

Meeting	Executive
Date	18 April 2024
Present	Councillors Douglas (Chair), Kilbane (Vice-Chair), Coles, Kent, Lomas, Pavlovic and Webb
In Attendance	Councillor Ayre
Officers in Attendance	Ian Floyd – Chief Operating Officer Debbie Mitchell – Chief Finance Officer Frances Harrison – Head of Legal Sara Storey - Corporate Director of Adult Services and Integration Peter Roderick – Director of Public Health Pauline Stuchfield - Director of Customer & Communities Claire Foale - Assistant Director Policy and Strategy Laura Williams – Assistant Director of Customer & Communities Michael Jones - Head of Housing Delivery and Asset Management Abid Mumtaz - Head of Commissioning Anthony Dean - Healthy and Sustainable Homes Manager
Apologies	Councillor Ravilious

111. Declarations of Interest (17:31)

Members were asked to declare at this point in the meeting any disclosable pecuniary interest or other registerable interest they might have in respect of business on the agenda, if they had not already done so in advance on the Register of Interests. None were declared.

112. Minutes (17:31)

Members considered the minutes of the Committees previous meeting and agreed to clarify within the minutes that Cllr Ayre

currently worked for a for a Healthwatch contract provider in Bradford.

Resolved: That the minutes of the Executive meeting held on 14 March 2024 be approved and then signed by the Chair as a correct record, with the [amendment/additional wording] clarifying that Cllr Ayre Currently worked for a Healthwatch contract provider in Bradford.

113. Public Participation (17:32)

It was reported that there had been 1 registration to speak at the meeting under the Council's Public Participation Scheme.

Cllr Hollyer spoke on ward funding models and asked that the Executive select either option G or H. He stated that model A due to different population size per ward, would not provide the most funding to some of the wards with the highest levels of deprivation.

114. Forward Plan (17:34)

Members received and noted details of the items that were on the Forward Plan for the next two Executive meetings at the time the agenda was published.

115. Advertising contract (18:07)

The Assistant Director of Policy and Strategy introduced the report and confirmed that a confidential independent market appraisal had been undertaken and had provided the value of the advertising which worked as the basis for direct negotiation. It was confirmed that the new contract would cover bus shelters and free standing electronic advertising boards, these boards would be subject to planning approval. The Director of Public Health explained the proposal for the new advertising policy which would restrict the advertising of high fat/high sugar products. This change would he noted should assist in tackling unhealthy weight predominantly in children who are particularly affected by advertising.

The Executive Member for Finance, Performance, Major Projects, Human Rights, Equality, and Inclusion welcomed the report and noted that the estimated revenue was a conservative estimate and following officer negotiation with the provider could be higher. She confirmed that any digital advertising boards would be subject to planning and would be considered by the Council's Access Officer to ensure accessibility.

The Executive Member for Health, Wellbeing and Adult Social Care confirmed that unhealthy weight figures for children was going in the wrong direction. She confirmed that the advertising policy was not about stopping people from doing something but how the Council uses its space and that the Executive would be led by officer advice on health.

Resolved:

- i. Noted the independent market appraisal and the potential revenue opportunities from place-based advertising:

Reason: Understanding the potential value of advertising opportunities across the council's estate and assets to realise maximum revenues, recognising that by doing so there will be a necessary change from analogue to digital advertising, to keep up with market demand and recognise increased revenue opportunities.

- ii. Approved the direct award of a new 15-year (plus a possible 1-year extension) bus shelter advertising and digital free standing unit concession contract to JC Decaux and delegate authority to negotiate and conclude the new concession contract (and the provisions of any subsequent modifications and/or extensions thereto) to the Director of Governance in consultation with the Head of Procurement and the Director of Public Health:

Reason: The bus shelter and digital information board contract expired on 31 December 2023 and is now on a 12-month extension as per the current contract mechanism. By approving the new contract, the council will more quickly benefit from the increased

revenue with the supplier being able to more quickly digitise subject to planning approvals.

75% of Out Of Home advertising revenue comes from Digital and as such Paper advertising alone is no longer sustainable for the future operational running of a Bus Shelter and Free- Standing Unit contract.

If direct award is not support, the Council would need to run a new tender awarded prior to 1 January 2025.

- iii. Pursuant to Rule 26.1 of the Council's Contract Procedure Rules ("CPRs"), the Executive approved a waiver of Rules 11.4 and 11.7 of the Council's CPRs in relation to the direct award of the new concession contract to JC Decaux UK.

Reason: Most of the bus shelters in York are currently the property of JCDecaux, who both purchase, install and maintain them. The risks of not continuing the concession contract are set out in the report and can be summarised as, all current bus shelters would be dismantled by JCDecaux in January 2025 with new ones needed to be sourced, installed and maintained introducing a substantial additional cost to the Council in both capacity and, potentially capital expenditure and ongoing operational expenditure if a new supplier is not found through a competitive tender.

