



Oversight and Governance

Chief Executive's Department

Plymouth City Council

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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 4.30pm on Wednesday 11 November 2020. **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 Council Officer decision detailed below may be implemented immediately, the decision by the Leader detailed below may be implemented on Thursday 12 November 2020 if it is not called in.

Delegated Decisions

1. Council Officer Decision - Anthony Payne (Strategic Director for Place):

Ia. Langage Phase 3

(Pages 1 - 26)

2. The Leader - Councillor Evans OBE:

Ib. Plan for Trees Investment Programme

(Pages 27 - 46)

EXECUTIVE DECISION

made by a Council Officer



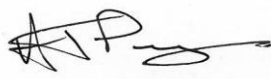
REPORT OF ACTION TAKEN UNDER DELEGATED AUTHORITY BY AN INDIVIDUAL COUNCIL OFFICER

Executive Decision Reference Number – *COD11 20/21*

Decision	
1	Title of decision: Langage Phase 3
2	Decision maker (Council Officer name and job title): Anthony Payne – Strategic Director for Place
3	Report author and contact details: Jacqueline Keith, Project Manager, Strategic Projects, Finance Email: jacqueline.keith@plymouth.gov.uk Tel: 01752 307762
4a	Decision to be taken: To award the Contract for the construction of Langage Phase 3 (2,485 sq m of employment accommodation on Council owned land at Langage Business Park), to the successful tenderer, following a competitive procurement activity. The Executive Decision L33 6 th March 2019 gives delegated authority to the Strategic Director of Place to award the Contract. Details of the successful tenderer are set out in the Contract Award Report - Part II.
4b	Reference number of original executive decision or date of original committee meeting where delegation was made: L33 6 th March 2019
5	Reasons for decision: In accordance with the delegated authority granted by the Executive Decision made by the Leader of the Council on 6 th March 2019 the project undertook a procurement exercise. The Council received 5 tender returns and following a tender analysis is now in a position to award the contract. See Contract Award Report - Part II.
6	Alternative options considered and rejected: 1. Do nothing Loss of opportunity to promote economic and employment growth, secure a long-term income revenue and other associated benefits. 2. Land Sale to 3 rd Party Rejected as it fails to satisfy PCC's aspiration to create long term revenue generating projects.

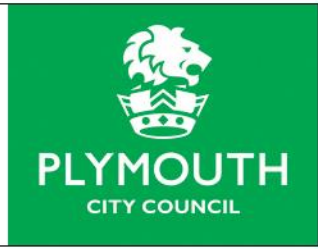
7	Financial implications: The development capital costs of £2.8 million will be funded from service borrowing, which will be repaid from the net rental income generated from the development.			
8	Is the decision a Key Decision? (please contact Democratic Support for further advice)	Yes	No	Per the Constitution, a key decision is one which:
			✓	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
			✓	in the case of revenue projects when the decision involves entering into new commitments and/or making new savings in excess of £1 million
			✓	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.
8b	If yes, date of publication of the notice in the Forward Plan of Key Decisions			
9	Please specify how this decision is linked to the Council's corporate plan/Plymouth Plan and/or the policy framework and/or the revenue/capital budget:		Corporate Plan Objectives <ul style="list-style-type: none"> Economic growth that benefits as many people as possible Quality jobs and valuable skills Spending money wisely 	
10	Please specify any direct environmental implications of the decision (carbon impact)		It is proposed that the development will incorporate sustainable technologies to minimise carbon emissions and running costs, including solar photovoltaic, increased levels of insulation, higher levels of natural daylight and ventilation and highly efficient heating systems.	
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	✓	(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	✓	(If no go to section 14)
13b	Which other Cabinet member's portfolio is affected by the decision?			
13c	Date Cabinet member consulted	Councillor Tudor Evans OBE 19/10/20		
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	✓	
15	Which Corporate Management Team member has been consulted?	Name	Anthony Payne	
		Job title	Strategic Director for Place	
		Date consulted	29/10/20	
Sign-off				
16	Sign off codes from the relevant departments consulted:	Democratic Support (mandatory)	<i>DS56 20/21</i>	
		Finance (mandatory)	<i>pl.20.21.129</i>	
		Legal (mandatory)	<i>MS/2/3/11/20</i>	
		Human Resources (if applicable)		
		Corporate property (if applicable)		
		Procurement (if applicable)	<i>SU/PS/563/CD/1120</i>	
Appendices				
17	Ref.	Title of appendix		
	A	Contract Award Report - Part I		
	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		
		Exemption Paragraph Number		

		1	2	3	4	5	6	7
18b	Confidential/exempt briefing report title: Contract Award Report Part 2			✓				
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 1 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	03/11/2020			
Print Name	Anthony Payne							

CONTRACT AWARD REPORT – PART I

19402 - Langage Phase 3 Construction



- 1. INTRODUCTION**
- 2. BACKGROUND**
- 3. PROCUREMENT PROCESS**
- 4. PRE TENDER SELECTION CRITERIA**
- 5. TENDER EVALUATION CRITERIA**
- 6. SUMMARY OF EVALUATION**
- 7. FINANCIAL IMPLICATIONS**
- 8. RECOMMENDATIONS**
- 9. APPROVAL**

I. INTRODUCTION

The Council is looking to procure the provision of high quality, flexible employment space incorporating sustainable technologies to minimise carbon emissions and running costs.

This project provides Plymouth City Council the opportunity to actively promote the growth agenda and create / support up to 68 FTE jobs. This will be achieved by providing high quality, speculative employment accommodation on Council owned land at Herder Court, Langage Business Park. The completed and fully let development will also provide the Council with a valuable long term income stream and add to its existing commercial property portfolio.

