



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 week if required 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 Tuesday 9 March 2021. **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 decision detailed below may be implemented immediately.

Delegated Decisions

I. Council Officer Decision - Craig McArdle (Strategic Director for People):

I.1. PLC Life Cycle Maintenance and Enhancement Works

(Pages 1 - 12)

EXECUTIVE DECISION

made by a Council Officer




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

Executive Decision Reference Number – COD18 20/21

Decision				
1	Title of decision: PLC life cycle maintenance and enhancement works			
2	Decision maker (Council Officer name and job title): Craig McArdle, Strategic Director for People			
3	Report author and contact details: Steven Murray, Senior Business Analyst steven.murray@plymouth.gov.uk ; 01752304231			
4a	Decision to be taken: To approve recommendation as set out in the attached briefing note and as shown below: <ul style="list-style-type: none"> To appoint Balfour Beatty Construction Limited to complete the enhancement and maintenance works as specified in the appropriate works schedule as a variation to the existing design and build contract. 			
4b	Reference number of original executive decision or date of original committee meeting where delegation was made: L26 20/21			
5	Reasons for decision: To complete the life cycle maintenance and enhancement works as set out in the attached briefing report.			
6	Alternative options considered and rejected: Do nothing. Rejected for the reasons set out in the attached briefing report. Undertake enhancement and life cycle maintenance works at a later date, following the re-opening of the PLC. Rejected for the reasons set out in the attached report.			
7	Financial implications: The financial implications for this approval are set out within the attached briefing report.			
8	Is the decision a Key Decision?	Yes	No	Per the Constitution, a key decision is one which:

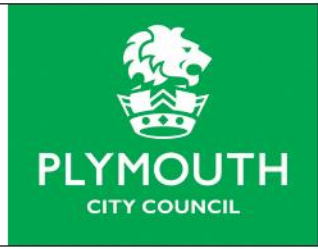
	(please contact Democratic Support for further advice)		X	in the case of capital projects and contract awards, results in a new commitment to spend and/or save in excess of £3million in total
			X	in the case of revenue projects when the decision involves entering into new commitments and/or making new savings in excess of £1million
			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.
8b	If yes, date of publication of the notice in the Forward Plan of Key Decisions	N/A		
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:	The maintenance and enhancement of this key city asset delivers against both the Council's 'Growing City' and 'Caring Council' objectives.		
10	Please specify any direct environmental implications of the decision (carbon impact)	Investment in low energy LED lighting in many areas of the PLC will reduce energy consumption and carbon emissions, supporting the Council's Climate Change Emergency objectives.		
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	Leisure Management Contract
		No		(If no go to section 14)
13b	Which other Cabinet member's portfolio is affected by the decision?	Councillor Peter Smith (Deputy Leader)		

13c	Date Cabinet member consulted	01.02.2021						
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	Giles Perritt					
		Job title	Assistant Chief Executive					
		Date consulted	01.02.2021					
Sign-off								
16	Sign off codes from the relevant departments consulted:	Democratic Support (mandatory)	DS101 20/21					
		Finance (mandatory)	pl.20.21.233					
		Legal (mandatory)	MS/08.02.21/1236					
		Human Resources (if applicable)						
		Corporate property (if applicable)						
		Procurement (if applicable)	HG/PS/573/ED/0221					
Appendices								
17	Ref.	Title of appendix						
	A	Briefing note						
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: Briefing Note							
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
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	12.02.2021		
Print Name	Craig McArdle						

BRIEFING NOTE

Plymouth Life Centre – Life Cycle Maintenance & Improvement



1. INTRODUCTION

Since August 2020 the Plymouth Life Centre (PLC) has been undergoing significant remedial works. These works are being undertaken by Balfour Beatty Construction Limited (BBCL). These works will address a number of issues from the original build of the Life Centre.

As part of the Business Case and Executive Decision L26 20/21, a capital budget was allocated for enhancement works to the Life Centre. These works are in addition to the remedial works being undertaken by BBCL. The Business Case also delegated access to the Life Cycle Maintenance Fund reserve to the Strategic Director for People to undertake any necessary maintenance and repair works.

2. BACKGROUND

Plymouth Life Centre was designed and constructed by Balfour Beatty Construction Limited (BBCL) and opened in March 2012. Since its opening it has been managed by Sports & Leisure Management Ltd (SLM). The leisure management contract was awarded for 10 years with an expiry date of March 2022. Responsibilities for the maintenance of the PLC, is a part repairing lease, with clearly defined areas of responsibility for SLM and PCC. PCC has responsibility for the replacement of end of life assets (life cycle).

BBCL are on site carrying out remedial works, with the programme scheduled for completion in April 2021.

In addition to the remedial works being undertaken by BBCL, the Council has identified a number of enhancements that it would like to make to the building. In consultation with SLM, Arcadis, PLC stakeholder groups, a schedule of enhancement works has been developed, which are summarised in the table below:

Works Description	Business Driver						Budget
	Covid Compliance	Health & Safety	Income Generation	Invest to Save	Carbon Neutral	Enhanced Customer Experience	
Upgrade to ventilation and air conditioning systems for the whole building (ionisation filter system)	X	X					£535,805
Upgraded lighting to LED in pool hall, change village and male and female gym change		X		X	X	X	£510,000
Replacement of all cubicles, lockers and decoration in male and female gym change	X		X			X	£117,232
Decoration and upgrades to fixtures, furnishings and equipment e.g. Additional pool hoists for disabled access		X	X			X	£221,548

Creation of new yoga studio beside 1 st floor gym area			X			X	£20,000
Contingency at 10%							£175,459
Total Betterment Budget							£1,930,044
Professional fees and costs attributable to completion of works, forecasted to the end of the project							£545,461
Total Capital Requested							£2,475,505

PCC has the opportunity to undertake a number of key life-cycle and enhancement works whilst the main contractor is on site and the facility is closed. The funds will be drawn down from the Life Cycle Maintenance Fund, and will be informed by a condition survey and Pre-Planned Life Cycle Schedule.

