

Cabinet

28th June 2021

PRESENT:-

Councillors D. R. Hale (Chair), H. Bridges, A. Akbar, J. Black, D. Kirk, G. Lunn, S. McMurray, R. Nicola, R. Pantelakis, and Councillor P. Webster.

IN ATTENDANCE:-

M. Jukes (Chief Executive), M. Jones (Director of Regeneration), I. Anderson (Director of Legal Services and Partnerships), P. Turner (Director of Children, Young People and Family Services), J. Weldon (Director of Public Health and Adult Services), A. Brown (Assistant Director of Finance and Transformation), and L. Scholes (Senior Democratic Services Officer).

J. Moxon (Assistant Director Learning and Skills) – minute 8
R. Skog (Education Governance and Operations Manager) – minute 8
N. Daynes (Head of Adults Commissioning and Procurement) – minute 11-12
A. Codd (Assistant Director Economic Development and Regeneration) – minute 13

APOLOGIES:-

None.

Minute No.	Description/Decision	Action By/Deadline
PROCEDURAL ITEMS		
5	PUBLIC QUESTIONS No public questions were received.	
6	MINUTES OF THE MEETING HELD ON 26th APRIL 2021 Agreed – that the minutes of the meeting held on Monday, 24 th May, 2021, be taken as read and correctly recorded and be signed by the Chair.	
7	DECLARATIONS OF INTEREST Councillor Hale declared a personal interest in minute 11 insofar as he is a Council appointed Director of Kingstown Works Limited.	
NON-EXEMPT ITEMS		
Key Decisions		

8

EVERY CHILD CONNECTED – PROVISION OF DEVICES TO PUPILS IN HULL

The Director of Children, Young People and Family Services submitted a report which provided an update on the 'Every Child Connected' group and sought approval to enter into a procurement exercise to purchase additional devices for the benefit of children and young people in the City.

The comments of the Early Support and Lifelong Learning Overview and Scrutiny Commission when this matter was considered, were submitted for consideration, and were detailed at minute 14.

Members discussed this being more than a simple transaction, it was about empowering young people in the City to use the technology to define their own future, a lot of future careers did not exist yet and it was important that they had the flexibility to learn in the best way they could. As well as the personal benefits, the technology would help increase socio-economic benefits as well as supporting the education of the children in the City.

Members queried the procurement timescales, the officer confirmed that the procurement process was underway with a lot of work already going into it to get it ready. It was hoped that some devices may be available to be issued to students before the end of the school year, however they would need to go through the academies and their IT departments to ensure the technology was configured with the appropriate security and software.

Members also discussed the need for a media release to also include this being about increasing the learning of children in the City this was not just for supporting learning through the pandemic. This was the Council providing the technology as part of its partnership with schools in the City and supporting education in the City. Connectivity was also an issue which needed to be considered, the officer confirmed that this was a longer term project, devices would come with dongles and sim cards to enable instant access, work was ongoing looking at longer term connectivity. There was wider work ongoing in relation to school wifi hotspots and use of Council hotspots. The Early Support and Lifelong Learning Overview and Scrutiny Commission had made a referral to Overview and Scrutiny Management Committee to look at connectivity across the City.

Members also commented on the need to consider how

students would charge these devices when families may be struggling to pay for electricity. The potential use of children's centres to enable students to charge the devices needed to be considered.

Agreed –

- (a) That Director of Legal Services and Partnerships and the Director of Children, Young People and Family Services be delegated authority to progress a procurement exercise using the Technology Products and Associated Services framework (TePAS RM6068) and to award a contract for the purchase of laptops to contribute to the shared city wide initiative being managed in conjunction with schools in the city to provide access to digital technology to children and young people for educational purposes who would otherwise not have that access.
- (b) To authorise the Director Legal Services and Partnerships to progress initiatives with providers to support enabling low cost access to network connectivity.
- (c) That £250k from the Contain Outbreak Management Fund be used to fund the schemes.
- (d) That, following the procurement exercise, the devices are provided to schools and academy trusts in the city to manage and enable their use for those pupils who have been identified as lacking access to devices.

