



Oversight and Governance
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Delegated Decisions

Delegated Executive/Officer Decisions

Delegated Executive and Officer decisions 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 Monday 21 August 2023. Please note – urgent decisions and non-key Council Officer decisions cannot be called in. Copies of the decision 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 decision detailed below may be implemented on Tuesday 22 August 2023 if it is not called-in.

Delegated Decisions

I. Councillor Mark Coker- Cabinet member for Strategic Planning and Transport:

- I.1. SPT03 23/24 To form a consortium ("The Consortium") for the purposes of contracting with a weather forecasting and weather advisory service **(Pages 1 - 36)**

EXECUTIVE DECISION

made by a Cabinet Member



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

Executive Decision Reference Number – SPT03 23/24

Decision	
1	<p>Title of decision:</p> <p>To form a consortium (“the consortium”) for the purposes of contracting with a weather forecasting and weather advisory service</p>
2	<p>Decision maker: Councillor Mark Coker (Cabinet Member for Strategic Planning and Transport)</p>
3	<p>Report author and contact details: Philip Bellamy E: Phil.Bellamy@plymouth.gov.uk</p>
4	<p>Decision to be taken</p> <p>I. To approve the Council entering in to the consortium agreement, “the consortium agreement”, (Devon CC, Torbay, Plymouth City, Dorset, and Bournemouth, Christchurch and Poole (BCP)) to appoint Devon County Council to undertake a procurement and contract award on behalf of the parties for a weather forecasting and weather advisory service for the purpose of providing road and weather forecasts for geographical areas for which the Members have Local Highway Authority responsibility.</p> <p>This decision will commit Plymouth City Council to a revenue contribution of £15,000 per annum for 5 years, with the option to extend twice, for a one year period each (costs approx. as we are awaiting return of tender documentation). There is an existing commitment and revenue allocation of £10,000 for Bureau service and £5,000 weather service budgeted for this commitment. The service will enable PCC to make essential statutory Winter Service decisions; the termination clause requires 3 months’ notice.</p>
5	<p>Reasons for decision:</p> <p>The Council requires use of a weather forecasting and advisory service to inform key Winter Service and adverse weather condition decisions.</p> <p>A South West Consortium has been formed for the purposes of procuring and contracting for Weather Forecasting Services, on behalf of the following authorities:</p> <ul style="list-style-type: none"> • Devon County Council (Leading) (herein referred to as “Devon”) • Torbay Council (herein referred to as “Torbay”)

- Plymouth City Council (herein referred to as “Plymouth”)
- Dorset Council (herein referred to as “Dorset”)
- Bournemouth, Christchurch and Poole Council (herein referred to as “BCP”)

The road weather forecast service is required so that they can deliver an effective and efficient Winter Service and Highway Maintenance function, reacting in a timely and appropriate fashion to any hazards that may be presented to highway users in winter and optionally for supporting Highway Maintenance activities during the summer.

There is significant expenditure incurred in the provision of winter service and it is recognised that an accurate detailed forecast has the potential to minimise this expenditure. The procurement will also invite bidders to submit proposals for any additional services that can be demonstrated (with evidence) to assist in the aim of minimising winter service costs. The specification has therefore been developed on the basis that it sets out the minimum requirements that must be provided, asking the bidders to identify and propose service provision that will exceed this minimum requirement, and be clear as to its advantage to the authorities.

The appointed contractor will provide a service that is fully conversant with the national code of practice Well Managed Highway Infrastructure, and any future variants of this code and national best practice, as set out by the National Winter Service Research Group (NWSRG). The contractor will also be asked to ensure it provides appropriate weather information to enable the authorities to fully comply with these, when undertaking winter service decision making and forecasting.

Plymouth City Council operates Winter Service for the period commencing 1st October to 30th March for treatment decisions executed by the TMC (SWH).

The tendering process will be further supported by the South West Highways Alliance to minimise the market costs and ensure VFM and compliance with the national procurement rules.

We currently run 2 weather stations; they carry full sensor specifications with our replacement unit running generation RWS200 software. The second unit is due to be upgraded late summer 2023, Bureaux service allows communication to these units.

