility in the Cabinet Paper dated 7 July 2022. This variation is compliant with regulation 71-(1) (e) of the Public Contracts Regulations 2015.</p>

	<p>Risks:</p> <p>Potential to lose value for money advantages if the budget is not monitored effectively;</p> <p>Delays in contractual payments if not reviewed in a timely manner.</p>		
8	<p>Is the decision a Key Decision?</p> <p>(please contact Democratic Support for further advice)</p>	<p>Yes</p>	<p>No</p> <p>Per the Constitution, a key decision is one which:</p> <p>in the case of capital projects and contract awards, results in a new commitment to spend and/or save in excess of £3million in total</p> <p>in the case of revenue projects when the decision involves entering into new commitments and/or making new savings in excess of £1million</p> <p>is significant in terms of its effect on communities living or working in an area comprising two or more wards in the area of the local authority.</p>
8b	<p>If yes, date of publication of the notice in the Forward Plan of Key Decisions</p>	n/a	
9	<p>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:</p>	<p>The Council is committed to delivering quality public services and as part of that commitment the Bereavement Service seeks to ensure it provides high quality remembrance and cremation service fit for the future.</p> <p>The Bereavement Service delivers on the Corporate Plan values and priorities in the following ways:</p> <ul style="list-style-type: none"> It is Collaborative by engaging with the funeral industry and increasing community engagement opportunities through open days and events as well as strengthening work with local schools and charities. It is Responsible by caring about its impact on the customers and the funeral industry retaining the choice of funeral service locations. It is Fair by creating a variety of opportunities for remembrance across a range of locations and costs It demonstrates Plymouth City Council's is committed to being Collaborative by working with our partners in the funeral industry and developing stronger ties with local bereavement charities It is a Caring Council that reduces health inequality by providing a modern facility that is fit for purpose meeting the needs of the whole city with sensitivity to differing faith requirements The project supports economic growth as part of Unlocking the City's Potential that benefits as many people as possible Unlocking the City's Potential by creating a green and sustainable funeral service by providing modern cremators with the latest abatement technology that 	

		meets emissions requirements and reduction in fuel requirements and carbon emissions. The Plymouth Plan sets out a single vision for the city to 2034 with a clearly stated ambition to grow Plymouth's population to 300,000 as well as new developments on our urban fringes such as Sherford Community, crematoria and burial capacity are recognised as a key infrastructure requirement for a growing city.		
10	Please specify any direct environmental implications of the decision (carbon impact)	The current and future cemetery and crematoria provision can contribute to Policy 25 Reducing Carbon Emissions by replacing old cremators with modern technology. Furthermore the cemeteries maintained by the Bereavement Service total 40 hectares of green space and are integral to the achievement of Policy 24 Delivering Plymouth's Natural Network providing for the needs of people, wildlife and businesses from funeral directors, florists and masons and their associated supply chains.		
Urgent decisions				
11	Is the decision urgent and to be implemented immediately in the interests of the Council or the public?	Yes		(If yes, please contact Democratic Support for advice)
		No	X	(If no, go to section 13a)
12a	Reason for urgency:			
12b	Scrutiny Chair signature:		Date	
	Scrutiny Committee name:			
	Print Name:			
Consultation				
13a	Are any other Cabinet members' portfolios affected by the decision?	Yes	X	
		No		(If no go to section 14)
13b	Which other Cabinet member's portfolio is affected by the decision?	Cllr Sally Haydon Cabinet Member for Community Safety, Libraries and Cemeteries and Crematoria		
13c	Date Cabinet member consulted	24 May 2023		
14	Has any Cabinet member declared a conflict of interest in relation to the decision?	Yes		If yes, please discuss with the Monitoring Officer
		No	x	

