

Guildhall Gainsborough
Lincolnshire DN21 2NA
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This meeting will be webcast live and published on the Council's website

SUPPLEMENT AGENDA

Prayers will be conducted prior to the start of the meeting.
Members are welcome to attend.

Notice is hereby given that a meeting of the Council will be held in the Council Chamber - The Guildhall, , on **Monday, 27th January, 2025 at 7.00 pm**, and your attendance at such meeting is hereby requested to transact the following business.

To: Members of West Lindsey District Council

1. MINUTES OF THE PREVIOUS MEETING
To confirm and sign as a correct record the Minutes of the Meeting of Full Council held on 4 November 2024.

(PAGES 3 - 18)

2. QUESTIONS PURSUANT TO COUNCIL PROCEDURE RULE NO. 9
Questions, if received, under this Scheme will be published by way of supplement following closure of the deadline. – NOW ATTACHED

(PAGES 19 - 21)

3. REPORTS FOR DETERMINATION

- c. Appointment of Members to serve on the Committees for the Remainder of the Current Civic Year 2024/2025

In accordance with the provisions of Section 16 of the Local Government and Housing Act 1989, to appoint Members to Committees for the Civic Year, in accordance with the wishes expressed by the Political Groups.

Report with completed appointments NOW ATTACHED.

(PAGES 22 - 27)

- d. Appointment of Committee Chairmen and Vice-Chairman for the remainder of the 2024/25 Civic Year

Report with completed appointments NOW ATTACHED.

(PAGES 28 - 31)

- i. URGENT ITEM: Recommendation from Governance and Audit Committee - Update to Contract Procedure Rules for Procurement Act 2023

This item will be considered as the last item of business following on from the published agenda and the Chairman will make a reason for urgency announcement at the commencement of the meeting.

(PAGES 32 - 81)

Ian Knowles
Head of Paid Service
The Guildhall
Gainsborough

Friday, 24 January 2025

WEST LINDSEY DISTRICT COUNCIL

Minutes of the Meeting of Council held in the Council Chamber - The Guildhall on 4 November 2024 at 7.00 pm.

Present: Councillor Stephen Bunney (Chairman)
Councillor Matthew Boles (Vice-Chairman)

Councillor Emma Bailey	Councillor John Barrett
Councillor Eve Bennett	Councillor Owen Bierley
Councillor Trevor Bridgwood	Councillor Mrs Jackie Brockway
Councillor Liz Clews	Councillor Karen Carless
Councillor Christopher Darcel	Councillor David Dobbie
Councillor Adam Duguid	Councillor Ian Fleetwood
Councillor Paul Howitt-Cowan	Councillor Paul Key
Councillor Mrs Angela Lawrence	Councillor Paul Lee
Councillor Jeanette McGhee	Councillor Peter Morris
Councillor Maureen Palmer	Councillor Roger Patterson
Councillor Roger Pilgrim	Councillor Mrs Diana Rodgers
Councillor Mrs Lesley Rollings	Councillor Tom Smith
Councillor Jim Snee	Councillor Mrs Mandy Snee
Councillor Paul Swift	Councillor Trevor Young

In Attendance:

Sally Grindrod-Smith	Director Planning, Regeneration & Communities
Emma Foy	Director of Corporate Services and Section 151 Officer
Lisa Langdon	Assistant Director People and Democratic (Monitoring Officer)
Katie Storr	Democratic Services & Elections Team Manager

Also in Attendance:

Chairman of Nettleham Parish Council, Councillor Angela White and Vice-Chairman of the Neighbourhood Planning Group John Evans to the meeting.

Apologies

Councillor Frazer Brown
Councillor Jacob Flear
Councillor Sabastian Hague
Councillor Lynda Mullally
Councillor Baptiste Velan
Councillor Moira Westley

36 CHAIRMAN'S WELCOME

The Chairman opened the meeting and welcomed all those present and watching remotely. Special welcome was paid to Chairman of Nettleham Parish Council, Councillor Angela White and Vice-Chairman of the Neighbourhood Planning Group John Evans who would later in the meeting present the reviewed Nettleham Neighbourhood Plan to Members.

37 MINUTES OF THE PREVIOUS MEETING

Having been proposed and seconded, on being put to the vote it was:

RESOLVED that the Minutes of the Meeting of Full Council held on 2 September be confirmed, approved and signed as a correct record.

38 MEMBERS' DECLARATIONS OF INTEREST

Councillor Paul Key declared a personal interest in Agenda Item 9c (Statutory Review of Polling Districts, Polling Stations and Polling Places) given the reference to Gladstone House Social Club of which he was a Committee Member.

Councillor John Barrett declared a personal interest in Agenda Item 9a (Adoption of Neighbourhood Nettleham Plan Review) as he had been involved in the Review.

Councillor Tom Smith declared a personal interest in Motion 2 given its direct mention of Sir Edward Leigh MP, for whom Councillor Smith worked for as Director of Constituency Communications.

39 MATTERS ARISING

The Chairman introduced the report advising Members that it would be taken "as read" unless Members had any questions that they wished to raise.

With no comments or questions and with no requirement to vote, the matters arising were **DULY NOTED**.

40 ANNOUNCEMENTS

Chairman

The Chairman addressed the Council, referencing briefly some of the events in which he had been involved and attended since Council last met, in what had been a busy period.

These had included attending Civic Services for Lincolnshire County Council and Kirton-in-Lindsey Town Council and the Lincoln College Higher Education Graduation Service.

It had been the Chairman's privilege to attend three Heritage Art events, these being: the

launch of Heritage England's New Beginning Community Scheme, which had been held in the magnificent surroundings of the 15th century Gainsborough Old Hall, held in conjunction with the Friends of Gainsborough Old Hall, who were celebrating their 75th anniversary.

The Council's own Trinity Arts Centre had also celebrated its 40th anniversary. The Gainsborough Arts Society had held a celebratory lunch and lecture at which the Chairman had attended. Councillor Howitt-Cowan had supported the Chairman at the event and thanks were paid to him.

The Gainsborough Heritage Association had held an evening reception to celebrate their 30th Anniversary. It had been a fabulous evening, attended by a number of Councillors and had served as a welcome opportunity to learn about the history of the town through the exhibits and shows.

2024 marked the 50th anniversary of the reorganisation of Local Government as laid out in the Local Government Act of 1972. West Lindsey District Council had been formed in 1974. In commemoration of this, the Chairman on behalf of the Authority had hosted a Golden Awards ceremony for the staff, a Civic service and a Reception. He considered all three events had been a great success providing current and past staff and members the opportunity to celebrate the successes of West Lindsey. As part of the celebration, a competition was held to design a commemorative flag, which was on display in the Chamber for the meeting, along with a hanging display showing a timeline of some of the historical moments in the Council's history.

The Chairman further advised of an album being created of the Council's history in more detail. The flag, book and other items would be placed in a special time-capsule to be incorporated in the new cinema complex. The hanging displays would form permanent displays in the Guildhall.

He paid tribute to all the staff involved making the events very successful and memorable and gave them all a round of applause.

Following the motion to Council the previous month regarding an extension to Household Support Fund, the Chairman spoke of his pleasure of learning that the Government had extended the Household Support Fund for a further six months, providing much needed support to those families facing hardship because of the cost of living. The work of the Joseph Rowntree Foundation and other organisations was praised, and it was hoped with continued pressure from such organisations and Councils, further extensions would be considered by the Government.

Bringing announcements to an end, congratulations were paid to Gainsborough Trinity on winning their first-round match in the FA Cup, the first occasion in 76 years. They would now play Harrogate in the second round. He asked Members associated with the club to take the Council's congratulations and best wishes back to the team.

Leader

The Leader made the following address to Council: -

"I have the following items to report: -

RAF Scampton - in recent weeks we have sent a letter to the Minister Dame Angela Eagle calling for an urgent dialogue with ourselves regarding the future of the RAF Scampton and we're still waiting for a response. That was at the time of writing these notes and hoping we do receive a response very soon and I will keep Members updated on that.

Savoy Cinema - a small delegation of Officers and Members recently attended the site visit to see the progress of the building. It was extremely pleasing to see the project progressing on track with the facility planned to be open by June 2025.

