

# EXECUTIVE DECISION

made by a Council Officer



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


Executive Decision Reference Number – COD03 22/23

| Decision |  |
|----------|--|
| 1        | <p><b>Title of decision:</b> Contract Award - Bulk Purchase of Granite Materials for the Council's Better Places Programme of Public Real Improvements covering:<br/>Old Town Street, New George Street and The Civic Square</p>   |
| 2        | <p><b>Decision Maker :</b> Paul Barnard, Service Director SP&amp;I</p>   |
| 3        | <p><b>Report author and contact details:</b> : Catherine Arthurs, Design and Delivery Co-ordinator,<br/>Tel: 01752 305440 catherine.arthurs@plymouth.gov.uk</p>  |
| 4a       | <p><b>Decision to be taken:</b></p> <p>To award the contract for the supply of granite paving in respect of the Council's Better Places Programme of public realm improvements – Old Town Street New, George Street and the Civic Square to the engaged supplier. Details of the engaged supplier are set out in the Contract Award Report.</p> <p>It is intended to award the contract using the negotiated procedure without prior publication in accordance with the Public Procurement Regulations 2015. - Regulation 32(2)(c). A VEAT notice (Voluntary Ex-Ante Transparency Notice) setting out the justifications for the contract award decision is published alongside this decision.</p>   |
| 4b       | <p><b>Reference number of original executive decision or date of original committee meeting where delegation was made:</b></p> <p>Executive Decision L43 19/20 03.07.20</p>  |
| 5        | <p><b>Reasons for decision:</b></p> <p>The supply of granite materials are urgently required to enable the timely completion of the Better Places Public Realm projects.</p> <p>The Better Places Programme seeks to address years of underinvestment in city centre streets and spaces; to transform the look and feel of the city centre; to support and lever in further inward investment in retail, leisure, employment and housing.</p> <p>Award of the granite is deemed necessary in order for the Council to maintain its commitments to expended central government grant money that is time restricted; and to complete the construction of its extensive programme of public realm improvements within Plymouth City Centre in a timely fashion, minimising disruption to the public and its retail partners.</p> <p>Old Town Street, New George Street and the Civic Square are identified as a priority projects which</p> |

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|           | reinforce the Council's actions to regenerate key areas of Plymouth's city centre and support significant inward investment by British land and Urban Splash.  |   |    |  |
| <b>6</b>  | <p><b>Alternative options considered and rejected:</b></p> <p><b>Option 1: Do Nothing and not purchase granite-</b> If the Council doesn't order the granite directly, serious delays will result to the construction programme for the projects.</p> <p>Not completing the schemes in a timely manner may lead to the loss of external funding for the project and will seriously damage the current good reputation the Council has established for the delivery of high quality public realm schemes.</p> <p><b>Option 2: Purchase granite via a framework –</b> Three frameworks were identified that permit direct awards of building materials but none could supply the materials and quantities required. All of the frameworks also have a further competition options but these were ruled out as there is not sufficient time for a competitive process.</p> <p><b>Option 3: Purchase granite through the main contractor –</b> The main contractor is currently being procured. If we were to wait for the main contractor to be appointed before procuring the granite through them, the projects would be delayed and the grant funding potentially withdrawn.</p> |   |    |  |
| <b>7</b>  | <p><b>Financial implications:</b></p> <p>£9.935m of funding been secured for the project from the Transforming Cities Fund which needs to be spent by March 2023 or returned to the funder.</p>  |   |    |  |
| <b>8</b>  | <p><b>Is the decision a Key Decision?</b><br/>(please contact <a href="#">Democratic Support</a> for further advice)</p>   |   | No | <b>Per the Constitution, a key decision is one which:</b>  |
|           |  |   | No | 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              |
|           |  |   | No | 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>         |
|           |  |   | No | 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. |
| <b>8b</b> | <b>If yes, date of publication of the notice in the <a href="#">Forward Plan of Key Decisions</a></b>  | n/a   |    |  |
| <b>9</b>  | <b>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:</b>   | <p>Growing Plymouth - The outcomes of this project will help support a growing city by encouraging inward investment in the retail, leisure and cultural offer of Plymouth city centre and supporting the diversification of uses including residential and office.</p> <p>Providing aesthetically attractive and inviting city centre streets and spaces that function better through day and into evening will attract increased visitors to the city centre for prolonged periods of time resulting in higher spend, more viable businesses and a more competitive city centre</p> |    |  |