By seeking to procure and contract on a consortium basis, with Devon County Council leading, the approach will minimise costs for all authorities involved, it also demonstrates a Collaborative working arrangement with our neighbouring authorities.


6 Alternative options considered and rejected:

- 1) Procure contract on an individual basis - this may result in an increase in procurement cost (proposed route will share costs with all parties) and loss of collaborative support.
- 2) Do nothing – Winter Service is a statutory duty and existing weather stations are accessed by the service to which we are tendering for. If we unable to access this service we risk loss of weather monitoring (as part of the service is supporting communication to the weather stations) and the ability to provide an effective winter service.

7	<p>Financial implications and risks:</p> <p>This decision will commit Plymouth City Council to a revenue contribution of £15,000 per annum for 5 years, with the option to extend twice, for a one year period each (costs approx. as we are awaiting return of tender documentation). There is an existing commitment and revenue allocation of £10,000 for Bureau service and £5,000 weather service budgeted for this commitment. By making this decision we would receive support from Devon County Council and would not be liable to costs leading from this tendering. The termination clause requires 3 months' notice.</p>																				
8	<table border="1"> <thead> <tr> <th data-bbox="225 573 759 674">Is the decision a Key Decision? (please contact Democratic Support for further advice)</th> <th data-bbox="759 573 852 674">Yes</th> <th data-bbox="852 573 967 674">No</th> <th data-bbox="967 573 1495 674">Per the Constitution, a key decision is one which:</th> </tr> </thead> <tbody> <tr> <td data-bbox="225 674 759 837"></td> <td data-bbox="759 674 852 837"></td> <td data-bbox="852 674 967 837">x</td> <td data-bbox="967 674 1495 837">in the case of capital projects and contract awards, results in a new commitment to spend and/or save in excess of £3million in total</td> </tr> <tr> <td data-bbox="225 837 759 987"></td> <td data-bbox="759 837 852 987"></td> <td data-bbox="852 837 967 987">x</td> <td data-bbox="967 837 1495 987">in the case of revenue projects when the decision involves entering into new commitments and/or making new savings in excess of £1 million</td> </tr> <tr> <td data-bbox="225 987 759 1137"></td> <td data-bbox="759 987 852 1137"></td> <td data-bbox="852 987 967 1137">x</td> <td data-bbox="967 987 1495 1137">is significant in terms of its effect on communities living or working in an area comprising two or more wards in the area of the local authority.</td> </tr> <tr> <td data-bbox="225 1137 759 1272">If yes, date of publication of the notice in the Forward Plan of Key Decisions</td> <td colspan="3" data-bbox="759 1137 1495 1272">N/A</td> </tr> </tbody> </table>	Is the decision a Key Decision? (please contact Democratic Support for further advice)	Yes	No	Per the Constitution, a key decision is one which:			x	in the case of capital projects and contract awards, results in a new commitment to spend and/or save in excess of £3million in total			x	in the case of revenue projects when the decision involves entering into new commitments and/or making new savings in excess of £1 million			x	is significant in terms of its effect on communities living or working in an area comprising two or more wards in the area of the local authority.	If yes, date of publication of the notice in the Forward Plan of Key Decisions	N/A		
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9	<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 procurement of the system allows the Council the opportunity to work in cooperation with the other consortium member Authorities and receive such support that such partnerships enjoy – this is mapped within the formal agreement.</p> <p>The weather forecasting service also contributes to 'Focussing on prevention and early intervention', as well as 'providing quality public services' & 'keeping children, adults and communities safe'.</p>																			
10	<p>Please specify any direct environmental implications of the decision (carbon impact)</p>	<p>INT6: Developing and promoting our contribution to managing climate change and sea level rise through continuing to pursue ambitious carbon reduction emission targets (net-zero by 2030) and proactive natural network management, and putting in place infrastructure to enable businesses to make the transition to a low carbon economy.</p>																			
Urgent decisions																					
11	<p>Is the decision urgent and to be</p>	<p>Yes</p>	<p>(If yes, please contact Democratic</p>																		

