

EXECUTIVE DECISION

made by a Cabinet Member



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

Executive Decision Reference Number – DL10 25/26

Decision	
1	Title of decision: Plymouth Sound National Marine Park (PSNMP) Mount Batten Main Works
2	Decision maker: Councillor Jemima Laing (Deputy Leader)
3	Report author and contact details: Sharon Mercer (Head of Strategic Programmes); Sharon.Mercer@plymouth.gov.uk ; +441752308808
4	<p>Decision to be taken:</p> <ol style="list-style-type: none"> Approves the Business Case Allocates £908,367 for the project into the Capital Programme funded by Corporate Borrowing Approve the contract modification(s) in relation to Compensation Events provided that the modification(s) do not alter the overall nature of the contract and does not exceed the available project budget, subject to prior agreement with Procurement.
5	<p>Reasons for decision:</p> <p>This Mount Batten Centre and Public Realm works are part of the Plymouth Sound National Marine Park (PSNMP) project and seeks to deliver places and spaces that will enable better access to activities that will engage more and more diverse people with the heritage of the Sound.</p> <p>The project seeks additional funding to support issues identified and additional requirements vital to the project success of the project.</p> <p>Within the Main Works the project has identified that changes need to be made including the following:</p> <ul style="list-style-type: none"> upgrades to the kitchen are required to service the new café and existing business of the centre windows need to be replaced as they are rotten <p>An additional requirement for a new glazed wall to the café to bring the outside in and maximise the waterfront view All the changes proposed are to maximise the potential of the Centre future proofing this anchor institution for the benefit of the city, PSNMP and PCC as the co-owner of the Centre.</p>
6	<p>Alternative options considered and rejected:</p> <ol style="list-style-type: none"> Doing nothing – Would deliver the funded scope of the capital works that would result in a new café but with no Kitchen to provide the F&B to enable the café to operate. The café itself would have rotten side windows and limited views to the waterfront. This would result in a new facility that would fail and likely cause the Mount Batten Centre to fail as a going concern. The minimum option - Complete the Kitchen works and the replacement of the rotten windows only but not deliver the other additional requirement of the café glazed front wall to bring the waterfront view into the café making a year-round destination of choice. This was rejected because though it provides some short-term benefits, ultimately the risk is that these benefits would not be long-term, the impacts described in the 'do nothing' options would still likely occur in a few years' time, when the capital investment required to recover the situation would be greater and the loss of business and reputation would have occurred.

7	<p>Financial implications and risks:</p> <p>Total of Main Works project - £5.2m. PSNMP budget is £4.1m, leaving £1.1m budget pressure to be addressed. Additional contingency drawdown has been secured from the National Lottery Heritage Fund totalling £190k. The remaining budget pressure of £900k to be addressed through corporate borrowing.</p> <p>Risks;</p> <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. In addition, the MBMW have progressed to a stage where further possible unknowns have been reduced. 													
8	<p>Legal Implications:</p> <p>As the proposed works are not a landlord responsibility under the lease there is a possibility that they could constitute a subsidy for the purposes of the Subsidy Control Act 2022. An assessment of the subsidy control principles will need to be undertaken to establish the position.</p>													
9	<p>Is the decision a Key Decision? (please contact Democratic Support for further advice)</p> <p>Please type an X into the relevant boxes</p>	<table border="1"> <thead> <tr> <th data-bbox="763 702 843 804">Yes</th> <th data-bbox="843 702 922 804">No</th> <th data-bbox="922 702 1494 804">Per the Constitution, a key decision is one which:</th> </tr> </thead> <tbody> <tr> <td data-bbox="763 804 843 994"></td><td data-bbox="843 804 922 994"><input checked="" type="checkbox"/></td><td data-bbox="922 804 1494 994">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</td></tr> <tr> <td data-bbox="763 994 843 1140"></td><td data-bbox="843 994 922 1140"><input checked="" type="checkbox"/></td><td data-bbox="922 994 1494 1140">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</td></tr> <tr> <td data-bbox="763 1140 843 1260"></td><td data-bbox="843 1140 922 1260"><input checked="" type="checkbox"/></td><td data-bbox="922 1140 1494 1260">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.</td></tr> </tbody> </table>	Yes	No	Per the Constitution, a key decision is one which:		<input checked="" type="checkbox"/>	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		<input checked="" type="checkbox"/>	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		<input checked="" type="checkbox"/>	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.
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	<p>If yes, date of publication of the notice in the Forward Plan of Key Decisions</p>	N/A												
10	<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 PSNMP programme is key strategic priority for the Council and links to the following Corporate Plan priorities:</p> <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 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 nationally and internationally, all of which encourages more investment and visitors to the city. • 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. • Spending Money Wisely is a clear aim of the project. All ideas for the programme were tested in the 												

		<p>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> <p>The Mount Batten Centre through its activities are an essential delivery partner to achieving the aim of the PSNMP project.</p>
I1	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.</p>

Urgent decisions

I2a	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 I3a)

I2b Reason for urgency:

I2c	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		
I3b	Which other Cabinet member's portfolio is affected by the decision?		Cllr Tudor Evans OBE (Leader)	
I3c	Date Cabinet member consulted		25 September 2025	
I4	Has any Cabinet member declared a conflict of interest in relation to the decision? Please type an X into the relevant box	Yes	X	Discussed with Monitoring Officer. Councillor Evans OBE (Leader has delegated this responsibility to Cllr Laing on 25/09/2025)
		No		

15	Which Corporate Management Team member has been consulted?	Name	Glenn Caplin-Grey
		Job title	Strategic Director for Growth
		Date consulted	14 August 2025

Sign-off

16	Sign off codes from the relevant departments consulted:	Democratic Support (mandatory)	JS62 25/26
		Finance (mandatory)	ITG.25.26.101
		Legal (mandatory)	LS/00001312/1/AC/2 5/11/25
		Procurement (if applicable)	SN/PS/810/ED/1225
		Corporate property (decisions involving Council owned land or facilities) (if applicable)	N/A
		Human Resources (if applicable)	N/A

Appendices

17	Ref.	Title of appendix
	A	Briefing report - PSNMP MB Pontoon budget uplift - Briefing Report v2
	B	EqIA - 250804-PSNMP-MB-EqIA-Mount-Batten-MW
	C	CIA - Mount Batten Centre and Tower_MOU609 FINAL
	D	Capital Business Case - PSNMP MB Main Works_v6 (Approved)

Confidential/exempt information

18a	Do you need to include any confidential/exempt information? Please type an X into the relevant box	Yes	X	
		No		

		Exemption Paragraph Number						
		1	2	3	4	5	6	7
18b	Confidential/exempt briefing report title: PSNMP Contract Variation Authorisation Form - MB Main Works v2				X			

Background Papers

19 Please list all unpublished, background papers relevant to the decision in the table below.

Background papers are unpublished 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.

Title of background paper(s)	Exemption Paragraph Number						
	1	2	3	4	5	6	7
PSNMP Business Case v1.0							
PSNMP Committee Report 240212 v2 - Approved							

Cabinet Member 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 (2010) and those who do not. For further details please see the EIA attached.

Signature		Date of decision	14/01/2026
Print Name	Councillor Jemima Laing (Deputy Leader)		