This scheme will be Phase 3 and is located opposite Phase 2, which was completed in October 2018. Phase 3 is to deliver 2,485 sq m (26,750 sq. ft) of high quality, sustainable workspace for SME and Large businesses. It is proposed that the development will incorporate sustainable technologies to minimise carbon emissions and running costs, potentially including the following: solar photovoltaic, increased levels of insulation, increased levels of natural daylight and ventilation and highly efficient heating systems. The new industrial units will be located opposite Phase 2 and as part of that scheme wider landscaping works to futureproof phase 3 were undertaken and the scheme was completed in October 2019.

2. BACKGROUND

The proposal is to deliver 2,485 sq m (26,750 sq ft) of high quality commercial workspace. The scheme will incorporate sustainable technologies to minimise carbon emissions and running costs, potentially including: solar photovoltaic, increased levels of insulation, higher levels of natural daylight and ventilation and highly efficient heating systems.

PCC commissioned a report in which Jones Lang LaSalle concluded that there is a demand for the following types of employment space within Plymouth:-

- B1 - Business
- B2 – General Industrial
- B8 – Storage & Distribution

This project provides for this type of employment space.

3. PROCUREMENT PROCESS

A competitive procurement was run following the 'Below EU Threshold Procurement' two stage procedure as outlined in the Council's former Contract Standing Orders that were current at the time of sending the procurement out in February 2020.

This is a two-stage process comprising a Standard Selection Questionnaire (SQ) followed by an Invitation to Tender (ITT).

4. PRE TENDER SELECTION CRITERIA & EVALUATION

Standard Selection Questionnaires (SQ) based on PAS91 – 2017 was issued to the market on the 7th February 2020 with a return date of the 11th March 2020.

The Council set minimum requirements in the SQ that each Supplier was required to meet. These minimum requirements contained questions, which were either evaluated as pass/fail criteria or scored questions as follows:

EVALUATION CRITERIA & METHODOLOGY

Evaluation will be undertaken in accordance with the overall evaluation strategy for the project.

Purpose

The purpose of this selection process is to provide the Council with sufficient information to allow Suppliers to be selected for the Invitation to Tender stage. Tenderers short-listed from the selection process will be invited to participate in a competitive tender process.

Many of the questions contained within the Schedule are informed by the Publicly Available Specification (PAS) PAS 91:2013+A1:2017 under licence from the British Standards Institution. Whilst PAS91 is only mandated by central government for works procurements above the OJEU threshold, the Council has taken the decision to incorporate elements of the template into this procurement process for reasons of relevance, universal understanding, format consistence and ease of submission.

Tenderers should note that the purpose of the selection process is to obtain information about the Supplier and on previous performance (looking back). Short-listed Suppliers will have the opportunity to make proposals (looking forward) at tender stage.

The Council will evaluate as a two-stage process. The first stage is known as the pre-qualification or selection stage and the second as the tender or award stage. The first stage will consist of the selection process where we focus on the tenderer's characteristics and suitability in principle to provide our contract requirement.

Selection stage assessments are made against the responses to qualification and technical envelope questions contained within the SQ documentation. The selection assessment is made on both pass or fail assessments and on a scored basis depending on the subject matter of the question.

The award stage considers the merits of the eligible tenders in order to assess which is the most economically advantageous. At award stage, we only use technical and pricing criteria that are linked to the subject matter of the contract.

High-level SQ Criteria

The high-level criteria the Council proposes to use to evaluate SQ submissions are detailed below.

An overall threshold of **70%** of the achievable marks will be required to determine whether Suppliers meet the minimum requirements. Any Supplier failing to achieve this threshold will not proceed any further within this procurement.

It is intended that all Suppliers whom meet the **70%** achievable mark threshold and Pass all Pass/Fail criteria will be invited to submit tenders.

SQ Evaluation Methodology

Each section will be clearly identified as being evaluated on an information only, pass/fail or scored basis.

Pass/Fail Questions

Each question will clearly indicate what response constitutes as PASS and what response constitutes as FAIL. In the event of the Tenderer being awarded a 'fail' on any of the criteria, the remainder of your Tender will not be evaluated and you will be eliminated from the process. Your company will be disqualified if you do not submit these completed questions. The following questions are evaluated on a pass/fail basis:

- **Table 1 - Core Question Module C1: Supplier identity, key roles and contact information**
- **Table 2 - Core Question Module C2: Financial information**
- **Table 2 - C2-Q2 Insurances**
- **Table 3 - Core Question Module C3 for Public Sector procurement - ESPD option, Grounds for mandatory and discretionary exclusion and non-payment of tax and social security contributions**
- **Table 4- Core Question Module C4: Health and safety policy and capability**
C4-Q2
C4-Q7
C4-Q8
C4-Q9
C4-Q10
C4-Q11
C4-Q14
C4-Q16
C4-Q19
C4-Q22
- **Table 5 Optional Question Module: O1 Equalities and diversity**
- **Table 7 - Optional Question Module O3: Quality Management policy and capability**
O3-Q4
O3-Q5
O3-Q6
- **SI-Q5 Construction Industry Blacklists**

Wherever possible the Council is permitting suppliers to self-certify they meet the minimum PASS/FAIL requirements without the need to attached evidence or supporting information. However where the Council regards the review of certain evidence and supporting information , prior to shortlisting, as critical to the successful of the procurement this will be specifically requested.

The return document will clearly indicate whether self-certification is acceptable or whether evidence is required at this selection stage. In both instance the Council requires suppliers to detail their unique reference number to relevant supporting information however the actual evidence need only be attached where requested.

Where suppliers are permitted to self-certify, evidence will be sought from the successful supplier at contract award stage. Please note the successful supplier must be able to provide all evidence to the satisfaction of the Council at contract award stage, if the successful supplier is unable to provide this information the Council reserves the right to award the contract to the next highest scoring supplier.

