

EXECUTIVE DECISION

made by a Council Officer



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

Executive Decision Reference Number – COD07 25/26

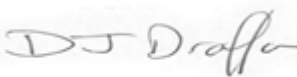
Decision	
1	Title of decision: Contract Award: Plymouth Sound National Marine Park (PSNMP) Mount Batten Pontoon
2	Decision maker: David Draffan, Service Director for Economic Development
3	Report author and contact details: Sharon Mercer (Head of Strategic Programmes), Sharon.Mercer@plymouth.gov.uk ; 01752 308808
4a	Decision to be taken: <ol style="list-style-type: none"> To Award the Mount Batten Pontoon & Bridgehead Works Contract to Teignmouth Maritime Services Ltd for a total value of £3,201,125.90 To approve any contract modification(s) up to the maximum value of the contingency allowance set out within the Procurement Decision Report – Part II, provided the modification(s) does not alter the overall nature of the contract
4b	Reference number of original executive decision or date of original committee meeting where delegation was made: DL02 2526 Plymouth Sound National Marine Park PSNMP Mount Batten Pontoon
5	Reasons for decision: <p>This Mount Batten Pontoon replacement is part of the Plymouth Sound National Marine Park (PSNMP) project and seeks to deliver a more accessible pontoon to enable the Centre to provide better access to the activities for those with additional needs and ensuring more and more diverse people can engage with the heritage of the Sound.</p> <p>The pontoon will also deliver a new permanent home for the Mount Batten Water Ferry in a more sustainable location and to continue to operate a vital transport link to the Mount Batten Peninsula and repair a PCC asset in terms of the bridgehead where the pontoon operates from.</p> <p>This decision will award the contract to deliver the pontoon. This contract award follows an Preliminary Market Engagement exercise and advertised Invitation to Tender process, with TMS identified as the highest scoring supplier based on quality, price and social value award criteria.</p>
6	Alternative options considered and rejected: <ol style="list-style-type: none"> Do Nothing - Would result in delivery of a minimal pontoon using only already approved budget that would deliver some of the needs of the Centre, but would not deliver the Ferry requirements. This option was rejected because it would result in termination of the Ferry service to the Mount Batten peninsula, the new bridge would be fitted to a structure that is not fit for purpose and would fail in the future, creating a health and safety issue that would make the pontoon unusable for all users resulting in significant additional cost in the near future.

	2. Delivery of the Ferry requirements and bridgehead repairs, but not deliver the commercial berths: This option was rejected as the commercial berths would provide an on-going revenue which would help to maintain and operate the pontoon.			
7	Financial implications and risks: Total of pontoon project (including commercial berths to generate a revenue income) is £4.2m. Executive Decision DL02 2526 Plymouth Sound National Marine Park PSNMP Mount Batten Pontoon approved the uplift of the budget to enable the contract award based on the TMS tender price. Risks; <ul style="list-style-type: none">Project costs could increase further due to unknowns at this stage. However included in this proposal is appropriate contingency allowances to mitigate any further costs increase. The pontoon project will be an NEC contract that means only approved compensation events could impact the cost, due to the extensive investigation works already completed and provided at the point of tender therefore would have been allowed for by the contractor.Marine works for the pontoon are impacted and delayed by winter storms. Contingency allowance made to cover downtime for crew and jack-up barge, as well as other unknown factors.Contract Award is not achieved before the TMS tender price guarantee expires.			
8	Legal Implications and risks: (AC) A complaint procurement process has been undertaken. With regard to the contract it is understood that we have engaged Moffat & Nicholls as our NEC project managers for this works and they will be advising us of any risks associated with the NEC contract.			
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: <div><div>X</div><div>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</div></div> <div><div>X</div><div>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</div></div> <div><div>X</div><div>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.</div></div>
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:	The PSNMP programme is key strategic priority for the Council and links to the following Corporate Plan priorities: <ul style="list-style-type: none">Make Plymouth a great place to grow up and grow old. This project seeks to enhance both Plymouth as a city and its citizens wellbeing by reconnecting people to the ocean		

		<p>and all the wellbeing benefits that brings. Being the home of the UK's first National Marine Park brings huge prestige to the city that raises the profile of the city national and internationally all of which encourages more investment and visitors to the city.</p> <ul style="list-style-type: none">• Green Investment, Jobs, Skills and Better Education are delivered within the PSNMP project. Investment in local business, Inspire element will focus on Skills development and schools programme that seeks to engage with every primary school in Plymouth either annual for four years or for one full school year. In addition the delivery of a new more sustainable location for the Mount Batten Water Ferry to land is part of Green Investment in sustainable transport routes.• Spending Money Wisely is a clear aim of the project. All ideas for the programme were tested in the development phase and capital plans were developed to RIBA 3 to ensure only the essential items were included and this was done through many rounds of review and value engineering to develop the solutions that represent the best value of money. <p>The Mount Batten Centre through its activities which require the more accessible pontoon are an essential delivery partner to achieving the aim of the PSNMP project.</p>
I I	Please specify any direct environmental implications of the decision (carbon impact)	<p>The environmental implications for the PSNMP programme including the Mount Batten pontoon were identified and considered as part of the original business case in approved by the Cabinet in Feb 2024. This decision does not change the environmental implications already considered. A climate impact assessment is attached for the Mount Batten Pontoon project.</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 Tudor Evans OBE (Leader of the Council)		
I3b	Date Cabinet Member consulted	25 September 2025		
I3c	Are any other Cabinet members' portfolios affected by the decision?	Yes	X	
		No		(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 Experience, Sport, Leisure and HR and OD) Councillor Chris Penberthy (Cabinet member for Housing, Cooperative Development and Communities)		
I3e	Date other Cabinet member(s) consulted	Councillor Sue Dann – 10/07/2025 Councillor Chris Penberthy – 14/08/2025		
I4	Has any Cabinet member declared a conflict of interest in relation to the decision?	Yes	X	Councillor Tudor Evans OBE
		No		
I5	Which Corporate Management Team member has been consulted?	Name	Glenn Caplin-Grey	
		Job title	Strategic Director for Growth	
		Date consulted	01/10/2025	
Sign-off				
I6	Sign off codes from the relevant departments consulted:	Democratic Support (mandatory)	JS3I 25/26	
		Finance (mandatory)	ITG.25.26.066	
		Legal (mandatory)	LS/0001312/3/AC/2/10/95	
		Human Resources (if applicable)	N/A	
		Corporate property (if applicable)	FM/251002/005	
		Procurement (if applicable)	SN/PS/800/ED/1025	
Appendices				
I7	Ref.	Title of appendix		
	A	Briefing report for publication - <i>MB Pontoon Contract Award - Briefing Report v5</i>		
	B	Equalities Impact Assessment - <i>250804-PSNMP-MB-EqlA-Mount-Batten-MW</i>		
	C	Climate Impact Assessment - <i>Mount Batten Pontoon_MOU-3478-25_19-05-2025_FINAL (1)</i>		
Confidential/exempt information				
I8a	Do you need to include any confidential/exempt information?	Yes	X	If yes, prepare a second, confidential ('Part II') briefing report and indicate why it is not for

		No	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
18b	Confidential/exempt briefing report title: Procurement Decision Record Pontoon Tender v3.2 (Signed)			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		3 October 2025		
Print Name		David Draffan, Service Director for Economic Development						