



## Notice of KEY Executive Decision containing exempt information

This Executive Decision Report is part exempt, and Appendices A and B are not available for public inspection as they contain or relate to exempt information within the meaning of paragraph 3 of Schedule 12A to the Local Government Act 1972. It is exempt because it refers to sensitive financial information, and the public interest in maintaining the exemption outweighs the public interest in disclosing the information

<b>Subject Heading:</b>	Lamp Post Banner Advertising
<b>Decision Maker:</b>	Kathy Freeman, Strategic Director of Resources
<b>Cabinet Member:</b>	Ray Morgan, Leader of the Council
<b>ELT Lead:</b>	Marcus Chrysostomou Head of Communications and Engagement team
<b>Report Author and contact details:</b>	Lorna Waters Commercial and Marketing Manager <a href="mailto:Lorna.waters@havering.gov.uk">Lorna.waters@havering.gov.uk</a> <b>07831 777563</b>
<b>Policy context:</b>	The decision is to be made in line with the procurement policy and guideline
<b>Financial summary:</b>	This contract is estimated to generate income to the Council over its five-year term. Although the exact amount will vary depending on the amount of advertising space sold, it includes a minimum provision over the full five-year term.

**Key Executive Decision**

<b>Reason decision is Key</b>	The winning bidder for this has estimated their company income to be £680,00 over the five year period which is over the £500,000 threshold.
<b>Date notice given of intended decision:</b>	27 November 2025
<b>Relevant Overview &amp; Scrutiny Committee:</b>	Places Overview and Scrutiny Sub Committee
<b>Is it an urgent decision?</b>	<i>no</i>
<b>Is this decision exempt from being called-in?</b>	no

**The subject matter of this report deals with the following Council Objectives**

People - Supporting our residents to stay safe and well

Place - A great place to live, work and enjoy

Resources - Enabling a resident-focused and resilient Council

## Key Executive Decision

### Part A – Report seeking decision

#### **DETAIL OF THE DECISION REQUESTED AND RECOMMENDED ACTION**

For the reasons set out in this report, it is recommended to agree to award a new five year concession contract from January 2026 to Outdo Media Limited for the supply, installation and maintenance of lamp post banners used for advertising within the borough estimated to generate income of £0.442m for Outdo Media Limited and £0.125m for the Council over the life of the contract.

#### **AUTHORITY UNDER WHICH DECISION IS MADE**

##### **Part 3 of the Council's Constitution**

###### **3.3.3 Scheme – Powers common to all Strategic Directors**

###### **1. General**

- 1.1. To take any steps necessary for proper management and administration of allocated portfolios.

###### **4. Contracts**

- 4.2 To award all contracts with a total contract value of below £1,000,000 other than contracts covered by Contract Procedure Rule 16.3. This delegation shall include the ability to extend or vary a contract up to and including a value of £1,000,000 (provided that the extension is in line with the existing contractual provisions.)

#### **STATEMENT OF THE REASONS FOR THE DECISION**

Procurement was undertaken via requests for quotes and the Council had 2 bidders.

Tenders have been assessed on price, quality and market experience.

Appendices including, quality questions and a pricing schedule were attached to the Invitation to tender document (ITT).

The responses to the questions in the appendices along with the prices submitted in the pricing schedule have been evaluated under the criteria and weighting system (see example below).

Following compliance checks, the tenders from Bidder A and Bidder B were evaluated and scored against the evaluation criteria and weightings and bidders have been ranked according to their score.

The bid with the highest ranking was from Outdo Media Limited, which previously also used the name CP Media Limited. Therefore, it is recommended that we award the contract to Bidder B - Outdo Media Limited.

Criteria	Criteria Weighting
Quality	30%
Price	70%
<b>Total</b>	<b>100%</b>

## **Key Executive Decision**

### **OTHER OPTIONS CONSIDERED AND REJECTED**

Supplying lamp post banner advertising in house is not viable as the Council does not have the equipment or resources and it would not be best value to the Council. Awarding to Bidder A would not be viable as they have the lower score and this would not be in line with procurement procedures.