Scored Questions

This evaluation is made up with the following sub-criteria and weightings:

- **Table 4- Core Question Module C4: Health and safety policy and capability-weighting 40%**
 - C4-Q3 – 4%
 - C4-Q4 – 4%
 - C4-Q5 – 4%
 - C4-Q6 – 4%
 - C4-Q13 – 4%
 - C4-Q15 – 4%
 - C4-Q17 – 4%
 - C4-Q18 – 4%
 - C4-Q20 – 4%
 - C4-Q21 – 4%
- **Table 6 -Optional Question Module O2 :Environmental Management policy and capability – weighting 15%**
 - O2-Q2 -3%
 - O2-Q3 -3%
 - O2-Q4 -3%
 - O2-Q5 -3%
 - O2-Q6 -3%
- **Table 7 - Optional Question Module O3: Quality Management policy and capability – weighting 6%**
 - O3-Q2 -3%
 - O3-Q3 -3%
- **Table 9- Supplementary Question Module S1: Technical Ability – weighting 39%**
 - S1-Q1 -35%
 - S1-Q2 -4%

Questions identified as SCORED will be evaluated using the scoring system below:

SELECTION SCORING RATIONALE

For those sections of the questionnaire which are scored, the Council will score the answers in accordance with the graduated approach set out in the following table. Tenderers must achieve an average score of 2 or more for each scored item. Any selection criteria item receiving an average score of less than 2 will result in the tender being rejected.

Response	Score	Definition
Excellent	5	Response is completely relevant and excellent overall. The response is comprehensive, unambiguous and demonstrates a broad depth of relevant experience and excellent level of expertise with all areas

		covered to a very high standard.
Very good	4	Response is very relevant and very good. The response is precisely detailed to demonstrate a very good amount of experience and expertise covering all aspects.
Good	3	Response is relevant and good. The response is sufficiently detailed to demonstrate a good amount of experience and expertise covering all aspects.
Satisfactory	2	Response is relevant and acceptable. Demonstrates a reasonable amount of experience and adequate level of expertise but lacks detail in certain areas or with some aspects missing.
Poor	1 – Disqualify Tender	Response is partially relevant and poor. Provides little or limited evidence of experience and competence in the required field.
Unacceptable	0 – Disqualify Tender	No response, an unacceptable or irrelevant response provided.

The Council's chosen evaluation approach to this procurement is 'consensus' scoring. This means that following the independent evaluation of Tender submissions, where there is a difference in individual evaluator scoring for one or more individual questions, a moderation session will be undertaken to arrive at an agreed, consensus score.

SQ submissions were received from 6 suppliers.

Suppliers who met the **70%** achievable marks threshold and passed all Pass/Fail criteria were invited to submit tenders.

The pass/fail evaluation were undertaken by the Procurement Services Function. C2: Financial information was evaluated by an internal financial expert. The scored pass/fail suitability questions were evaluated by the evaluation panel. The resulting scores are contained in the confidential paper.

5. TENDER EVALUATION CRITERIA

Evaluation of Tenders

Evaluation will be undertaken in accordance with the overall evaluation strategy for the project.

Failure to provide a satisfactory response to any of the questions may result in the Council not proceeding further with the Tenderer.

Contract Award Criteria

(Contained within Schedule 1-Method Statements to Schedule 8- Certificate of Confidentiality)

This section will assess how the Tenderer proposes to deliver the required service as detailed in the specification.

The Council intends to award any Contract based on the most economically advantageous offer. The Council will not be bound to accept the lowest price of any Tender submitted. The evaluation will be carried out in accordance with the following criteria and weightings.

For Information Only

Questions identified as FOR INFORMATION ONLY are for information only and will not be evaluated.

Contract Management

Pass/Fail Questions

The following Schedules and questions will be evaluated on a pass or fail basis. In the event of the Supplier being awarded a 'fail' on any of the below criteria, the remainder of your quotation will not be evaluated and you will be eliminated from the process. Your quotation will be disqualified if you do not submit these completed Schedules.

MS1 – National Skills Academy
 Schedule 4 – Contract for the Provision of Works
 Schedule 5 – Form of Quotation
 Schedule 6 – Declaration of Direct or Indirect Interest
 Schedule 7 – Certificate of Canvassing
 Schedule 8– Certificate of Confidentiality

Method Statements (Schedule 1)

MS2: Collaboration, Partnerships and Sub-Contracting 5%

MS3: Project delivery and risks 7.5%

MS4: Project Programming and Controls 7.5%

MS6: Project completion, handover and aftercare 7.5%

MS7: Social Value 5%

MS8: Proposed Team 7.5%

TOTAL 40%

Pricing Schedule (Schedule 2)

PI: Price 60%

TOTAL 60%

GRAND TOTAL 100%

AWARD SCORING RATIONALE

The scoring rationale behind the award evaluation criteria is in accordance with the graduated approach set out in the following table. Tenderers must achieve an average score of 1 or more for each scored item. Any award criteria item receiving an average score of less than 1 will result in the tender being rejected.

Response	Score	Definition
Excellent	5	Response is completely relevant and excellent overall. The response is comprehensive, unambiguous and demonstrates a thorough understanding of the requirement/outcomes and provides details of how the requirement/outcomes will be met in full.
Very good	4	Response is particular relevant. The response is precisely detailed to demonstrate a very good understanding of the requirements and provides details on how these will be fulfilled.
Good	3	Response is relevant and good. The response is sufficiently detailed to demonstrate a good understanding and provides details on how the requirements/outcomes will be fulfilled.
Satisfactory	2	Response is relevant and acceptable. The response addresses a broad understanding of the requirements/outcomes but lacks details on how the requirement/outcomes will be fulfilled in certain areas.
Poor	1	Response is partially relevant and poor. The response addresses some elements of the requirements/outcomes but contains insufficient/limited detail and explanation to demonstrate how the requirements/outcomes will be fulfilled.
Unacceptable	0	No or inadequate response. Fails to demonstrate an ability to meet the requirement/deliver the required outcomes.

