

EXTRACT

Executive

Thursday, 9 May 2024

Decisions

Set out below is a summary of the decisions taken at the Executive meeting held on Thursday, 9 May 2024. The wording used does not necessarily reflect the actual wording that will appear in the minutes.

Members are reminded that, should they wish to call in a decision, notice must be given to Democracy Services no later than 4pm on Thursday, 16 May 2024.

If you have any queries about any matters referred to in this decision sheet please contact Robert Flintoft.

12. Urgent Business - Advertising Contract

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 additional extension of 12-months to the current concession contract for the supply and maintenance of street furniture with or without advertising with the incumbent supplier commencing on 1st January 2025 and expiring at 23:59:59 GMT on 31st December

2025, to allow a formal competitive exercise to be undertaken and delegate authority to negotiate and conclude the extension in accordance with the terms and conditions of the current concession contract with the incumbent supplier and the Council's Contract Procedure Rules under Appendix 11 of the Council's Constitution (the "**Council's CPRs**") to the Director of Governance in consultation with the Head of Procurement.

Reason: The current bus shelter and digital information board contract was originally meant to expire on 31st December 2023 and is currently now on a 12-month extension as per the current contract mechanism. The contract allows for further extensions to be undertaken and has the provision within the contract to do so (please refer to the Legal Implications and Procurement and Social Value Implications below).

- iii. Approved a formal competitive procurement exercise to be undertaken for a new 15-year (plus 1-year optional extension) concession contract for the provision and maintenance bus shelters with either no advertising, paper adverts or digital adverts, and digital Free-Standing Units on Council land, and delegate authority to the Director of Governance in consultation with the Head of Procurement to commence the procurement exercise via an open, fair and transparent competitive process and evaluation criteria in compliance with the Council's CPRs and (where applicable) the Concession Contract Regulations 2016 (the "**Concession Regs**"), and/or the Procurement Act 2023 which comes into force from 28th October 2024 (the "**Procurement Act**").

Reason: Delays to initiating the competitive procurement exercise has led to financial pressures on the current financial strategy, these will aim to be alleviated through a competitive process, although

until that has concluded it is not possible to confirm to Executive whether these financial pressures remain.

- iv. Delegated authority to the Director of Governance in consultation with the Head of Procurement to negotiate and conclude the new 15-year (plus 1-year optional extension) concession contract for the provision and maintenance bus shelters with either no advertising, paper adverts or digital adverts, and digital Free-Standing Units on Council land , along with authority to negotiate and conclude the provisions of any subsequent modifications and/or extensions thereto post award.

Reason: To finalise a new 15-year (plus 1-year optional extension) contract.