

# Nottingham City Council

## Commissioning and Procurement Executive Committee

Minutes of the meeting held at Loxley House, Station Street, NG2 3NG, on 9 January 2024 from 9.30 am - 9.44 am

### Membership

#### Present

Councillor Cheryl Barnard (Chair)  
Councillor Corall Jenkins

#### Absent

Councillor Jay Hayes  
Councillor Linda Woodings  
Councillor Audra Wynter

### Colleagues, partners and others in attendance:

Dawn Cafferty	-	Commercial Systems and Strategy Manager
Stephen Chartres	-	Performance and Improvement Manager
James Howe	-	Public Transport Operations Team Leader
Mark Leavesley	-	Governance Officer
Joseph Muir	-	Senior Homelessness Project Officer
Steve Oakley	-	Head of Procurement

### Call-in

Unless stated otherwise, all decisions are subject to call-in. The last date for call-in is 17/01/2024. Decisions cannot be implemented until the working day after this date.

### 49 Chair

In the absence of Councillor Wynter, Councillor Barnard (Vice-Chair) chaired the meeting.

### 50 Apologies for absence

Councillor Hays	)	leave
Councillor Wynter	)	
Councillor Woodings	-	personal

### 51 Declarations of interests

None.

### 52 Minutes

The minutes of the last meeting held on 12 December 2024 were agreed as a correct record and were signed by the Chair presiding at the meeting.

### 53 Tender to secure Book Supply Contract for the Library Service - key decision

Stephen Chartres, Performance and Improvement Manager, presented the report and stated the following:

- a) the report sought approval to continue the Council's membership of the East Midlands and Mid Anglia (EMMA) libraries stock consortium with 8 other library authorities (Cambridgeshire, Derby City, Derbyshire, Leicester City, Leicestershire, Nottinghamshire, Peterborough and Rutland);
- b) working as a consortium allowed member library services to combine their spending power to gain significant discounts on the majority of book stock items purchased, achieving best value and maximising library budgets;
- c) the proposal was for Nottinghamshire County Council to lead and manage the procurement process and provide legal advice, for which each participating authority would pay agreed fees. This would be beneficial to the Council by providing a saving on staff resource and time;
- d) the proposed contract period would be for 4 years, with 2 possible extension periods of 1+1 years, and would commence on 1 April 2024, making a maximum contract period of 6 years;
- e) once suppliers had been agreed and a framework agreement signed, each authority would then enter into separate order and call-off contract agreements.

#### **Resolved to**

- (1) approve participation by Nottingham City Council in the procurement, to be led by Nottinghamshire County Council, of a new consortium-based framework agreement (for a period of 4+1+1 years) for the provision of books for loan and reference via the 15 public libraries across Nottingham and on behalf of HMP Nottingham Prison Library;**
- (2) delegate authority to the Head of Culture and Libraries to sign and award the contract to the successful provider following the procurement process, and any associated orders for the Council for the purchase of adult and children's books, entering individual call-off contracts for the term of the agreement.**

#### Reasons for recommendations

- a) To procure the City's Library Service book supply contract, through a consortium approach, allows member library services to combine their spending power to gain significant discounts on most items purchased, achieving best value for the Council and maximising library budgets.
- b) This is an established consortium, where the City Council has previously benefited from working in a combined way to maximise purchasing power with suppliers.
- c) In approving the request to be a partner organisation in the creation of a supply framework, the leading organisation, in this case Nottinghamshire County Council, has an obligation to act and award in line with Public Contract Regulations, satisfying contract procurement rules of the City Council.

#### Other options considered

- a) Cease having a book supply contract for the purchase of books for the Library Service – Rejected as this would result in a detrimental impact on the Council’s ability to offer a responsive service to meet the current and potential future needs of our Citizens, risking the longer-term literacy and reading levels across our city. It potentially could also result in the City Council being in breach of its statutory duty (Libraries & Museums Act 1964) of delivering a comprehensive and efficient library service.
- b) Nottingham City Council to secure an individual book supply contact for the purchase of its book stock – Rejected as by ‘going it alone’, the City Council would lose the ‘buying power’ and economies of scale that are achieved from a consortium approach. Any discounts would be lost or be minimal and the choice and range of books available may also be restricted. Overall, this would not achieve best value for the Council or the residents of Nottingham.