The Council has decided to take a 'consensus' scoring evaluation approach to this procurement. This means that, following the independent evaluation of submissions, where there is a difference in individual evaluator scoring for one or more individual questions, a moderation session will take place to arrive at an agreed, consensus score. In the event that the evaluators cannot agree on a final score, the score awarded by the majority will be the consensus score.

Pricing Schedule (Schedule 2)

Pricing will be evaluated using the scoring system below:

Scoring System
Lowest price tendered from all Tenders receives maximum % score (60%). Other Tenderers' prices are scored in accordance with the following equation:
$\% \text{ Score} = 60 \times (1 - ((\text{Tender Price} - \text{Lowest Tender}) / \text{Lowest Tender})) / 100$

6. SUMMARY OF EVALUATION

The ITT was published electronically via the, The Supplying The South West Portal on 16th July 2020 with a tender submission date of 25th September 2020. Tenders were received from 5 Tenderers.

The tender submissions were independently evaluated by Council Officers and external consultants to the project, all of whom have the appropriate skills and experience, in order to

ensure transparency and robustness in the process. The resulting scores are contained in the confidential paper.

In order to ensure fairness of the process the evaluation of Quality and Price were split, with Price information being held back from the Quality evaluators. Price clarifications were managed through The Supplying The South West Portal. The resulting quality and financial scores are contained in the confidential paper.

7. FINANCIAL IMPLICATIONS

Financial provision has been made for this contract within the project budget. Details of the contractual pricing are contained in the confidential paper.

8. RECOMMENDATIONS

It is recommended that a contract be awarded to the highest scoring supplier for Langage Phase 3 Construction. Details of the successful Tenderer have been set out in the confidential paper.

This award will be provisional and subject to the receipt from the highest scoring supplier of the satisfactory self-certification documents detailed in the suitability assessment questionnaire.

In the event the highest scoring supplier cannot provide the necessary documentation, the Council reserves the right to award the contract to the second highest scoring supplier.

AUTHOR:

Signature: *Jackie Keith*

Print Name:Jackie Keith.....

Date:27th October 2020.....

AUTHORISED SIGNATORY:

Signature: *Anthony Payne*

Print Name:Anthony Payne

Position:Strategic Director for Place

Date:03 November 2020.....

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

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EQUALITY IMPACT ASSESSMENT

Land & Property: Economic Development: Place



STAGE 1: WHAT IS BEING ASSESSED AND BY WHOM?

What is being assessed - including a brief description of aims and objectives?	Direct development of an underutilised PCC owned site as part of the Council's Asset Investment Program to promote economic and employment growth, secure other associated benefits and provide a long term income stream.
Author	Sarah Partridge, MRICS
Department and service	Land & Property: Economic Development
Date of assessment	27 June 2018

STAGE 2: EVIDENCE AND IMPACT

Protected characteristics (Equality Act)	Evidence and information (eg data and feedback)	Any adverse impact See guidance on how to make judgement	Actions	Timescale and who is responsible
Age	<p>The average age in Plymouth (39.0 years) is about the same as the rest of England (39.3 years), but less than the SW (41.6yrs).</p> <p>The city has the third lowest percentage of older people (75), and the fifth highest percentage of children and young people (under 18) of the 16 SW authorities.</p> <p>Children and young people (CYP) under-18 account for 19.8% of the population.</p>	No adverse impacts anticipated	n/a	n/a

Disability	Accessibility through Equalities Act – Landlord responsibilities	No adverse impacts anticipated	The proposed development will be completed in accordance with current Building Regulations and statutory approvals and as such will be fully compliant with the latest version of the Disability Discrimination Act and provisions on design access requirements and the latest Equality Act. Requirements will be monitored as part of asset management regime and any further works carried out as legislation/best practice dictates.	Delivered in the course of development and then ongoing – Land & Property
Faith/religion or belief	Christian - 148,917 people (58.1%), decreased from 73.6% since 2001. 32.9% of the Plymouth population stated they had no religion. Those with a Hindi, Buddhist, Jewish or Sikh religion combined totalled less than 1%.	No adverse impacts anticipated	n/a	n/a
Gender - including marriage, pregnancy and maternity	Overall 50.6% of our population are women and 49.4% are men; this reflects the national figure of 50.8%	No adverse impacts anticipated	n/a	n/a

	<p>women and 49.2% men.</p> <p>There were 3280 births in 2011. Birthrate trends have been on the increase since 20015, but since 2010 the number of births has stabilised. Areas with highest numbers of births include Stonehouse (142), Whitleigh (137) and Devonport (137).</p> <p>Of those aged 16 and over 90,765 (42.9%) people are married. 5,190 (2.5%) are separated and still legally married or legally in a same-sex civil partnership.</p>			
Gender reassignment	<p>It is estimated that there may be 10,000 transgender people in the UK.</p> <p>There were 26 referrals from Plymouth made to the Newton Abbott clinic, the nearest clinic, in 2013/14 to February 6.</p>	No adverse impacts anticipated	n/a	n/a
Race	<p>92.9% of Plymouth's population identify themselves as White British.</p> <p>7.1% identify themselves as Black and Minority Ethnic (BME) with White Other (2.7%), Chinese (0.5%) and Other Asian (0.5%) the most common ethnic groups.</p>	No adverse impacts anticipated	n/a	n/a

	Our recorded BME population rose from 3% in 2001 to 6.7% in 2011 therefore has more than doubled since the 2001 census			
Sexual orientation - including civil partnership	There is no precise local data on numbers of Lesbian, Gay and Bi-sexual (LGB) people in Plymouth, but nationally the government have estimated this to be between 5 - 7% and Stonewall agree with this estimation given in 2005. This would mean that for Plymouth the figure is approximately 12,500 – 17,500 people aged over 16 in Plymouth are LGB.	No adverse impacts anticipated	n/a	n/a

