



**Oversight and Governance**

Chief Executive's Department

Plymouth City Council

Ballard House

Plymouth PL1 3BJ

T 01752 305155

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

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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/yddrqll6>

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.

**Delegated Decisions**

- I. Kim Brown – Service Director (HR and OD):**
  - Ia. Hoe Foreshore Repairs (Tinside East Cove Steps) (Pages 1 - 20)**

# EXECUTIVE DECISION

made by a Council Officer



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

Executive Decision Reference Number – COD23 20/21

Decision				
1	<b>Title of decision:</b> Hoe Foreshore Repairs (Tinside East Cove Steps)			
2	<b>Decision maker (Council Officer name and job title):</b> Kim Brown – Service Director HR and OD			
3	<b>Report author and contact details:</b> Ralph Bint <a href="mailto:Ralph.Bint@plymouth.gov.uk">Ralph.Bint@plymouth.gov.uk</a>			
4a	<b>Decision to be taken:</b> Approve the appointment of High Tech Services as the Contractor to complete the Phase I of the works.			
4b	<b>Reference number of original executive decision or date of original committee meeting where delegation was made:</b> L41 20/21			
5	<b>Reasons for decision:</b> Recent storm events have caused damage to Tinside East Steps and West Nosing. The area is well used by the Wild Swimming Community providing free access to the sea for exercise. Repair would include the introduction of stainless steel tie anchors that would be drilled from the outer nosing into the limestone outcrops which would in effect fix the nosing in position and prevent gross failure.			
6	<b>Alternative options considered and rejected:</b> Covered in L41 20/21			
7	<b>Financial implications:</b> £612,000 for the project into the Capital Programme funded by Corporate Borrowing from the Health & Safety allocation			
8	<b>Is the decision a Key Decision?</b> (please contact <a href="#">Democratic Support</a> for further advice)	<b>Yes</b>	<b>No</b>	<b>Per the Constitution, a key decision is one which:</b>
			X	in the case of <b>capital</b> projects and contract awards, results in a new

				commitment to spend and/or save in excess of <b>£3million</b> in total
			X	in the case of <b>revenue</b> projects when the decision involves entering into new commitments and/or making new savings in excess of <b>£1million</b>
			X	is <b>significant</b> in terms of its effect on communities living or working in an area comprising <b>two or more</b> wards in the area of the local authority.
8b	If yes, date of publication of the notice in the <b>Forward Plan of Key Decisions</b>			
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:			Caring and Fair. Ensuring the corporate estate is well maintained correctly to ensure best value for money for tax payer.
10	Please specify any direct environmental implications of the decision (carbon impact)			No implications.


#### 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 <a href="#">Democratic Support</a> 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 Mark Lowry (Cabinet Member for Finance)		
13c	Date Cabinet member consulted	January 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		Andy Ralphs				
		Job title		Strategic Director of Customer and Corporate Services				
		Date consulted		Intermittently since Dec 2020				
<b>Sign-off</b>								
16	Sign off codes from the relevant departments consulted:	Democratic Support (mandatory)			DS129 20/21			
		Finance (mandatory)			pl.20.21.291			
		Legal (mandatory)			MS/30.03.21			
		Human Resources (if applicable)						
		Corporate property (if applicable)			N/A Author			
		Procurement (if applicable)			SN/PS/581/ED/0321			
<b>Appendices</b>								
17	Ref.	Title of appendix						
	A	Foreshore Repairs Briefing Paper						
	B	Equalities Impact Assessment						
	C	Contract Award Part 1						
<b>Confidential/exempt information</b>								
18a	Do you need to include any confidential/exempt information?	Yes	X	If yes, prepare a second, confidential ('Part II') briefing report and indicate why it is not for publication by virtue of Part 1 of Schedule 12A of the Local Government Act 1972 by ticking the relevant box in 18b below.				
		No						
		<b>Exemption Paragraph Number</b>						
		1	2	3	4	5	6	7
18b	Confidential/exempt briefing report title:  Contract Award Part 2			X				
<b>Background Papers</b>								
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
Foreshore Repairs Business Case				X				
<b>Council Officer Signature</b>								
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.							
<b>Signature</b>				<b>Date of decision</b>		06 April 2021		
<b>Print Name</b>		Kim Brown						

## FORESHORE REPAIRS

### Briefing Report for Executive Decision



## BACKGROUND

Recent storm events have caused damage to Tinside East Steps and West Nosing. The area is well used by the Wild Swimming Community providing free access to the sea for exercise.

## SUMMARY

### Tinside East Steps

Failed Semi- Circular Steps:

The two steps of reinforced concrete skirting appear to be stable however the joints have opened to between 50mm and 75mm leaving them vulnerable to tidal action and should be the first priority for repair. There is also voiding between the lower skirt and the limestone shelf on the west side (where the steps have failed above). This will need to be secured and tied back, filled and fixed to the concrete and limestone with stainless steel ties.