(a) Director of Legal Services and Partnerships and Director of Children, Young People and Family Services

(b) Director Legal Services and Partnerships

(c-d) Director of Children, Young People and Family Services

Reasons for recommendation

- The Coronavirus Pandemic has brought into sharp relief the need for access to digital technology for children and young people in the city to enable them to access educational resources and undertake their school work despite the constraints arising from social distancing strictures.
- The Council has established a steering group ('Every Child Connected') to work with schools and academies in the city to identify pupils who would not have access to equipment without wider support. That work established a need for equipment and connectivity for a significant number of young people across the city.

	<ul style="list-style-type: none"> The steering group has worked with private business in the city and network providers to develop a co-ordinated approach to address the digital deficit facing Hull pupils. The recommendations will allow the Council to contribute to these initiatives through the purchase of devices to complement donations from organisations in the city who share the ambition to ensure that pupils have access to digital learning to support educational outcomes. 	
9	<p>2020/21 PROVISIONAL FINANCIAL OUTTURN</p> <p>The Director of Finance and Transformation (Section 151 Officer) submitted a report which set out the provisional outturn position for 2020/21 with regard to the Council's General Fund Revenue Budget, Schools expenditure, Housing Revenue Account and the Capital Programme.</p> <p>The comments of the Finance and Value for Money Overview and Scrutiny Commission when this matter was considered, were submitted for consideration, and were detailed at minute 14.</p> <p>Members congratulated the Finance Team for doing such a brilliant job with the finances, which had put the MTFP in a better position than expected. The impact of the furlough scheme which was due to end in September was yet to be seen in full and may impact on National Non-Domestic Rates (NNDR) as well as Council Tax, in future multiple year settlements were needed to help Councils and partners plan for a better future. The opening hours of Waste Recycling sites had been increased, these had only been reduced due to financial pressures and the return to longer hours was due to the good management of funding.</p> <p>Members also discussed issues there had been with the supply chain and the funding from the LEP which had helped the authority continue with the housing frontages programme. Members welcomed Housing Related Support having been put back into the financial plan, it would be welcomed by a number of sectors, particularly those that were in receipt of it.</p> <p>Members commented on the investment in the Ice Arena that would hopefully reopen in October.</p> <p>Agreed –</p> <p>(a) That the year-end outturn position relating to the Council's General Fund, Dedicated Schools Grant, Housing Revenue Account and Capital Programme</p>	(a-d) Director of Finance and Transformation

be noted.

- (b) That the additional allocations to 2021/22 Contingency budgets and the COVID Contingency Reserve and additional use of the Capital Receipts flexibility, as per Table 4.1.5, are noted and approved.
- (c) That the Service Area carrying forward of specific resources into 2021/22 as detailed in 4.11 be approved.
- (d) That the revised Capital Programme shown at Appendix D be approved.

Reasons for recommendation

- The General Fund provisional outturn position is in line with previous projections. However, the 201/22 budget's adequacy will need now to be reviewed in light of the outturn position and the ongoing pressures within Children's and Adult as well as the impact of the COVID 19 crisis. At the point of the formal budget monitoring report in July any necessary impacts and adjustments from this pressure will be reflected.
- Although the outturn has been delivered broadly in line with expectations, the financial implications of the COVID 19 emergency and the additional Social care pressures, as considered elsewhere on the agenda, present a significant challenge. Given the future years budget shortfalls outlined within the February Council budget report, appropriate and timely action will be required to maintain the Council's financial stability.
- The review work relating to the DSG has produced a plan to ensure that the High Needs block spend is balanced over the next three years. The risk that any unresolved balance remains for the Council to have to accommodate cannot be allowed to crystallise as there are no resources to absorb such costs.
- The variations against P3 capital forecasts requires the re-profiling of the 2021/22 programme as shown at Appendix D.
- The HRA outturn has seen a small improvement of its position since the last reporting monitoring round, and an overall £2.6m positive movement compared