- iv. Approved the council's advertising policy which will be embedded into the bus shelter, and all place-based advertising contracts with adverts displayed on council owned or operated land:

Reason: The new advertising contract allows greater controls over the types of advertising that is displayed. The council's advertising policy is designed to restrict high fat, salt and sugar products being displayed to residents to help promote better health and wellbeing.

116. Ward Funding Allocation 2024/25 (17:36)

The Assistant Director for Customer and Communities noted that the Council had a £250,000 Ward funding budget. She confirmed that the different Ward funding models had been considered by the Corporate Service, Climate Change and Scrutiny Management Committee.

The Executive Member for Housing, Planning and Safer Communities noted that there had been no consensus from Scrutiny as to which model to use and that several models had strong merits. He noted his support for the recommended model A and confirmed that it would ensure a lump sum of £105,000 would be shared equally between ward member and £145,000 be allocated taking into account deprivation and population size.

The Executive Leader noted that Ward funding had disappeared from some Councils and was happy that York was able to maintain this funding. She confirmed that in an environment of diminishing resources it was important that the Council got the most possible out of the funding and agreed with supporting model A.

Resolved:

- i. Approved maintaining the use of Model A, subject to funding, to allocate Ward Funding for the next three financial years and reflect the Council Plan 2023-2027.

Reason: To ensure that ward allocations meet Council Plan priorities and methodologies around allocations are transparent to residents and stakeholders.

117. Consultation on an Equity, Diversity and Inclusion Strategy 2024-27 and Next Steps (17:47)

The Executive were joined for this item by Arif Sain from Inclusivity Global.

The Director of Customer and Communities introduced the report and confirmed work was being undertaken to publish the Council's first ever ethnicity pay gap report, the Equalities

Impact Assessment was being improved and tested to become an Equalities and Human Rights Analysis, and the job description was being finalised ahead of advertising the new Head of Equality and Diversity post. She highlighted the reestablishment of the Human Rights and Equalities Board and that the Chief Operating Officer was currently leading a new corporate equalities group.

Mr Sain welcomed the Council's consultation and noted that it provided an opportunity to work with communities in York. He confirmed that the Council's declaration to become an anti-racism city had been met positively and noted that future work needed to clearly identify the needs of communities.

The Executive Members for Finance, Performance, Major Projects and Equalities welcomed the report and was happy to see the Council and the Executive working to return the Council to its previously high status on Equity, Diversity and Inclusion. She welcomed the collaborative working with the Applied Centre for Human Rights at the University of York to develop a new Equalities and Human Rights Impact Analysis. She confirmed that the new assessment would act as a guide throughout the Council's decision making process. Finally she noted that the action plan cannot sit solely with the Executive and that the council would work with partner organisations and residents on the next steps to be undertaken.

Resolved:

- i. Noted the results of the externally produced assessment against the requirements of the Equalities Framework for Local Government (EFLG) and areas of achievement and development which will feed into the action plan at Resolved iii), below;
- ii. Endorsed the draft Equity, Diversity and Inclusion Strategy 2024-27 at Annex B which will be used as an interim strategy pending the outcome of consultation, as the equality objectives are required as part of meeting the council's Public Sector Equality Duty;
- iii. Approved officers to carry out a public consultation on the draft strategy to inform the final three year strategy and action plan for approval in autumn 2024, noting this will not hold up of delivery of critical core actions needed to start the work of

improvement as identified. A further report will be brought to Executive with the results of this consultation.

Reason: To demonstrate the City of York Council's core commitment to becoming a more equal, diverse and inclusive council.

118. Recommissioning of Sensory Services in York (18:26)

The Corporate Director of Adult Services and Integration introduced the report and it was confirmed that the Council was required to maintain a sensory service under the 2014 Care Act. Officers confirmed that the recommendation sought to go out to tender for a 3 year contract with the option of a 2 year extension.

The Executive Member for Health, Wellbeing and Adult Social Care thanked the current provider The Wilberforce Trust and its staff for their work. She noted that demands for the service had changed in the last seven years and that the Council should have reprocured two years ago instead a contract extension had been agreed. Finally she noted the value for the new contract was returning to the base line of the previous contracts value.

