

EXECUTIVE DECISION

made by a Council Officer



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


Executive Decision Reference Number – COD22 24/25

Decision	
1	Title of decision: Plymouth Sound National Marine Park (PSNMP) Gateway Renovation (Tinside) Main Works Contract
2	Decision maker (Council Officer name and job title): Kat Deeney (Head of Environmental Planning)
3	Report author and contact details: James Whitelock (Head of Oceansgate Infrastructure) james.whitelock@plymouth.gov.uk
4a	<p>Decision to be taken:</p> <p>1. To award the Main Works contract required to progress the PSNMP Tinside Renewal Project, (following completion of the enabling works) to Nevada Construction against JCT Intermediate Form with Contractors Design Portion Supplement, with a total value of £2,742,506.</p> <p>2. To approve a Purchase Order for £3,114,206.35 that includes £371,700.35 for the additional cost items that currently sit outside the contract sum but need to be added in as Contractor Administrator's instructions including 10% professional fees.</p>
4b	<p>Reference number of original executive decision or date of original committee meeting where delegation was made:</p> <p>Cabinet – 12 February 2024</p>
5	<p>Reasons for decision:</p> <p>1. To deliver PSNMP Gateway Tinside Renewal project as defined in the PSNMP project and agreed at Cabinet 12 Feb 2024 (minute reference 103).</p>
6	<p>Alternative options considered and rejected:</p> <p>1. Do nothing: Rejected as this would result in funding from Youth Investment Fund, National Lottery Heritage Fund and Levelling Up Fund being returned if project was not progressed.</p>
7	<p>Financial implications and risks:</p> <p>To award the Main Works contract to Nevada Construction against JCT Intermediate Form with Contractors Design Portion Supplement for a value of £2,742,505.98.</p> <p>The budget for the PSNMP Project as defined in the business case (£19.3m Total of Capital & Revenue), which includes the Tinside project budget of £3,148,149, was approved by cabinet 12 February 2024 (minute reference 103).</p> <p>In addition to the above contract award sum, the total project value including the prior approved enabling works £348,041 (Executive Decision COD 38 23/24) additional construction costs, professional fees, contingency and inflation is now £4,687,849.</p>

	<p>Risks of not proceeding:</p> <p>Not spending the Youth Investment Fund Capital by the end date of 31 March 2025 could result in requirement to return of funding (clawback);</p> <p>Risks and implications from proceeding:</p> <p>If we do not receive confirmation in writing of a Levelling Up Fund Round 3 contribution of £1.39 million, then we must rely upon Corporate borrowing if we are to deliver the project;</p> <p>Construction cost inflation outstrips budget allowances, resulting in an unaffordable capital spend;</p> <p>Building conditions are worse than expected, resulting in cost exceeding budget allowances.</p>																
8	<table border="1"> <thead> <tr> <th data-bbox="225 622 758 719">Is the decision a Key Decision? (please contact Democratic Support for further advice)</th> <th data-bbox="758 622 852 719">Yes</th> <th data-bbox="852 622 1007 719">No</th> <th data-bbox="1007 622 1487 719">Per the Constitution, a key decision is one which:</th> </tr> </thead> <tbody> <tr> <td data-bbox="225 719 758 887"></td> <td data-bbox="758 719 852 887"></td> <td data-bbox="852 719 1007 887">X</td> <td data-bbox="1007 719 1487 887">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="225 887 758 1070"></td> <td data-bbox="758 887 852 1070"></td> <td data-bbox="852 887 1007 1070">X</td> <td data-bbox="1007 887 1487 1070">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="225 1070 758 1211"></td> <td data-bbox="758 1070 852 1211"></td> <td data-bbox="852 1070 1007 1211">X</td> <td data-bbox="1007 1070 1487 1211">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>The NLHF Heritage Horizons funding will deliver the City ambition to unlock the transformational 'big idea' of delivering the UK's first National Marine Park in Plymouth Sound and lead a new generation of Parks. This project will deliver a vital change by, through and with people. It is a paradigm shift in thinking that recognises that we cannot save our planet without everyone being part of the solution. PSNMP will enable a grassroots movement, delivered through engaged marine citizens, changing long term behaviours and outcomes.</p> <p>The programme will deliver against policies within the Plymouth Plan including policy 'INT1 - Implementing Britain's Ocean City'. The NMP has been designed to support the City Vision as well as Plymouth City Council priorities: To make Plymouth "One of Europe's most vibrant waterfront cities, where an outstanding quality of life is enjoyed by everyone" by making more of one of our greatest assets and due to the focus on engagement and inclusion, reducing health inequalities, by providing more opportunities for a wider group of people to access the</p>															