Devolution – Devolution has been given the green light by the Government for Greater Lincolnshire. I am attending a growth summit on 15 November to hear the plans for the next stages. We are also working with the seven district authorities on the four seats for the Mayoral County Combined Authority (MCCA) and the other working groups involved around devolution and I will provide further updates on that at future meetings.

The Local Government Association (LGA) conference - I attended the LGA conference, along with the Chief Executive. Attending the conference, provided opportunity to visit both Knaresborough and Harrogate's newly refurbished leisure facilities. This enabled us to further our thoughts and develop our thinking in relation to sports and leisure across the district, and again, that piece of work is progressing.

Peer Challenge Review, January 2025, - we have the next planned peer challenge review in January and we have been working hard with Officers to prepare for that which I must say most likely will involve most Members of the council and Officers and is a really important piece of work for us to do.

And finally, Chairman, the Labour Government's first budget has been announced, £1 .3 million was announced in the budget for local government. The budget gap for the next financial year for local government is £2 .3 million.

So, there's still a further £1 million shortfall. That's just a standstill position. Therefore, across the county, we will continue to see services being cut and fees and charges will continue to increase. £5 million was announced for new housing and we wait to see more detail on how this will unlock more housing locally, especially in relation to affordable housing across the district.

The good news is that UK Shared Prosperity Fund has now been confirmed for a further transitional 12 -month period, albeit at a lower level than previous years.

But that's good news for the authority in terms of the next 12 months”.

In response to the Leader’s Announcements the Leader of the Opposition requested that his Members be fully briefed from the Leader regarding the ongoing work across the Council so expectation could be met in respect of the Peer Review.

The Leader confirmed that the timetable for the planned week visit, would be issued very shortly.

Director of Planning Regeneration and Communities on behalf of the Head of Paid Service

The Director of Planning Regeneration and Communities, addressed Council, on behalf of the Head of Paid Service, and was delighted to start announcements with an update on two areas of collaboration for the District Council that have been recognised through the shortlisting for national awards.

Firstly, the Central Lincolnshire Local Plan had been recognised by the Royal Town Planning Institute having been shortlisted for the National Award for Excellence in Plan-making; wonderful recognition of the ambition of the Local Plan and the collaboration between West Lindsey District Council, North Kesteven, the City of Lincoln and Lincolnshire County Council. The results would be published on the 26th of November.

Secondly, the teams working to support the Step Fusion project in West Burton have been shortlisted in the Collaborative Initiative of the Year by the Institute of Economic Development. The collaboration saw the District Council working closely with UK Industrial Fusion, Bassetlaw District Council, Nottinghamshire County Council and other partners across the region to realise the strategic opportunity that the delivery of fusion energy right on our doorstep here in Gainsborough could bring to the district. The outcome of the awards would be known within the week.

Opportunity was also taken to raise awareness of two live public consultation exercises the District Council were currently undertaking.

Firstly, the Budget Consultation, which was an annual exercise that welcomed views as part of the Council's budget setting process. The consultation could be accessed online. In person events had also been held across the district with the final session being held Wednesday 6 November from 2pm onwards in the Old School Hall in Nettleham.

Secondly, a consultation on the district's emerging economic growth strategy had just gone live. Views were being sought from all stakeholders, including those who lived, worked and traded in West Lindsey, on our strategic approach to growth.

The consultation also invited respondents to reflect on challenges and opportunities for the local economy both now and over the next five years, again the consultation could be accessed online.

Concluding her announcements, the Director of Planning Regeneration and Communities took opportunity to highlight the events pages of the District Council's website which were full of many diverse events across the whole district and within many of the communities including what looked to be pretty spectacular bonfire events over the next couple of days particularly in Market Rasen and Ingham.

Other highlights brought to the attention of Members were the performance of Macbeth at the Broadbent Theatre and a music night hosted by the Rase Heritage Centre. The festive

period would kick off with the Christmas lights festival in Gainsborough on the 15th and 16th of November and tickets were now available for the annual panto at the Trinity Arts Centre, with some performances are already sold out.

This brought announcements to a conclusion.

41 PUBLIC QUESTION TIME

The Chairman advised the meeting that no public questions had been received.

42 QUESTIONS PURSUANT TO COUNCIL PROCEDURE RULE NO. 9

The Chairman advised the meeting that no questions under Procedure Rule No.9 had been submitted by Members.

43 MOTIONS PURSUANT TO COUNCIL PROCEDURE RULE NO. 10

The Chairman advised the meeting that two Motions had been submitted pursuant to Council Procedure Rule No. 10 and these were set out on the agenda.

As the mover of the first motion, Councillor Bridgwood was invited to read aloud his motion to the meeting, as follows: -

“Motion 1 - The development and planning approval process in respect of Battery Electric Storage System (BESS) sites.

The need to switch to renewable energy is well established. As a result, there is a need for large scale development of BESS sites in order to mitigate the fluctuation of renewable energy due to the lack of consistency with solar and wind systems.

A modern well designed and constructed BESS site is, in all probability of very little risk. Based on analysis of incidents involving BESS sites, the majority of incidents occur during the construction and commissioning phase of development.

Generally, the planning process is concerned about the impact of developments in an area when they have been completed.

As such it would seem that the potential risk area for a BESS site, (Construction & Commissioning phase) is currently given little consideration by the current statutory consultees.

The Government published a research briefing on 19 April 2024 <https://researchbriefings.files.parliament.uk/documents/CBP-7621/CBP-7621.pdf>

However, it would appear this provides little clarity and raises further questions (See comments by Paul Christensen, Director Lithiumionsafety Ltd Consultancy in background information attached.

In August 2023 the Government updated its planning practice guidance to encourage developers and local planning authorities to consult their local Fire & Rescue Service on planning applications for BESS sites.

The National Fire Chiefs Council produced a guidance document in April 2023 which was reviewed in July 2024 and went through consultation which closed on 22 August 2024. The final version is yet to be published. <https://nfcc.org.uk/consultation/draft-grid-scale-energy-storage-system-planning-guidance/>

However, the Local Fire Authority (LFA) is not a statutory consultee for planning applications and therefore they do not have to be consulted and even if they are consulted their feedback is only advisory. Furthermore, they are not funded to respond to such consultations which can create capacity issues.

As such currently there is no defined safety regulator.

Even the statutory consultees who are consulted review the applications based on the final site, rather than the Health & Safety issues that could arise during construction and commissioning, the riskiest part of the development. Highways do not consider the implications of a major fire on the local highway network nor the risk of contaminated run-off water in the event of a fire, neither does The Environment Agency.

This technology is fairly new, and development is very fast moving (see background information for number of sites), so there is a lack of legislative control in place. too stricter a regime risks tying up the developing industry.

Given the current situation Council resolves to:

- Lobby the Government (Ministry of Housing, Communities and Local Government (MHCLG) to make Local Fire Authorities statutory consultees in respect of planning applications relating to Renewable Energy Sites and specifically Battery Electric Storage System sites.
- Write to the Local Government Association and Greater Lincolnshire Local Authorities to highlight the current situation and lack of oversight on such developments and request that they too lobby the Government to bring about this national change.

I so move
Councillor Trevor Bridgwood”

Members also noted the background information, attached to the agenda and referenced in the Motion.

Having been duly seconded, the seconder of the Motion took opportunity to make a statement setting out his reasoning for the support, starting with reference to comments made by a market leader only that day on BBC News relating to the instability of some electric vehicle batteries.

The District would also see large scale NSIP projects, and other renewable energy schemes in the near future. With all developers having their own ideas and their own consultants who produced documents, but in reality he concurred with Councillor Bridgwood that there needed to be some level of legislation, nationally, to actually ensure that the safety of the public was at the heart of all such developments.

Acknowledging there was a need to have energy and whilst it could be generated through various renewable means, some of that energy needed to be stored but it needed to be stored in a proper and safe manner.

In seconding the motion, Councillor Fleetwood also undertook to raise the matter at the County Council to ensure that they were fully aware of the issues attached to such developments, not necessarily just through fire and rescue, but through the planning system.

