

# Nottingham City Council Delegated Decision



**Nottingham**  
**City Council**

Reference Number:	5138
Author:	Martin Harris
Department:	Communities, Environment and Resident Services
Contact:	Martin Harris (Job Title: Senior Greenspace Development Officer, Email: martin.harris@nottinghamcity.gov.uk, Phone: 07985859759)
Subject:	Ice Cream Concessions on Parks
Total Value:	see exempt appendix 1 (Type: Revenue)
Decision Being Taken:	<p>&lt;span style="font-size:12.0pt;font-family:"Arial",sans-serif; mso-fareast-font-family:"Times New Roman";color:navy"&gt;1. To approve the updated concession &amp; procurement of ice cream licenses as per exempt Appendix 1. &lt;span style="font-size:12.0pt;font-family:"Arial",sans-serif; mso-fareast-font-family:"Times New Roman";color:navy"&gt;2. To give permission to engage in a competitive tendering process for the procurement of the new licences. &lt;span style="font-size:12.0pt;font-family:"Arial",sans-serif; mso-fareast-font-family:"Times New Roman";color:navy"&gt;3. To delegate authority to the Strategic Director of Operational &amp; Residents Services to award contracts for the period set out in the report.</p>
Reasons for the Decision(s)	<p>Permission is sought to issue a framework tender for 10 Lots of Ice Cream Concessions, for a contract duration of 5 years with an option to extend for a further 3 years. The service has a successful history of hosting concessions on sites, which helps generate significant income for the City, contributing to the service's Medium Term Financial Plan (MTFP), with additional income from the concession helping improve service provision and provide better value to residents, whilst helping reduce pressures on the general fund. Working with procurement the concessions will be offered through a competitive process.</p>
Other Options Considered:	<p>Not tender out these concessions, This option has been rejected as it will reduce income generating potential for the sites and place additional pressures on core budgets. There will also be potential issues with ice cream vans turning up at sites without permissions. To Tender out the concessions. This option has been accepted as the best option to ensure concession holders accountability, to ensure that concession holders have secured agreements for the pitches which enables their security of tenure and greater opportunities for the concessionaires to invest in their facilities, that they have secured. This additional income will be utilised to help fund the service, reduce general fund pressure and support moves towards self funding delivery.</p>

**Background Papers:** None.

**Published Works:** None.

**Affected Wards:** Basford, Bilborough, Bulwell, Bulwell Forest, Clifton East, Lenton and Wollaton East, Meadows, Sherwood, St Ann's

**Colleague / Councillor Interests:**

**Any Information Exempt from publication:** Yes

**Exempt Information:**

**Description of what is exempt:** Financial information on estimated income from tenders

**An appendix (or appendices) to this decision is exempt from publication under the following paragraph(s) of Schedule 12A of the Local Government Act 1972**

**3 - Information relating to the financial or business affairs of any particular person (including the authority holding that information).** The public interest in maintaining the exemption outweighs the public interest in disclosing the information because disclosing tender pricing may influence prospective bidders and may negatively impact on prices received for tenders.

**Documents exempt from publication:** Appendix 1 - Exempt Financial information for Ice Cream concessions.xlsx

**Consultations:** Those not consulted are not directly affected by the decision, as these are operational decisions.

**Crime and Disorder Implications:** Securing ice-cream concessions on parks provides an additional attraction to visitors thereby increasing footfall of genuine users to the sites.

**Equality:** EIA not required. Reasons: EIA not required. Reasons: There is no proposal for new or changing policies / services / functions or financial decisions that would have a major impact on services.

**Decision Type:** Portfolio Holder

**Subject to Call In:** Yes

**Call In Expiry date:** 02/07/2024

**Advice Sought:** Legal, Finance, Procurement, Other: Eddie Curry(eddie.curry@nottinghamcity.gov.uk)

**Commissioner Comments:** The Commissioner is content for this to proceed.

**Legal Advice:** The report seeks approval to issue a framework tender for 10 lots of ice cream concessions. The proposal raises no significant concerns and is supported, as the council intends to go out to tender to procure the new contracts. Advice provided by Amana Parveen (Solicitor) on 16/05/2024.

**Finance Advice:**

The purpose of this decision is to approve the tender process of ice cream licences in various parks across the city. There are existing licences in place for some parks and this report will be opting to tender for additional lots across the city, tendering for 5-year contracts with an option to extend for a further 3 years.

The value of the decision can vary due to successful bids in the tendering process, which would be covering a 5-year period, with various increases applied. Depending on the option to extend, this value could also increase further.

The assumption around this decision would be that NCC would be successful across the 10 lots, which would result in additional income for the service, funding service expenditure and reducing the pressure on the general fund for the council, supporting the Council's MTFP. If the lots aren't successful however, then there would be no increase to the income target for the service area.

Apart from two of the ten lots, the decision would generate additional funds for service area's expenditure, working towards the service area becoming self-funding as well as contributing further towards the general fund.

Best value would be considered as the department would be tendering through the NCC procurement process, ensuring a fair and appropriate tendering process for the successful bids of the ice cream concession licences.

Once successful lots have been identified and appropriate budget adjustments have been applied, it would be the service area's responsibility to ensure that the income target is met.

Advice provided by  
Sohaib Chaudhry  
Senior Commercial Business Partner (Resident Services)  
7th June 2024.

**Procurement Advice:**

**Procurement colleagues will assist with the tendering process to maximise income generation. Advice provided by Paul Ritchie (Procurement Manager) on 28/05/2024.**

**Other Advice:**

**The Ice cream concessions for the Parks are required to ensure that income generating sites continue to benefit from secured services that are provided by the concession contracts. The retendering of these contracts will enable the Greenspace Service to maintain existing Medium Term Financial Plan income targets.  
Advice provided by Eddie Curry (Head of GreenSpace & Natural Environment) on 08/05/2024.**

**Signatures**

<b>Sam Lux (Executive Member for Carbon Reduction &amp; Culture)</b>
<b>SIGNED and Dated: 24/06/2024</b>
<b>Colin Parr (Corporate Director, CERS)</b>
<b>SIGNED and Dated: 21/06/2024</b>