15	Which Corporate Management Team member has been consulted?	Name	Ruth Harrell					
		Job title	Director of Public Health					
		Date consulted	24 May 2023					
Sign-off								
16	Sign off codes from the relevant departments consulted:	Democratic Support (mandatory)	DS 08 23/24					
		Finance (mandatory)	DJN.23.24.30					
		Legal (mandatory)	LS/01719/JP/310523					
		Human Resources (if applicable)	N/A					
		Corporate property (if applicable)	N/A					
		Procurement (if applicable)	HG/PS682/ED/0523					
Appendices								
17	Ref.	Title of appendix						
	A	Briefing report for publication						
	B	Equalities Impact Assessment						
Confidential/exempt information								
18a	Do you need to include any confidential/exempt information?	Yes		If yes, prepare a second, confidential ('Part II') briefing report and indicate why it is not for publication by virtue of Part I of Schedule 12A of the Local Government Act 1972 by ticking the relevant box in 18b below.				
		No	x					
		Exemption Paragraph Number						
		1	2	3	4	5	6	7
18b	Confidential/exempt briefing report title:							
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
Council Officer Signature								
20	I agree the decision and confirm that it is not contrary to the Council’s policy and budget framework, Corporate Plan or Budget. In taking this decision I have given due regard to the Council’s duty to promote equality of opportunity, eliminate unlawful discrimination and promote good relations between people who share protected characteristics under the Equalities Act and those who do not. For further details please see the EIA attached.							
Signature			Date of decision		24 May 2023			
Print Name	Ruth Harrell							

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BEREAVEMENT INFRASTRUCTURE QUANTITY SURVEYOR CONSULTANCY BRIEFING PAPER (PART I)



Introduction

Plymouth's existing cremators which are located at Efford and Weston Mill are beyond their life expectancy. New cremators require added abatement technology to meet the Governments emissions requirements, these will not fit in the existing buildings. An extension is not possible in either location due to proximity of graves to the buildings. In addition Weston Mill only has 15 years of burial space available and Efford has even less. Both facilities are over 100 years old and do not provide the people of Plymouth with the type of facility that meets modern requirements.

Therefore, a new crematorium facility is under construction at Merafield Road, Plymouth located within the City boundary adjacent to the Drake Memorial Park which will transfer to the Council in 2050. Work has been ongoing for the last 6 years to design the new facility, purchase the land, procure the cremator provider, consult with the public and gain planning approval for this new scheme. A budget of over £29.4m has been approved in the Capital Programme for the project and we are now on site. A contract was signed in 2022 which appointed Kier Construction to work with the council to deliver the new facility. The new crematorium is expected to be fully complete in spring 2024.

Background

AECOM Infrastructure & Environment UK Ltd (AECOM) have provided Quantity Surveying support to the crematorium design and development since the beginning of the project as part of the appointed multi-disciplinary design team. Although the other disciplines have either been transferred to the principle contractor or are no longer required the role of Quantity Surveyor to act on behalf of Plymouth City Council remains critical to the success of this high profile project for the City. The Main Contractor and Design Team are all appointed under NEC Contracts that if not administered correctly could have significant financial implications, this is a £29.4m scheme with a main contract sum of £21m.

With the construction underway there is no time to tender and allow enough time for a new Quantity Surveyor to get up to speed on such a large scheme. Without this support the scheme would stall, PCC would incur delays as a result of not providing information/action in a timely manner in accordance with the NEC contract and the delivery date would likely move from April 2024. Any movement of the date increases the risk of the existing cremators at Weston Mill and Efford failing (they are now well past the end of life) and in a worst case scenario us having to send bodies to other crematoriums outside of the City which would have a significant reputational impact on the Council as well as cost.

Because of the size and complexity of the scheme, it has been established that no one within PCC has the capacity to support this scheme. AECOM have a local consultancy who have progressed the scheme well and have an established knowledge of the project over its lifetime. They have the relevant training and skills to oversee the scheme. The rates provided have been reviewed by a PCC Quantity Surveyor and offer value for money. The proposed hours are fair and in line with our thoughts on delivery for a scheme of this nature.