Resolved:

- i. Approved the procurement of a new contract for the Sensory Support Service for an initial term of 3-years, with an option to extend for up to a further 2-years;
- ii. Delegated authority to the Corporate Director of Adult Services and Integration (and their delegated officers) in consultation with Chief Finance Officer (and their delegated officers in Commercial Procurement) to commence procurement from the market for a new contract for the Sensory Support Service for an initial term of 3-years, with an option to extend for up to a further 2-years via an open, fair and transparent competitive process and evaluation criteria in compliance with the Council's Contract Procedure Rules under Appendix 11 of the Council's Constitution (the "CYC's CPRs") and (where applicable) under the Light Touch Regime

- under Regulations 74 to 76 and Schedule 3 of Public Contract Regulations 2015 (the “Procurement Regs”);
- iii. Delegated authority to the Corporate Director of Adult Services and Integration (and their delegated officers), in consultation with the Director of Governance (and their delegated officers in Legal Services), to determine the provisions of the new contract for the Sensory Support Service, and the provisions of any subsequent modifications and/or extensions thereto;
 - iv. Delegated authority to the Corporate Director of Adult Services and Integration (and their delegated officers), in consultation with the Chief Finance Officer (and their delegated officers in Commercial Procurement) and the Director of Governance (and their delegated officers in Legal Services), to award and conclude the new contract for the Sensory Support Service following an open, fair, and transparent competitive process and evaluation criteria in compliance with the Council’s CPRs and (where applicable) the Procurement Regs.

Reason: The option proposed will comply with CYC’s CPRs and the Procurement Regs in terms of completing an open, fair, and transparent process as the market has not been approached since 2017.

Further, the provision of the Sensory Support Service ensures the Council meets the statutory duty under the Care Act 2014 through prevention and delay, and the ability to plan anticipated needs (rehabilitation), assessment and eligibility, information and advice and registration data (Certificate of Vision impairment).

119. Housing Retrofit update (18:41)

The Head of Housing Delivery and Asset Management introduced the report which provided the Executive with an update on activity to retrofit houses in the city and recommendations for HUG 2, LEAD, and the Net Zero Fund schemes.

The Executive Member for Housing, Planning and Safer Communities welcomed the Council's progress on energy efficiency and insulation. He stated that the Executive would focus on insulating homes across the city and not on building a few very energy efficient homes.

The Executive Members for Environment and Climate Emergency welcomed the positive work that had already been undertaken. She highlighted that cutting emissions through housing retrofit also produced lower energy bills and healthier homes. She highlighted the example that a new low carbon communal heating systems at Alex Lyon House and Honeysuckle House had cut Council tenants heating bills by an estimated 50%.

Resolved:

- i. Noted the progress achieved so far in the completion of energy efficiency and retrofit projects under the following grant funded programmes, Home Upgrade Grant Phase 1 (HUG1), Local Authority Delivery Phase 3 (LAD3), and the Social Housing Decarbonisation Fund Wave 1 (SHDF1);
- ii. Noted the commencement of new energy efficiency and retrofit projects, including the Local Energy Advice Demonstrator (LEAD) project, Retrofit One Stop York (ROSSY) project, and the Social Housing Decarbonisation Fund Wave 2 (SHDF2).

HUG2

- iii. Approved the Council entering into the Home Upgrade Grant Phase 2 delivery contract with Clear Climate, as the winning bidder of the recent procurement exercise;
- iv. Delegated authority to the Director of Housing, Economy and Regeneration in consultation with the Head of Procurement and the Director of Governance (or their delegated officers), to conclude the terms of the HUG2 contract with Clear Climate.

LEAD

- v. Noted the signing of a grant funding agreements, as part of the Local Energy Advice Demonstrator (LEAD), with Joseph Rowntree Housing Trust. Note the intention to enter further grant funding agreements with York Conservation Trust, York Travellers Trust, and Leeds Beckett University, to enable the delivery of high-quality retrofit surveys and advice which target properties which are 'hard to treat' and residents who are often missed or not engaged with. Such agreements, and the associated transfer of grant funds, will enable a significant number of retrofit surveys and thereby support effective planning for future retrofit delivery works.

Net Zero Fund

- vi. Approved the Council entering into the Grant Funding Agreement with York and North Yorkshire Combined Authority for the Net Zero Fund allocation for Alex Lyon House and Honeysuckle House, totalling £1,895k and delegate to the Director of Housing, Economy and Regeneration, in consultation with the Head of Procurement and Director of Governance (or their delegated officers), authority to conclude terms of the grant funding agreement;
- vii. Delegated authority to the Director of Housing, Economy and Regeneration, in consultation with the Head of Procurement and the Director of Governance (or their delegated officers), to carry out procurement processes in compliance with the Council's Contract Procedure Rules and the Public Contract Regulations 2015 to seek suppliers for the delivery of the Net Zero Fund projects at Alex Lyon House and Honeysuckle House, and to subsequently enter into contracts covering design, consultancy services and construction works.

Reason: To deliver the council's ambitions for minimising the energy bills of those residents facing financial challenges, supporting health and wellbeing, building the local green economy, and retrofit supply chains, and reducing carbon emissions in the city and to ensure the provisions of the Subsidy Control Act 2022 are complied with.

Cllr Douglas, Chair

[The meeting started at 5.30 pm and finished at 7.00 pm].

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