	implemented immediately in the interests of the Council or the public?			Support (democraticsupport@plymouth.gov.uk) for advice)
		No	x	(If no, go to section 13a)
12a	Reason for urgency:			
12b	Scrutiny Chair Signature:		Date	
	Scrutiny Committee name:			
	Print Name:			
Consultation				
13a	Are any other Cabinet members' portfolios affected by the decision?	Yes		
		No	x	(If no go to section 14)
13b	Which other Cabinet member's portfolio is affected by the decision?	n/a		
13c	Date Cabinet member consulted	n/a		
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	Philip Robinson	
		Job title	Service Director for Street Services	
		Date consulted	13 th June 2023	
Sign-off				
16	Sign off codes from the relevant departments consulted:	Democratic Support (mandatory)	DS11 22/23	
		Finance (mandatory)	DJN.23.24.71	
		Legal (mandatory)	LS/01501/JP/100823	

		Human Resources (if applicable)	n/a						
		Corporate property (if applicable)	n/a						
		Procurement (if applicable)	n/a						
Appendices									
17	Ref.	Title of appendix							
	A	Briefing Paper							
	B	EIA							
Confidential/exempt information									
18a	Do you need to include any confidential/exempt information?		Yes	<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 18b below. (Keep as much information as possible in the briefing report that will be in the public domain)				
			No	<input type="checkbox"/>					
			Exemption Paragraph Number						
			1	2	3	4	5	6	7
18b	Confidential/exempt briefing report title:								
	Consortium Agreement				x				
Background Papers									
19	Please list all unpublished, background papers relevant to the decision in the table below. Background papers are <u>unpublished</u> works, relied on to a material extent in preparing the report, which disclose facts or matters on which the report or an important part of the work is based. If some/all of the information is confidential, you must indicate why it is not for publication by virtue of Part I of Schedule 12A of the Local Government Act 1972 by ticking the relevant box.								
Title of background paper(s)			Exemption Paragraph Number						
			1	2	3	4	5	6	7
Cabinet Member Signature									
20	I agree the decision and confirm that it is not contrary to the Council's policy and budget framework, Corporate Plan or Budget. In taking this decision I have given due regard to the								

	Council's duty to promote equality of opportunity, eliminate unlawful discrimination and promote good relations between people who share protected characteristics under the Equalities Act and those who do not. For further details please see the EIA attached.		
Signature		Date of decision	11/08/2023
Print Name	Councillor Mark Coker (Cabinet Member for Strategic Planning and Transport)		

Briefing Paper:

To form a consortium (“the consortium”) for the purposes of contracting with a weather forecasting and weather advisory service.



The Council requires use of a weather forecasting and advisory service to inform key Winter Service and adverse weather condition decisions.

The road weather forecast service is required so we can deliver an effective and efficient Winter Service and Highway Maintenance function, reacting in a timely and appropriate fashion to any hazards that may be presented to highway users in winter and optionally for supporting Highway Maintenance activities during the summer.

There is significant expenditure incurred in the provision of winter service and it is recognised that an accurate detailed forecast has the potential to minimise this expenditure.

By seeking to procure and contract on a consortium basis, with Devon County Council leading, the approach will minimise costs for all authorities involved, it also demonstrates a Collaborative working arrangement with our neighbouring authorities.

Recommendation and Reasons

Based on the advantages outlined in the Executive Decision. It is considered that access to Weather forecasting is a key provision for the winter service we are required to provide to deliver the following benefits:

- Providing a safer and sustainable highway network
- Reducing the rate of failure for critical assets and improve its resilience
- Improve public perception and satisfaction with the highway network

If the Council were to decide not to proceed with this proposal there would be several risks that would need to be closely managed and maintained. These include:

- Revenue allocation insufficient to cover alternative arrangements
- Opportunity missed to substantially reduce CO² emissions missed (efficiency of process)
- Delivery of Winter Service disrupted - risk to Plymouth City Council

On this basis approval is therefore sought as follows:

Recommended Decision


- I. To approve the Council entering in to the consortium agreement, “the consortium agreement”, (Devon CC, Torbay, Plymouth City, Dorset, and Bournemouth, Christchurch and Poole (BCP)) to appoint Devon County Council to undertake a procurement and contract award on behalf of the parties for a weather forecasting

and weather advisory service for the purpose of providing road and weather forecasts for geographical areas for which the Members have Local Highway Authority responsibility.

