



CABINET

**Meeting: Wednesday, 12th November 2014 at 18.00 hours
in Civic Suite, North Warehouse, The Docks, Gloucester, GL1 2EP**

ADDENDUM

The following item was not provided for in the agenda for the meeting; however, the Chair of the meeting has agreed to accept this report as a matter of urgency:

10A	RUGBY WORLD CUP BANNERS - EXEMPTION FROM CONTRACT STANDING ORDERS (PAGES 5 - 8) To consider the report of the Head of Legal and Policy Development and Head of Finance concerning the granting of an exemption to the application of Contract Standing Orders to the procurement of a contractor to sell advertising space for the streetlight and bridge banners erected in connection with the Rugby World Cup.
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The following item although provided for on the agenda front sheet was not available at the time of dispatch:

12.	UPDATE ON GOVERNANCE ARRANGEMENTS FOR GLOUCESTERSHIRE AIRPORT LIMITED (PAGES 9 - 16) To consider a report of the Cabinet Member for Regeneration and Culture concerning the governance arrangements for Gloucestershire Airport Limited. <i>Note: the public are likely to be excluded from the meeting during consideration of this report as it contains exempt information as defined in paragraphs 1 and 3 of Part 1 of schedule 12A to the Local Government Act 1972 (as amended).</i>
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Yours sincerely

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Martin Shields
Corporate Director of Services and Neighbourhoods

NOTES

Disclosable Pecuniary Interests

The duties to register, disclose and not to participate in respect of any matter in which a member has a Disclosable Pecuniary Interest are set out in Chapter 7 of the Localism Act 2011.

Disclosable pecuniary interests are defined in the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012 as follows –

<u>Interest</u>	<u>Prescribed description</u>
Employment, office, trade, profession or vocation	Any employment, office, trade, profession or vocation carried on for profit or gain.
Sponsorship	Any payment or provision of any other financial benefit (other than from the Council) made or provided within the previous 12 months (up to and including the date of notification of the interest) in respect of any expenses incurred by you carrying out duties as a member, or towards your election expenses. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.
Contracts	Any contract which is made between you, your spouse or civil partner or person with whom you are living as a spouse or civil partner (or a body in which you or they have a beneficial interest) and the Council (a) under which goods or services are to be provided or works are to be executed; and (b) which has not been fully discharged
Land	Any beneficial interest in land which is within the Council's area. For this purpose "land" includes an easement, servitude, interest or right in or over land which does not carry with it a right for you, your spouse, civil partner or person with whom you are living as a spouse or civil partner (alone or jointly with another) to occupy the land or to receive income.
Licences	Any licence (alone or jointly with others) to occupy land in the Council's area for a month or longer.
Corporate tenancies	Any tenancy where (to your knowledge) – (a) the landlord is the Council; and (b) the tenant is a body in which you, your spouse or civil partner or a person you are living with as a spouse or civil partner has a beneficial interest
Securities	Any beneficial interest in securities of a body where – (a) that body (to your knowledge) has a place of business or land in the Council's area and

- (b) either –
- i. The total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or
 - ii. If the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which you, your spouse or civil partner or person with whom you are living as a spouse or civil partner has a beneficial interest exceeds one hundredth of the total issued share capital of that class.

For this purpose, “securities” means shares, debentures, debenture stock, loan stock, bonds, units of a collective investment scheme within the meaning of the Financial Services and Markets Act 2000 and other securities of any description, other than money deposited with a building society.

NOTE: the requirements in respect of the registration and disclosure of Disclosable Pecuniary Interests and withdrawing from participating in respect of any matter where you have a Disclosable Pecuniary Interest apply to your interests and those of your spouse or civil partner or person with whom you are living as a spouse or civil partner where you are aware of their interest.

Access to Information

Agendas and reports can be viewed on the Gloucester City Council website: www.gloucester.gov.uk and are available to view five working days prior to the meeting date.

For further details and enquiries about this meeting please contact Tanya Davies, 01452 396125, tanya.davies@gloucester.gov.uk.

For general enquiries about Gloucester City Council’s meetings please contact Democratic Services, 01452 396126, democratic.services@gloucester.gov.uk.

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- You should proceed calmly; do not run and do not use the lifts;
- Do not stop to collect personal belongings;
- Once you are outside, please do not wait immediately next to the building; gather at the assembly point in the car park and await further instructions;
- Do not re-enter the building until told by a member of staff or the fire brigade that it is safe to do so.

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Gloucester City Council

Meeting:	Cabinet	Date:	12 November 2014
Subject:	Rugby World Cup Banners – Exemption from Contract Standing Orders		
Report Of:	Head of Legal and Policy Development and Head of Finance		
Wards Affected:	Westgate		
Key Decision:	No	Budget/Policy Framework:	No
Contact Officer:	Sue Mullins		
	Head of Legal and Policy Development		
	Email: Sue.mullins@gloucester.gov.uk	Tel:	396110
Appendices:	None.		