	to Original Budget.	
10	<p>DIGITISING TRAFFIC REGULATION ORDERS</p> <p>The Director of Legal Services and Partnerships submitted a report which sought the adoption of a digital format for consolidation of existing and the making of subsequent traffic regulation orders (TROs), which would ultimately replace paper based records and make TROs more accessible to users of digital appliances.</p> <p>Members discussed the need to ensure resources were in place and the was staff capacity to monitor.</p> <p>Agreed –</p> <p>(a) To approve the introduction of digital Traffic Regulation Orders (TRO) across the city subject to all TROs being fully compliant with the requirements of the Local Authorities Traffic Orders (Procedure) Regulations 1996 and any subsequent amendments</p> <p>(b) To delegate authority to the Director of Legal Services and Partnerships to make and confirm such individual or consolidated digital Traffic Regulation Orders in accordance with legal process as are necessary to implement citywide coverage and create a comprehensive digital record in consultation with the Assistant Director of Major Projects & Infrastructure.</p> <p><u>Reasons for recommendation</u></p> <ul style="list-style-type: none"> • The Council’s Traffic Regulation Orders are presently maintained in paper form. Several Traffic Regulation Orders may be introduced in the course of each year. The TRO environment provides the framework for both parking and moving restrictions upon the highway and effective management of evolving traffic circulation patterns and demand necessitates on-going detailed review of the paper based orders. • Converting the Traffic Regulation Orders into digital format will enables their presentation in a consistent and combined format through the Council’s website, affording easier access to and greater clarity upon the restrictions that apply, and going forward should help to avoid the potential for discrepancies between the information held in paper based documentation 	(a-b) Director of Legal Services and Partnerships

	<p>and what is physically on the ground. It will avoid the potential for inaccuracies in measurements articulated in text, as the textual version of the order will be generated from the map-based digital data.</p> <ul style="list-style-type: none"> • The virtual data will be accessible in real time through an Open API which is being integrated into the Council's Smart City Platform. This will allow existing and new TRO restrictions to be accessed by artificial intelligence and the use of that data in real time to manage parking and in due course moving traffic orders around the city. • An accessible comprehensive virtual record will provide visualisation of road markings and associated traffic signage linked to TROs. In addition the TRO itself will be in a digital format, publicly accessible via the Hull City Council Website. A digital map based record will also provide paperless consultation to support the legal process for the adoption of new TROs, • Having the virtual form of Traffic Regulation Orders available through an Open API enables accurate communication on where it is possible to park in the city and restrictions that apply on the road system. This will support real time identification of locations for access to space identification of parking bay/loading bay availability and payment for parking, creating digital kerbside management and reducing congestion and obstruction of shop delivery vehicles through a booking platform (such as the developing National Parking Platform sponsored by the Department for Transport). • This approach and the integration of the data into the Smart City Platform contributes to national strategy, and resource planning, providing a key building block for the communication of accurate, digitally available data that car manufacturers are now building into their vehicles to understand restrictions and space availability that apply in a city. 	
11	<p>HULL CARBON NEUTRAL STRATEGY 2030 CORPORATE BUILDINGS LED LIGHTING REPLACEMENT FRAMEWORK</p> <p>(Councillor Hale declared a personal interest in this matter insofar as he is a Council appointed Director of Kingstown Works Limited.)</p>	

The Director of Legal Services and Partnerships submitted a report which sought approval of a framework of contractors to supplement resources in the Council's wholly owned company KWL that would allow for the roll out of the programme over the next 36 months and ensure that projects were delivered within the timescales set within funding agreements.

Members discussed the apparent lack of consultation with Kingstown Works Limited and that paragraph 13.1 should say '2030' in place of '2020'. There needed to be an update of the work that had been done towards the 2030 targets and it was important that meaningful consultation was carried out with partners, the carbon neutral 2030 targets were tough and needed partners to be on board.

Members also discussed paragraph 6.2 and the need to look at the manufacturing and transport costs of the products being bought in. The model of company cars in this country being often around the employee being issued a fuel card which was used over the employee charging a hybrid car at home which would be at cost to them, the whole system needed reviewing. The officer confirmed that the whole life cost, delivery and manufacturing would be built into the procurement process.

Members also commented on the impact on the housing department and the need for all Portfolio Holders to be regularly engaged on the work towards the 2030 targets including how it applied to their areas. Discussion took place on whether it was possible to include requirements for charging points in new developments through supplementary planning guidance and how this could be dealt with in existing places and the issues with retrofitting charging points in other areas of the City. Members highlighted that most areas were either waiting for new technology within the timeframe or were waiting for the government, for Hull the Council were expected to be in the last purchase of large diesel refuse trucks. There would need to be more charging points and supply in some areas.

Moved by Councillor Webster and seconded by Councillor Nicola –

- (a) That Cabinet authorise the acceptance of SALIX funding to supplement Council funding to be committed on a spend to save basis and reported to Cabinet through the quarterly reports on the Capital Programme.

