

EXECUTIVE DECISION

made by a Cabinet Member




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

Executive Decision Reference Number – L21 24/25

Decision	
1	Title of decision: Creation of Delt Subsidiary Company
2	Decision maker (Cabinet member name and portfolio title): Councillor Tudor Evans OBE, Leader of the Council
3	Report author and contact details: Peter Honeywell peter.honeywell@plymouth.gov.uk +441752305603
4	Decision to be taken: <ol style="list-style-type: none"> 1. To agree to the set up of a subsidiary company by Delt Shared Services Limited; 2. To grant delegated authority (in consultation with the Head of Legal Services) to the Service Director for Finance as the nominated Council shareholder representative of the Company, to determine: <ol style="list-style-type: none"> (a) all associated matters in connection with the setup of the subsidiary; and (b) other matters affecting the award of shareholder contracts to the company.
5	Reasons for decision: <ol style="list-style-type: none"> 1. To enable the Council to make a timely decision on reserved matters affecting the lawful procurement of contracts to the company
6	Alternative options considered and rejected: <ol style="list-style-type: none"> 1. Grow the percentage of Delt's revenues from shareholder organisations. Neither PCC nor the ICB have further candidate services to transfer to Delt at this point, nor do they have a mechanism to increase spend on the existing services delivered by Delt. 2. Exit commercial contracts sufficient to bring the percentage of total Delt revenue to below 20%. Break clauses on the contracts that are large enough to achieve the target percentage of revenue are too far into the future to resolve the problem in time. 3. Route revenue from commercial contracts through one of the existing shareholders. This option was explored and rejected as the parties involved felt that it wouldn't allow them sufficient control of the services they receive from Delt.
7	Financial implications and risks:

	Allowing Delt to recognise commercial revenue through a subsidiary will allow Delt to develop additional commercial new business and potentially benefit the Council through increased dividends in future.			
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:
	Please type an X into the relevant boxes		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 £1million 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.
	If yes, date of publication of the notice in the Forward Plan of Key Decisions			
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:	<p>Delt was established as a cooperative joint venture with the local NHS and continues to evidence our commitment to joint working with the NHS on local health and social care integration.</p> <p>Delt has proven to provide effective and high quality support to aid the delivery of the Council's public services.</p> <p>Delt is also recognised and benchmarked as achieving cost effective services, spending the Council's money wisely.</p>		
10	Please specify any direct environmental implications of the decision (carbon impact)	There are no direct environmental implications of this decision.		
Urgent decisions				
11	Is the decision urgent and to be implemented immediately in the interests of the Council or the public? Please type an X into the relevant box	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				
I3a	Are any other Cabinet members' portfolios affected by the decision? Please type an X into the relevant box	Yes	X	
		No		(If no go to section I4)
I3b	Which other Cabinet member's portfolio is affected by the decision?	Councillor Sue Dann (Cabinet Member for Customer Services, Sport, Leisure and HR OD)		
I3c	Date Cabinet member consulted	19/08/24		
I4	Has any Cabinet member declared a conflict of interest in relation to the decision? Please type an X into the relevant box	Yes		If yes, please discuss with the Monitoring Officer
		No		
I5	Which Corporate Management Team member has been consulted?	Name	David Northey	
		Job title	Service Director for Finance	
		Date consulted	15/08/24	
Sign-off				
I6	Sign off codes from the relevant departments consulted:	Democratic Support (mandatory)	DS61 24/25	
		Finance (mandatory)	DJN.24.25.107	
		Legal (mandatory)	LS/00003610/5/LB/11/10/24	
		Procurement (if applicable)		
		Corporate property (decisions involving Council owned land or facilities) (if applicable)		
		Human Resources (if applicable)		
Appendices				
I7	Ref.	Title of appendix		
	A	Briefing report		
Confidential/exempt information				
I8a		Yes		

	<p>Do you need to include any confidential/exempt information? Please type an X into the relevant box</p>	No	X	<p>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.</p> <p>(Keep as much information as possible in the briefing report that will be in the public domain)</p>				
		Exemption Paragraph Number						
		1	2	3	4	5	6	7
18b	Confidential/exempt briefing report title:							
Background Papers								
19	<p>Please list all unpublished, background papers relevant to the decision in the table below.</p> <p>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.</p>							
Title of background paper(s)		Exemption Paragraph Number						
		1	2	3	4	5	6	7
Cabinet Member Signature								
20	<p>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.</p>							
Signature			Date of decision	14 October 2024				
Print Name	Cllr Tudor Evans OBE, Leader of Plymouth City Council							