**54 Tender for the supply and maintenance of bus shelters and free-standing units with and without an advertising concession - key decision**

James Howe, Public Transport Operations Team Leader, presented the report and stated the following:

- a) the Council currently has a 25-year contract, let in 1999, for the supply and maintenance of street furniture with and without advertising, which is due to expire on 31 December 2024;
- b) street furniture in the terms of this contract is specifically bus shelters and Council information panels (CIPs), otherwise termed as Free-Standing Units (FSUs);
- c) the Council’s street furniture estate comprises of 213 advertising bus shelters, 619 non-advertising bus shelters and 27 free standing units, which are located in the city centre;
- d) the incumbent is contracted to supply and maintain the full estate and manage the analogue (paper) advertising aspect. The Council is not involved in the commercial aspect of selling advertising space on these advertising panels;
- e) as per the existing contract, the Council receives an advertising fee. This is off set against the cost to the Council of the on-going supply and maintenance of the bus shelters, resulting in the existing contract being cost neutral overall;
- f) Nottingham has a comprehensive, high quality public transport network that is supported by high quality infrastructure, including excellent passenger waiting facilities, such as bus shelters. These waiting facilities help citizens to complete their public transport journey in a safer and more comfortable manner, and consultation has identified this is important to them;
- g) none of the current advertising panels used within the estate are digital. The use of digital advertising panels has become more prevalent across the Out of Home Media industry in recent years, with technology advancing and becoming less costly;

- h) digitising an estate provides more opportunity for income generation as other local authorities have found in recent years when re-tendering for similar contracts. It provides for a more flexible and dynamic approach for advertisers and removes the laborious nature of physically posting new adverts and the associated costs that come with that (such as printing costs);
- i) a procurement process is necessary to tender for a new contract for the supply and maintenance of bus shelters and FSUs with and without an advertising concession;
- j) a new advertising concession will allow for the provision of digital advertising panels where appropriate, which will make this a more attractive opportunity for potential providers. This, in turn, should provide more income generation for the Council and thereby help alleviate budget pressures.

### Resolved to

- (1) approve commencement of a tender process for a 15-year contract for the supply and maintenance of bus shelters with and without an advertising concession throughout Nottingham and of free-standing council information units with advertising panels within the city centre;**
- (2) delegate authority to the Corporate Director for Growth and City Development, in consultation with the Corporate Director for Finance and Resources, of the preferred procurement strategy, financial performance model and finalised tender documents, and to sign and award a contract to the preferred supplier.**

### Reasons for recommendations

- a) The decision was made not to extend the contract with the incumbent as this would not be commercially beneficial to the Council and would not allow for the existing street furniture to be upgraded to provide digital advertising panels. The tender for the street furniture and the advertising concession will allow for an improved financial outcome for the Council in addition to providing an opportunity to upgrade passenger waiting facilities and have more aesthetically pleasing sleek and slimmer advertising assets in the city centre.
- b) The procurement approach and financial performance model which will feed into the tender specification are being developed. Delegating final project approval for the tender and the appointment of the supplier/s to the Corporate Director for Growth and City Development, in consultation with the Corporate Director for Finance and Resources, will ensure there is suitable project assurance in place and timely approvals to keep the project on track and to programme while maintaining governance. A timely appointment of the supplier/s well ahead of the contract with the incumbent expiring is important as it will allow for any exit agreement to be commenced and managed with the incumbent, if required.
- c) The table below identifies the key project timelines and approvals will be factored into each stage.