Procurement Process

The original appointment of AECOM was carried out through a competitive tender via The Supplying the South West Portal in December 2017. TC/17014 Bereavement Infrastructure, AECOM have already proven that they have the skills and expertise to manage the financial monitoring of the project. Their experience on the scheme puts them in a position where they can seamlessly continue to deliver these services which is key for PCC from a risk perspective when managing an NEC4 contract.

This variation to the original contract is being made in accordance with Regulation 72-(1)(e) of the Public Contracts Regulations 2015.


This is a minor variation to the original contract covering the additional costs of prolongation through Covid and continuation of fees to the completion of the project which total £255,000

Decision Summary

Approve the Quantity Surveyor services contract variation for the Bereavement Infrastructure project in favour of AECOM Infrastructure & Environment UK Ltd for the delivery of the new Plymouth Crematorium.

EQUALITY IMPACT ASSESSMENT – PLYMOUTH CREMATORIUM

SECTION ONE: INFORMATION ABOUT THE PROPOSAL

Author(s): This is the person completing the EIA template.	Sandra Pentney	Department and service:	HROD – Strategic Projects	Date of assessment:	24 May 2023
Lead Officer: Please note that a Head of Service, Service Director, or Strategic Director must approve the EIA.	Ruth Harrell Director of Public Health	Signature:		Approval date:	24 May 2023
Overview:	AECOM Infrastructure & Environment UK Ltd (AECOM) have provided Quantity Surveying support to the Bereavement project since the beginning of the project as part of the multi-disciplinary design team. Although the other disciplines have either been transferred to the principle contractor or are no longer required the role of Quantity Surveyor to act on behalf of Plymouth City Council remains critical to the success of this high profile project for the City. The Main Contractor and Design Team are all appointed under NEC Contracts that if not administered correctly could have significant financial implications, this is a £29.4m scheme with a main contract sum of £21m.				
Decision required:	Approve the variation to the contract TC/17014 for Consultancy Services with AECOM Infrastructure & Environment UK Ltd (AECOM) to the value of £255,000				

SECTION TWO: EQUALITY IMPACT ASSESSMENT SCREENING TOOL

Potential external impacts: Does the proposal have the potential to negatively impact service users, communities or residents with protected characteristics?	Yes		No	X
Potential internal impacts: Does the proposal have the potential to negatively impact Plymouth City Council employees?	Yes		No	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)	Yes		No	X

If you do not agree that a full equality impact assessment is required, please set out your justification for why not.

The requirement to extend these services does not adversely impact on any of the characteristics below.

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
Age	<p>Plymouth</p> <ul style="list-style-type: none"> • 16.4 per cent of people in Plymouth are children aged under 15. • 65.1 per cent are adults aged 15 to 64. • 18.5 percent are adults aged 65 and over. • 2.4 percent of the resident population are 85 and over. <p>South West</p> <ul style="list-style-type: none"> • 15.9 per cent of people are aged 0 to 14, 61.8 per cent are aged 15 to 64. • 22.3 per cent are aged 65 and over. <p>England</p> <ul style="list-style-type: none"> • 17.4 per cent of people are aged 0 to 14. • 64.2 per cent of people are aged 15 to 64. 			

	<ul style="list-style-type: none"> 18.4 per cent of people are aged 65 and over. <p>(Data sourced from the 2021 Census)</p>			
Disability	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).			
Gender reassignment	<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>			
Marriage and civil partnership	<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> <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>			
Pregnancy and maternity	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.			

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

SECTION FOUR: HUMAN RIGHTS IMPLICATIONS

Human Rights	Implications	Mitigation Actions	Timescale and responsible department
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SECTION FIVE: OUR EQUALITY OBJECTIVES

Equality objectives	Implications	Mitigation Actions	Timescale and responsible department
Celebrate diversity and ensure that Plymouth is a welcoming city.			
Pay equality for women, and staff with disabilities in our workforce.			
Supporting our workforce through the implementation of Our People Strategy 2020 – 2024			
Supporting victims of hate crime so they feel confident to report incidents, and working with, and through our partner organisations to achieve positive outcomes.			
Plymouth is a city where people from different backgrounds get along well.			