|                         |  |  |             |  |
|-------------------------|--|--|-------------|--|
|                         |  | <p>further establishing Plymouth's position as a premier retail and shopping destination for the South West.</p> <p>Caring Plymouth - The project will support the creation of positive spaces for residents from across the city, supporting the achievement of health and wellbeing outcomes and promoting social inclusion.</p> <p>This project will directly support the growth of the city by encouraging visitors and enabling increased investment from the community and private sector.</p>   |             |  |
| <b>10</b>               | <b>Please specify any direct environmental implications of the decision (carbon impact)</b>                    | <p>The project aims to deliver significant environmental improvements to the city centre including a net increase in trees and tree canopy cover, biodiversity net gain through the introduction of new species including those that support pollinating insects. The scheme will deliver a new Sustainable Urban Drainage (SUDs) system that will form part of a wider strategic network in the city centre. The SUDs systems includes 'rain gardens' which integrate the drainage system with the cities green infrastructure to make the best use of surface water. Construction materials have been selected for long-term robustness and durability to reduce lifecycle carbon footprint.</p> |             |  |
| <b>Urgent decisions</b> |  |  |             |  |
| <b>11</b>               | <b>Is the decision urgent and to be implemented immediately in the interests of the Council or the public?</b> | <b>Yes</b>   |             | (If yes, please contact <a href="#">Democratic Support</a> for advice) |
|                         |  | <b>No</b>  | No          | (If no, go to section 13a)   |
| <b>12a</b>              | <b>Reason for urgency: n/a</b>   |  |             |  |
| <b>12b</b>              | <b>Scrutiny Chair signature:</b>   |  | <b>Date</b> |  |
|                         | <b>Scrutiny Committee name:</b>  |  |             |  |
|                         | <b>Print Name:</b>   |  |             |  |
| <b>Consultation</b>     |  |  |             |  |
| <b>13a</b>              | <b>Are any other Cabinet members' portfolios affected by the decision?</b>                                     | <b>Yes</b>   |             | Cllr Mark Shayer (consulted 01.06.2022)                                |
|                         |  |  |             | (If no go to section 14)   |
| <b>13b</b>              | <b>Which other Cabinet member's portfolio is affected by the decision?</b>                                     | None   |             |  |
| <b>13c</b>              | <b>Date Cabinet member consulted</b>   |  |             |  |

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|--|---|--|----------|--|-----------------------|----------|----------|----------|
| 14                                     | Has any Cabinet member declared a conflict of interest in relation to the decision?         |  |          | If yes, please discuss with the Monitoring Officer   |                       |          |          |          |
|  |   | No   |          |  |                       |          |          |          |
| 15                                     | Which Corporate Management Team member has been consulted?                                  | Name   |          | Paul Barnard   |                       |          |          |          |
|  |   | Job title  |          | Service Director SP&I  |                       |          |          |          |
|  |   | Date consulted                                       |          | 31.05.22   |                       |          |          |          |
| <b>Sign-off</b>                        |   |  |          |  |                       |          |          |          |
| 16                                     | Sign off codes from the relevant departments consulted:                                     | Democratic Support (mandatory)                       |          |  | DS05 22/23            |          |          |          |
|  |   | Finance (mandatory)                                  |          |  | pl.22.23.17.          |          |          |          |
|  |   | Legal (mandatory)                                    |          |  | MS/38670              |          |          |          |
|  |   | Human Resources (if applicable)                      |          |  | N/A                   |          |          |          |
|  |   | Corporate property (if applicable)                   |          |  | N/A                   |          |          |          |
|  |   | Procurement (if applicable)                          |          |  | SN/PS/631/ED/05<br>22 |          |          |          |
| <b>Appendices</b>                      |   |  |          |  |                       |          |          |          |
| 17                                     | Re  | Title of appendix                                    |          |  |                       |          |          |          |
|  | f.  |  |          |  |                       |          |          |          |
|  | A   | Equalities Impact Assessment ( <i>not required</i> ) |          |  |                       |          |          |          |
|  | B   | Contract Award Report Part I                         |          |  |                       |          |          |          |
| <b>Confidential/exempt information</b> |   |  |          |  |                       |          |          |          |
| 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. |                       |          |          |          |
|  |   |  |          |  |                       |          |          |          |
|  |   | <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                                    | Confidential/exempt briefing report title:<br>Contract Award Report 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 |
|  |  |   |                         |   |          |   |   |
|  |  |   |                         |   |          |   |   |
| <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> |   | 01.06.22 |   |   |
| <b>Print Name</b>  | Paul Barnard, Service Director SP&I  |   |                         |   |          |   |   |