

# EXECUTIVE DECISION

made by a Council Officer



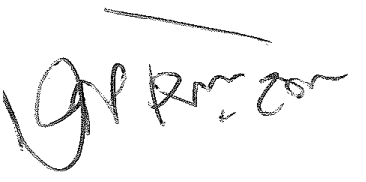
## REPORT OF ACTION TAKEN UNDER DELEGATED AUTHORITY BY AN INDIVIDUAL COUNCIL OFFICER

Executive Decision Reference Number – COD49 22/23

Decision				
1	<b>Title of decision:</b> Chelson Meadow – Replacement Push Walls			
2	<b>Decision maker:</b> Philip Robinson (Service Director for Street Services)			
3	<b>Report author and contact details:</b> Tim Thomas, Quantity Surveyor, Strategic Projects, HROD, E: <a href="mailto:tim.thomas@plymouth.gov.uk">tim.thomas@plymouth.gov.uk</a> , T: 01752 305915			
4a	<b>Decision to be taken:</b> Authorise the award of works to replace push walls at Chelson Meadow to South West Highways (SWH) via the Term Maintenance Contract (TMC). Details are set out in the Contract Award Report.			
4b	<b>Reference number of original executive decision or date of original committee meeting where delegation was made:</b> L36 19/20			
5	<b>Reasons for decision:</b> Provides authorisation to spend funds allocated funds for the procurement of replacement push walls as set out in the capital programme.			
6	<b>Alternative options considered and rejected:</b> We have considered and rejected two other procurement options: <ul style="list-style-type: none"> <li>Option 1- not procuring push walls- not an option due to the operational need for push walls to both RTS and Green Waste areas and the immediate health and safety issues with the existing push walls.</li> <li>Option 2- Running another competitive tender - rejected due to the unlikely success of the process based on previous attempts and the requirement to replace due to the immediate health and safety issues presented with the existing push walls.</li> </ul>			
7	<b>Financial implications and risks:</b> Up to £461,365.86 will be paid to South West Highways over the period of the contract. Payments will be monthly based on progress in relation to items ordered based on a Price List and Task Orders.			
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>
			<b>X</b>	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 <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:			The procurement of replacement push walls is a requirement of the service in order to maintain a safe system of work. The existing push walls have reached their end of life use. There is a Health and Safety issue by not replacing the push walls. If the push walls are not replaced there would be an implication for continuity of service (in current format).
10	Please specify any direct environmental implications of the decision (carbon impact)			Not applicable
<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	
			No	X (If no go to section 14)
13b	Which other Cabinet member's portfolio is affected by the decision?			
13c	Date Cabinet member consulted			

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	10 March 2023					
<b>Sign-off</b>								
16	Sign off codes from the relevant departments consulted:	Democratic Support (mandatory)	DS132 22/23					
		Finance (mandatory)	DJN.22.23.435					
		Legal (mandatory)	MS/ 00001375/21.03.23					
		Human Resources (if applicable)						
		Corporate property (if applicable)						
		Procurement (if applicable)	HG/PS/675/ED/0323					
<b>Appendices</b>								
17	Ref.	Title of appendix						
	A	Contract Award Report 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 I 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 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 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>						
		1	2	3	4	5	6	7

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>	23 March 2023			
<b>Print Name</b>	Philip Robinson						