Debate ensued, with Members speaking in support of the motion and the need for national legislation, concerns were expressed that there was tendency for the UK Government to rush towards renewable energy without the basics having been put in place. This was a matter national government needed to address and on being put to the vote it was: -

RESOLVED unanimously that: -

- (a) the District Council lobby the Government (Ministry of Housing, Communities and Local Government (MHCLG) to make Local Fire Authorities statutory consultees in respect of planning applications relating to Renewable Energy Sites and specifically Battery Electric Storage System sites; and
- (b) the relevant Director for the Service area, write to the Local Government Association and Greater Lincolnshire Local Authorities to highlight the current situation and lack of oversight on such developments and request that they too lobby the Government to bring about this national change.

Note: Councillor Ian Fleetwood declared a personal interest in the above item of business as the Chairman of Lincolnshire County Council's Planning Committee.

Motion 2

The Chairman, as the mover of the second motion, read his motion aloud to the meeting as follows: -

"In founding the Metropolitan Police in 1829 Robert Peel created 'modern' policing.

The underlying principle of which is to make the community safer by preventing the occurrence of crime and disorder and by ending the need to tackle anti-social behaviour with military force and severe legal punishment.

The first Metropolitan Police Commissioners Charles Rowan and Richard Mayer stressed the need for the Police and Public to work together in the interests of community welfare. This required the 'Peeler' or 'Bobby' to be seen in public on the 'beat'. The emphasis was very much on community cohesion rather than crime detection.

Peel being clear that if officers spent time on the latter, high levels of anti-social behaviour would continue and the public remain threatened and feeling unsafe.

The current Chief Constable of Lincolnshire Police, Paul Gibson, echoes the aims of Peel, Rowan and Mayer in the document "Making Lincolnshire Safe Strategy 2024 -2025" by making Neighbourhood Policing a major priority for the force as evidenced in the following extracts in the section entitled 'Building Confidence in Policing'.

- " Neighbourhood Policing is effective as it engages creatively with the communities and solves problems"
- " takes a proactive approach to prevention, working in partnership"
- " maximising our visibility"
- " opportunities for collaboration with partners, community groups, schools etc"
- " focus on rural crime and the prevention of harm in the rural communities"
- " expand connections with the community"

Worthwhile aspirations but not being fully met across our district – the limited number of officers and resources available focusing on detecting and solving serious crime – leaving precious few resources and individuals to carry out 'preventative work'.

In some areas levels are so low that Neighbourhood teams are providing minimal part time cover for less than half the week – hardly working with the public to bring about community safety and welfare. In fact, it harbours the opposite – residents do not have confidence in the force and so do not report issues etc. taking the attitude 'there is no point as there are no officers to deal with the concern.'

Both the Chief Constable and Marc Jones, The Police and Crime Commissioner are lobbying The Home Office and Central Government to provide sufficient funding to finance a force that they believe will deliver both the 'preventative' neighbourhood policing and crime detection. So far, they have had little success leaving Lincolnshire Police as the second lowest centrally financed force per head of population in the country at just over £100 per head a total of £89.834m for 2024 -2025.

To this a further £86m is added from local sources – one of the highest contributions per head in the country. Nevertheless, the combined figure of

£174m makes the Authority the least funded force in the country, with the third lowest number of officers per 1000 head of population.

This is detrimental to our low-density rural area where the numbers of officers per head of population need to be higher than the national average to compensate for the time taken travelling between communities and to visit the myriad of hamlets and 'isolated' standalone properties.

This Council resolves to instruct the Chief Executive, Leader and Chairman to write:

- to the Chief Constable and Police Commissioner to support their lobbying for fairer funding for Lincolnshire police to ensure that they can establish and sustain a truly preventative Neighbourhood Policing Structure, alongside an effective detection service, enhancing community safety and well-being in our District.
- to petition Sir Edward Leigh MP, The Home Office and Treasury to provide a realistic funding formula to allow Lincolnshire police to carry out the preventative policing principles laid down by Peel, Rowan and Mayer in 1829 alongside the justice system functions of crime detection.

I so move
Councillor Stephen Bunney”

Having been duly seconded, the seconder addressed the Chamber, adding that following a recent visit by the Police to the Overview and Scrutiny Committee there was a suspicion of underreporting. The importance of reporting incidents and how this supported the Police was stressed.

Debate ensued and the Leader of the Opposition proposed an amendment as removing Sir Edward Leigh and the Treasury from the final paragraph, offering rationale for the amendment which was aimed at strengthening the action and directing it squarely at the department responsible for Policing, the Home Office.

With the amendment duly seconded and Members declining opportunity to debate the amendment, on being put to the vote the amendment was carried.

Further debate ensued with a Member commenting on the current conditions in terms of pay and working conditions for Police Officers, which had led to some of the lowest morale in the police across the country. An annual survey conducted by the Police had found that one in six Police officers reported back that they were thinking of leaving the force. Over half reported stress and low mood exacerbated by their workload and low pay. As such it was important the District Council supported the local force in their persistence for increased resources and funding particularly in rural areas and given recent serious incidents.

Members also commented on how reduced police visibility could feed into underreporting, with communities, historically, knowing their local officer, building community relationships and confidence, something reducing resources had eroded.

The motion as amended, was put to the vote and it was: -

RESOLVED unanimously that: -

- (a) the Chief Executive, Leader and Chairman write to the Chief Constable and Police Commissioner to support their lobbying for fairer funding for Lincolnshire Police to ensure that they can establish and sustain a truly preventative Neighbourhood Policing Structure, alongside an effective detection service, enhancing community safety and well-being in our District; and
- (b) the Chief Executive, Leader and Chairman petition, The Home Office to provide a realistic funding formula to allow Lincolnshire police to carry out the preventative policing principles laid down by Peel, Rowan and Mayer in 1829 alongside the justice system functions of crime detection.

Note: Councillor Tom Smith declared a personal interest in the above motion as his sister was a Police Officer.

44 ADOPTION OF THE NETTLEHAM NEIGHBOURHOOD PLAN REVIEW

Before introducing the report, the Chairman again welcomed Chairman of Nettleham Parish Council, Councillor Angela White and Vice-Chairman of the Neighbourhood Planning Group John Evans to the meeting.

Members gave consideration to a report which sought Members' approval to adopt the review of the neighbourhood plan for the parish of Nettleham.

Members were advised this would be the second reviewed neighbourhood plan to be adopted within West Lindsey and would replace the original neighbourhood plan for Nettleham to form part of the development plan and thereby have a major influence on planning application decisions in the Nettleham parish.

The Nettleham Neighbourhood Plan Review involved two rounds of public consultation and had been successful at both examination and referendum. The referendum, held on Thursday 26 September, saw residents voting 94.56% in favour of the plan with a turnout of nearly 27%

The Chairman moved the recommendations before inviting local Ward Member comment. Councillor Barrett commended the Group for their excellent Plan, spoke of their commitment to getting the task completed, which was no easy feat and required dedication and hard work. He paid tribute to Parish Councillor Mrs White, Mr Evans and all those involved, particularly Chris Higham, before seconding the report.

At the invitation of the Chairman, Parish Councillor Mrs White and Mr Evans made a short address to Council, as follows: -

“Good evening, Chair, Councillors, Chief Executive and Officers of the Council. I am Angela White, Chair of Nettleham Parish Council and member of the working group. I am accompanied by John Evans, former Chair of Nettleham Parish Council and Vice-Chair of the working group.

Thank you for this opportunity to present the Council with our reviewed Nettleham Neighbourhood Plan.

Our original Nettleham Neighbourhood Plan was presented to the Council and adopted in March 2016. It was the first in West Lindsey to be completed with development site allocations. It has been used many times to influence planning decisions for our Parish.

In view of the numerous changes to the NPPF and the CLLP review it was decided that our NP needed to be reviewed to ensure that the policies were not out of date.”

Mr Evans continued the address: -

“Our review which commenced in 2019 was funded mainly by Government grants of £18,000 through Locality. It was originally intended to be a light touch modification, but in view of all the changes in planning law and the evolving CLLP a more detailed change was deemed necessary. Of course Covid 19 played its part in slowing down the consultation process and we also wanted to pace our review with the details emerging in the CLLP review so we were consistent with that plan.

