

EXECUTIVE DECISION

made by a Council Officer



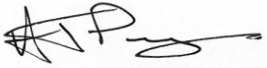
REPORT OF ACTION TAKEN UNDER DELEGATED AUTHORITY BY AN INDIVIDUAL COUNCIL OFFICER

Executive Decision Reference Number – COD18 24/25

Decision	
1	Title of decision: Contract award for Langage South Commercial Workspace Development (Plymouth and South Devon Freeport Direct Development)
2	Decision maker: Anthony Payne (Strategic Director for Place)
3	Report author and contact details: Robert McGuffie (Senior Technical Estates Surveyor) Tel. 01752 304627 E. robert.mcguffie@plymouth.gov.uk
4a	Decision to be taken: 1. To award a contract to appoint Devon Contractors Ltd as main contractor to construct c.50,000sqft of commercial workspace at Langage South, at a value of £5,942,360.
4b	Reference number of original executive decision or date of original committee meeting where delegation was made: L22 23/24 - Plymouth and South Devon Freeport Direct Development (28/09/2023) This decision: 1. Approved the Part II Business Case to construct 50,000 sq ft of employment accommodation within the Langage Tax Site at the Plymouth and South Devon Freeport; 2. Approved the allocation of the sum set out in the Part II Business Case for the project to the Capital Programme comprising Freeport Capital Seed Funding of £4,000,000 (following successful appraisal and agreement by the Freeport Board of Directors) and service borrowing; 3. Authorised the procurement process to identify and select the main contractor; 4. Delegated to the Strategic Director for Place to approve business cases and award contracts relating to this project where they would otherwise not have authority to do so; 5. Delegated to the Section 151 Officer to sign off claims and release funding in connection with the Freeport Seed Capital Funding, where they would otherwise not have authority to do so.
5	Reasons for decision: Following approval of the Business Case, a robust procurement, tender and evaluation process has been undertaken and Devon Contractors Ltd are the highest scoring tenderer. The award of this contract to construct c50,000sqft of high quality and sustainable workspace will lead to economic development and employment growth. Furthermore, it will provide the catalyst to kickstart delivery of this important site within the Plymouth and South Devon Freeport. The proposed scheme is within the Langage Tax Site at the Plymouth and South Devon Freeport and will result in securing external grant funding of upto £4m through Freeport Seed Capital. This will be matched through PCC service borrowing of upto £4.65m.
6	Alternative options considered and rejected:

	<ol style="list-style-type: none"> 1. Not to award the contract – this would mean the scheme would not proceed and the opportunity of securing upto £4m of external grant funding via the Freeport Seed Capital would be lost. Furthermore, there would be no positive outputs in terms of economic development, job creation and associated spin off benefits within the Plymouth TTWA and wider region. 2. Award contract to another contractor – a robust procurement and evaluation process (based on quality and price) has taken place which clearly identifies the successful contractor. 3. Sale of land to third party – it would be unlikely that the proposed high quality and sustainable development would be implemented due to the cost value / viability gap of the development. There would be significant delay and the council would lose the opportunity for long term revenue income through rental income and the associated benefits and linkages to the delivery of the Plymouth and South Devon Freeport objectives could be lost. 			
7	Financial implications and risks: The contract sum (£5,942,360) is to be paid for from the approved capital budget as agreed and approved in the previous business case. The scheme has been awarded upto £4m of grant funding via the Freeport Capital Seed Funding and upto £4.65m service borrowing. We will seek to use any underspend to reduce the amount of service borrowing.			
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:
			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.
8b	If yes, date of publication of the notice in the Forward Plan of Key Decisions	N/A. This business case and financial commitment was agreed as a Key Decision in decision: L22 23/24 - Plymouth and South Devon Freeport Direct Development (28/09/2023)		
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 project will contribute towards the Corporate Plan priority of Green investment, jobs, skills and better education. Under the Corporate Plan, this will be delivered by: Spending money wisely. The project also contributes to the delivery of the Plymouth and South Devon Freeport policies and objectives.		
10	Please specify any direct environmental implications of the decision (carbon impact)	The scheme is targeting BREEAM Excellent and / or Net Zero Carbon Outcomes. A climate Impact Assessment is attached.		
Urgent decisions				
11	Is the decision urgent and to be implemented immediately in the	Yes		(If yes, please contact Democratic Support for advice)

	interests of the Council or the public?	No	X	(If no, go to section I3a)
I2a	Reason for urgency:			
I2b	Scrutiny Chair signature:		Date	
	Scrutiny Committee:			
	Print Name:			
Consultation				
I3a	Which Cabinet Member's portfolio does this decision relate to?	Councillor Mark Lowry (Cabinet Member for Finance)		
I3b	Date Cabinet Member consulted	13/08/24		
I3c	Are any other Cabinet members' portfolios affected by the decision?	Yes		
		No	X	(If no go to section I4)
I3d	Which other Cabinet member's portfolio is affected by the decision?	N/A		
I3e	Date other Cabinet member(s) consulted	N/A		
I4	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	
I5	Which Corporate Management Team member has been consulted?	Name	Anthony Payne	
		Job title	Strategic Director for Place	
		Date consulted	13/08/24	
Sign-off				
I6	Sign off codes from the relevant departments consulted:	Democratic Support	DS33 24/25	
		Finance	DJN.24.25.064	
		Legal	LS/00001312/1/A C/15/8/24	
		Human Resources	N/A	
		Corporate property	JW 0123 09/08/24	
		Procurement	SN/PS/747/ED/08 24	
Appendices				
	Ref.	Title of appendix		

17	A	Contract Award Report Part I						
	B	Equalities Impact Assessment						
	C	Climate Impact Assessment						
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:			X				
	Contract Award Report Part I I							
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	19.8.24				
Print Name	Anthony Payne (Strategic Director for Place)							