

Meeting	Executive
Date	9 May 2024
Present	Councillors Douglas (Chair), Kilbane (Vice-Chair), Coles, Kent, Lomas, Pavlovic and Webb
In Attendance	Cllr Ayre
Officers in Attendance	Ian Floyd – Chief Operating Officer Debbie Mitchell – Chief Finance Officer Martin Kelly - Corporate Director Children’s Services 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 Dan Moynihan - Senior Lawyer & Deputy Monitoring Officer Denis Southall – Head of Housing Phil Truby - Public Health Specialist Practitioner Advanced Mac Thomas – Chief Executive - Veritau

Apologies	Councillors Ravilious
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120. 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.

Cllr Kilbane declared that he had a prejudicial interest in relation to minute 127 as his partner worked for SASH a youth

homelessness charity that works across York, North and East Yorkshire.

Cllr Webb declared that he had a prejudicial interest in relation to minute 130 as a director of Veritau.

Cllr Pavlovic noted that he had a non-prejudicial interest in relation to minute 127 as he had previously worked in resettlement services.

121. Exclusion of Press and Public (17:32)

Resolved: That the Committee would not require the excluding of press and public to discuss agenda items 11 and 12.

122. Minutes (17:34)

Resolved: That the minutes of the Executive meeting held on 16 April 2024 be approved and then signed by the Chair as a correct record.

123. Public Participation (17:34)

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

Violet Cannon from York Travellers Trust highlighted the work of the trust to tackle disadvantages faced by the Traveller community. She welcomed the commitment from the Council regarding co-working and commitments on housing but highlighted that issues remained around areas such as health that required investment.

124. Forward Plan (17:38)

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.

125. Building a smokefree generation in York: approving use of the Local Stop Smoking Services and Support Grant (17:39)

The Director of Public Health introduced the report highlighting that 1 in 2 smokers would die from affects relating to smoking. He confirmed that the rate of smoking was decreasing but that the aim should be to create a smoke free generation. He confirmed that the report sought to use additional grant funding to bolster the number of health trainers and expand the 4 week offer of support to 10 weeks for those trying to quit smoking.

The Executive Member for Health, Wellbeing and Adult Social Care welcomed the opportunity for additional investment in support to stop smoking. She highlighted the Executives aim to tackle health inequalities in the city and noted the good work done by health trainers in the city.

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.

126. Update to Joint Committee Governance Arrangements for the Yorkshire Purchasing Organisation (“YPO”) (17:47)

The Executive agreed to the revised Management Agreement which would set out the governance arrangements for the

Yorkshire Purchasing Organisation Joint Management Committee.

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.

127. Future Resettlement Pathway – Building Independence (17:51)

Cllr Kilbane left the meeting during this item due to his prejudicial interest which is recorded under minute 120 Declaration of Interests.

Corporate Directors of Adult Social Care introduced the report highlighting the work done across the Council to bring forward a future resettlement pathway that would be run as an in house multi-disciplinary system. She noted that a fixed contract to deliver services would limit flexibility of the Council, while noting that the Council would continue to seek to work with and support partner organisations.

The Corporate Director Children's Services noted that the current system had many hand off points for young people. He confirmed that a in house multi-disciplinary approach would create a better more streamlined pathway for young people moving into adulthood independence.

The Executive Member for Housing, Planning and Safer Communities welcomed the report as a key part of the Executive's aim to reduce homelessness and an elimination of rough sleeping. He highlighted the success a rapid housing programme could have in supporting people to live independent lives. He also thanked the University of York's Centre for Housing Policy for their support in providing research to show the effectiveness of rapid housing programmes elsewhere.

The Executive Member for Children, Young People and Education thanked the work of foster cares in the city and confirmed that the policy would be a family first approach. He highlighted the work undertaken on 16 to 25 accommodation pathway which provided clarity of what was needed in supporting young people.

