

EXECUTIVE DECISION

made by a Council Officer



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

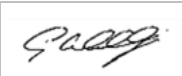
Executive Decision Reference Number – COD40 24/25

Decision	
1	Title of decision: Extra Care contract extension
2	Decision maker: Gary Walbridge, Strategic Director for Adults, Health and Communities
3	Report author and contact details: Emma Crowther, Service Director, Integrated Commissioning
4a	Decision to be taken: To extend the current Extra Care contract by a period of 9 months to allow for a full procurement to take place with an approximate contract value of £1,148m for the core contract and £2,204m for care packages.
4b	Reference number of original executive decision or date of original committee meeting where delegation was made: <u>Cabinet 10 July 2023 - Options for the future delivery of extra care housing and social inclusion</u>
5	Reasons for decision: The current contract is due to expire at the end of March 2025. A procurement exercise had been carried out with the intention to have new contracts in place for the 1 st April. A decision has been made to abandon the original procurement and run a new process. Due to changes in the procurement legislation a new procurement will be completed under the Procurement Act 2023. In keeping with the procurement regulations, the intention is to modify the existing contract under PCR 2015 Regulation 72 (e) on the basis that the modification, irrespective of the value is not substantial. This approach ensures the continuity of service required by the service users and will prevent a potential breakdown in service provision whilst a new tender exercise is completed.
6	Alternative options considered and rejected: Cease the contract – this has been rejected as there is a statutory duty under the Care Act to ensure that we are providing suitable accommodation, care and support when needed for adults with social care needs. Extra Care is a key component of our approach, enabling people to be able to live in their own flat in a shared building where they can access personal and communal support.
7	Financial implications and risks: The contract extension for extra care housing for 9 months holds a contract value of approximately £1,148m for the core contract and £2,204m for care packages. This is included in Adult Social Care revenue budgets for 2025/26.
8	Legal Implications and risks: (for completion by Legal Officers) The Council is able to modify contracts under regulation 72 Public Contracts Regulations 2015. Under regulation 72 (e) a contract may change without re-advertisement in OJEU where the modifications, irrespective of their value, are not substantial within the meaning of paragraph (8). Paragraph (8) states that a modification of a contract shall be considered substantial for the purposes of

<p>paragraph (1)(e) where one or more of the following conditions is met:</p> <p>(a) the modification renders the contract materially different in character from the one initially concluded;</p> <p>(b) the modification introduces conditions which, had they been part of the initial procurement procedure, would have— (i) allowed for the admission of other candidates than those initially selected, (ii) allowed for the acceptance of a tender other than that originally accepted, or (iii) attracted additional participants in the procurement procedure;</p> <p>(c) the modification changes the economic balance of the contract in favour of the contractor in a manner which was not provided for in the initial contract;</p> <p>(d) the modification extends the scope of the contract considerably;</p> <p>(e) a new contractor replaces the one to which the contracting authority had initially awarded the contract in cases other than those provided for in paragraph (1)(d).</p> <p>See also part II paper.</p>				
9a	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 £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.
9b	If yes, date of publication of the notice in the Forward Plan of Key Decisions	N/A		
10	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>The Plymouth Plan 2014-2034 details the Local Authority's ambition to meet local housing needs, ensuring that everyone has access to a safe home which is suited to their needs and located in a community where they want to live.</p> <p>One of the key aspects of this is enabling older people to promote, secure and sustain their independence in a home appropriate to their needs, including increased provision for extra care housing.</p> <p>The Extra Care model meets Plymouth City Council's Corporate Plan priorities to focus on prevention and early intervention, by supporting people to live at home for longer and prevent early reliance on bedded care, and supporting people to be protected and feel safe.</p>		
11	Please specify any direct environmental implications of the decision (carbon impact)	<p>The Extra Care model supports Plymouth's Net Zero ambition by having multiple scheme locations across the city, reducing the need for people to travel to their place of work. It also encourages local community access, again reducing the need for travel for residents of the schemes.</p>		

Urgent decisions				
I2a	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)
I2b	Reason for urgency:			
I2c	Scrutiny Chair signature:		Date	
	Scrutiny Committee name:			
	Print Name:			
Consultation				
I3a	Which Cabinet Member's portfolio does this decision relate to?	Councillor Mary Aspinall, Cabinet Member for Health and Adult Social Care		
I3b	Date Cabinet Member consulted	4 March 2025		
I3c	Are any other Cabinet members' portfolios affected by the decision?	Yes		
		No	X	(If no go to section I4)
I3d	Which other Cabinet member's portfolio is affected by the decision?			
I3e	Date other Cabinet member(s) consulted			
I4	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	
I5	Which Corporate Management Team member has been consulted?	Name	Gary Walbridge	
		Job title	Strategic Director, Adults, Health and Communities	
		Date consulted	24 March 2025	
Sign-off				
I6	Sign off codes from the relevant departments consulted:	Democratic Support (mandatory)	JS12I 24/25	
		Finance (mandatory)	OW.24.25.059	
		Legal (mandatory)	LS/00001312/1/AC/19/	

			3/25.					
		Human Resources (if applicable)	N/A					
		Corporate property (if applicable)	N/A					
		Procurement (if applicable)	JS/SC/067/ED/CA(V)03/25					
Appendices								
17	Re f.	Title of appendix						
	A	Briefing report: Extra Care contract extension						
	B	Equalities Impact Assessment						
	C	Climate Impact Assessment						
Confidential/exempt information								
18 a	Do you need to include any confidential/exempt information?	Yes	X					
		No						
		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.						
		Exemption Paragraph Number						
		1	2	3	4	5	6	7
18 b	Confidential/exempt briefing report title: Briefing report: Extra Care contract extension					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	24 March 2025
Print Name	Gary Walbridge, Strategic Director, Adults, Health and Communities		