The review group comprised a total of 9, residents and parish councillors, approximately half had worked on the original plan, but new people were welcomed for their fresh ideas. This work was preceded by a detailed Character Assessment of the village. We have taken that information to identify green (biodiversity) corridors and design guides to influence the character of any new developments in the Parish.

We were disappointed that unlike previously the CLLP team decided on new housing numbers and site allocations without prior meaningful consultation with local communities. However we did at least manage to influence the designs of the allocated sites with our site specific design guides.

The Nettleham Neighbourhood Plan was taken to referendum on September 26, 2024 and received a vote in favour of 94% on a turnout of over 26%.”

Concluding the address, the Chairman of the Parish Council, Councillor Mrs White thanked her colleagues on the working group for their commitment and hard work over the past 5 years: Chair, Chris Higham; Vice–Chair John Evans; Cllr John Barrett; Cllr Christine Johnson; Malcolm Leaning; Richard Porter; Terry Williams and Carol Worthington and at West Lindsey Nev Brown, the Neighbourhood Planning Officer and Katie Storr and her team for organising the Referendum. Particular thanks were expressed to Luke Brown, the Group’s planning consultant for his expert help and guidance over the past 5 years and Jan Austin for her excellent Character Assessment.

The Chairman of Council then formally received the Plan from the Chairman of the Parish Council and Mr Evans to a round of applause from all Members.

Debate ensued with both the Leader of Council and Leader of Opposition congratulating the Group on their achievements, with the Leader commenting on how he was inspired by the community involvement, with some of those mentioned in acknowledgements, having served the community for over 50 years. Full recognition of the effort required to complete a Neighbourhood Plan was paid.

The weight, which would now be given to the document when considering planning applications, was also recognised demonstrating how communities could get involved and shape their communities.

Having been proposed and seconded on being put to the vote it was

RESOLVED that: -

- (a) the reviewed Nettleham Neighbourhood Plan be adopted (made) in accordance with the Neighbourhood Planning Regulations 2012; and
- (b) the newly adopted (made) Nettleham Neighbourhood Plan Review September 2024, replace the Nettleham Neighbourhood Plan adopted in March 2016, to form part of the West Lindsey Development Plan for Nettleham parish area.

Following a further round of applause the visitors left the meeting at this point.

45 RECOMMENDATION FROM THE LICENSING COMMITTEE - GAMBLING ACT 2005 STATEMENT OF PRINCIPLES (GAMBLING POLICY) - APPROVAL

Councillor Mrs Snee, in her capacity as Vice Chairman of the Licensing Committee presented the report which sought approval of the Gambling Act 2005 – Statement of Principles, following on from public consultation and having been considered and recommended for adoption from the Licensing Committee.

Members were advised as a licensing authority, West Lindsey District Council were required to publish a statement of principles in relation to gambling licensing. These principles were intended to guide decision makers, applicants, objectors and others regarding the decision-making process in relation to applications.

The statement of principles set out how the Authority would work to fulfil its licensing objectives and determine applications it received.

The functions which the Council exercised within its statutory role as the Licensing Authority played a key role in ensuring that residents, businesses and visitors could enjoy a variety of activities within the District in a safe and regulated manner. The statement of principles helped to ensure that this could continue with the Authority being required to review the

Statement every three years, ensuring it was up-to-date and effective.

With the recommendation having been moved and duly seconded debate ensued.

Members commented on the need to protect and regulate wherever possible. Councillors were keen to understand particularly how children were protected.

Pages 62 to 63 of the policy referenced measures establishments must take to protect children from those activities categorised highest risk.

Exchanges made between Councillors highlighted both the fun side and the devastating impact gambling addictions could have. All concurred on-line gambling caused some of the most significant risk with children exposed to a greater degree than they ever had been. On-line gambling was not regulated by District Council Policies as it fell outside of their jurisdiction.

Members considered the Policy took a proportionate approach to issues and establishments the District Council could influence via legislation and enforcement.

RESOLVED that the recommendation from the Licensing Committee be accepted and in doing so the Gambling Act 2005 – Statement of Principles 2025-2027 be approved for adoption.

46 STATUTORY REVIEW OF POLLING DISTRICTS, POLLING STATIONS AND POLLING PLACES

Members considered a report which set out details of the statutory requirement to review Polling Stations, Places, and Districts. Members noted that compulsory reviews must be held once every five years with the last statutory review having been reported to Council in November 2019.

The process undertaken was set out in Section 3 of the report and a summary of the responses received was set out in Section 4 and Appendix 1.

Arising recommendations for each polling place were contained in Appendix 2. With the vast majority remaining unchanged, where a change was proposed these were summarised at Section 5.4 of the report.

Finally, Members were advised that proposed changes would become effective for the next scheduled polls in May 2025.

Debate ensued and local Ward Member for Scampton welcomed the move back to the Community Centre, agreeing that schools were not the best place for polling stations, moving the paper.

Local Ward Member for Saxilby expressed concerns at the proposal to move the Polling Station for residents of North and South Carlton, suggesting the alternative would pose difficulties and inconvenience for residents and that the Parish Chairman had been unaware.

Officers acknowledged that the comments, a full equality impact assessment had been undertaken, the facilities were below standard, and the Council had a duty to its staff too. All key holders and venues had been contacted as part of the review. The polling station remained within the accepted distance of travel and residents could chose to move to an alternative voting method. Accepting it could be viewed as not ideal, with no other facilities in the village residents already needed to travel for basic services, it really was a difficult balancing act and residents could raise their concerns post the decision.

Concern was expressed regarding the use of Gladstone House, with some Members feeling, given a Member of Council's association with the establishment there was potential for undue influence. Another venue in the area had not been used historically for that reason. Concerns were also expressed that venue had a liquor licence that ran over polling hours. For these reasons it was requested that the word permanent be removed from the report and an alternative found, one suggestion being the Hastings Centre on North Warren Road.

Officers responded, giving assurance that the polling station had worked well, there had been no complaints regarding its use or petitions and its was the duty of staff to ensure it was free from influence on the day.

The Leader of Council voiced his objection, advising he had complained previously but no amendments had been made and he was of the view it was the only licensed polling station.

In response Officers acknowledged there had been a previous complaint from elected Members, the earlier reference meaning public complaints. A number of licensed premises were used for polling stations; however, none were permitted to serve alcohol on the day of polling unless there was a totally separate room away from the polling station.

In response to comments across the Chamber, Officers outlined the various venues which had been approached in the Ward and of the constraints but indicated they were happy to remove the word permanent as requested by Members and investigate further alternatives, if that was the Chamber's wish.

A previous suggestion of deferring the paper was withdrawn. The report, as amended was duly seconded and on that basis it was: -

RESOLVED that:

- (a) the process undertaken, and responses received, summarised in Appendix 1 be noted;
- (b) the proposals for the polling districts, polling places and polling stations in the District, as set out in the analysis of polling stations document attached at Appendix 2 of the report be approved, subject to the word permanent being removed in reference to the polling station at Gladstone House with an alternative to be sourced where feasible; and
- (c) the outcome and recommendations arising from the next statutory review be received by Council not later than November 2029.

Note Councillor Dobbie declared a personal interest in the above item as a Member of Gladstone House Social Club.

The meeting concluded at 8.24 pm.

Chairman

MEETING OF FULL COUNCIL – 27 January 2025.

AGENDA ITEM 7

QUESTIONS RECEIVED PURSUANT TO COUNCIL PROCEDURE RULE NO. 9

1) *Question to the Chairman of Planning Committee, from Councillor Lesley Rollings – Local Ward Member for Scotter and Blyton*

“The unfinished housing development at Hemswell Cliff (Wellington Way,) raises significant concerns regarding urban planning and residents' welfare. As the demand for housing continues to grow, it is imperative that West Lindsey District Council prioritises the completion of these projects and ensures they are delivered in a safe and proper manner.

The developer on this site went into administration, leaving footpaths and roads unfinished. This has caused severe damage to several vehicles and left some residents injured through contact with dangerous extruding drain covers and kerbing, which causes particular problems in darkness. Also, thousands of tonnes of building material has been dumped adjacent to nearby residents properties which can only be described as an environmental disaster.