- (b) That Cabinet authorise the commitment of the

(a-f) Director of Legal Services and Partnerships

combined funds to improve the energy efficiency of public buildings in the city working in conjunction with the Council's in-house contractor Kingston Works Limited.

- (c) That Cabinet authorise the appointment of four contractors to a framework contract comprising contractors with the competence to undertake the replacement of existing lighting with LED lighting in corporate buildings to supplement current capacity provided through Kingston Works Limited.
- (d) That Cabinet authorise the offer and award of LED replacement lighting through the framework contract to appointed contractors through individual decision record.
- (e) That consultation take place with Kingstown Works Limited to develop a scheme of works that i) runs in parallel/takes into consideration other electrical schemes, (ii) maximises local employment opportunities and the use of local resources and (iii) builds on the successful delivery of the city wide street lighting LED upgrade.

Moved by Councillor Hale and seconded by Councillor Kirk as an additional recommendation

- (f) That Cabinet receives a further report within three months regarding the proposals to move towards the Council's commitments in 2030.

**Additional recommendation accepted.
Motion carried.**

Reasons for recommendation

- Hull City Council has declared a climate emergency and is committed to being net zero by 2030; in line with that commitment, securing an LED lighting framework strengthens Hull City Council's ability to accelerate deliverables which contribute towards being net zero (both through existing partnering and other means).
- The establishment of a framework contract will ensure that the Council is able to deliver the improvements within timescales set by external grant funders enabling the early realisation of deliverable energy savings.

12	<p>MEDIA ADVERTISING AND MARKETING SERVICES</p> <p>The Director of Legal Services and Partnerships submitted a report which sought approval to tender a contract for the provision of Media Advertising and Marketing Services by means of an EU restricted tender process for a period of 2 years with the option to extend for a further two 12 month periods subject to satisfactory performance.</p> <p>The comments of the Finance and Value for Money Overview and Scrutiny Commission when this matter was considered, were submitted for consideration, and were detailed at minute 14.</p> <p>Members discussed the opportunities afforded by splitting into lots and the comments of the Finance and Value for Money Overview and Scrutiny Commission wishing to see more detail, it was felt this was the same for a number of other contracts.</p> <p>Members also commented that there was no minimum spend on the contract and were supportive of option 3. The officer confirmed that there was no commitment to levels of spend and this was trying to maximise the benefits and success for local businesses.</p> <p>Agreed –</p> <p>(a) That the Director of Legal Services & Partnerships is authorised to invite tenders for a framework contract to cover the provision of media advertising and marketing services following an EU restricted process. The framework shall be split into 4 lots as follows:</p> <ul style="list-style-type: none"> • Lot 1 – Media Advertising • Lot 2 – High Value Marketing, Design and PR Services • Lot 3 – Low Value Marketing, Design and PR Services • Lot 4 – Marketing and Design Services for Theatres and Halls <p>(b) That Lot 1 and 4 are awarded as single supplier frameworks and Lot 2 and 3 are awarded as multi supplier frameworks.</p> <p>(c) That the evaluation criteria for the award of each lot be based on 40/60 price quality split with quality including a social value element.</p>	(a-e) Director of Legal Services & Partnerships
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- (d) That the Director of Legal Services and Partnerships, in consultation with the Portfolio Holder for Corporate Services, be authorised to appoint to the framework the most economically advantageous bidder or bidders for each lot.
- (e) That the Director of Legal Services and Partnerships, in consultation with the Portfolio Holder for Corporate Services, be authorised to extend the framework contract, subject to satisfactory contract performance, for up to a further two 12 months periods and being satisfied that the contract continues to deliver best value, following completion of the initial 2 year term.

Reasons for recommendation

- The Communications and Marketing team do not have sufficient resources to be able to deliver all of the Council's marketing, design and PR requirements therefore a contract is needed to resource requirements that cannot be delivered internally.
- Not all Officers of the Council have sufficient knowledge of media buying to ensure that when arranging advertising direct that best value is obtained. The Communications and Marketing team do not have sufficient resources to be able to deliver the advertising requirements of the whole Council therefore a contract is needed that service areas can be directed towards when advertising is needed and that will ensure that adverts placed achieve the desired outcomes i.e. reach target audiences and deliver best value.
- Appointing a single contractor to the Media Advertising lot to deliver the Council's advertising requirements shall ensure that the Council has greater buying power than if it were to undertake this role internally. Media buying agencies buy on behalf of a number of other organisations which enables them to negotiate higher discounts than a standalone organisation. Added value shall be obtained as the media buying agency shall be able to provide advice to service areas on the most beneficial places, formats, timings to place adverts to achieve the outcomes desired.
- Splitting the wider Marketing Services of design and