STAGE 3: ARE THERE ANY IMPLICATIONS FOR THE FOLLOWING? IF SO, PLEASE RECORD ACTIONS TO BE TAKEN

Local priorities	Implications	Timescale and who is responsible
Reduce the inequality gap, particularly in health between communities.	The provision of new employment accommodation will assist in providing more job opportunities for all and contribute to reducing the inequality gap across the City.	Once completed, the development is expected to be let within 18 months – Land & Property
Good relations between different communities (community cohesion)	n/a	
Human rights Please refer to guidance	n/a	
Principles of fairness Please refer to guidance	As above: Things that make the biggest difference to people’s lives should get priority when deciding where resources go - Positive impact for all groups as the development is expected to promote economic and	Ongoing – Land & Property

	employment growth and deliver long term revenue, protecting and increasing the budget available to support front line services.	
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STAGE 4: PUBLICATION

Responsible Officer: James Watt, Head of Land & Property

Date 26 June 2018

Director, Assistant Director or Head of Service

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EXECUTIVE DECISION

made by a Cabinet Member



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


Executive Decision Reference Number – L17 20/21

Decision	
1	Title of decision: Plan for Trees Investment Programme
2	Decision maker (Cabinet member name and portfolio title): Councillor Tudor Evans OBE (Leader)
3	Report author and contact details: Chris Avent (Green Estate Manager) 304184
4	<p>Decision to be taken:</p> <ul style="list-style-type: none"> • Approve the Business Case • Allocate £1,235k for the project to the Capital Programme funded by £300k Service Borrowing, £500k corporate borrowing from the Council's health and safety provision, £425k by the Forestry Commission Urban Tree Challenge Fund and £10k from revenue contribution from the Councillor's Community Grant fund. • Note £120k worth of additional works funded by in-kind contributions from project partners • Authorises the procurement process • Delegates the award of the contract to the Service Director for Street Services
5	<p>Reasons for decision:</p> <p>The Plan for Trees and Plymouth's Climate Emergency Action Plan commit the city to securing funding for large scale, city-wide tree planting schemes. This business case proposes allocating funding to bring forward the first significant tree planting programme the 'Plymouth Tree Challenge' which will plant nearly 3000 trees and in doing so promote and enhance the city's urban forest.</p> <p>A grant from the Forestry Commission's 'Urban Tree Challenge Fund' of £425k has been offered to the Council to support this programme of tree planting and £130k of funding match has been offered by project partners. To secure the forestry commission funding the Council needs to provide £300k of match funding, which is proposed as service borrowing funded by Street Services.</p> <p>The Plan for Trees investment programme will also provide resources to manage the health of the city's trees specifically addressing the challenge of Ash Die Back. This element will be funded through the Council's health and safety provisions.</p>

6	<p>Alternative options considered and rejected:</p> <p>Do Minimum – deliver the project schemes with existing resources/budgets and capital funds</p> <p>Do Nothing – turn down the offer of the grant funding</p>			
7	<p>Financial implications:</p> <p>Total Project cost = £1.355million</p> <p>External funding secured = £425k</p> <p>Match funding = £120k</p> <p>Councillor Community Grant contributions = £10k</p> <p>Service Borrowing at 2.75% over 20 years (PCC match funding requirement) = £300k</p> <p>Health and Safety Provision Funding = £500k</p>			
8	<p>Is the decision a Key Decision? (please contact Democratic Support for further advice)</p> <p>If yes, date of publication of the notice in the Forward Plan of Key Decisions</p>	<p>Yes</p>	<p>No</p>	<p>Per the Constitution, a key decision is one which:</p> <p>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</p> <p>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</p> <p>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.</p>
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><u>Corporate Plan</u> A green, sustainable city that cares about the environment</p> <p><u>Joint Local Plan</u></p> <ul style="list-style-type: none"> • DEV026 Protecting and enhancing biodiversity and geological conservation, • DEV028 Trees, woodlands and hedgerows <p><u>Plymouth Plan</u></p> <ul style="list-style-type: none"> • SO1 – Delivering a healthy city • HEA7 - Optimising the health and wellbeing benefits of the natural environment 			

10	Please specify any direct environmental implications of the decision (carbon impact)	<p>This programme of works aligns with and supports the delivery of the Plymouth Climate Emergency Action Plan by delivering a programme of works that will enhance and add resilience to the city's tree estate.</p> <p>Plymouth currently has just under 400,000 trees which contribute £4.6m of annual benefits to the city through the Ecosystem Services that they provide, including £1.1 million of carbon storage and £2.9 million of pollution removal (i-Tree Eco survey 2020). This work will enhance this service provision.</p> <p>An outcome of the project will be to deliver a carbon budget for the investment programme and calculate the cost: benefit to inform future tree planting schemes and funding bids.</p>		
Urgent decisions				
11	Is the decision urgent and to be implemented immediately in the interests of the Council or the public?	Yes		(If yes, please contact Democratic Support (democraticsupport@plymouth.gov.uk) for advice)
		No	x	(If no, go to section 13a)
12a	Reason for urgency:			
12b	Scrutiny Chair Signature:			Date
	Scrutiny Committee name:			
	Print Name:			
Consultation				
13a	Are any other Cabinet members' portfolios affected by the decision?	Yes	x	
		No		(If no go to section 14)
13b	Which other Cabinet member's portfolio is affected by the decision?	Councillor Sue Dann – Cabinet member for Environment and Street Scene		

