

## **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.

### **6. Building a smokefree generation in York: approving use of the Local Stop Smoking Services and Support Grant**

Resolved:

- i. Approved the use of the Local Stop Smoking Services and Support Grant 2024-2025 as outlined in this paper, including:
  - a) the expansion of the council's stop smoking support;
  - b) the expansion of treatments and the offer of additional stop smoking medications;
  - c) additional community outreach to smokers, particularly those in disadvantaged groups in the city;
  - d) additional communications activity to drive up smoking quit rates.
- ii. Approved the use of the Local Stop Smoking Services and Support Grant in future years (subject to funding) in line with the approach outlined in this report.

Reason: To help build a smokefree generation in York.

**7. Update to Joint Committee Governance Arrangements for the Yorkshire Purchasing Organisation (“YPO”)**

Resolved:

- i. Noted and accepted the changes recommended by the Yorkshire Purchasing Organisation Management Committee.
- ii. The Executive agreed to delegated authority to the Director of Governance to sign an updated Management Agreement on behalf of the Council of the City of York, noting that all Member Authorities of Yorkshire Purchasing Organisation must also agree before the revisions take effect.
- iii. The Executive agreed to delegate contracting authority to the functional role of Managing Director of Yorkshire Purchasing Organisation.

Reason: YPO has operated as a Joint Committee since its inception in 1974 and under the governance structure in the current Management Agreement since 2010. The governance of the arrangements needs to be updated to ensure that the governance of YPO Management Committee remains up to date and fit for purpose.

**8. Future Resettlement Pathway – Building Independence**

Resolved:

- i. Agreed the principles of the new Resettlement pathway and develop a Homelessness and Rough Sleeping strategy to be reported to a future meeting of the Executive;
- ii. Approved the insourcing of services previously contracted under the Adult Community Wellbeing Support Service contract, and to implement the new Resettlement pathway to develop residential and support/care solutions for adults based upon early intervention and personalised support;
- iii. Approved the short-term extension of the current Adult Community Wellbeing Support Service contract by way of a variation to enable a smooth

- transition to an in-house service, to run absolutely no later than 31 December 2024, and to delegate authority to the Corporate Director of Adult Social Care in consultation with the Head of Procurement and the Director of Governance to determine and conclude the terms of such a variation;
- iv. Approved the commissioning of support services as needed by the pathway following the transition of the residential elements of the current contract, and to delegate authority to the Director of Housing, Economy and Regeneration in consultation with the Head of Procurement and the Director of Governance to take such steps as are necessary to procure, award and enter into the resulting contracts (and any subsequent modifications and/or extensions thereto);
  - v. Agreed to appoint a temporary project team from existing budgets to manage the service transition and develop a detailed service transition model, and approve the establishment of a governance board to oversee the transition to the new pathway and engage city partners;
  - vi. Approved the commissioning of the Young People's Community Wellbeing and Support Service following a review of the specification, and to delegate authority to the Corporate Director of Children's Services in consultation with the Head of Procurement and the Director of Governance to take such steps as are necessary to procure, award and enter into the resulting contracts (and any subsequent modifications and/or extensions thereto);
  - vii. Approved that 89/91 Scarcroft Road, currently part of the Adult Wellbeing contract but owned by the council, is registered with OFSTED for the provision of support services for those young people who need supported accommodation as part of their pathway to independence.

Reason: To develop a new resettlement pathway and bring services in house.

## 9. **Gypsy and Traveller Action Plan**

Resolved:

- i. Approved the action plan at Annex A of the report;
- ii. Noted that further mapping to understand where Gypsy and Traveller communities may be living within the city, and wider consultation, will take place over the next 12 months as per the action plan;
- iii. Agreed that annual updates will be considered at the Decision Session of the Executive Member for Finance, Performance, Major Projects, Human Rights and Equalities.

Reason: To address the inequalities faced by people from the Gypsy and Traveller communities throughout Council strategies.