FOR GENERAL RELEASE

Note: The special circumstances for non-compliance with Access to Information Rule 5 and Section 100B (4) of the Local Government Act 1972 (as amended) (items not considered unless the agenda is open to inspection at least five days in advance of the meeting) were that the information was not available at the time of publication of the agenda.

1.0 Purpose of Report

- 1.1 To recommend that Cabinet grants an exemption to the application of Contract Standing Orders to the procurement of a contractor to sell advertising space for the streetlight and bridge banners erected in connection with the Rugby World Cup.

2.0 Recommendations

- 1.2 Cabinet is asked to **RESOLVE** that an exemption to the application of Contract Standing Orders to the procurement of the contractor to sell advertising space for the streetlight and bridge banners erected in connection with the Rugby World Cup be granted for the reasons set out in this report.

3.0 Background and Key Issues

- 3.1 As part of the City's Rugby World Cup preparations, the Council had to procure street dressing in the form of banners at various sites across the City in time for the 'Year to Go' mark. The banners were in use for a period of 6 weeks from 31 August 2014 to 30 September 2014.
- 3.2 The Council sought competitive quotations for the street dressing and a contractor was selected to provide the street dressing for this period.

- 3.3 The banners will next be required from 1 August 2015 to 31 October 2015 and there is an opportunity to use the banner infrastructure in the meantime, by way of a trial, to establish whether or not use of such banners could successfully generate income for the Council after the Rugby World Cup has ended.
- 3.4 In order to secure maximum benefit from the trial period, it is considered that an exemption from the requirement to procure competitive quotations should be granted to enable the same contractor to be used for the trial period.
- 3.5 The banner programme for the year to go mark was well received and it gave Gloucester as a city an insight into what could be possible post Rugby World Cup 2015 adding to a real sense of legacy.
- 3.6 As part of the revenue generation scheme proposed by the contractor, the Council can expect to receive 20% of all advertisement sold during the trial window. The sale of the space will be managed by the contractor and no input from the Council is required in order to receive the 20%.

4.0 Alternative Options Considered

- 4.1 The Council could seek to procure a contractor through a competitive process but this could lead to delay and a loss of income. The Council is only able to offer a period of 8-9 months before the space will be required in connection with Rugby World Cup advertising and promotion. The opportunity may not therefore be attractive to other providers. If there is a successful trial, the intention would be to conduct a competitive process to enable the space to be used after the RWC has ended.

5.0 Reasons for Recommendations

- 5.1 It is considered that an exemption to the need to procure competitive quotations at this stage will enable the Council to assess the likely benefit of using the space for advertising and provide a lasting legacy after the RWC has ended.

6.0 Future Work and Conclusions

- 6.1 If the trial period is a success, the intention would be to conduct a competitive process to select a contractor to manage the advertising space for a longer contract period.

7.0 Financial Implications

- 7.1 None in terms of expenditure as the infrastructure is already in place. It is anticipated that the use of the space may generate a modest level of income.

(Financial Services have been consulted in the preparation this report.)

8.0 Legal Implications

- 8.1 Under the Constitution, exemptions to Contract Standing Orders can be granted by Cabinet where Cabinet is satisfied that:

- (i) there are legitimate circumstances justifying departure from these Standing Orders;
- (ii) the exception will not contravene any legal requirement, including the Public Contract Rules;
- (iii) a report from the Head of Finance and/or Head of Legal and Policy Development provides evidence that the exception is to the Council's advantage and is necessary to achieve the Council's objectives.

8.2 The proposed exception will not contravene any legal requirement.

(Legal Services have been consulted in the preparation this report.)

9.0 Risk & Opportunity Management Implications

9.1 As this is for a trial period and the infrastructure is in place, risks are minimal.

9.2 There is an opportunity to assess longer term potential benefit from use of space for advertising and to keep 'feel good' factor RWC expected to generate around for as long as possible.

9.3 From a Legacy point of view, use of the banner infrastructure post RWC will enable Gloucester to promote itself as a City and cross promote all events. It will allow the City to showcase itself in the same light as Cheltenham, Bath and York to name but a few. This can only be a positive outcome if procured and managed correctly.

10.0 People Impact Assessment (PIA):

10.1 The PIA Screening Stage was completed and did not identify any potential or actual negative impact, therefore a full PIA was not required.

11.0 Other Corporate Implications

Community Safety

11.1 None.

Sustainability

11.2 None.

Staffing & Trade Union

11.3 None.

Background Documents: None.

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Agenda Item 12

By virtue of paragraph(s) 1, 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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