

EXECUTIVE DECISION

made by a Cabinet Member




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

Executive Decision Reference Number – L56 20/21

Decision	
1	Title of decision: Plymstock School additional S106 and Basic Need Funding
2	Decision maker (Cabinet member name and portfolio title): Cllr Tudor Evans OBE, Leader of the Council
3	Report author and contact details: Ian Baker, Investment and Organisational Manager, 01752 307320
4	Decision to be taken: It is recommended that the Leader of the Council: <ul style="list-style-type: none"> Allocates £580,550 for the project into the Capital Programme funded by £310,317 of S106 and £270,233 of Basic Need funding
5	Reasons for decision: <p>The original business case was completed in 2018 with the project costs of £2,500,000 of which £2,050,000 was specifically for building works with a contingency of £175,000. The remainder of the original funding was set against the survey, planning and building fees plus the architectural and other consultant fees.</p> <p>Due to the impact of the pandemic, delays have been incurred leading to extension of time together with the increasing costs for materials and specification errors. This has impacted on the overall build costs coupled with changing building completion to meet the school requirements.</p> <p>We currently have a spending shortfall of £580,550, including contingency, with any underspend being returned to the Secondary Basic Need budget.</p> <p>If the works are not completed, the school will not have sufficient dining and hall space and any delays in obtaining the additional funding required for completion will increase costs by £5,000 per week.</p>
6	Alternative options considered and rejected: <p>We have reviewed all options, including:</p> <p>Non-completion of the Arts and Drama Centre, however this would impact the school operationally as they would not be able to fulfil their educational requirements, causing Plymouth to fail in its statutory duty in providing necessary additional pupil places in secondary schools. The school would not be able to support sports and drama activities for all pupils and would be unable to provide sufficient dining space for meal times. This option was rejected.</p> <p>Another alternative was to retender the completion of the Arts and Drama Centre, however this was rejected due to the issues surrounding other contractors' appetite for taking on the work previously partially completed by another contractor. Many of the contractors that specialise in delivering this size</p>

	of contract are still feeling the effect of the pandemic and as a consequence, are risk averse, as their businesses are currently fragile. Even if a contractor did take on the fit out of the Arts and Drama Centre, the derogation of the warranties would also be a potential serious issue. With the current uncertainty in the market, there is also no surety that a new provider would be more cost effective than the current contractor, especially when site set up, mobilisation, familiarisation and procurement of specialist sub-contractors, is also taken into account.			
7	Financial implications: 1. £310,317 S106 contributions as detailed on the update 2. £270,233 Basic Need Grant			
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 £1million is significant in terms of its effect on communities living or working in an area comprising two or more wards in the area of the local authority.
	If yes, date of publication of the notice in the Forward Plan of Key Decisions	N/A		
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:	See previous Plymstock School Business Case that was agreed at the Capital Programme Board.		
10	Please specify any direct environmental implications of the decision (carbon impact)	None		
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	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	No	(If no go to section 14)
13b	Which other Cabinet member's portfolio is affected by the decision?	Councillor Jon Taylor, Cabinet Member for Education, Skills and Transformation		
13c	Date Cabinet member consulted	Mid March 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	no	
15	Which Corporate Management Team member has been consulted?	Name	Ming Zhang / Amanda Paddison	
		Job title	Service Director for Education & Head of Access to Learning	
		Date consulted	19/03/2021	
Sign-off				
16	Sign off codes from the relevant departments consulted:	Democratic Support (mandatory)	DS136 20/21	
		Finance (mandatory)	pl.20.21.292	
		Legal (mandatory)	MS/2/32064	
		Human Resources (if applicable)	N/A	
		Corporate property (if applicable)	N/A	
		Procurement (if applicable)	N/A	
Appendices				
17	Ref.	Title of appendix		
	A	Plymstock School Briefing Report		

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. (Keep as much information as possible in the briefing report that will be in the public domain)				
		No	no					
		Exemption Paragraph Number						
		1	2	3	4	5	6	7
18b	Confidential/exempt briefing report title:							
Background Papers								
19	Please list all unpublished, background papers relevant to the decision in the table below. Background papers are <u>unpublished</u> works, relied on to a material extent in preparing the report, which disclose facts or matters on which the report or an important part of the work is based. If some/all of the information is confidential, you must indicate why it is not for publication by virtue of Part I of Schedule 12A of the Local Government Act 1972 by ticking the relevant box.							
Title of background paper(s)		Exemption Paragraph Number						
		1	2	3	4	5	6	7
Cabinet Member Signature								
20	I agree the decision and confirm that it is not contrary to the Council's policy and budget framework, Corporate Plan or Budget. In taking this decision I have given due regard to the Council's duty to promote equality of opportunity, eliminate unlawful discrimination and promote good relations between people who share protected characteristics under the Equalities Act and those who do not. For further details please see the EIA attached.							
Signature				Date of decision		23 April 2021		
Print Name		Cllr Tudor Evans OBE, Leader						