

NORTH YORKSHIRE COUNTY COUNCIL

DECISION RECORD

Re: Utilities Broker (Gas)

This record is produced in accordance with the Local Authorities (Executive Arrangements)(Meetings and Access to Information)(England) Regulations 2012

This form should be used to record:

- **EXECUTIVE decisions (key or otherwise) taken by an individual Executive MEMBER; and**
- **EXECUTIVE decisions (key or otherwise) taken by an OFFICER (either alone or in consultation with an Executive Member)**
- **A non-Executive decision taken by an OFFICER which falls into one of the following descriptions:-**
 - (i) under a specific express authorisation; or**
 - (ii) under a general authorisation to officers to take such decisions and, the effect of the decision is to**
 - **grant a permission or licence;**
 - **affect the rights of an individual; or**
 - **award a contract or incur expenditure which, in either case, materially affects that relevant local government body's financial position.**

(One form per decision)

The following decision has been taken: -

Award of gas supply contract to Corona Energy through YPO Framework Agreement 986, for the supply of gas to corporate properties and traded customers from April 2021 to March 2025.

By whom: Gary Fielding, Corporate Director Strategic Resources

On: 2nd July 2020

Was this an executive decision? YES
If an executive decision, was it also a key decision? YES

Reasons for decision: -

North Yorkshire County Council's (the Council's) current gas supply contract expires on 31 March 2021. It is essential, for the continuity of service across both the corporate property estate and traded customers, that a new supply arrangement is in place from 1 April 2021.

Natural gas, as a commodity, is purchased directly from the market. The Service Area does not have the resources available to undertake the direct purchase of commodities, so the Council uses, and will require in the future, a broker to do this. The use of YPO's new gas framework, where YPO act as the broker, is the proposed procurement route.

The urgency for the decision relates to the need to purchase gas ahead of use (12 months), commodity prices are very low at the moment and the sooner the contract is awarded the more advantage can be taken of the current dip in the gas commodity price.

Details of any alternative options considered and rejected: -

This is a re-procurement of existing provision. The current contract is with Corona Energy through YPO Framework 621 (Gas) and commenced on 1 April 2017. This contract will terminate on 31 March 2021 and there are no options to extend.

In order for the Council to purchase gas (and other utilities) directly from the market without using a third-party broker, it would need to employ a specialist with the requisite knowledge and expertise, and this would take time to realise in the event that a broker contract is not secured. Due to the highly specialised knowledge the role would require and responsibilities it would perform, there is a possibility that such a role may never be justifiable or authorised by the Council.

Conflicts of Interest

Please record below details of any conflict of interest declared by a Member or Officer regarding the decision and any dispensation granted by the Standards Committee or Monitoring Officer in respect of that conflict.

Conflict	Dispensation?
None declared.	-

Background Papers

Please attach to this decision notice, for publication, the background papers that disclose any facts or matters on which this decision, or an important part of the decision, was based and which were relied on to a material extent in making the decision, but this does not include published works or those which disclose exempt or confidential information (as defined in Rule 10).

Signed: Gary Fielding

Publication Date: 28 July 2020

Directorate: Central Services

***Note 1 regarding Executive decisions only:
This decision will come into force, and may then be implemented, on the expiry of 5 clear working days after publication, unless any 6 members of the Council object to it and call it in by notice in writing (including e-mail) to The Assistant Chief Executive (Legal and Democratic Services).***

Note 2: non-executive and non-key executive decisions by Officers are not subject to call in.

Contact for further information: Kristina.peat@northyorks.gov.uk

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To: The PA to the Assistant Chief Executive (Legal and Democratic Services) - for onward circulation to:

All Members of the Council; All Management Board; All Management Board Secretaries;
All Senior Managers; All Democratic Services Officers; All Corporate Development
Officers; Senior Press Officer; Communications Officer