

# EXECUTIVE DECISION

made by a Council Officer




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

Executive Decision Reference Number – COD15 21/22

Decision			
1	<b>Title of decision:</b> Contract modification: Ferry Chain increased costs		
2	<b>Decision maker (Council Officer name and job title):</b> Philip Robinson, Service Director for Street Services		
3	<b>Report author and contact details:</b> Adrian Trim, <a href="mailto:Adrian.trim@plymouth.gov.uk">Adrian.trim@plymouth.gov.uk</a> EXT 7729		
4a	<b>Decision to be taken:</b> Torpoint Ferry crossings. Contract modification for Ferry Chain pricing, modifying in response to unprecedented freight cost rises from China (steel and freight) and putting in a new adjustment feature to claw back pricing as situation improves. The cost has risen from £461,063.00 to £549,024.40. A variation to the original contract will be needed to facilitate this, to ensure that a new ferry chain will be delivered in time to replace the current ones.		
4b	<b>Reference number of original executive decision or date of original committee meeting where delegation was made:</b>		
5	<b>Reasons for decision:</b> The Torpoint ferries operate on fixed chains that run from Devonport to Torpoint, two chains per ferry. This contract provides routine replacement of chains and is crucial to maintaining the 24/7 365 operation of the ferry service.		
6	<b>Alternative options considered and rejected:</b> Not to replace the chains. <b>Rejected</b> for safety reasons regarding safe passage on and of the ferries, there is also a requirement to meet Maritime requirements for vessels to operate.		
7	<b>Financial implications and risks:</b> TBTF operate on a 'user pays' basis, where the costs are covered by Tolling, the costs of the chains have been planned for and approved by the Joint Committee from Toll income, there are therefore no financial implications for the Council.		
8	<b>Is the decision a Key Decision?</b> (please contact <a href="#">Democratic Support</a> for further advice)	<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>£1 million</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 <a href="#">Forward Plan of Key Decisions</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:			This decision discharges the Council's responsibility to provide a safe crossing 24/7 365 for those crossing Tamar Bridge.
10	Please specify any direct environmental implications of the decision (carbon impact)			No direct impact.
<b>Urgent decisions</b>				
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:			
<b>Consultation</b>				
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 Jonathon Drean, Cabinet member for Transport		
13c	Date Cabinet member consulted	15/11/21		
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	Anthony Payne	
		Job title	Strategic Director for Place	

		<b>Date consulted</b>	15/11/21						
<b>Sign-off</b>									
16	<b>Sign off codes from the relevant departments consulted:</b>		<b>Democratic Support (mandatory)</b>	DS86 21/22					
			<b>Finance (mandatory)</b>	djn.21.22.169					
			<b>Legal (mandatory)</b>	MS/1/12.11.21					
			<b>Human Resources (if applicable)</b>	N/A					
			<b>Corporate property (if applicable)</b>	N/A					
			<b>Procurement (if applicable)</b>	N/A					
<b>Appendices</b>									
17	<b>Ref.</b>	<b>Title of appendix</b>							
	A	Briefing report for publication							
	B	Equalities Impact Assessment							
<b>Confidential/exempt information</b>									
18a	<b>Do you need to include any confidential/exempt information?</b>		<b>Yes</b>	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 <b>18b</b> below.					
			<b>No</b>						x
			<b>Exemption Paragraph Number</b>						
			<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>6</b>	<b>7</b>
18b	<b>Confidential/exempt briefing report title:</b>								
<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 I of Schedule 12A of the Local Government Act 1972 by ticking the relevant box.								
	<b>Title of background paper(s)</b>			<b>Exemption Paragraph Number</b>					
			<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>6</b>	<b>7</b>

<b>Council Officer Signature</b>							
<b>20</b>	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>	18/11/2021			
<b>Print Name</b>	Anthony Payne						