

EXECUTIVE DECISION

made by a Cabinet Member



REPORT OF ACTION TAKEN UNDER DELEGATED AUTHORITY BY AN INDIVIDUAL CABINET MEMBER

Executive Decision Reference Number – L12 24/25

Decision	
1	Title of decision: Old Town Street and New George Street Public Realm Works
2	Decision maker: Councillor Tudor Evans OBE, Leader of the Council
3	Report author and contact details: Catherine Arthurs, Project Delivery Officer Tel: 01752 305440. Email: catherine.arthurs@plymouth.gov.uk
4	Decision to be taken: 1. To increase the value of the current contract with Morgan Sindall Construction and Infrastructure Ltd by £1,106,053.86 to a total of £7,183,187.86 to complete public realm works in Old Town Street and New George Street as part of the Councils programme of Better Places Programme of public realm improvements. 2. To approve the allocation of an additional £1,294,524, to the capital budget of the Old Town Street and New George Street public realm project, funded by Corporate Borrowing. Thereby, increasing the total project costs to £18,089,650.
5	Reasons for decision: 1. 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. 2. Undertaking the public realm 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. 3. Old Town Street and New George Street are identified as priority projects which reinforce the Council's actions to regenerate key areas of Plymouth's city centre. The project has increased in cost due to contractual compensation events that have resulted in additional work being required and delays to the progress of works 4. Executive Decision L43 19/20 'Tranche 2: Transforming Cities Fund' (03 July 2020) delegated the award of contracts to Paul Barnard the Service Director, the contract extension incorporated within this executive decision requires Service Director authorisation.
6	Alternative options considered and rejected: 1. Do Nothing. The scheme cannot be completed without additional funding. 2. Do a reduced scheme – A reduced quality scheme delivered without the need for further corporate borrowing has been considered but rejected as it would not fully deliver the intended scheme benefits. 3. Meet the funding gap using alternative funding sources. All efforts will be made to reduce the requirement for corporate borrowing by reallocating other funding sources such as the Transforming


	Cities Fund and Historic England grant funding.			
7	<p>Financial implications and risks: The value of the current contract with Morgan Sindall Construction Ltd is £6,077,134 which needs to be increased by £1,106,053.96 to a total value of £7,183,187.86 to reflect:</p> <ul style="list-style-type: none"> • Compensation events under the NEC Contract due to project risk: Old Town Street/New George Street - £660,376.84 Civic Square - £13,468.45 • Historical Old Town Street/New George Street extensions of time = £432,208.57 <p>An additional allocation of £1,294,524 funded through corporate borrowing needs to be added to the capital budget of the Old Town Street and New George Street public realm project to meet the additional project costs and thereby increasing the total project costs to £18,089,650. The other funders are Transforming Cities Fund, Historic England and the Local Economic Partnership. Where possible the requirement for Corporate Borrowing will be mitigated by reallocating existing external funding within the capital programme. The budget includes a remaining risk allocation of £401,200.</p>			
8	<p>Is the decision a Key Decision? (please contact Democratic Support for further advice) Please type an X into the relevant boxes</p>	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 annually
			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.
	<p>If yes, date of publication of the notice in the Forward Plan of Key Decisions</p>	Not applicable		
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>Green investment, jobs, skills and better education</p> <p>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>This project will directly support the growth of the city by encouraging visitors and enabling increased investment from the community and private sector.</p>		

		<p>Cleaner, greener streets and transport</p> <p>A high quality, safe and pedestrian friendly environment for all with improved connections between the city's established destinations such as Plymouth's West End, Drake Circus, the Barcode, the Barbican and the Box.</p> <p>An avenue of new street trees underplanted with drought tolerant plants resilient to climate change will be provided along with an innovative Sustainable Urban Drainage System, which uses water wisely, directing rainfall towards new rain gardens, irrigating new plants and trees, helping to protect this locality from flooding.</p> <p>Improved access to health</p> <p>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>
10	Please specify any direct environmental implications of the decision (carbon impact)	<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> <p>A Climate Impact Assessment has been completed.</p>

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 (democraticsupport@plymouth.gov.uk) 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 Lowry (Cabinet Member for Finance) Councillor Briars-Delve (Cabinet Member for Environment and Climate Change) Councillor Coker (Cabinet Member for Strategic Planning and Transport)		
13c	Date Cabinet member consulted	27.08.24		
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	14.08.24	
Sign-off				
16	Sign off codes from the relevant departments consulted:	Democratic Support	DS37 24/25	
		Finance	DJN.24.25.067	
		Legal	LS/2110/kt/220824	
		Procurement	SN/PS/748/ED/0824	
		Corporate property (decisions involving Council owned land or facilities)	N/A	
		Human Resources (if applicable)	N/A	
Appendices				
17	Ref.	Title of appendix		
	A	Briefing report for publication		
	B	Equalities Impact Assessment		
	C	Climate Impact Assessment		
Confidential/exempt information				
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

		No	X	publication by virtue of Part 1 of Schedule 12A of the Local Government Act 1972 by ticking the relevant box in 18b below. (Keep as much information as possible in the briefing report that will be in the public domain)				
		Exemption Paragraph Number						
		1	2	3	4	5	6	7
18b	Confidential/exempt briefing report title:							
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 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
Cabinet Member 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 (2010) and those who do not. For further details please see the EIA attached.							
Signature			Date of decision	3 September 2024				
Print Name	Councillor Tudor Evans OBE (Leader of the Council)							