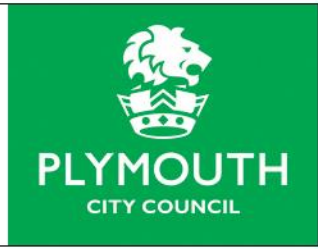
I3c	Date Cabinet member consulted	04.06.2020		
I4	Has any Cabinet member declared a conflict of interest in relation to the decision?	Yes		If yes, please discuss with the Monitoring Officer
		No	x	
I5	Which Corporate Management Team member has been consulted?	Name	Anthony Payne	
		Job title	Strategic Director Place	
		Date consulted	18.07.2020	
Sign-off				
I6	Sign off codes from the relevant departments consulted:	Democratic Support (mandatory)	DS4I 20/21	
		Finance (mandatory)	pl.20.21.107.	
		Legal (mandatory)	MS/ 34418	
		Human Resources (if applicable)		
		Corporate property (if applicable)		
		Procurement (if applicable)		
Appendices				
I7	Ref.	Title of appendix		
	A	Briefing report		
	B	Equalities Impact Assessment		
	C	Business Case		
Confidential/exempt information				
I8a	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 I8b below. (Keep as much information as possible in the briefing report that will be in the public domain)
		No	x	
		Exemption Paragraph Number		

		1	2	3	4	5	6	7
18b	Confidential/exempt briefing report title:							
Background Papers								
19	<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	7
Cabinet Member Signature								
20	<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>							
Signature				Date of decision	04/11/2020			
Print Name	Councillor Tudor Evans OBE (Leader)							

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BRIEFING REPORT - PART I

Plan for Trees Investment Programme



I. INTRODUCTION

Plymouth currently has 394,000 trees which contribute £4.6m of annual benefits to the city through the Ecosystem Services that they provide, including £1.1 million of carbon storage and £2.9 million of pollution removal (i-Tree Eco survey 2020). Plymouth's Plan for Trees (adopted in March 2019), the Climate Emergency (CEAP Immediate Actions p, 39) and landscape situation mean that Plymouth needs to plant more trees to increase carbon capture, improve quality of living spaces, maximise the health and wellbeing benefits that amenity trees provide and mitigate for the impact that Ash Dieback and an ageing urban forest will bring.

To contribute to the Plan for Trees and through the Climate Emergency Action Plan we have objectives to acquire external funds to match with available PCC capital funds to deliver the Plan for Trees.

To facilitate the delivery of the *Protect, Promote, Care and Enhance* principles set out in the Plan for Trees we initiated the **#Plymouth Tree Challenge (PTC)**. In 2019 we were awarded £50k external funding from the Woodland Trust and People's Postcode Lottery to begin delivering the PTC and in order to fund additional elements of the PTC we have been working with the Plan for Trees Steering Group, including Plymouth Tree Partnership and Woodland Trust to secure further funding.

We have secured Urban Tree Challenge Funds (**£425k over 4 years**) to bring forward and fund 67 tree planting schemes across the city. This will lead to over 2,800 new trees being planted in priority places around the city to meet the objectives set out in Plymouth's Plan for Trees – enhancing the city's canopy cover by planting on areas and in neighbourhoods which have canopy cover lower than the city average. These areas also tend to be the socio-economically deprived areas of the city. Projects will be carefully considered and where appropriate through engagement with local communities. In this way we can ensure the Right Tree, Right Place, Right Care.

Additionally Ash Dieback presents significant risk to loss of trees in the city and Tree Council guidance is for authorities to establish ADB Action Plans to manage the risk around these. This project proposal will establish an ADB action plan and provide funds to manage the risks associated with ADB and for the first phases of re-planting required to mitigate the loss of trees resulting. PCC's response to Ash Dieback has initially been costed at around £1.3m over the next 3 years. This investment programme uses external funding to reduce these costs to PCC to the sum of £800k over this same period.

2. PROPOSAL

The proposal is to deliver a city wide community tree planting programme which will see the planting of 2,800 new trees across 67 planting schemes and related community engagement.

The total cost of delivering this project is £855k and we have secured £425k of external funds through the Forestry Commission's Urban Tree Challenge Fund and £130k of additional match funding from project partners. We therefore are asking to commit £300k of service borrowing to the Plymouth Tree Challenge through the Plan for Trees Investment Programme to match the funding available (a requirement to secure this funding) and implement the schemes through a community focused programme of activities starting in Summer 2020 and running until Spring 2024. The project costs include the full cost of planting and establishing the trees over this period.

In addition to this to effectively manage the increased risk posed by ADB across the city we will commit an additional £500k of corporate borrowing to provide the resource to manage tree safety and produce the Plymouth ADB Action Plan.

These funds secure significant investment for the city in our natural infrastructure and heritage and guarantees successful project delivery and opportunity for growth. Securing this UTCF funding by using PCC funds as match will provide the best opportunity within the foreseeable future to fund the Plymouth Tree Challenge, the delivery of the City's Plan for Trees, meet Climate Emergency Action Plan objectives and manage the increased corporate risk presented through Ash Dieback.

This proposal supports the following Corporate objectives:

- a green sustainable city that cares about the environment
- a clean and tidy city
- a welcoming city

It also supports the delivery of the following JLP policies by ensuring that we make the most of one off funding opportunities to enhance the urban forest and green space of the city, engage communities with their local natural spaces and amenity trees whilst increasing the biodiversity value of trees throughout the city.

- DEV026 Protecting and enhancing biodiversity and geological conservation,
- DEV027 Green and play spaces,
- DEV028 Trees, woodlands and hedgerows

3. CONSULTATION & STAKEHOLDERS

Plan for Trees consultation took place in July 2018 and received over 1000 responses. Headline results were that 97% of people agreed that trees were an important part of the infrastructure of the city.

Partners & Stakeholders:

Plymouth Tree Partnership, National Trust, Plymouth Community Homes, POSN, Woodland Trust, Devon Wildlife Trust, Devon Ash Dieback Resilience Forum, Residents and community groups, Wider teams within PCC e.g. Transport, Homes, Street services, Arboriculture Team

4. OUTCOMES & BENEFITS

Financial

Natural capital of the city's urban forest increased – Plymouth's trees contribute £4.6 m of benefits to the city per year and provide £3.5 billion in amenity value.

Ecosystem services to the city increased and long term cost savings through; urban cooling, surface water attenuation, increased property values of tree lined streets, carbon capture and storage.

