

## **Executive**

**Thursday, 18 April 2024**

### **Decisions**

Set out below is a summary of the decisions taken at the Executive meeting held on Thursday, 18 April 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 the Thursday 25 April 2024.

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

#### **5. 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 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.

**6. Ward Funding Allocation 2024/25**

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.

**7. Consultation on an Equity, Diversity and Inclusion Strategy 2024-27 and Next Steps**

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.

## 8. **Recommissioning of Sensory Services in York**

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).

## **9. Housing Retrofit update**

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.