Despite efforts in recent months by the WLDC enforcement team, the developer now trading under a different business name has failed to keep to their promise of finishing the site and removing the tonnes of building material. The large mound has become overgrown, with building debris dangerously jutting out, causing a particular danger to anyone who might climb on it - particularly children.

Unfinished developments often become eyesores that negatively impact local aesthetics and property values. The implications extend beyond mere economics - they affect community morale and cohesion. Residents deserve a vibrant living environment that reflects their aspirations for growth and stability. Therefore, it is crucial for West Lindsey District Council to provide transparency regarding the reasons behind these delays and outline a concrete plan for moving forward.

Addressing the unfinished housing development at Hemswell Cliff is not just an administrative duty but a moral obligation towards fostering sustainable communities. The council must take decisive action to resume construction efforts and effectively communicate with stakeholders about progress and challenges.

Could the Chairman of Planning please explain why the WLDC enforcement team have not taken firmer action against the developer and outline what legal action can be taken to protect the interests of the local community and restore this site to a safe condition.

Thank you”

**2) Question to the Chairman of the Council, from Councillor Lesley Rollings
– Local Ward Member for Scotter and Blyton**

“In recent weeks the residents of Scotter have yet again been subject to a serious flood incident that involved many properties on Lindholme and Riverside, causing considerable upset and stress. Since 2007 the maintenance of the river running through Scotter and downstream of the village and the maintenance and the operation of the penstock gates at the outlet onto the River Trent has quite frankly been a disgrace.

Members of the Scunthorpe and Gainsborough Water Management board, managed to secure an agreement with the EA that enabled them to carry out maintenance – de-silting and de-weeding, which residents and indeed the Parish Council hoped would improve flow through the village and allow water to get out into the River Trent at low tide, keeping levels as low as possible in preparation for intense rain events. When the Water Management board contractors arrived to begin work, the EA (with astounding promptness) arrived and threatened the contractors with legal action, should they clear more than the centre metre of the river.

The river as it runs into Scotter is a mess – decades of overgrown trees, reeds, bushes etc causing the river to leave its natural course and run through the back gardens onto Lindholme BEFORE the river bursts its bank. The river running through and downstream of Scotter is a mess. It is clear where it originally ran and it is clear where the EA’s re-wilding is slowing the water flow down and decreasing the depth and width of the river.

The Parish Council had earmarked funding as a contribution to enable the work to be completed, but the EA said that they would fund the work and the Parish Council re-allocated the funding to another large community project in the village, only to be disappointed that maintenance had not improved.

The EA had said that in the winter months the gates at the Susworth outlet should *all* be open to keep water levels as low as possible to help get rid of as much water as possible, in preparation for heavy rainfall. But the weekend before the latest flood event, one of the gates was CLOSED causing water to back up in the river. We later found out that the gate was damaged and they were afraid to open it.

The EA promised to automate the opening of the gates, but this has never happened.

There is clearly an issue of conflict between the environmentalists at the EA who want to re-wild the river, protect water voles and those who want to prevent property flooding. However, the river is now so silted up that in drought conditions, the river dries up, killing fish and river creatures.

At every turn, residents who have lived alongside the river without being flooded for decades are now told that the catastrophes are caused by climate change and that we have to accept that some properties will be lost to flooding, when in the case of Scotter, poor maintenance and ridiculous working practices of maintenance teams is largely the cause of the problem.

The residents of Lindholme and Riverside have had enough. They pay council tax but now own houses that they cannot sell and that are worth a fraction of the value of their original Council Tax valuation.

During the flood events, the County Council and the EA are nowhere to be seen, with the District Council left supplying sandbags. We need the County Council, as the lead flood authority to be more actively involved to ensure that all the small improvements and changes that can be made to the river, *are* made.

Chairman in your capacity and through your role on the Lincolnshire County Council Flood group are there any actions you could take to assist in bringing this matter to the attention of those lead authorities these being EA and LCC.

Thank you”

Agenda Item 9c



Council

Monday, 27 January 2025

Subject: Appointment Of Members to the Committees for the remainder of the 2024/25 Civic Year

Report by:

Monitoring Officer

Contact Officer:

Katie Storr
Democratic Services & Elections Team Manager
katie.storr@west-lindsey.gov.uk

Purpose / Summary:

This report sets out the wishes expressed by political groups in respect of the appointment of Members to serve on the Committees of the Council for the remainder of the civic year 2024/2025 as result of the allocations having been amended under Section 15 of the Local Government and Housing Act 1989.

RECOMMENDATION(S):

- (1) In accordance with the provisions of section 16 of the Local Government and Housing Act 1989 and the wishes expressed by political groups, Members be appointed to serve on the Council's Committees for the remainder 2024/2025 civic year as set out within this report or provided verbally at the meeting.**

IMPLICATIONS

Legal:

In accordance with the provisions of section 16 of the Local Government and Housing Act 1989 and the wishes expressed by political groups

Financial :

None directly arising from this report

Staffing :

None directly arising from this report

Equality and Diversity including Human Rights :

None directly arising from this report

Data Protection Implications :

None directly arising from this report

Climate Related Risks and Opportunities:

None directly arising from this report

Section 17 Crime and Disorder Considerations:

None directly arising from this report

Health Implications:

None directly arising from this report

Title and Location of any Background Papers used in the preparation of this report :

Notices received from the Group Leaders on the allocation of Committee/ Sub-Committee places – documents available from the Guildhall, Gainsborough (on request).

Risk Assessment :

Call in and Urgency:

Is the decision one which Rule 14.7 of the Scrutiny Procedure Rules apply?

i.e. is the report exempt from being called in due to urgency (in consultation with C&I chairman)

Yes

No

Key Decision:

A matter which affects two or more wards, or has significant financial implications

Yes

No

1. Introduction

- 1.1 In accordance with the provision of section 16 of the Local Government and Housing Act 1989, it is the duty of the Council to make appointments to Committees in accordance with the wishes expressed by political groups following the determination under section 15 (the allocation of seats to political groups).
- 1.2 Section 2 details the wishes expressed by the political groups.

2. Appointment of Committees

2.1 Chief Officer Employment Committee (8 Members)

Councillor Owen Bierley
Councillor Mrs Jackie Brockway
Councillor Jeanette McGhee
Councillor Peter Morris
Councillor Mrs Lesley Rollings
Councillor Mrs Mandy Snee
Councillor Moira Westley
Councillor Trevor Young

2.2 Corporate Policy and Resources Committee (14 Members)

Councillor Owen Bierley
Councillor Matthew Boles
Councillor Trevor Bridgwood
Councillor Frazer Brown
Councillor Stephen Bunney
Councillor Ian Fleetwood
Councillor Paul Key
Councillor Roger Patterson
Councillor Mrs Lesley Rollings
Councillor Tom Smith
Councillor Mrs Mandy Snee
Councillor Paul Swift
Councillor Trevor Young
CouncillorTBC(Administration Group)

2.3 Governance and Audit Committee (8 Members)

Councillor Stephen Bunney
Councillor Mrs Jackie Brockway
Councillor John Barrett
Councillor Christopher Darcel
Councillor David Dobbie
Councillor Sabastian Hague
Councillor Mrs Angela Lawrence
Councillor Baptiste V

2.4 Licensing Committee (11 Members)

Councillor John Barrett
Councillor Eve Bennett
Councillor Liz Clews
Councillor David Dobbie
Councillor Mrs Angela Lawrence
Councillor Paul Lee
Councillor Maureen Palmer
Councillor Mrs Diana Rodgers
Councillor Jim Snee
Councillor Mrs Mandy Snee
Councillor Baptiste Velan

2.5 Regulatory Committee (11 Members)

Councillor John Barrett
Councillor Eve Bennett
Councillor Liz Clews
Councillor David Dobbie
Councillor Mrs Angela Lawrence
Councillor Paul Lee
Councillor Maureen Palmer
Councillor Mrs Diana Rodgers
Councillor Jim Snee
Councillor Mrs Mandy Snee
Councillor Baptiste Velan