## 10. **LGA Peer Challenge – report, recommendations and action plan**

Resolved:

- i. The Executive agreed to accept the LGA Peer Challenge recommendations:

Recommendation 1: Clarify a strong and consistent narrative that drives the ability of the organisation to take advantage of the opportunities available to York.

Recommendation 2: Be clear on the need to prioritise the ambition of the new council plan to focus on key delivery.

Recommendation 3: Build on the clear leadership of the new administration to develop a more mature corporate culture that improves appropriate behaviours and relationships within the organisation.

Recommendation 4: Consider how the corporate culture and senior arrangements of the organisation can help shape and deliver key priorities.

Recommendation 5: Consider how the Corporate Management Team can establish a collective responsibility for the delivery of key priorities and provide clear and consistent positive leadership to the many hard working and dedicated staff.

Recommendation 6: Put in place a robust performance

management framework that recognises and rewards success and has clear accountability for delivery.

Recommendation 7: Ensure improved staff engagement that clearly communicates the shared aims ambitions and priorities of the organisation and celebrates success.

Recommendation 8: Establish a well evidenced and robust single version of the medium-term financial position that is collectively owned and understood.

Recommendation 9: Improve the financial literacy of the organisation, financial controls and financial grip that focuses on the big picture.

Recommendation 10: Develop a clear plan to deliver savings that includes a properly resourced strategic program for change with sound business cases that flow through a strong and more robust governance framework.

Recommendation 11: Ensure there are appropriate support resources and structures to enable all members to undertake their respective roles including training, early access to papers and expanded access to information.

Recommendation 12: Develop a clear corporate strategy on how City of York Council can better utilise the desire, capacity and ability of partners to help the city improve and achieve its ambition.

Recommendation 13: Develop stronger, positive and strategic corporate relationships with all partners. Ensure these are more consistent across all partnership working utilising localised good practice - (for example the work of the ICB, engagement with the voluntary sector etc). Seek to replicate and embed these positive examples across CYC to establish effective collaboration as being the norm.

Recommendation 14: Properly understand the relationship with the Combined Authority and its role in enabling CYC to deliver its key priorities.

Recommendation 15: Implement an action plan to address these recommendations with urgency and pace that moves from single tactical interventions to a more strategic corporate approach.

Reason: To improve the Council for residents and partner organisations.

11. **Veritau - Creation of New Audit & Assurance Company Limited by Guarantee**

Resolved:

- i. Further to Article 12 of the Constitution for the Council of the City of York, approved the formation of a new Teckal compliant company limited by guarantee together with NYC, Middlesbrough Council, and Redcar and Cleveland Borough Council for the delivery of audit and assurance services to these authorities; and
- ii. approved the novation of current Service Agreement between the Council of the City of York and Veritau Limited dated 22<sup>nd</sup> December 2022, relating to the provision of audit, counter fraud, and information governance services (the “**CYC Service Agreement**”), to the new company;
- iii. approved the payment by Veritau Limited of a one-time £20,000 dividend to the Council of the City of York and a one-time £20,000 dividend to North Yorkshire Council;
- iv. approved payment of a one-off £20,000 subscription fee by the Council of the City of York to the new company, once the new company has been incorporated; and
- v. delegated authority to the Director of Governance to negotiate, draft and conclude with the other member authorities and Veritau Limited all necessary documentation linked to the formation of the new company (including (but not strictly limited to) the new company’s Articles of Association, Members Agreement, and the Novation of the Service Agreement).

Reason: To ensure that Veritau (as a group) can continue to deliver audit and assurance services to CYC and the other member authorities (both present and future) in compliance with Reg. 12(1) of the Procurement Regs (and Schedule 2, Part 1, Para 2 of the Procurement

Act 2023 once this comes into force later in October 2024).

## 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 1<sup>st</sup> January 2025 and expiring at 23:59:59 GMT on 31<sup>st</sup> 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 31<sup>st</sup> 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 28<sup>th</sup> 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.