

Written statement of a key decision
Cabinet

Title	Public realm contract extension 2023
Decision maker	Cabinet Information about cabinet, including the names and contact details of the cabinet members, can be found here: http://councillors.herefordshire.gov.uk/mgCommitteeDetails.aspx?ID=251
Date of decision	26 October 2023
Report exemption class	Open
Reason for being a key decision	<p>This is a key decision because it is likely to result in the council incurring expenditure which is, or the making of savings which are, significant having regard to the council's budget for the service or function concerned. A threshold of £500,000 is regarded as significant.</p> <p>This is a key decision because it is likely to be significant having regard to: the strategic nature of the decision; and / or whether the outcome will have an impact, for better or worse, on the amenity of the community or quality of service provided by the authority to a significant number of people living or working in the locality (two or more wards) affected.</p>
A notice was served in accordance with Part 3 (Key decisions) of The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.	
General exception or special urgency (as defined in the constitution)	No
Purpose	To approve an extension of the public realm service contract with Balfour Beatty Living Places in line with contract terms and conditions and provide an update on contract management arrangements
Decision	<p>That:</p> <p>(a) Balfour Beatty Living Places be awarded two extensions in accordance with the Public Realm Contract of one year for each relevant period (to 31 August 2026);</p>

	<p>(b) That the progress in closing out the improvement plan actions is noted and agreed;</p> <p>(c) That the progress made in implementing the commissioning and contract management functions and the findings of the SWAP audit are noted.</p>
Reason for the decision	As set out in the report. Documents relating to this decision are available at http://councillors.herefordshire.gov.uk/mglIssueHistoryHome.aspx?IId=50046084
Options considered	<p>1. Not to award an extension to the contract at this time. This is not recommended as the contract follows a model that is designed to incentivise the provider to achieve successful performance delivery throughout the potential contract term. Successful performance is gauged against strategic indicators which are monitored and considered at relevant set periods through the term of the contract. As Balfour Beatty Living Places (BBLP) has achieved acceptable strategic performance, as defined by the contract they are entitled to a contract extension in any event unless the performance reduces and then the council reduces the extension period.</p> <p>2. To award an extension of the contract period to BBLP that is greater than two years for the relevant period. Under the contract the council has discretion to award extensions of greater than one year following the attainment of acceptable strategic performance by BBLP. This is not recommended at this time as the council considers the future operating model.</p>
Declarations of interest (see below)	
Call-in expiry date (decisions are not subject to call-in where special urgency provisions apply)	1 November 2023

Councillor:	Date 26 October 2023
Leader of the Council (Councillor Jonathan Lester)	

- a record of any conflict of interest declared by any executive member who is consulted by the member which relates to the decision;

and

- in respect of any declared conflict of interest, a note of dispensation granted.