3. PROCUREMENT PROCESS

The enhancement and maintenance works will be treated as a contract variation to the original building contract, which is compliant with procurement law.

The justification for this exemption is summarised in the following bullet points:

- The time constraints of the BBCL remedial programme. The 34 week programme means that should the Council wish to complete any maintenance or enhancement works concurrently, it is not possible to run a new competitive tender process within these timescales
- The decision to undertake works during the period of closure due to the COVID-19 government restrictions meant it was impossible to specify the necessary enhancement and maintenance works in time to run a normal competitive process and dovetail these with the BBCL remedial programme
- BBCL built the Life Centre and have extensive knowledge of the building and its operating systems. BBCL are one of the UK's largest and most experienced building contractors and therefore have the knowledge, expertise and resources to complete the necessary works to the time, quality and budget requirements
- If the enhancement works are not completed in conjunction with BBCL's remedial programme, the outcome would be further closure of the facilities in the future, impacting on customer experience and wellbeing

The procurement represents value for money for the following reasons:

- It avoids the financial and resource costs required to run a competitive tender process of this scale and complexity
- BBCL mobilised on site at their own cost to complete the remedial works. Therefore avoiding the need for the Council to pay the full preliminaries and insurance costs that would ordinarily have been charged
- The Council has employed Arcadis LLP as its Employer Site Representative to provide programme management and cost control services. These include scrutinising design

proposals, quotations and quality of completed enhancement and maintenance works. This provides an additional layer of challenge and scrutiny to the costs being incurred

- BBCL are completing the enhancement and maintenance works on an open book basis, therefore quotations and costs are openly shared with the Council and approval sought prior to incurring any expenditure
- Detailed enhancement and maintenance schedules have been prepared by BBCL and Arcadis based upon clear requirements

Other options considered included:

1. Allow BBCL to complete its remedial works and undertake any necessary maintenance and enhancement works at a later date. This was discounted because the Council wished to take advantage of the facility being closed to minimise future disruption to customers and the people of Plymouth. This would also pose additional financial pressures on both the site operator SLM and the Council through potential loss of income
2. Do nothing. Only undertake maintenance works on a break / fix basis and do not undertake any enhancement works. This was discounted because the Council would miss the opportunity to improve the overall customer experience at the Life Centre, create income generation, increase COVID compliance, reduce carbon emissions and improve health and safety. Investing in the future of such an iconic asset brings many health and wellbeing and financial benefits to Plymouth

Therefore, the recommendation is to appoint BBCL to complete the enhancement and maintenance works as specified in the appropriate works schedule using a variation order to the existing build contract.

4. FINANCIAL IMPLICATIONS

The Life Cycle Maintenance works will be funded from a distinct reserve of £1,500,000, which has been established since the PLC was built and accumulated over the first 10 years of the leisure management contract.

The enhancement works will be funded through corporate borrowing and added to the Council's capital programme. The allocated funds for these works are £2,475,505.

The aggregated total expenditure is a maximum of **£3,975,505**.

5. RECOMMENDATIONS

It is recommended that BBCL are appointed to complete the enhancement and maintenance works as specified in the appropriate works schedule as a variation to the existing build contract.

AUTHOR:

Signature: Steve Murray

Print Name: STEVEN MURRAY

Date: 05.02.2021

EQUALITY IMPACT ASSESSMENT

Strategic Co-operative Commissioning – Leisure Services



STAGE 1: WHAT IS BEING ASSESSED AND BY WHOM?

What is being assessed - including a brief description of aims and objectives?	The requirement to undertake life cycle maintenance and enhancement works at the Plymouth Life Centre (PLC), to replace building items that have reached the end of their useful lifespan and improve the overall facilities within the building. This is with the objective of ensuring that the facility is safe to use and delivers an enjoyable environment for the people of Plymouth. PLC is a key asset in terms of meeting the strategic objectives of Public Health and improving wellbeing across the City.
Author	Steven Murray
Department and service	Strategic Co-Operative Commissioning, People Transformation
Date of assessment	24.02.2021

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	Please provide % of workforce impacted e.g. Teens = 5% 20's = 20% 30's = 40's = 50's = 60 – 65 =	No adverse impact is anticipated.		

	Over 65 =			
Disability		No adverse impact is anticipated.		
Faith/religion or belief		No adverse impact is anticipated.		
Gender - including marriage, pregnancy and maternity		No adverse impact is anticipated.		
Gender reassignment		No adverse impact is anticipated.		
Race		No adverse impact is anticipated.		
Sexual orientation - including civil partnership		No adverse impact is anticipated.		

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 gap in average hourly pay between men and women by 2020.	No implications anticipated.	
Increase the number of hate crime incidents reported and maintain good satisfaction rates in dealing with racist, disablist, homophobic, transphobic and faith, religion and belief incidents by 2020.	No implications anticipated.	
Good relations between different communities (community cohesion)	No implications anticipated.	
Human rights Please refer to guidance	No implications anticipated.	

STAGE 4: PUBLICATION

Responsible Officer **Giles Perritt**

Date **24.02.2021**

Strategic Director, Service Director or Head of Service

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