2.6 Planning Committee (14 Members)

Councillor Emma Bailey
Councillor John Barrett
Councillor Owen Bierley
Councillor Matthew Boles
Councillor Karen Carless
Councillor David Dobbie
Councillor Ian Fleetwood
Councillor Sabastian Hague
Councillor Peter Morris
Councillor Roger Patterson
Councillor Roger Pilgrim
Councillor Tom Smith
Councillor Jim Snee
CouncillorTBC(Administration Group)

2.7 Prosperous Communities Committee (14 Members)

Councillor Emma Bailey
Councillor Owen Bierley
Councillor Frazer B

Councillor Stephen Bunney
Councillor Karen Carless
Councillor Chris Darcel
Councillor Jacob Flear
Councillor Paul Lee
Councillor Jeanette McGhee
Councillor Peter Morris
Councillor Roger Patterson
Councillor Mrs Lesley Rollings
Councillor Trevor Young
CouncillorTBC(Administration Group)

2.8 Overview and Scrutiny Committee (14 members)

Councillor John Barrett
Councillor Eve Bennett
Councillor Trevor Bridgwood
Councillor Liz Clews
Councillor Adam Duguid
Councillor Jacob Flear
Councillor Paul Howitt-Cowan
Councillor Paul Key
Councillor Paul Lee
Councillor Lynda Mullally
Councillor Maureen Palmer
Councillor Roger Pilgrim
Councillor Moira Westley
CouncillorTBC(Administration Group)

Agenda Item 9d



Council

Monday, 27 January 2025

Subject: Appointment of Committee Chairmen and Vice-Chairmen for the remainder of the 2024/25 Civic Year

Report by:

Monitoring Officer

Contact Officer:

Katie Storr
Democratic Services & Elections Team Manager
katie.storr@west-lindsey.gov.uk

Purpose / Summary:

Having re-appointed the Committees under Section 16 of the Local Government and Housing Act 1989, this report seeks to re-appoint Chairmen and Vice-Chairmen to each of the Committees for the remainder of the 2024/2025 Civic Year.

RECOMMENDATION(S):

- (1) That Council appoint Chairmen and Vice-Chairmen, as detailed in Table 1 of the report, for the remainder of 2024/25 Civic Year to the following Committees: -
 - (a) Chief Officer Employment Committee
 - (b) Corporate Policy and Resources Committee
 - (c) Planning Committee
 - (d) Governance and Audit Committee
 - (e) Licensing Committee
 - (f) Overview and Scrutiny Committee
 - (g) Regulatory Committee
 - (h) Prosperous Communities Committee

IMPLICATIONS

Legal:

It is the responsibility of Full Council to agree Chairmanships, Vice-Chairmanships annually or following the need to recalculate political balance, resulting in the Committees being re-appointed to, as is the case for this report.

Financial :

Special responsibility allowances are payable to Committee Chairmen and Vice-Chairmen at a rate agreed by the Independent Remuneration Panel. These costs are met from the Members' Allowance budget which is set following any recommendation from the Panel and subsequent approval by Full Council.

The Vice Chairman for both Overview and Scrutiny Committee and the Governance and Audit Committee share the allowance.

The number of Vice-Chairmanships on the Policy and Resources Committee was increased at the AGM in May this has had no impact on the budget at this stage as the allowance will be shared.

This matter will be considered further by the Independent Remuneration Panel in due course and appropriate recommendations made to Council in January 2025 if deemed necessary.

All payable Special Responsibility Allowances in this report can be met from existing budgets.

Staffing :

None directly arising as a result of this report.

Equality and Diversity including Human Rights :

None directly arising as a result of this report.

Data Protection Implications :

None directly arising as a result of this report.

Climate Related Risks and Opportunities:

None directly arising as a result of this report.

Section 17 Crime and Disorder Considerations:

None directly arising as a result of this report.

Health Implications:

None directly arising as a result of this report.

Title and Location of any Background Papers used in the preparation of this report :

Notices received from the Group Leaders on the allocation of Committee/ Sub Committee places – documents available from the Guildhall, Gainsborough (on request).

Risk Assessment :

N/A

Call in and Urgency:

Is the decision one which Rule 14.7 of the Scrutiny Procedure Rules apply?

i.e. is the report exempt from being called in due to urgency (in consultation with C&I chairman)

Yes

No

Key Decision:

A matter which affects two or more wards, or has significant financial implications

Yes

No

1 Introduction

- 1.1 Following the Constitutional changes agreed in March 2019, Council are now the responsible body for the appointment of Chairmen and Vice-Chairmen to each Committee.
- 1.2 Given the Committees have been re-appointed to under regulation 16 as a result of the political balance being recalculated. It is necessary to appoint Chairmen and Vice-Chairmen to serve on each.
- 1.3 Table 1 below sets out the nominations received from the Administration in advance of the meeting for each available position. Counter nominations may be made in the meeting.

Table 1

Committee	Chairman	Vice Chairman/men
Chief Officer Employment Committee	Councillor Moira Westley	Councillor Mandy Snee
Corporate Policy and Resources Committee	Councillor Trevor Young	Councillor Lesley Rollings Councillor Paul Swift
Planning Committee	Councillor Matt Boles	Councillor Jim Snee
Governance and Audit Committee	Councillor Stephen Bunney	Councillor David Dobbie Councillor Velan Baptiste
*Licensing Committee	Councillor Jim Snee	Councillor Mandy Snee
Overview and Scrutiny Committee	Councillor Paul Howitt-Cowan	Councillor Jacob Flear Councillor Moira Westley
*Regulatory Committee	Councillor Jim Snee	Councillor Mandy Snee
Prosperous Communities Committee	Lesley Rollings	Councillor Trevor Young Councillor Emma Bailey

*Position must be held by same person

Agenda Item 9i



Council- URGENT ITEM

Monday, 27 January 2025

**Subject: Recommendation from Governance and Audit Committee:
Update to Contract Procedure Rules for Procurement Act 2023**

Report by:	Director of Corporate Services and Section 151 Officer
Contact Officer:	Emma Foy Director of Corporate Services and Section 151 Officer Emma.foy@west-lindsey.gov.uk
Purpose / Summary:	Governance and Audit Committee recommended to Council approval of the revised Contract Procedure Rules at its meeting on the 21 January 2025. This report requests approval of the revised Contract Procedure Rules as attached at appendix 1.

RECOMMENDATION

Council accepts the recommendation from Governance and Audit Committee to approve the revised Contract Procedure Rules for adoption and implementation as attached at Appendix 1.

IMPLICATIONS

Legal: Risk Management is an essential and necessary function of the Council.

Financial:

There are no financial implications arising from this report however the finance team will work to ensure that all transparency data is correctly published.

Staffing: There are no staffing implications arising from this report. However, training will be provided to Members and Staff on the new policy.

Equality and Diversity including Human Rights:

There are no implications arising from this report.

Data Protection Implications:

There are no implications arising from this report.

Climate Related Risks and Opportunities:

No specific or direct climate related risks and opportunities.

Section 17 Crime and Disorder Considerations:

There are no implications arising from this report.

Health Implications:

There are no implications arising from this report.

Title and Location of any Background Papers used in the preparation of this report:

Procurement Act 2023 previous Contract Procedure Rules.