Non-financial

Risk management mitigation in the form of Ash Dieback Action Plan and additional resource to manage tree safety

Habitat for wildlife, improved aesthetics, benefits to mental health and wellbeing

Filtering and absorbing pollution, improving air quality and tackling climate change

Creates an attractive environment for those who want to invest in Plymouth

5. FINANCE

Total Project cost = £1.355million

External funding secured = £425k (Urban Tree Challenge Fund – Forestry Commission)

Match funding = £120k

Councillor Community Grant contributions - £10k

Service Borrowing at 2.75% over 20 years (PCC match funding requirement) = £300k

Corporate Borrowing - Health and Safety Provision Funding = £500k

The UTCF grant has secured a significant sum of investment for the city.

S106 funds are ineligible to match with the UTCF grant as per the Terms and conditions of the funding which is not to contribute to existing mitigations schemes but to enhance urban tree canopy cover in addition to this – achieving genuine net gain in canopy cover.

DEFRA Nature for Climate Fund also being explored with national partners. Early stages and we do not yet know if funds from this will be able to replace corporate borrowing but we will progress and update as this moves forward.

Additional years of Councillor contributions will also be sought for the project to reduce the need for Capital Borrowing

Procurement

The delivery of works will be procured through the council's procurement team in line with financial regulations.

We will establish framework contracts with key UK Nursery suppliers to enable effective delivery of the project and in line with British Standards. Using UK nurseries with UK grown stock.

In line with project ethos sustainability and local suppliers will be preferred where they deliver the correct level of specialist skills and products to the correct standard.

6. RECOMMENDATIONS

It is recommended to:

- Approve the Business Case
- Allocate £1,235k for the project to the Capital Programme funded by £300k Service Borrowing, £500k corporate borrowing from the Council's health and safety provision, £425k by the Forestry Commission Urban Tree Challenge Fund and £10k from revenue contribution from the Councillor's Community Grant fund.
- Note £120k worth of additional works funded by in-kind contributions from project partners
- Authorises the procurement process
- Delegates the award of the contract to the Service Director for Street Services

BUSINESS CASE

Plan for Trees Investment Programme



1. EXECUTIVE SUMMARY

Plymouth's trees and woodlands, including trees in urban areas, make our city a great place to live, work, do business and create an environment to invest in.

The Plan for Trees, approved by the Council on the 16th February 2019, sets out a new direction for tree management, protection, and enhancement and is delivering a new approach to enable people to be more engaged with trees and woodlands across the City.

This business case set out an investment programme totalling £1.355million that supports the delivery of the Plan for Trees by delivering a significant tree planting programme and addresses tree health specifically related to ash die back. This will result in an enhanced and more resilience tree estate across the City.

2. PROPOSAL

The Plan for Trees and Plymouth's Climate Emergency Action Plan commit the city to securing funding for large scale, city-wide tree planting schemes. This business case proposes allocating funding to bring forward the first significant tree planting programme the 'Plymouth Tree Challenge' which will plant nearly 3000 trees and in doing so promote and enhance the city's urban forest.

A grant from the Forestry Commission's 'Urban Tree Challenge Fund' of £425k has been offered to the Council to support this programme of tree planting and £130k of funding match has been offered by project partners. To secure the forestry commission funding the Council needs to provide £300k of match funding, which is proposed as service borrowing funded by Street Services.

The Plan for Trees investment programme will also provide resources to manage the health of the city's trees specifically addressing the challenge of Ash Die Back. This element will be funded through the Council's health and safety provisions.

3. PROJECT DETAILS

Programme	Natural Infrastructure	Directorate	Place
Portfolio Holder	Cllr Sue Dann, Environment and Street Scene	Service Director	Philip Robinson (Street Services)
Senior Responsible Officer	Kat Deeney	Project Manager	Chris Avent
Address and Post Code	City Wide	Ward	City Wide

In Scope	Out of Scope
Planting and establishing nearly 3000 trees as set out in UTCF funding offer and through match funding.	Long term maintenance of the trees beyond the project programme (Spring 2024)
Engaging local communities in tree planting work.	General management of the PCC tree estate.
Development of Ash Dieback Action Plan and tree health management for 3 years.	Developing processes to facilitate more community tree planting schemes

If this business case is approved it is proposed that the project will commence in August 2020.

4. CARBON IMPLICATION

This programme of works aligns with and supports the delivery of the Plymouth Climate Emergency Action Plan by delivering a programme of works that will enhance and add resilience to the city's tree estate.

Plymouth currently has just under 400,000 trees which contribute £4.6m of annual benefits to the city through the Ecosystem Services that they provide, including £1.1 million of carbon storage and £2.9 million of pollution removal (i-Tree Eco survey 2020). This work will enhance this service provision.

An outcome of the project will be to deliver a carbon budget for the investment programme and calculate the cost: benefit to inform future tree planting schemes and funding bids.

5. FINANCE

Total Project cost = £1.355million

External funding secured = £425k

Match funding = £130k

Service Borrowing at 2.75% over 20 years (PCC match funding requirement) = £300k

Health and Safety Provision Funding = £500k

6. PROCURMENT

The procurement team are aware of the business case and the procurement role in project delivery.

7. RECOMMENDATION

It is recommended that the Leader of the Council:

- Approves the Business Case
- Allocates £1.225m for the project to the Capital Programme funded by £300k Service Borrowing, £500k corporate borrowing from the Council's health and safety provision, £425k by the Forestry Commission Urban Tree Challenge Fund
- Note £130k worth of additional works funded by in-kind contributions from project partners and councillor contributions.
- Authorises the procurement process
- Delegates the award of the contract to Philip Robinson

8. AUTHORISATION

[Cllr Sue Dann, Environment & Street Scene portfolio]		[Philip Robinson Street Services]	
Either email dated:	<i>date 16/7/20</i>	Either email dated:	<i>date 16/07/20</i>
Or signed:		Signed:	
Date:		Date:	

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EQUALITY IMPACT ASSESSMENT

Project Title: Plan for Trees Investment Programme

Environmental Planning



PLYMOUTH
CITY COUNCIL

STAGE 1: What is being assessed and by whom?