<b>Activity</b>	<b>When</b>
Agree preferred financial performance model	By January 2024
Agree preferred procurement strategy	By January 2024
Release tender documents	January - March 2024
Appointment of supplier/s	June 2024
Incumbent contract end date	31 December 2024
New contract/s start date	01 January 2025

Other options considered

- a) Option 1 - to extend the existing JCDecaux contract was rejected as the tender exercise allows for bus shelters to be upgraded and replaced as required and it provides an opportunity to upgrade the contract to provide an increased income stream to the Council through new investment in digital advertising panels on both CIPs and bus shelters were appropriate.
- b) Option 2 - to complete a joint procurement exercise and have a joint contract with Nottinghamshire County Council for the provision of bus shelters and CIPs was rejected. Discussions took place with Nottinghamshire County Council colleagues to try and establish whether there would be an overall net benefit to undertaking a joint procurement exercise.

The County Council have a contract, with a different supplier to the City Council, for the supply of advertising and non-advertising bus shelters that is due to expire on 31 May 2025, which is 5 months after the City Council's contract expires. The County Council contract does not include free-standing advertising units and they have no such contract for that kind of asset with any other supplier.

The initial benefit of a joint procurement would be to achieve a uniform look for the Robin Hood Network branded Greater Nottingham Bus Partnership area and maintain consistent high-quality standards across this key public transport network area. Resources could have been pooled to deliver the procurement more efficiently and to potentially increase the financial outcome for both Councils. However, upon further investigation and discussion amongst Council officers, suppliers and impartial advice from an advertising consultant, this option was rejected for the following key reasons:

- having Robin Hood Network branding and a consistent high-quality standard of waiting facilities is still perfectly achievable should either Council procure independently;
- there would be a guaranteed change of supplier as each Council has a different incumbent supplier, which would result in a definite demobilisation process and the added upheaval that this would bring, which would include constant disruption to different areas of the respective Council areas over a potential period of three years;
- the existing contracts end five months apart, which adds a further complication in terms how that could be dealt with in a mutually acceptable fashion;

- the City Council possesses the potentially more attractive advertising bus shelter sites and has the free-standing units. This could potentially mean the City Council not maximising its own opportunities from a financial viewpoint;
  - there would be an increasing number of stakeholders to engage with and it could be difficult politically to procure jointly. Officer views may also vary by authority and could lead unresolvable disagreements over how the tender process is undertaken;
  - the County Council may choose to consider extending their existing contract arrangements.
- c) Option 3 - to have separate contracts for the supply of shelters and maintenance from the advertising element was rejected as this option would involve buying, rather than leasing bus shelters and CIPs. Some local authorities purchase and own their own non-advertising shelters, but this requires much capital investment upfront. Advertising shelters are usually leased via an advertising concession contract, with the media owner managing the advertising on them;

Separating the supply of non-advertising shelters and advertising shelters would mean certain upheaval and added risk to the Council as there would be a definite need for a new supplier as our incumbent supplier only bids for contracts that include advertising. It would also require significant upfront capital expenditure and additional contracts to manage, in addition to potentially having to deal with a third supplier if the incumbent did also not win the bus shelter with advertising tender. The Council does not possess the necessary internal resources to maintain the non-advertising or advertising shelters. The advertising concessionaires have years of experience, expertise and a high number of regular advertising clients that highly trust and value their services. A local authority would not have the resources, experience or reputation to match their performance and there would be much less potential reward for a very high-risk strategy;

another consideration was whether existing shelters could be purchased. However, the incumbent has stated that their policy is that they can only provide the shelters if they hold the advertising concession contract and can maintain the shelters themselves. As a general stance, they do not permit other contractors or in-house Council teams to maintain their branded shelters to ensure they have sole responsibility for their own reputation.

- d) Option 4 – ‘do nothing’ was rejected as there is a requirement for shelters and CIPs once the current contract expires. Additionally, doing nothing would mean missing out on an opportunity to generate greater income for the Council.

## **55 Employee and citizen travel and accommodation online booking system - key decision**

Joseph Muir, Senior Homelessness Project Officer, presented the report and stated the following:

The spend detailed in the report was approved on 18/12/23 by the s.151 Officer (SCB ref: 1618).