The steps above were cast in-situ but in sections with day joints which have failed and opened allowing the fines behind to be washed out leading to instability and subsequent structural failure of the steps. The strategy for repair would be to remove the failed steps and construct a concrete support wall behind in stages which would be brought up in level as the steps were reconstructed. It would be imperative that the reinstated steps were cast in situ and in one step ring at a time without joints to enable us to form a monolithic structure rather than in parts or segments. This will provide the most effective solution with the marine grade concrete for the repair being pumped from the road above.

### West Nosing

There has been a significant failure and loss of granite sets forming the west wall just in front of the nosing. There is also evidence of horizontal and diagonal cracking in the concrete nosing repair which is due to the corrosion expansion of the embedded reinforcement which will continue.

## FINANCIAL IMPLICATIONS

Project estimated costs are £510,000 plus an additional £102,000 contingency to be financed through corporate borrowing.

## NEED FOR DECISION

The steps at Tinside East provide access to the sea for the wild swimming community. Currently there is a significant H&S risk presented to this community where the steps are in poor condition. They are presently cordoned off leaving a smaller area for this community to access vital exercise. The foreshore makes up part of Plymouth's attraction for the tourism industry and as such should be protected from disrepair.

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# EQUALITY IMPACT ASSESSMENT

Foreshore Repairs



**STAGE 1: What is being assessed and by whom?**

What is being assessed - including a brief description of aims and objectives?

**Current Situation**

Storm damage to Foreshore Steps and Nosing presenting H&S and reputation risk.

**Proposal**

Option 1: The short term repair would be to re-insert the granite sets, insert and embed stainless steel helical bars into the concrete to try to tie the repair to the original structure. The voiding under the slab would then be filled with grout or NHC. The effectiveness of this repair could not be guaranteed but would buy us time in terms of delaying complete failure. This option would save £80,000 on the overall project and would likely require repair in future years.

Option 2: The longer term repair would involve much of the above but would include the introduction of stainless steel tie anchors that would be drilled from the outer nosing into the limestone outcrops which would in effect fix the nosing in position and prevent gross failure. Further cracking would of course continues in the concrete nosing repair because of the continued corrosion expansion of the inherent reinforcement but would afford the opportunity for ongoing localised repair

Option 2 is the preferred option.

Responsible Officer	Ralph Bint, Facilities Manager (Hard Services)
Department and Service	Facilities Management, Finance
Date of Assessment	22/02/2021

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	<p>The 2011 Census data % of Population is: -</p> <ul style="list-style-type: none"> <li>0-4 years – 6%</li> <li>5-9 years - 5%</li> <li>10-14 - 5%</li> <li>15-19 - 7%</li> <li>20-24 - 10%</li> <li>25-29 - 7%</li> <li>30-34 - 6%</li> <li>35-39 - 6%</li> <li>40-44 - 7%</li> <li>45-49 - 7%</li> <li>50-54 - 6%</li> <li>55-59 - 5%</li> <li>60-64 - 6%</li> <li>65-69 - 5%</li> <li>70-74 - 4%</li> <li>75-79 - 3%</li> <li>80-84 - 2%</li> <li>85+ - 3%</li> </ul>	No adverse impacts are anticipated.	<p>There are no specific actions necessary for the project based upon the age profile of our customers.</p> <p>The demolition will remove the H&amp;S risk associated with Asbestos exposure to staff.</p>	<p>Ralph Bint Facilities Manager March 2021 through December 2021</p>

Disability	<p>30,000 people in Plymouth will have some form of Mental Health issue.</p> <p>0.8% (2118) of those registered with a GP are listed on the mental health register.</p> <p>A total of 31,164 people declared themselves as having a long-term health problem or disability in the 2011 Census.</p> <p>1,224 adults currently registered with a GP in Plymouth have some form of a Learning Disability.</p>	No adverse impacts are anticipated.	Monitor and review as necessary and appropriate	<p>Ralph Bint Facilities Manager March 2021 through December 2021</p>
Faith, Religion or Belief	<p>Data shows that 32.9% of the Plymouth population stated they had no religion.</p> <p>Hindu, Buddhist, Jewish and Sikh combined totalled less than 1%.</p> <p>0.5% of the population had a current religion that was not Christian, Islam, Buddhism, Hinduism, Judaism, or Sikh such as Paganism or Spiritualism.</p>	No adverse impacts are anticipated.	Monitor and review as necessary and appropriate	<p>Ralph Bint Facilities Manager March 2021 through December 2021</p>
Gender - including marriage, pregnancy and maternity	<p>Citywide data shows that overall 50.6% of our population are women; this reflects the national figure of 50.8%.</p>	No adverse impacts are anticipated.	Monitor and review as necessary and appropriate	<p>Ralph Bint Facilities Manager March 2021 through December 2021</p>
Gender Reassignment	<p>National figures (ONS 2013) indicate that up to 10,000 people have gone through this process,</p>	No adverse impacts are anticipated.	Monitor and review as necessary and appropriate	<p>Ralph Bint Facilities Manager</p>