This decision will commit Plymouth City Council to a revenue contribution of £15,000 per annum for 5 years, with the option to extend twice, for a one year period each (costs approx. as we are awaiting return of tender documentation). There is an existing commitment and revenue allocation of £10,000 for Bureau service and £5,000 weather service budgeted for this commitment. The service will enable PCC to make essential statutory Winter Service decisions; the termination clause requires 3 months' notice.

EQUALITY IMPACT ASSESSMENT – TO FORM A CONSORTIUM (“THE CONSORTIUM”) FOR THE PURPOSES OF CONTRACTING WITH A WEATHER FORECASTING AND WEATHER ADVISORY SERVICE

SECTION ONE: INFORMATION ABOUT THE PROPOSAL

Author(s): This is the person completing the EIA template.	Mike Jones	Department and service:	SS&W - Highways	Date of assessment:	11/8/23
Lead Officer: Please note that a Head of Service, Service Director, or Strategic Director must approve the EIA.	Phil Bellamy Head of Service	Signature:		Approval date:	11/8/23
Overview:	A consortium has been arranged by DCC to contract a weather forecasting service. This would reduce costs for each member, and assure access to a reliable support arrangement for Winter Service provision. We seek to have membership of this consortium to benefit Plymouth City Council.				
Decision required:	Executive decision to approve the joint approach to form a consortium (“the Consortium”) for the purposes of contracting with a weather forecasting and weather advisory service (“the Service Provider”) for the purpose of providing road and weather forecasts for geographical areas for which the Members have Local Highway Authority responsibility.				

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
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Potential internal impacts: Does the proposal have the potential to negatively impact Plymouth City Council employees?	Yes		No	x
Do you require 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 three)	Yes		No	x
If you do not agree that a full equality impact assessment is required, please set out your justification for why not.	See below, although no full EIA required (elements are N/A), pertinent sections completed			

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>Winter Maintenance to network will not be effectively delivered (contrary to local authority commitments Highways Act 1980</p>	<p>Enter into Consortium agreement to ensure reliable weather forecasting to support Winter Service commitment</p>	<p>DCC issue tender documents with time scale for contract award prior to winter service season 1st October</p>

	<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. • 18.4 per cent of people are aged 65 and over. <p>(2021 Census)</p>			
<p>Care experienced individuals (Note that as per the Independent Review of Children’s Social Care recommendations, Plymouth City Council is treating care experience as though it is a protected characteristic).</p>	<p>It is estimated that 26 per cent of the homeless population in the UK have care experience. In Plymouth there are currently 7 per cent of care leavers open to the service (6 per cent aged 18-20 and 12 per cent of those aged 21+) who are in unsuitable accommodation.</p> <p>The Care Review reported that 41 per cent of 19-21 year old care leavers are not in education, employment or training (NEET) compared to 12 per cent of all other young people in the same age group.</p> <p>In Plymouth there are currently 50 per cent of care leavers aged 18-21 Not in Education Training or Employment (54 per cent of all those care leavers aged 18-24 who are open to the service).</p> <p>There are currently 195 care leavers aged 18 to 20 (statutory service) and 58 aged 21 to 24 (extended offer). There are more care leavers aged 21 to 24 who could return for support from services if they wished to.</p>	<p>None</p>	<p>N/A</p>	<p>N/A</p>