Risk Assessment:

Call in and Urgency:

Is the decision one which Rule 14.7 of the Scrutiny Procedure Rules apply?

i.e., is the report exempt from being called in due to urgency (in consultation with C&I chairman)

Yes

No

Key Decision:

A matter which affects two or more wards, or has significant financial implications

Yes

No

1.0 Introduction and scope of new legislation

- 1.1 The withdrawal of the UK from the European Union (EU) provided the opportunity for central government to introduce new legislation governing public sector procurement and contract management, as our previous regulations (as detailed in the Public Contract Regulations 2015) were the enactment of an EU Directive.
- 1.2 The resulting Procurement Act received royal ascent in 2023 (with the provisions coming into effect on 28th October 2024) and requires our processes, policies, regulations, constitution and practice to be updated. In line with normal practice, central Government are releasing guidance documents periodically to supplement the Act and as such the changes proposed at this time are not exhaustive but are reflective of the latest guidance available. Additionally, new regulations detailed in the 'Provider Selection Regime 2024' (covering health and social care) came into effect on 1st January 2024 and we are also seeking to formalise the changes required by this legislation. There have been many delays to guidance launched and information available, this covering report is based on the latest information available.
- 1.3 As the new legislation will not operate retrospectively, the Council's existing contracts, as well as procurements which are already underway, are unaffected and will continue to operate under regulations within the Public Contract Regulations (PCR) 2015. This will require the Council to operate under both sets of regulations for some time. The current 'Light Touch Regime' will also remain for certain social, health and education services. The proposed updates to the Constitution, CPPRs and working practices all reflect this position and the changes will apply only to commercial activity which commences from the end of February 2025. The Council has carried out a significant amount of procurement work to ensure that everything that could be procured under the old regulations could be.
- 1.4 Officers have carried out a review of the procurement pipeline. In the period between January and December 2025 there are potentially five procurements that will need to operate under the new regulations. All other procurements are too small to be significantly impacted by the new regulations.
- 1.5 The aim of the legislation is to deliver a simpler, more transparent and efficient system for public sector procurement, that benefits both businesses and the public sector whilst remaining compliant with international obligations. The key objectives of the act are detailed below:

Greater value for money

- Spending less, spending well and spending wisely to maximise public benefit through having regard to a new National Procurement Policy Statement which includes national and local objectives.

Increased transparency and integrity

- Enabling scrutiny of public spending throughout the commercial lifecycle with new requirements to publish data and information during the procurement and contracting stages.

Simpler and more flexible process & practices

- Helping remove barriers for small businesses and social enterprises and increase efficiency through a central platform - containing all opportunities in one place and enabling suppliers to upload their details once for all public sector procurements.

- 1.6 The new commercial process places additional transparency requirements on the Council for large contracts. Further information on spends KPIs and contract management will need to be recorded on a publicly available Government portal. We have no contracts that currently fall under this regime, and we anticipate letting five contracts under this regime within the next 12 months due to anticipated value of contracts in our pipeline.
- 1.7 The new Act only allows for two procurement routes being open where we follow the standard tendering route as prescribed in the procurement act (as now) and competitive flexible where the Council can design its own process. The Council is still able to access frameworks as it has always done, and the Council can use exception processes subject to its own governance and transparency arrangements. There are also amendments to Select Lists and Dynamic Purchasing systems where we would buy products not from one supplier but a pool of suppliers. This is used where an organisation is procuring very large volumes of similar items and it is highly unlikely that this authority would ever procure using these methods so whilst provision for these areas is provided in our new regulations it is not expected they will be utilised.
- 1.8 The Act encourages better use of early market engagement prior to procurements taking place and use supplier engagement to help shape the procedure, award criteria and timetable as well as the opportunity to explore more innovative solutions with the market. We can use this to develop a pipeline of local suppliers for our procurements.
- 1.9 The Act whilst retaining value for money at the core promotes that we evaluate and favour the Most Advantageous Tender (MAT) as opposed to the previous required to award to the Most Economically Advantageous Tender (MEAT). This enables local and national priorities to be considered more easily.

1.10 The Act assumes that there will be a strict assessment, management and mitigation of conflicts of interest in the procurement process whether these be actual, potential or perceived. The Council will continue to seek declarations of interest at all stages of the procurement process and mitigate risks with the Monitoring Officer where needed.

1.11 New transparency arrangements will require us to publish a wider range of commercial information which we do not routinely publish for our largest contracts. As further guidance on this is issued Finance, Procurement and Legal Services will work together to produce this. It includes the publication of contract, changes, modifications and terminations of significant contracts. Setting out KPIs for significant contracts and recording and publishing spend data.

1.12 There will be new grounds for excluding other suppliers connected with the bidding supplier to stop suppliers that fail dissolving the business and setting up in a new name. There will also be a national debarment list which will include suppliers to be excluded from all future public sector activity.

2.0 **Proposed Operating Practices under the new act.**

To date Procurement Lincs and our own officers have trained all staff carrying our procurements on navigating the new procurement act, further training will be required. Contracts that cannot be let under light touch processes (i.e., the most significant contracts) have been identified, all of these procurements will be delivered by our officers and Procurement Lincs staff. We have also strengthened or conflict of interest process. The attached contract procedure rules have been drafted for approval and a toolkit will be developed to enable staff to carry out effective and efficient procurement processes supported by specialists. An Internal Audit of procurement will take place in February 2025 and its findings will be reported to the Governance and Audit Committee who will also receive bi-annual reports on both implementation of the Act and Procurement Exceptions granted.

3.0 **Detailed revisions to the Contract Procedure Rules to comply with the Act.**

3.1 Updates to the Contract Regulations include:

- The requirement to comply with the Procurement Act 2023 and the health. Care Services (Provider Selection Regime) Regulations 2023.
- The need to have regard to new Procurement Objectives as set out in Procurement Act 2023.
- That conflict of interests must be proactively monitored pre and post. procurement and declarations made accordingly.
- The existence of the new competitive flexible procedure and the change in

award criteria to “Most Advantageous Tender” for procurements issued on or after the 28 October 2024.

- Reference to the new Central Debarment List and that decisions as to which suppliers may be excluded from a procurement are to be made on a case - by- case basis.
- The requirement that all contracts awarded including those awarded via an Exception Report with a value of over £5000 must be recorded on the Council's Contract Register to be held by the Commercial Team including extensions.

3.2 The opportunity of updating Contract Regulations has been used so to further enhance existing wording in the Regulations including:

- Linking conflict of interest wording expressly to both Members and Officers Codes of Conduct, Councillor involvement in Commercial Transactions and the Gift and Hospitality Protocols in Part 5 of the Constitution.
- Additional clarificatory drafting in respect of reporting requirements for exceptions.
- Emphasise the need to contact the Procurement Officers in respect of all procurement activity for the Council.



Contract and Procurement Procedure Rules (CPPRs)

Effective February 2025

Version number	Date	Page/Paragraph Ref	Amendment
1	04/12/24		

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Scope and Responsibilities

1 Scope and Responsibilities

West Lindsey District Council operates a procurement service with support and advice from the Procurement Lincolnshire (PL) shared service. This document is adapted from materials provided by the shared service.

1.1 Scope of Contract Procurement and Procedure Rules

- 1.1.1 These procedures inform of the mandatory minimum requirements for undertaking procurements and forming contracts. They must be followed. A glossary of terms is provided in Appendix 1.
- 1.1.2 Following approval, this document sits within the Council's Constitution.
- 1.1.3 These CPPR's do not contain procedures relating to making payment or undertaking purchasing activities such as raising purchase orders or using purchasing cards. These processes are found within the Financial Procedure Rules.
- 1.1.4 All values quoted within these CPPR's are inclusive of any Value Added Tax (VAT), where applicable.
- 1.1.5 As set out in the document, Officers should obtain advice from the relevant Procurement Resource, as soon as possible when a procurement is required. Some useful contacts:

Procurement Resource	Business Development Officer Contracts and Procurement. anna.grieve@west-lindsey.gov.uk Procurement Lincolnshire (PL) procurement.lincolnshire@lincolnshire.gov.uk
Information Assurance	Data Protection Officer tom.carrington@west-lindsey.gov.uk
Compliance	Monitoring Officer Lisa.Langdon@west-lindsey.gov.uk
Legal Services	legalservices@lincolnshire.gov.uk

1.2 Basic Principles

1.2.1 A “contract” is any arrangement made by, or on behalf of, the Council, including arrangements for:

- a) The supply of goods;
- b) The execution of works;
- c) The delivery of services;
- d) The hire, rental, repair, maintenance or lease of goods or equipment

1.2.2 For the purpose of these CPPRs, “contracts” do not include:

- a) Contracts of employment which make an individual a direct employee of the Council;
- b) Agreements regarding the acquisition, disposal or transfer of land (Financial Regulations apply to these);
- c) Documents dealing with the award and use of Grant Monies

1.2.3 All contracting activity must:

- a) Comply with these CPPR’s; the Council’s Financial Procedures; applicable Grant fund spending regulations and relevant applicable legislation including the Public Contracts Regulations 2015 (PCR2015), Procurement Act 2023 (PA 2023).
- b) Have regard to statutory guidance released by the Cabinet Office and as required by PA 2023 (Procurement Policy Notes (PPN)).
- c) Have regard to national procurement objectives, the National Procurement Policy Statement (NPPS), which may be updated from time to time but currently include:
 - i. Achieving best value for public money
 - ii. Acting and being seen to act with integrity
 - iii. Maximising the public benefit
 - iv. Sharing information
 - v. Ensuring fairness, treating suppliers equally and not putting any supplier at an unfair advantage or disadvantage.
 - vi. Having regard to inclusion of Small and Medium size Enterprises (SMEs) and removing barriers that they may face to tender for the Council’s opportunities.
- d) Be consistent with the Council’s corporate plan and strategies
- e) Be legitimate, lawful and within the budget and policy framework

1.2.4 No use of the Procurement Exception Process nor use of the Provider Selection Regime (PSR) (current Standard Selection Questionnaire (SSQ)) is to be undertaken

by Officers without obtaining prior advice on the applicability and use of such process(es) from the relevant Procurement Resource.