The Executive Member for Health, Wellbeing and Adult Social Care welcomed the report and highlighted the collaborative work undertaken to improve outcomes for disadvantaged people in the city. She welcomed the additional £600,000 additional funding that had been identified from housing benefit that would support the in house work on resettlement.

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.

128. **Gypsy and Traveller Action Plan (18:16)**

The Assistant Director Customer, Communities and Inclusion noted that the Councils last Gypsy, Roma and Traveller Strategy ran from 2013 – 2018 and that since 2021 the Council had been consulting on a new strategy. She highlighted that the communities consulted did not wish for an individual strategy, but instead wished to be considered as part of all Council strategies. Therefore she noted that the report proposed a Gypsy and Traveller Action Plan and confirmed that the Council would seek engagement with the Roma and Boater Communities to include them within the action plan and Council strategies.

The Executive Member for Housing, Planning and Safer Communities thanked all those involved in the creation of the action plan. He welcomed the opportunity for the action plan to feed into everything the Council did and that it would provide targets from which to judge the Council's performance. He noted that this work would be the start of a journey with more work to be done on areas such as health and education.

The Executive Member for Finance, Performance, Major Projects and Equalities highlighted the need to address inequality affecting communities across the city. She noted that the action plan would provide a strong basis to address the significant disadvantages which are faced by people from the Gypsy and Traveller communities.

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.

129. LGA Peer Challenge – report, recommendations and action plan (18:28)

The Chief Operating Officer introduced the report. He highlighted that the Local Government Association acknowledged challenges faced by the Council in the report and highlighted good work the Council was doing. He noted that the report also provided 15 recommendations on how the Council could improve following the peer review.

The Executive Member for Finance, Performance, Major Projects and Equalities welcomed the peer challenge and noted that it had highlighted the positive leadership of the administration since the 2023 local election, and that this leadership was required to deliver the Council's objectives.

The Executive Leader welcomed the peer review acknowledging the Council's staff as its strongest asset. She noted the growing financial pressure the Council had been under year on year since 2010 and the fantastic work of staff to continue to deliver services against those pressures. She noted her disappointment that the Council's last peer review had been in 2016, especially as, the Council had been subject to two public interest reports since then. She stated that the Council under the current administration were open to working with partners to improve the city while handling difficult financial pressures.

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.

130. Veritau - Creation of New Audit & Assurance Company Limited by Guarantee (18:51)

Cllr Webb left the meeting during this item due to his prejudicial interest which is recorded under minute 120 Declaration of Interests.

The Deputy Monitoring Officer introduced the report which sort the establishment of a brand new Teckal company limited by guarantee. He noted that Veritau had been created in 2009 as a shared service and jointly owned by York City Council and North Yorkshire County Council. He outlined that currently Veritau was at risk of losing its Teckal status. The Chief Executive of Veritau confirmed that the current structure of Veritau was limiting the company's growth and that the creation of a new company to deliver services for the Council while Veritau continued its growth with other clients would set the business up for further success.

The Executive Member for Finance, Performance, Major Projects and Equalities welcomed the report and thanked officers for finding a solution that would allow the Council to continue reaping the benefit from its Teckal company. She

noted that this restructure of companies would allow it to better deliver for shareholder organisations.

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 22nd 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).

131. Urgent Business - Advertising Contract (19:01)

The Assistant Director Policy and Strategy noted that the original decision on the Advertising Contract had been sought without all the information required for a decision to be made. She therefore asked with the new information available that the Council seek a 12 month extension to the current contract and enter a procurement process for a new advertising contract. She confirmed that the decision previously taken in relation to the High Fat and Sugar strategy remained valid.

The Executive Leader thanked officers for the report and for identifying the original issue with the previous report and for providing a solution.

The Executive Member for Finance, Performance, Major Projects and Equalities noted that there was a rationale for the April decision to not tender for the Advertising Contract and thanked officers for bringing forward issues once these were identified, in order to find a solution and welcomed possible bids from providers.

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.

Cllr Douglas, Chair

[The meeting started at 5.31 pm and finished at 7.19 pm].