	<p>PR by value will enable smaller independent companies, who may not be able to deliver higher value requirements, to submit tenders and, if successful, work with the Council. This also addresses the EU procurement requirement to tender contracts in lots, where appropriate, unless there is a strong rationale for not so doing.</p> <ul style="list-style-type: none"> • As part of the Theatres and Halls service, Hull Culture and Leisure Limited (HCAL) is responsible for presenting and promoting an annual programme of performing arts and entertainment events. This involves working in partnership with producers to deliver productions for the venues. As part of these partnerships there is a need to deliver marketing, media and advertising activities to assist in reaching the financial targets in respect of ticket sales. It is imperative that the brand/artwork requirements of each touring production are adhered to and all activity achieved within the required challenging timescales due to these productions being part of national tours. • A single supplier for the HCAL services lot will enable a fully managed marketing, media advertising and design service allowing for continuity across the service which enables HCAL to work collaboratively on a daily basis, building a relationship with one dedicated service provider that understands the specialist needs of the service. This model will also provide administrative benefits such as single point of contact, reduction in the number of orders and invoices to be paid. • The current contract ends on 31st August 2021, after which if a new contract is not procured it would leave the Council with no contract from 1st September 2021. Procuring these services on an ad hoc basis would lead to an aggregation of expenditure that exceeds the relevant EU threshold for services and therefore place the Council in breach of the Public Contracts Regulations 2015 and the Councils CPR's. 	
13	<p>DEPARTMENT FOR ENVIRONMENT FOOD AND RURAL AFFAIRS, ENVIRONMENT AGENCY- FLOOD RISK MANAGEMENT PLAN – CYCLE 2</p> <p>The Director of Regeneration submitted a report which sought approval of proposed measures created by flood</p>	

risk officers in partnership with Environment Agency to be included in the Environment Agency's Flood Risk Management Plan – cycle 2 update.

The comments of the Planning Committee and Infrastructure and Energy Overview and Scrutiny Commission when this matter was considered, were submitted for consideration, and were detailed at minute 14.

Members discussed the comments from Planning Committee and Infrastructure and Energy Overview and Scrutiny Commission which requested Cabinet defer consideration of this report, Members highlighted that it was the Council's statutory duty to deliver the flood risk plan and for it to be agreed at this meeting in order to achieve the plans. The concerns raised by the ward councillors were outlined in the Local Plan, there was no reason for the deferral. The officer confirmed that the deferral related to Oldfleet drain which had been placed in the draft Environment Agency capital programme for the next 6 years, it was important to ensure the cost and benefits added up to meet the Environment Agency's requirements.

In response to the comments Members were satisfied that the Oldfleet drain issue had been resolved elsewhere and was included in the draft Environment Agency capital programme.

Agreed –

- (a) That Cabinet approve the measures as proposed in Appendix 1 so that they can be included in the EAs FRMP – cycle 2 update.
- (b) The risk of not approving these measures would significantly impact the ongoing partnership working of risk management authorities working in the region to manage flood risk. A multiagency approach is critical for long term sustainable flood risk management in the city.

Reasons for recommendation

- Flood Risk Management Plans are required by law as defined in the Flood Risk Regulations 2009, so Hull City Council have a statutory responsibility to comply with these requirements. Therefore, it is strongly recommended that the objectives are approved by Cabinet so that Hull City Council flood risk officers can continue to work in partnership with

(a-b) Director of Regeneration

	other risk management authorities to effectively manage flood risk in the city.	
14	<p>COMMENTS OF COMMITTEES AND COMMISSIONS</p> <p>The Senior Democratic Services Officer submitted comments in relation to minutes 8-9 and 12-13 from the Council's committees and scrutiny commissions that had considered the reports following the circulation of the agenda for this meeting.</p> <p>Agreed – That the comments be noted.</p>	

Start: 9.30 a.m.
Finish 10.25 a.m.

The above Executive Decisions will come into force and may be implemented on expiry of five working days after the publication of the decisions i.e. 8th July, 2021, unless called in by the Overview and Scrutiny Management Committee.

Published – 30th June, 2021.