

EXECUTIVE DECISION

made by a **Cabinet Member**




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

Executive Decision Reference Number – L44 24/25

Decision				
1	Title of decision: Council House Cladding			
2	Decision maker: Councillor Tudor Evans OBE, Leader of the Council			
3	Report author and contact details: Ciara Holmes, Facilities manager (Hard FM) Ciara.holmes@plymouth.gov.uk . 01752304148			
4	Decision to be taken: <ul style="list-style-type: none"> • Approve the Business Case • Add £263,937.42 to the capital programme to enable the surveys and works as set out in this report to be undertaken using existing Council contracts 			
5	Reasons for decision: <p>To ensure the Council are complying with the legislation detailed in the Health & Safety at Work Act 1974 and the Occupiers Liability Act 1984 we need to continue the measured survey, site investigation laboratory testing of the remainder of the building to obtain a global assessment of the condition of the precast concrete cladding panels and their cast in support. In addition, this funding can be used to temporarily stabilise the panels using the minimum intervention approach adopting discreet conservation techniques while providing stable structure upon completion which would last between five to ten years with inspections at two yearly intervals to reduce the risk of failure and to protect pedestrians and vehicular traffic below.</p> <p>There is a cost effective (cost to benefit) to undertake the pinning of the existing cladding panels and to fill to joints between the cladding panels to reduce water ingress at the same time as the survey.</p>			
6	Alternative options considered and rejected: <p>No funding - This option is not viable under the Health & Safety at Work Act 1974 and the Occupiers Liability Act 1984 (OLA) where the Act stipulates that an occupier / owner has a duty to take reasonable steps to prevent damage or injury resulting from the state of the premises or activities taking place on them.</p>			
7	Financial implications and risks: Project will be funded through the Health and Safety fund.			
8	Is the decision a Key Decision? (please contact Democratic Support for further advice) Please type an X into the relevant boxes	Yes	No x	Per the Constitution, a key decision is one which: 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.
	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:	This project supports the corporate priority to focus on prevention and early intervention through stabilising the cladding panels and aligns with the corporate priority of people feel safe in Plymouth.		
10	Please specify any direct environmental implications of the decision (carbon impact)	There is no direct environmental implication to this decision for additional funding.		
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 Chris Penberthy (Cabinet Member for Housing, Cooperative Development and Communities)		
13c	Date Cabinet member consulted	17 January 2025		
14		Yes		

	Has any Cabinet member declared a conflict of interest in relation to the decision?	No	<input checked="" type="checkbox"/>	If yes, please discuss with the Monitoring Officer				
15	Which Corporate Management Team member has been consulted?	Name		Jens Gemmel				
		Job title		Interim Chief Operating Officer				
		Date consulted		23/01/25				
Sign-off								
16	Sign off codes from the relevant departments consulted:	Democratic Support (mandatory)			JS98 24/25			
		Finance (mandatory)			DJN.24.25.155			
		Legal (mandatory)			LS/00001312/1/AC/28/1/25			
		Procurement (if applicable)			N/A			
		Corporate property (decisions involving Council owned land or facilities) (if applicable)						
		Human Resources (if applicable)						
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	<input type="checkbox"/>	If yes, prepare a second, confidential ('Part II') 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. (Keep as much information as possible in the briefing report that will be in the public domain)				
		No	<input checked="" type="checkbox"/>					
		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 1 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
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	12 th February 2025		
Print Name	Councillor Tudor Evans OBE, Leader of Plymouth City Council						