

## RECORD OF CONTRACT VARIATION - Within CSO 4.5

Complete this form to record a simple variation or extension that the contract permits in accordance with CSO 4.5 (previously CSO 4.2):

- a negotiated variation provided for within the terms or conditions of the Contract; or
- minor operational changes to the Specification or delivery of the Contract that have minimal, or no effect, on the overall costs of the Contract. (i.e. are individually or cumulatively always less than 20% of the original total contract value or £25,000, whichever is the lower value)

and in each case the terms and conditions remain unchanged and this does not infringe EU Procurement rules.


If the value exceeds the relevant EU Procurement Threshold or you are unsure whether the variation is permitted, complete the full [Record of Contract Variation](#) form to obtain the relevant approval.

<b>Contract Title:</b>	Agreement for the Supply and Maintenance of Street Furniture with and without Advertising	
<b>ProContract Ref:</b>	<b>DN456008</b>	
<b>Current Contract Value :</b>	Concession' type contract with a value of  From 1997 - 2017 it was more like £10 - £20K per annum £200 - 400K for the first 20 years, factoring in the second business rates adjustment  From 2017 - 2021 - £100,000p.a. = £500,000 total Remaining five years  Total 700K- 900K to the Council.  (Estimated value of £15m to the supplier, over the 20-year contract life, based on other local authority publications on OJEU)	
<b>Directorate:</b>	Chief Executive	
<b>Service Area:</b>	Engagement, Culture and Organisational Development	
<b>Contract Manager:</b>	Jonathan Lyons	<b>Ext:</b> 6114

<b>Contract Start Date:</b>	31 August 1997* *Note this contract was unusual insofar as it was supposed to trigger on the implementation of the 100th board, but this trigger was never reached and the contract was effectively in perpetuity. This was subsequently regularised with an extension of five years and a defined endpoint.
<b>Contract Expiry Date:</b>	31 August 2022

**Details of Proposed Variation**

<b>Contract Supplier/s Company Name:</b>	JC Decaux				
<b>Nature of proposed variation:</b>	The COuncil is seeking to extend the current contract by 12 months and a further 6 months (subject to Director's approval without going to CPIC or HPB)				
<b>Have there been any previous variations to this contract?</b>	<table border="1" style="width: 100%; text-align: center;"> <tr> <td style="background-color: #2e8b57; color: white;">Yes</td> <td>YES</td> <td style="background-color: #2e8b57; color: white;">No</td> <td></td> </tr> </table> <p><b>First Variation, 20/12/2001:</b> Following negotiations, JCDecaux given opportunity to install two 48 sheet hoardings (not implemented due to Planning refusal); Value of contract or revenue due Council unchanged.</p> <p><b>Second variation, 22/02/2013:</b> variation implemented advertising industry commitments to Office of Fair Trading: (i) JCDecaux to make 'refunds' for business rates from 31/08/2002 to 31/03/2013 and be responsible for business rates thereafter;(ii) agreement of contract termination date of 31/08/2021.</p> <p>Amount of refunds agreed at £236,304.50.</p> <p>Resulting annual increase in contract value: of £171 per advertising panel or £20,570 per annum or from 31/08/2002.</p> <p><b>Third Variation, 10/04/2017:</b> following negotiations to allow replacement, by JCDeceaux, of advertising panels at 9 locations with digital advertising equipment, subject to Planning consent. Annual revenue to Council increased by £95,879</p>	Yes	YES	No	
Yes	YES	No			
<b>Cost of proposed variation</b>	Zero cost to the Council				
<b>Revised value of contract</b>	£115,084 per annum + £57,542 = <b>£172,626p.a</b>				

<b>Duration of extension and new contract expiry date (if applicable)</b>	12 months. New contract will expire 31/08/2022 with an option for a further 6 month extension (I have been told this will not now happen)		
<b>Contract Management Arrangements</b>	Jonathan Lyons, Head of Marketing and Commercial Services		
<b>Approval of Variation</b>			
<b>Approved by Head of Finance:</b>	The contract value identified above is income to the council not cost, this is a share of advertising revenue.	<b>Date</b>	
<b>Approved by Procurement Category Lead:</b>	This variation is supported, during the extension period a full tendering exercise will be conducted. The extension will allow addition time to ensure that the tender is not rushed and is robust Judith Hughes, Cat Lead, Corporate Service (The assumptions behind this appear to be based on no knowledge of the history and intention of the council to remove these boards. The council should be undertaking a public information led strategy and not an advertising to motorist led strategy).	<b>Date</b>	08/02/21
<b>Approved as per Scheme of Delegation:</b>  <b>Name:</b> <b>Position:</b>		<b>Date</b>	11/03/21 (It seems there was no reference to the CEO who has written to Cllr Stops to state that these boards should be removed.)
<b>Contracts Finder Entry:</b>	For Procurement Use only:	<b>Date</b>	
<b>Contracts Register Entry:</b>	For Procurement Use only:	<b>Date</b>	