

Meeting	Executive
Date	13 June 2024
Present	Councillors Douglas (Chair), Kilbane (Vice-Chair), Kent, Baxter, Lomas, Pavlovic, Ravilious, Steels-Walshaw and Webb
In Attendance	Councillor Ayre
Officers in Attendance	Ian Floyd – Chief Operating Officer Debbie Mitchell - Director of Finance (s151) Frances Harrison – Head of Legal Peter Roderick - Director of Public Health Philippa Press - Public Health Specialist James Gilchrist – Director of Transport, Environment and Planning Mike Southcombe - Environmental Protection Manager Laura Williams – Assistant Director (Customer and Communities) Paul Cliff - Shared Head of Adult Learning and Skills (York and North Yorkshire)

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## 1. **Declarations of Interest**

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.

## 2. **Minutes**

Resolved: That the minutes of the Executive meeting held on 9 May 2024 be approved and then signed by the Chair as a correct record.

### 3. **Public Participation**

It was reported that there had been 3 registrations to speak at the meeting under the Council's Public Participation Scheme, however, one speaker withdrew.

Steve Lilly spoke on behalf of Love Gillygate, he stated that bold action was needed to reduce nitrogen dioxide levels around Gillygate.

Gwen Swinburn stated that the Council's forward plan needed to give more notice of upcoming decisions. She raised concern that the Council did not mark the *York Learning Accountability Statement 2024-25* as a key decision like how North Yorkshire Council had and that the Council failed to properly list items as key decision.

### 4. **Forward Plan**

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.

### 5. **Re-Procurement of Sexual Health and Contraception Services – Approval required to enter into interim service contract arrangements for up to 12 months.**

The Director of Public Health introduced the report. He noted that the Executive had given approval in 2023 to re-procure for the Sexual Health and Contraception Services, however, the complexity of the negotiations for this Section 75 arrangement, together with the challenging financial envelope available for the service, had led to delays in the process. This meant that deadline of completion by 1 July 2024 was considered highly unlikely. Therefore, the report sought an interim service contract arrangements for up to 12 months, while negotiations continued.

The Executive Member for Health, Wellbeing and Adult Social Care thanked officers for their work and highlighted the importance of sexual health and contraception services. She noted that budget cuts nationally had impacted sexual health services across the country. She noted that York currently spent more of its allocated health budget on sexual health services

and that she would continue to receive briefings on how these services can be delivered.

Resolved:

- i. Approved a 6 month + 6-month variation and extension to the existing Integrated Sexual Health Services contract with York and Scarborough NHS Hospitals Trust from 1st July 2024 and 1<sup>st</sup> January 2025 and to delegate to the Director of Public Health (in consultation with the Head of Procurement and the Director of Governance or their delegated officers) the authority to take such steps as are necessary to agree, award and enter the resulting variation and extension agreement;
- ii. Approved the proposed staged approach in relation to service changes to the Integrated Sexual Health Services contract as set out in this report at paragraph 5 and to delegate to the Director of Public Health (in consultation with the Head of Procurement and the Director of Governance or their delegated officers) the authority to take such steps as are necessary to conduct review, consultation and negotiations and subsequent authority to agree and enter into any resulting variation agreement(s) agreed;
- iii. Approved the award (subject to the satisfactory conclusion of any related procurement processes) of a 6 month + 6 month contract from 1st July 2024 and 1st January 2025 for a LARC Service contract to Nimbuscare Limited and to delegate to the Director of Public Health (in consultation with the Head of Procurement and the Director of Governance or their delegated officers) the authority to take such steps as are necessary to agree, award and enter any resulting agreement;
- iv. Approved the continuation of negotiations and (in the event of successful negotiations and review) the entry into a Section 75 Partnership Agreement with York and Scarborough Hospital NHS Trust under Section 75 of the National Health Services Act 2006 and to delegate to the Director of Public Health (in consultation with the Head of Procurement and the Director of Governance or their delegated officers) the authority to take such steps as are necessary to

- agree, award and enter the resulting agreement to commence on or before 1st July 2025;
- v. That in the event that the Section 75 arrangements at (d) cannot be agreed or are not viable, to delegate authority to the Director of Public Health in consultation with the Executive Member for Adult Social Care and Public Health, to approve the carrying out of an appropriate procurement process and to delegate to the Director of Public Health (in consultation with the Head of Procurement and the Director of Governance or their delegated officers) the authority to take such steps as are necessary to procure, award and enter into the resulting contract.

Reason: The above will secure the sexual health service and LARC provision in the short term whilst negotiations continue to potentially enable a Section 75 partnership agreement to be agreed and put in place. The Section 75 agreement is proposed to last for up to 10 years, the requirement to ensure that this is completed in the most robust way is essential as over the lifetime of the Section 75 agreement the budget allocation will be more than £18 million. In the event of Executive approving the above recommendations officers will conduct all necessary review and procedure in accordance with the Contact Procedure Rules ("CPRs"). This will include the undertaking of a CPR 26 waiver process internally (in accordance with CPR 26.2).

## 6. **Air Quality Annual Status Report 2024**

The Director of Environment, Transport and Planning introduced the report which confirmed that Yorks air quality is improving, but there remains more we can do and some problem areas that remain outside government set limits. He explained that the report would put into perspective the next *air quality action plan* scheduled to be considered at the 18 July 2024 Executive meeting.

The Executive Member for Environment and Climate Emergency welcomed the progress made in York's 3 hotspot areas but noted that the Executive were not going to be complacent when it came to further improvements to air quality.

She confirmed that outside of the city centre the Council was also taking actions such as writing to farmers about the use of ammonia.

The Executive Member for Transport welcomed the interventions undertaken by the Council to improve air quality. She noted that the transition to electric vehicles would not be enough and that the Executive recognised the need to increase the use of sustainable forms of public transport. She also highlighted how policies which improved air quality and sustainable transport also improved the spaces people live in and use.

Finally the Deputy Leader and Executive Member for Economy and Culture thanked the work of officers and the cooperation of residents in areas such as Gillygate and Lord Mayors Walk. He noted that communities worried their concerns were not taken seriously and hoped that the work of the Council had built trust that the Council would improve air quality, especially in those hotspot areas.

Resolved:

- i. Noted the contents of the report (and approve the submission of the Annual Status Report to DEFRA), including the generally improving trend in air pollution in recent years and progress made with delivery of measures in CYC's Air Quality Action Plan.

Reason: To ensure that the Executive is aware of current air quality position in the city including continued exceedances of objectives in some areas and progress made with air quality improvement measures.

## **7. York Learning Accountability Agreement 2024/25**

Officers introduced the report which sought approval to submit the accountability statement, relating to the Adult Skills Fund grant received by York Learning on an annual basis. They noted that the statement would highlight some of the Council's key objectives in relation to adult learning.

The Deputy Leader and Executive Member for Economy and Culture thanked officers for the report and noted the great work undertaken across York and North Yorkshire to promote adult learning. He welcomed the outreach work to engage with disenfranchised communities and promoted the service welcoming anyone looking to develop new skills or access new learning opportunities to contact York Learning.

Resolved:

- i. Approved the Accountability Statement at the Annex to this report ahead of publication at the end of June 2024.

Reason: For the service to receive funding to deliver against this statement we must gain agreement on contents. This agreement provides a framework for accountability whilst enabling us to receive the necessary funds to deliver the service. The document will also serve as the basis for wider internal conversations that will maximise the potential of learning for our residents.

Cllr Douglas, Chair

[The meeting started at 5.30 pm and finished at 4.24 pm].