What is being assessed - including a brief description of aims and objectives?	<p>Following on from the successful creation and adoption of <u>Plymouth's Plan for Trees</u> in March 2019, the steering group (PCC, Plymouth Tree Partnership, National Trust, Plymouth Community Homes, Woodland Trust and Plymouth Open Space Network and others) have been working to kick start our <u>delivery programme</u>. After receiving funding from the Woodland Trust's Urban Tree Fund and Post Code Lottery, we have developed a programme we have called the 'Plymouth Tree Challenge'. The programme is an ambitious series of projects carried out over the course of 2019 and into 2020, designed to take the first steps towards achieving the Plan's four guiding principles to Care, Enhance, Promote and Protect our urban forest.</p> <p>Further funding for phase 2 means that we are able to plant and care for over 1000 new trees across the city over the next 3 years in 69 community tree planting schemes.</p>
Responsible Officer	Chris Avent
Department and Service	Green Estate, Environmental Planning, Strategic Planning & Infrastructure
Date of Assessment	09/03/2020

STAGE 2: Evidence and Impact

Protected Characteristics (Equality Act)	Evidence and information (e.g. data and feedback)	Any adverse impact?	Actions	Timescale and who is responsible?
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STAGE 2: Evidence and Impact				
Protected Characteristics (Equality Act)	Evidence and information (e.g. data and feedback)	Any adverse impact?	Actions	Timescale and who is responsible?
Age	It is anticipated that the project will be open to all age groups. There would be a requirement for young children to be supported by an adult. We will actively engage families and schools	No adverse impact, all age groups will have the opportunity and will be actively encouraged to be involved.	N/A	N/A
Disability	Access to monitoring forms and networks that are developed will conform to the requirements of the Equality Act and recommended guidelines for users with a disability. Improvements will comply with the Equality Act and recommended guidelines for users with a disability	No adverse impact of the project. The project will be accessible to all abilities.	N/A	N/A
Faith, Religion or Belief	Christian: 58.1% Islam: 0.8% Buddhism: 0.3% Hinduism: 0.2%	No adverse impact The project will be accessible to all faiths, religions and beliefs.	N/A	N/A

STAGE 2: Evidence and Impact				
Protected Characteristics (Equality Act)	Evidence and information (e.g. data and feedback)	Any adverse impact?	Actions	Timescale and who is responsible?
	Judaism: 0.1% Sikhism: <0.1% No religion: 32.9%			
Gender - including marriage, pregnancy and maternity	Overall 50.6% of our population are women; this reflects the national figure of 50.8%. There will be no gender barrier to being involved in this project.	No adverse impact, there will be no barriers to involvement based on gender.	N/A	N/A
Gender Reassignment	Access to being involved in the project will not be limited by gender reassignment.	No adverse impact, there will be no barriers to involvement based on gender reassignment.	N/A	N/A
Race	White (all): 96.1% Mixed (all): 1.3% Asian (all): 1.5% Black (all): 0.7% Other: 0.4% The project will be open to all to participate regardless of race.	No adverse impact, the project will be open to all to participate regardless of race.	N/A	N/A

STAGE 2: Evidence and Impact				
Protected Characteristics (Equality Act)	Evidence and information (e.g. data and feedback)	Any adverse impact?	Actions	Timescale and who is responsible?
Sexual Orientation -including Civil Partnership	The project will be open to all to participate regardless of sexual orientation.	No adverse impact, the project will be open to all to participate regardless of sexual orientation.	N/A	N/A

STAGE 3: Are there any implications for the following? If so, please record 'Actions' to be taken		
Local Priorities	Implications	Timescale and who is responsible?
Reduce the inequality gap, particularly in health between communities.	The project is a city wide provision and will plant trees on public spaces with free open access for all and improvements will actively enhance the surrounding environment for all.	This work will commence in May 2020 and will be delivered by the Green Estate Team.
Good relations between different communities (community cohesion).	The project will require input from all user-groups and both design and planting will involve as many community members as possible	This work will commence in May 2020 and will be delivered by the Green Estate Team.
Human Rights	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. All staff and service users will be treated fairly and that their human rights will be respected.	N/A

STAGE 3: Are there any implications for the following? If so, please record 'Actions' to be taken		
Local Priorities	Implications	Timescale and who is responsible?
	No adverse impact on human rights has been identified.	

STAGE 4: The Principles of Fairness	
Principles	Comment
People should be able to access opportunity whatever their circumstances	The use and enjoyment of the spaces improved by the PTC are open to all.
The city should give priority to those in greatest need when it allocates resources	The project will be open to all and will give equal weight to the information provided to it by all members of society. Improvements will take into account the needs of all users and promote equality of access.
Things that make the biggest difference to people's lives should get priority when deciding where resources go	The project will ensure that the people of Plymouth will have access to high quality natural spaces and play benefitting from the associated health and social benefits
The way things are done in the city matters just as much as what is done	The project will actively provide opportunity for local stakeholders to contribute to the design of sites.
Unfairness which takes time to remove needs policies for the long term	Access to and enjoyment of all sites is open to all and is fair for all.
Preventing inequalities is more effective than trying to eliminate them	The project will work on the premise of preventing inequality within communities by providing opportunity for all to be involved.
Services should be provided 'with' people, not 'for' them	Input from the community will be vital in the delivery of this project in order to ensure the play improvements meet their needs.
The needs of future and current generations should be balanced when making decisions.	Improvements will use robust and sustainable material to ensure longevity of works for the enjoyment of current and future generations.

STAGE 4: Publication			
Head of Service approving EqIA.	Kat Deeney	Date	09.03.2020