

EXECUTIVE DECISION

made by a Council Officer



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

Executive Decision Reference Number – COD30 24/25

Decision	
1	Title of decision: Plymouth Sound National Marine Park (PSNMP) Gateway Renovation (Mount Batten) Main Works Contract
2	Decision maker: Kat Deeney, Head of Environmental Planning.
3	Report author and contact details: James Whitelock (Head of Oceansgate Infrastructure) james.whitelock@plymouth.gov.uk
4a	Decision to be taken: I. To approve the award of contract for Mount Batten Watersports and Activity Centre works to Classic Builders (South West) Ltd under NEC4 ECC Option A for a total value of £2,881,421.18. In addition, the contract award should include an allowance for Compensation Events / essential variations, up to approved project budget of £3,442,700.
4b	Reference number of original executive decision or date of original committee meeting where delegation was made: Cabinet 12 February 2024
5	Reasons for the Decision: Mount Batten Watersports and Activity Centre works is a key deliverable of the The NLHF Heritage Horizons funding delivering 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. The project includes sensitive Capital enhancements to our key centres along the waterfront to create gateways to the PSNMP. Mount Batten Watersports and Activity Centre and Mount Batten tower works include: i) new access and ground improvements to the Mount Batten Tower (scheduled monument). ii) Improvements to the public realm, car parks, boat storage facilities iii) New accessible changing facilities i) new entrance, café space and outdoor seating. The decision is the result of a competitive tender process that invited four contractors to submit tender responses, all four contractors provided a compliant response and through the evaluation process managed by the procurement lead the best contractor was selected. The Council intends to negotiate some scope changes to the tendered scope to cover alterations to the café, reception, dining area and kitchen, the contract award will include budget for the proposed changes up to the total budget approved for this award.
6	Alternative options considered and rejected:

	<p>There is an option of not proceeding. Risks of not proceeding include:</p> <ul style="list-style-type: none"> • Mount Batten Water sports and Activity Centre at risk as business plan requires functioning centre with improved facilities (currently closed). The Centre would be at risk. • The NLHF Heritage Horizons project funding at risk as key Gateway Deliverable not achieved 			
7	<p>Financial implications and risks:</p> <p>The Council awards the total amount for this procurement of £ 3,442,700, to cover the initial value and budget for required variations to be negotiated.</p> <p>The budget for the PSNMP Project as defined in the business case (£19.3m Total of Capital & Revenue), which includes the Mount Batten Centre project budget of £4,125,077 (including contingency & inflation allowances) was approved by cabinet 12 February 2024 (minute reference 103). £300,000 for the professional fees has already been approved by a previous Exec Decision, this Decision seeks to obtain approval for the remaining budget £3,825,077.</p> <p>Risks and implications from proceeding:</p> <p>Construction cost inflation outstrips budget allowances, resulting in an unaffordable capital spend; Building conditions are worse than expected, resulting in cost exceeding budget allowances. Additional requirements make budget unaffordable.</p>			
8	<p>Is the decision a Key Decision? <p>(please contact Democratic Support for further advice)</p> </p>	<p>Yes</p>	<p>No</p>	<p>Per the Constitution, a key decision is one which:</p>
			X	<p>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</p>
			X	<p>in the case of revenue projects when the decision involves entering into new commitments and/or making new savings in excess of £1 million</p>
			X	<p>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>
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 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: 'unlocking the City's potential' by making more of one of our greatest assets and due to the focus on engagement and inclusion it will also support the priorities within 'Caring for People and Communities', particularly reducing health inequalities, by providing more opportunities for a wider</p>		

		group of people to access the health and wellbeing benefits the NMP can offer.
10	Please specify any direct environmental implications of the decision (carbon impact)	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.

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 for advice)
		No	X	(If no, go to section 13a)

12a	Reason for urgency:	
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12b	Scrutiny Chair signature:		Date	
	Scrutiny Committee name:			
	Print Name:			

Consultation

13a	Which Cabinet Member's portfolio does this decision relate to?	Councillor Tudor Evans OBE (Leader of the Council)		
13b	Date Cabinet Member consulted	08 November 2024		
13c	Are any other Cabinet members' portfolios affected by the decision?	Yes	X	
		No		(If no go to section 14)
13d	Which other Cabinet member's portfolio is affected by the decision?	Councillor Sue Dann (Cabinet Member for Customer Services, Sport, Leisure, HR & OD)		
13e	Date other Cabinet member(s) consulted	16 October 2024		
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	Karime Hassan	
		Job title	Interim Strategic Director for Growth	
		Date consulted	12 November 2024	

Sign-off

16	Sign off codes from the relevant departments consulted:	Democratic Support (mandatory)	JS70 24/25
		Finance (mandatory)	DJN.24.25.128
		Legal (mandatory)	LS/00003626/6/LB/14 /11/24
		Human Resources (if applicable)	N/A
		Corporate property (if applicable)	N/A
		Procurement (if applicable)	SN/PS/758/ED/1124

Appendices

17	Ref.	Title of appendix
	A	Contract Award Briefing report
	B	Equalities Impact Assessment
	C	Climate Impact Assessment

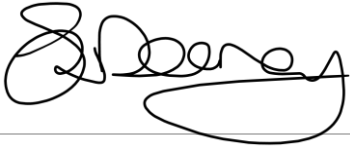
Confidential/exempt information

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: Procurement Decision Record			X				

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	14 November 2024
Print Name	Kat Deeney (Head of Environmental Planning)		