- a) Nottingham City Council has a responsibility for:
- employee welfare and contractual obligations for travelling and accommodation whilst Nottingham City Council employees complete essential tasks detailed within job descriptions;
  - satisfying all statutory duties placed upon the Council to provide emergency accommodation to support and safeguard vulnerable households, assess homeless applications and for the protection of children and young people;
- b) the Council currently uses an online booking system, Click Travel, to book 100% of its travel and accommodation requirements for employees, and over 90% for citizen travel and accommodation;
- c) the Council endeavours to commission a sufficient supply of temporary and supported accommodation to meet its statutory duties to all citizens. However, a continued higher than expected demand for these services means that, in emergency situations or when our temporary and supported accommodation provision is full, the use of the online booking system is required to secure emergency nightly paid accommodation in hotels;
- d) the current Click Travel contract expired on 30 November 2023 and a decision was taken at Nottingham City Council Executive Board on 19 December 2023 to extend the current contract for an interim period of two months to 31 January 2024;
- e) during 2023, a review was completed to assess the future requirements and needs of the Council for corporate travel and short-term accommodation bookings for citizens and to determine whether it is appropriate to call off a new contract for a further longer term fixed period. The review concluded that there is a need for a booking system and that a Direct Call-Off, call off to Click Travel via Lot 1 of the YPO Travel Management Solutions 2 framework was the only feasible option to maintain the possibility of both citizen and corporate bookings
- f) consultation with internal users found the existing system to be effective overall. However, the council seek a further development of the service provided by Click Travel to enable the separation of Corporate and Citizen travel and accommodation bookings and expenditure on usage. With a further breakdown within the citizen booking functionality to distinguish between single person and family households. The reason this is required is to maximise the availability of suppliers within each type of booking arrangement and minimise one negatively impacting on another;
- g) Click Travel is the preferred option to continue to deliver the service to ensure that no disruptions are experienced to:
- employee travel and accommodation;
  - in securing emergency placements to meet statutory duties to citizens;

- h) the Council has determined a need to review and develop an additional process/system to procure other nightly paid and short-term block booking arrangements from accommodation providers who are not registered on Click Travel;
- i) when established, this system could eventually become the primary route of securing emergency accommodation for citizens, particularly those the council is required to accommodate under homelessness duties;
- j) this will be dependent upon market participation and, as the process to develop the supplementary system is yet to be developed, this decision is for the maximum potential spend anticipated through the Click Travel booking system for the contract duration and another report will be submitted to a future meeting outlining the final proposals.

**Resolved to approve a new direct call-off contract, via Lot 1 of the YPO Travel Management Solutions 2 framework, to Click Travel, for a period of three years and ten months from 01 February 2024 to 30 November 2027, at an estimated total cost of £12,788,900.78 (as detailed in the exempt appendix).**

Reasons for recommendation

- a) The Council has an obligation to ensure travel and accommodation arrangements for officers which is necessary in fulfilment of their roles.
- b) The council has a statutory duty to provide emergency accommodation for vulnerable citizens under an assessment criterion.
- c) The council is required to source the accommodation in a way that is compliant with procurement regulations, and which offers best value, quality assurance and auditable use.

Other options considered

- a. To use the current requirements and specification to go out retender - Rejected because the current provider was assessed as being adequate for the Councils usage and that the provider was already part of the YPO Travel Management Solutions 2, Lot 1 framework allowing for Direct Call-Off.
- b. To renew the contract under the current specification - Rejected because of the need to separate citizen and employee travel and further breakdown bookings for single citizens and family households.
- c. Not to review the contract or procure an alternative system - Rejected because of the council's need to secure accommodation when needed in a way that is compliant and offer efficiency to service delivery.

**56 Exclusion of the public**

The Committee agreed to exclude the public from the meeting during consideration of the remaining item in accordance with Section 100A(4) of the Local Government Act

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1972 on the basis that having regard to all the circumstances, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

**57 Exempt appendix - Employee and citizen travel and accommodation online booking system**

The exempt appendix was noted.