		<p>health and wellbeing benefits the NMP can offer.</p> <p>The project will be delivered on the ground through an integrated and collaborative programme. The different areas will work holistically together to bring the PSNMP to life.</p> <p>Sensitive Capital enhancements to our key centres along the waterfront to create gateways to the PSNMP is a key deliverable.</p> <p>Tinside Lido – The plans for the Tinside work with the iconic art deco design of one of the City’s greatest waterfront assets. The proposal will ensure it plays a key role in the PSNMP enabling more people to connect and engage with the heritage of the Sound. The terrace at the top of the Lido will be reimagined to provide a welcoming place to enjoy the amazing view of Tinside and the whole of PSNMP. The first floor of the main Lido building will be restored and repurposed as a multi-purpose space. It will support community use, income-generating events to sustain the outcomes and will have a focus on enabling youth led activities. In addition, ‘Building B’, located between the Lido pool and Tinside Cove, will be refurbished and brought back into use as a youth outreach/water sports hub. This will enable youth workers to support young people to build confidence, develop skills, undertake marine-related training and learn about blue sector career opportunities in Plymouth.</p>		
I0	Please specify any direct environmental implications of the decision (carbon impact)	<p>Construction materials have been selected for long-term robustness and durability to reduce lifecycle carbon footprint whilst having regard to the need to follow best practice in the conservation repair of the historic fabric using tried and tested techniques.</p>		
Urgent decisions				
I1	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 I3a)
I2a	Reason for urgency:			
I2b	Scrutiny Chair signature:		Date	
	Scrutiny Committee name:			
	Print Name:			
Consultation				

I3a	Which Cabinet Member's portfolio does this decision relate to?	Councillor Tudor Evans OBE (Leader of the Council)		
I3b	Date Cabinet Member consulted	29 August 2024		
I3c	Are any other Cabinet members' portfolios affected by the decision?	Yes	<input checked="" type="checkbox"/>	
		No	<input type="checkbox"/>	(If no go to section I4)
I3d	Which other Cabinet member's portfolio is affected by the decision?	Councillor Sue Dann (Cabinet Member for Customer Services, Sport, Leisure & HR)		
I3e	Date other Cabinet member(s) consulted	Consultation regarding PSNMP has been ongoing. All Cabinet members approved the programme, which included the Tinside project at cabinet 12 February 2024.		
I4	Has any Cabinet member declared a conflict of interest in relation to the decision?	Yes	<input type="checkbox"/>	If yes, please discuss with the Monitoring Officer
		No	<input checked="" type="checkbox"/>	
I5	Which Corporate Management Team member has been consulted?	Name	Anthony Payne	
		Job title	Strategic Director for Place	
		Date consulted	01 August 2024	
Sign-off				
I6	Sign off codes from the relevant departments consulted:	Democratic Support (mandatory)	DS49 24/25	
		Finance (mandatory)	CH.24.25.033	
		Legal (mandatory)	LS/2078/KT/19924	
		Human Resources (if applicable)	HG/PS/753/ED/0924	
		Corporate property (if applicable)	N/A	
		Procurement (if applicable)	N/A	
Appendices				
I7	Ref.	Title of appendix		
	A	PSNMP Tinside Main Works Contract Award Report Part I		
	B	EqIA – ref 25555 PSNMP EqIA – Main Works		
	C	Climate Impact Assessment – Tinside Renewal Project		
Confidential/exempt information				
I8a	Do you need to include any	Yes	<input type="checkbox"/>	If yes, prepare a second, confidential ('Part II')

	confidential/exempt information?			briefing report and 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 in 18b below.						
		No	X							
				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
CURRIE & BROWN COMMERCIAL APPRAISAL - 17 SEPTEMBER 2024						X				
CAPITAL INVESTMENT BUSINESS CASE - 25 JULY 2023										
ENABLING WORKS CONTRACT AWARD REPORT - 6 MARCH 2024										
NEVADA CONSTRUCTION WORKS PROGRAMME DATED 2 AUGUST 2024										
PSNMP Business Case v1.0										
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	26/09/2024				
Print Name	Kat Deeney									