### **PRE-DECISION CONSULTATION**

No formal consultation is required in respect of the recommendations in this report although it is noted that planning approval may be required for advertising arrangements which the concessionaire would be required to arrange

### **NAME AND JOB TITLE OF STAFF MEMBER ADVISING THE DECISION-MAKER**

Name: Lorna Waters

Designation: Commercial and Marketing Manager

Signature: *Lwaters*

Date:01/12/2025

## Key Executive Decision

### **Part B - Assessment of implications and risks**

#### **LEGAL IMPLICATIONS AND RISKS**

Section 19(1) of the Local Government (Miscellaneous Provisions) Act 1976 allows local authorities to provide such recreational facilities as they think fit. The provision of advertising is a recreational facility allowed by that provision.

The Council has the power to make a concession contract for the supply, installation and maintenance of lamp post banners used for advertising through section 111 of the Local Government Act 1972, which allows the Council to do anything which is calculated to facilitate or is conducive or incidental to the discharge of any of its functions, or through its general power of competence under section 1 of the Localism Act 2011 to do anything that individuals generally may do. There are limitations on the general power of competence, but the limitations do not apply to this decision.

The value of the contract is below the relevant threshold for concession contracts in the Procurement Act 2023 (PA) of £5 372 609. Therefore, the award of the contract is not subject to the full PA regime.

For these reasons, the Council can award the contract.

#### **FINANCIAL IMPLICATIONS AND RISKS**

For the reasons set out in this report, the Chief Executive is recommended to agree to award a new five year concession contract from January 2026 to Outdo Media Limited for the supply, installation and maintenance of lamp post banners used for advertising within the borough estimated to generate income to the Council. Outdo Media Limited have estimated will pay the council 65% of the income they receive for advertising. The exact amount and profiling over the five years will depend on the amount of advertising sold. There is also a guaranteed minimum income figure written in to the contract. This was not in the previous contract.

A thorough procurement process was undertaken. This has resulted in the amount of income expected annually increasing by at least 50%. The income achieved will serve to meet existing income targets already contained within the Communications service's budgets.

The option to deliver this service in-house was rejected owing to the specific advertising expertise required coupled with the cost of installing and maintaining the banners.

All maintenance and installations costs associated with this contract will be met by the supplier and there is no capital or revenue expenditure for the Council associated with this contract

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## **Key Executive Decision**

### **HUMAN RESOURCES IMPLICATIONS AND RISKS (AND ACCOMMODATION IMPLICATIONS WHERE RELEVANT)**

There are no HR Implications

## **EQUALITIES AND SOCIAL INCLUSION IMPLICATIONS AND RISKS**

Under Section 149.(1) Equality Act 2010 a public authority must, in the exercise of its functions, have due regard to the need to— (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act; (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it. Note: 'Protected characteristics' are age, sex, race, disability, sexual orientation, marriage and civil partnerships, religion or belief, pregnancy and maternity and gender reassignment. The council is committed to all of the above in the provision, procurement and commissioning of its services, and the employment of its workforce. In addition, the Council is also committed to improving the quality of life and wellbeing for all Havering residents in respect of socio-economics and health determinants.

### **ENVIRONMENTAL AND CLIMATE CHANGE IMPLICATIONS AND RISKS**

The Council will embrace the Environment and Climate Agenda both strategically and globally through its development of footprint reduction initiatives, Climate Action plans and externally delivered services. The Council will strive to minimise negative impacts and optimise positive opportunities delivering the Council's Climate change action plan.

Companies tendering for this contract will have to demonstrate their values align with the Council's Climate Change Action Plan.

## **BACKGROUND PAPERS**

## **APPENDICES**

A Exempt information  
B Exempt Information

## **Key Executive Decision**

### **Part C – Record of decision**

I have made this executive decision in accordance with authority delegated to me by the Leader of the Council and in compliance with the requirements of the Constitution.

#### **Decision**

Proposal agreed

***Delete as applicable***

Proposal NOT agreed because

#### **Details of decision maker**

Signed

Name:

Cabinet Portfolio held:

CMT Member title:

Head of Service title

Other manager title:

Date:

#### **Lodging this notice**

The signed decision notice must be delivered to Committee Services, in the Town Hall.

#### **For use by Committee Administration**

This notice was lodged with me on \_\_\_\_\_

Signed \_\_\_\_\_