

EXECUTIVE DECISION

made by a Council Officer




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

Executive Decision Reference Number – COD29 22/23

Decision	
1	Title of decision: Contract Award - Appointment of Contractor to undertake continued enabling works at Old Town Street and New George Street.
2	Decision Maker : Paul Barnard, Service Director for Strategic Planning and Infrastructure
3	Report author and contact details: : Catherine Arthurs, Design and Delivery Co-ordinator, Tel: 01752 305440 catherine.arthurs@plymouth.gov.uk
4a	<p>Decision to be taken:</p> <p>To award a contract to undertake continued enabling works in Old Town Street and New George Street in respect of the Council's Better Places Programme of public realm improvements to Morgan Sindall Construction and Infrastructure Ltd.</p> <p>It is intended to award the contract using a Short Form Delivery Agreement using the SCAPE Framework.</p>
4b	Reference number of original executive decision or date of original committee meeting where delegation was made: Executive Decision L43 19/20 03.07.20
5	<p>Reasons for decision:</p> <p>The Better Places Programme seeks to address years of under-investment 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>Undertaking a second phase of enabling works is necessary for the Council to maintain its commitment to expend central government grant money that is time restricted; and to progress 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 and New George Street are identified as a priority projects which reinforce the Council's actions to regenerate key areas of Plymouth's city centre.</p>
6	<p>Alternative options considered and rejected:</p> <p>Option 1: Do Nothing – This is not an option since the project is already committed to as a result of earlier enabling works and an order has been placed to purchase granite.</p> <p>Option 2: Do Nothing and await the award of the main contract- If the Council doesn't continue these works, serious delays will result to the construction programme for the project.</p> <p>Not completing the schemes in a timely manner will lead to increased costs and 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>

7	<p>Financial implications and risks:</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. The contract value is £967,708.78.</p>																
8	<table border="1"> <thead> <tr> <th data-bbox="245 331 758 427">Is the decision a Key Decision? (please contact Democratic Support for further advice)</th> <th data-bbox="758 331 852 427">Yes</th> <th data-bbox="852 331 1007 427">No</th> <th data-bbox="1007 331 1487 427">Per the Constitution, a key decision is one which:</th> </tr> </thead> <tbody> <tr> <td data-bbox="245 427 758 595"></td> <td data-bbox="758 427 852 595"></td> <td data-bbox="852 427 1007 595">x</td> <td data-bbox="1007 427 1487 595">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</td> </tr> <tr> <td data-bbox="245 595 758 779"></td> <td data-bbox="758 595 852 779"></td> <td data-bbox="852 595 1007 779">x</td> <td data-bbox="1007 595 1487 779">in the case of revenue projects when the decision involves entering into new commitments and/or making new savings in excess of £1 million</td> </tr> <tr> <td data-bbox="245 779 758 920"></td> <td data-bbox="758 779 852 920"></td> <td data-bbox="852 779 1007 920">x</td> <td data-bbox="1007 779 1487 920">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.</td> </tr> </tbody> </table>	Is the decision a Key Decision? (please contact Democratic Support for further advice)	Yes	No	Per the Constitution, a key decision is one which:			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 £1 million			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.
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8b	<p>If yes, date of publication of the notice in the Forward Plan of Key Decisions</p>	n/a															
9	<p>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:</p>	<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 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>															
10	<p>Please specify any direct environmental implications of the decision (carbon impact)</p>	<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</p>															

		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.		
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	
		No		(If no go to section 14)
13b	Which other Cabinet member's portfolio is affected by the decision?	Councillor Jonathan Drean, Cabinet Member for Transport		
13c	Date Cabinet member consulted	09 November 2022		
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	
		Date consulted	11 November 2022	
Sign-off				
16	Sign off codes from the relevant departments consulted:	Democratic Support (mandatory)	DS71 22/23	
		Finance (mandatory)	pl.22.23.278	
		Legal (mandatory)	MS/39427	
		Human Resources (if applicable)	N/A	
		Corporate property (if applicable)	N/A	

		Procurement (if applicable)	HG/PS/658/ED/1 122					
Appendices								
17	Re f.	Title of appendix						
	A	Contract Award Report Part I						
Confidential/exempt information								
18a	Do you need to include any confidential/exempt information?	Yes	<input checked="" type="checkbox"/>	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	<input type="checkbox"/>					
		Exemption Paragraph Number						
		1	2	3	4	5	6	7
18b	Confidential/exempt briefing report title: Contract Award Report Part 2			X				
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
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		10/11/2022		
Print Name		Paul Barnard, Service Director SP&I						