	with 23 known cases in Plymouth.			March 2021 through December 2021
Race	<p>92.9% of Plymouth's population is White British</p> <p>7.1% are Black and Minority Ethnic (BME) with White Other (2.7%), Chinese (0.5%) and Other Asian (0.5%) the most common.</p> <p>The Council has 4.1% BME employees across its workforce.</p> <p>We have a rapidly rising BME population which has doubled since the 2001 census</p>	No adverse impacts are anticipated.	Monitor and review as necessary and appropriate	<p>Ralph Bint</p> <p>Facilities Manager</p> <p>March 2021 through December 2021</p>
Sexual Orientation -including Civil Partnership	<p>There is no precise local data on numbers of Lesbian, Gay and Bisexual (LGB) people in Plymouth, but it is nationally estimated at between 5 – 7%. This would mean that approx. 12,500 people aged over 16 in Plymouth are LGB.</p>	No adverse impacts anticipated.	Monitor and review as necessary and appropriate	<p>Ralph Bint</p> <p>Facilities Manager</p> <p>March 2021 through December 2021</p>

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.	Not at this stage	

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?
Good relations between different communities (community cohesion).	Not at this stage	
Human Rights	Not at this stage	

STAGE 5: Publication			
Director, Assistant Director/Head of Service approving EIA.	Kim Brown Service Director HR and OD	Date	22/02/2021

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

Contract 20936 - Contract Tinside East Cove – Repairs to Steps  
(Phase I Enabling Works)



**1. INTRODUCTION**

**2. BACKGROUND**

**3. PROCUREMENT PROCESS**

**4. TENDER EVALUATION CRITERIA**

**5. SUMMARY OF EVALUATION**

**6. FINANCIAL IMPLICATIONS**

**7. RECOMMENDATIONS**

**8. APPROVAL**

## 1. INTRODUCTION

This contract award report is in relation to the procurement of Phase I of repairs to the Steps and associated elements at Tinside East Cove. The scope of the requirement of Phase I includes: Removal and appropriate disposal of the damaged sections of the Steps, landings, sun terraces and associated structures as required to execute the required repairs. Investigation by survey, trial pits and cores etc into condition and nature of the structure and underlying/supporting material and determination of requirement and the design for the re-instatement and repairs to the steps, landings etc. noses, and adjacent sea wall sections, inclusive of drawings and scope of work and specification for the required re-instatement works.

Contract Duration: Exact duration will be determined by the quantity of material that will need to be removed and the findings during the removal of material and investigation works. There is also the potential for weather and storm conditions to impact on the duration. It is estimated that this will be 6 to 10 weeks.

## 2. BACKGROUND

Recent storm events have caused damage to Tinside East Steps and West Nosing. The area is well used by the Wild Swimming Community providing free access to the sea for exercise. This area is a focal point between the Hoe and the water.

## 3. PROCUREMENT PROCESS

The Council's Contract Standing Orders have been followed in order to procure a contractor to undertake the works required.

## 4. TENDER EVALUATION CRITERIA

The Council evaluated the supplier's suitability by undertaking a suitability assessment to deliver the works and checking that all required documents are completed and submitted.

### Stage I - Suitability Assessment

The suitability assessment criteria is as follows:

- Supplier Details
- Insurances
- Health and Safety Policy and Capability
- Environmental Management
- Quality Management
- Technical Ability

The scoring methodology used was as follows:

Response	Resulting action
Meets minimum expectations	PASS -proceed with procurement
Some minor concerns	CLARIFY- concerns discussed and response resubmitted
Major/unacceptable concerns	FAIL- end procurement process

As part of the assessment, the supplier's ability to supply all of the technical requirements to the standard required; to fulfil the contract within the required timescales; and to deliver a value for money solution was taken into consideration

## 5. SUMMARY OF EVALUATION

Responses were evaluated by a Council Officer, and assessed independently by a second Council Officer all of whom have the appropriate skills and experience, in order to ensure transparency and robustness in the process.

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

## 6. FINANCIAL IMPLICATIONS



Financial provision has been made for this contract within the project budget. The financial details are contained within the confidential Part II paper.

## 7. RECOMMENDATIONS

It is recommended that a contract be awarded to the successful supplier on JCT Design & Build 2016 Terms & Conditions.

## 8. APPROVAL

### Authorisation of Contract Award Report

Author (Responsible Officer / Project Lead)			
Name:	R. Bint		
Job Title:	Facilities Manager		
Additional Comments (Optional):			
Signature:		Date:	1 Apr 2021
Head of Service / Service Director [Signature provides authorisation to this award report and award of Contract]			
Name:	Kim Brown		
Job Title:	Service Director (HR and OD)		
Additional Comments (Optional):			
Signature:		Date:	06 April 2021

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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