Disability	9.4 per cent of residents in Plymouth have their activities limited 'a lot' because of a physical or mental health problem. 12.2 per cent of residents in Plymouth have their activities limited 'a little' because of a physical or mental health problem (2021 Census)	Winter Maintenance to network will not be effectively delivered (contrary to local authority commitments Highways Act 1980)	Enter into Consortium agreement to ensure reliable weather forecasting to support Winter Service commitment	DCC issue tender documents with time scale for contract award prior to winter service season 1 st October
Gender reassignment	0.5 per cent of residents in Plymouth have a gender identity that is different from their sex registered at birth. 0.1 per cent of residents identify as a trans man, 0.1 per cent identify as non-binary and, 0.1 per cent identify as a trans women (2021 Census).	None	N/A	N/A
Marriage and civil partnership	40.1 per cent of residents have never married and never registered a civil partnership. 10 per cent are divorced, 6 percent are widowed, with 2.5 per cent are separated but still married. 0.49 per cent of residents are, or were, married or in a civil partnerships of the same sex. 0.06 per cent of residents are in a civil partnerships with the opposite sex (2021 Census).	None	N/A	N/A
Pregnancy and maternity	The total fertility rate (TFR) for England was 1.62 children per woman in 2021. The total fertility rate (TFR) for Plymouth in 2021 was 1.5.	None	N/A	N/A

<p>Race</p>	<p>In 2021, 94.9 per cent of Plymouth’s population identified their ethnicity as White, 2.3 per cent as Asian and 1.1 per cent as Black (2021 Census)</p> <p>People with a mixed ethnic background comprised 1.8 per cent of the population. 1 per cent of the population use a different term to describe their ethnicity (2021 Census)</p> <p>92.7 per cent of residents speak English as their main language. 2021 Census data shows that after English, Polish, Romanian, Chinese, Portuguese, and Arabic are the most spoken languages in Plymouth (2021 Census).</p>	<p>None</p>	<p>N/A</p>	<p>N/A</p>
<p>Religion or belief</p>	<p>48.9 per cent of the Plymouth population stated they had no religion. 42.5 per cent of the population identified as Christian (2021 Census).</p> <p>Those who identified as Muslim account for 1.3 per cent of Plymouth’s population while Hindu, Buddhist, Jewish or Sikh combined totalled less than 1 per cent (2021 Census).</p>	<p>None</p>	<p>N/A</p>	<p>N/A</p>
<p>Sex</p>	<p>51 per cent of our population are women and 49 per cent are men (2021 Census).</p>	<p>None</p>	<p>N/A</p>	<p>N/A</p>
<p>Sexual orientation</p>	<p>88.95 per cent of residents aged 16 years and over in Plymouth describe their sexual orientation as straight or heterosexual. 2.06 per cent describe their sexuality as bisexual, 1.97 per cent of people describe their sexual orientation as gay or lesbian. 0.42 per cent of residents describe their sexual orientation using a different term (2021 Census).</p>	<p>None</p>	<p>N/A</p>	<p>N/A</p>

SECTION FOUR: HUMAN RIGHTS IMPLICATIONS

Human Rights	Implications	Mitigation Actions	Timescale and responsible department
	<p>This service recognises Article 14 of Human Rights Act – The right to receive Equal Treatment and prohibits discrimination including sex, race, religion and economic and social status in conjunction with the Equalities Act which includes age and disability.</p> <p>All staff and service users will be treated fairly and that their human rights will be respected.</p> <p>No adverse impact on human rights has been identified.</p>	N/A	N/A

SECTION FIVE: OUR EQUALITY OBJECTIVES

Equality objectives	Implications	Mitigation Actions	Timescale and responsible department
Celebrate diversity and ensure that Plymouth is a welcoming city.	Provision of revenue funding allows provides for a consistent approach to the delivery of winter service. The asset management approach and forecasting will ensure that we are taking a data led approach to planning winter services	Enter into Consortium agreement to ensure reliable weather forecasting to support Winter Service commitment	DCC issue tender documents with time scale for contract award prior to winter service season 1 st October
Pay equality for women, and staff with disabilities in our workforce.	None	N/A	N/A

Supporting our workforce through the implementation of Our People Strategy 2020 – 2024	Provision of revenue funding allows provides for a consistent approach to the delivery of winter service. The asset management approach and forecasting will ensure that we are taking a data led approach to planning winter services	Enter into Consortium agreement to ensure reliable weather forecasting to support Winter Service commitment	DCC issue tender documents with time scale for contract award prior to winter service season 1 st October
Supporting victims of hate crime so they feel confident to report incidents, and working with, and through our partner organisations to achieve positive outcomes.	None	N/A	N/A
Plymouth is a city where people from different backgrounds get along well.	None	N/A	N/A

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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.

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