1.3 Joint Commissioning and Procurement

- 1.3.1 Before any contract is entered into in collaboration with other public sector bodies, such as other Local Authorities, advice should be obtained from the relevant Procurement Resource, as the procurement may require approvals through Management Team or Committee.
- 1.3.2 Where a new agreement is put in place to establish a working arrangement with another public body that goes beyond a single requirement; commercial advice should be obtained from PL prior to entering into any agreement.
- 1.3.3 When a requirement is jointly commissioned or procured with other public sector bodies the following procedures shall apply:
- a) Officers will consult their Procurement Resource as soon as they are aware of such a requirement.
 - b) The authorities involved will decide which of them is to act as the lead authority for the particular contract to be commissioned.
 - c) The procedures of the lead authority shall be followed. Where a competitive process is undertaken no exception to these CPPRs is required.

1.4 Responsibilities

- 1.4.1 The Director of Corporate Services (Section 151) - has delegated responsibility for:
- a) Ensuring that procedures for procurement and contracting are sound and properly administered.
 - b) For ensuring all income and expenditure is lawful.
 - c) Ensuring that contracts are not split into smaller parts to avoid the necessary procurement procedures.
 - d) Monitoring the use of exceptions to these procedures as set out in this document.
- 1.4.2 **Directors' Responsibilities**
- Directors and Assistant Directors are responsible for:
- a) Ensuring all staff comply with transparency legislation by providing information to the Procurement Resource to ensure the details of all contracts valued at £5,000 and above are provided for completion of the Council's electronic Contract Register including any extensions and approved exceptions.

- b) Ensure that exceptions are sent to the Procurement Resource to be kept in a register of exceptions. The use of exceptions will be monitored by the Section 151 Officer and reported quarterly to Governance and Audit Committee.
- c) Ensure that a contract is signed by the Council and Supplier prior to any work commencing on the contract and that Officers provide an electronic copy of the signed contract to the Procurement Resource (where the contract is formed otherwise than by way of a purchase order).
- d) Ensure all staff work with their Procurement Resource in line with these rules.
- e) The appointment of consultants is in accordance with these rules and all contracts relating to the appointment of a consultant, where the value is above £5,000 is recorded on the Council's Contract Register.
- f) Ensuring all staff are aware of their responsibilities under these procedures and receive adequate training.

1.4.3 **Officer Responsibilities**

Officers are responsible for:

- a) Seeking advice from their Procurement Resource in accordance with these rules at an early stage and particularly when a procurement need has been identified. Officers will need to comply with these rules.
- b) Complying with appropriate legislation including the PCR 2015, PA 2023; the Councils Constitution, Financial Procedures, and these CPPR's.
- c) Seek advice from the Procurement Resource to identify if a suitable existing contract or Framework Agreement exists.
- d) Ensuring compliance with transparency legislation by providing information to the Procurement Resource to ensure the details of all contracts valued at £5,000 and above are provided for completion of the Council's electronic Contract Register including any extensions and approved exceptions.
- e) When appointing a consultant, the appropriate procedures in this document are followed.
- f) Seeking to protect the Council from the commercial and operational risks of TUPE by seeking advice from the Procurement Resource if required.
- g) Using the Council's e-tendering portal for all Request for Quotations and Tendering processes above £5,000.
- h) Comply with the procurement Conflict of Interest process.

1.4.4 Prior to the advertisement of any procurement by the Procurement Resource, officers using the template provided, must submit a summary of their Pre-Market Engagement activity for review by the Procurement Resource.

1.4.5 **Procurement Resource Responsibilities**

The Procurement Resource is responsible for :

- a) Complying with appropriate legislation including the PCR 2015, PA 2023; The Councils Constitution and these CPPR's. The Procurement Resource must pay due regard to any relevant statutory guidance issued from time to time by the Cabinet Office.
- b) Check whether a suitable existing contract or Framework Agreement (including EPSO, CCS) exists before undertaking any commissioning activity. Where such an agreement exists an assessment should be undertaken to determine if it is the best route to market and demonstrates value for money, particularly in the case of frameworks that can be called off from without competition. The recommended route to market must be recorded within the Procurement Strategy.
- c) Complying with all Notice and Transparency obligations.
- d) Supporting and advising Officers on procurement and commercial activity that are below threshold (see financial threshold limits at Section 2, para. 2.3).
- e) Managing the procurement process for above threshold contracts shall be conducted by the shared service Procurement Resource.
- f) Manage the Council's conflict of interest process.
- g) Recording the Councils Pre-Market Engagement conclusion summaries.

1.4.6 **Contract Manager Responsibilities**

Contract Managers are responsible for:

- a) Managing contracts in accordance with the Councils Contract and Risk Management Guidance document, so that a requirement is delivered in line with the contract terms.
- b) Complying with all transparency requirements during the management of the contract including when modifying contracts.
- c) Keep under review the value of contracts that are modified where permitted by legislation and consider if they become a convertible contract or exceed £5 million in value.
- d) Seeking appropriate advice from Procurement Resource in the event of supplier poor performance.
- e) Monitoring Suppliers performance against the requirements of the Contract including monitoring performance against Key Performance Indicators (KPIs) and reporting this performance where required.

1.5 Conflicts of Interest

- a) The Council must act with integrity when it undertakes any procurement activity, and a conflict-of-interest process needs to be followed. This section needs to be read alongside the Members and Officers Codes of Conduct, and any other relevant Council Protocols and procedures as set out in the Council's Constitution

relating to the management of fraud, bribery, corruption, bias, conduct in public life and any other internal business or organisational rules.

- b) A conflict of interest arises in a procurement context where there is a conflict between the interests of a person acting in relation to a procurement and those of the procurement itself. Conflicts of Interest relate to 'actual' conflicts or a 'potential' Conflict of Interest which may turn into an actual conflict if certain circumstances occur. A 'perceived' Conflict of Interest may also arise where it may be wrongly understood that there is a conflict.
- c) The Procurement Resource will advise on the process and specific steps required to mitigate and manage Conflicts of Interest, particularly if there is a conflict, or a potential conflict relating to a commercial matter. Steps will include but not limited to completing declarations of interest, checks of pre-existing declarations and any central registers held within the Council.
- d) Officers and the Procurement Resource will need to identify and keep under review actual and potential conflicts of interest. A formal conflict assessment will need to be prepared and this will need to be published with transparency notices and updated as necessary during the life of the procurement. The conflict assessment statement will also address any perceived conflicts of interest.
- e) Any conflict of interests identified within a procurement will be dealt with on a case-by-case basis. Officers and the Procurement Resource will take every step to mitigate the conflict of interest, and these mitigations will be published in the conflict assessment statement.
- f) Suppliers are to be excluded from a procurement whereby a conflict of interest puts the supplier at an unfair advantage and if steps cannot be taken to avoid the advantage or the supplier refuses to take any necessary steps to remove the conflict.
- g) For below threshold procurements, the principles around Conflicts of Interest still apply however the formal publication of conflict assessment statements are not required. Officers should seek advice from the Procurement Resource where required.

Selecting the correct procurement route

Including above and below threshold contracts and exceptions to the normal tendering route.

2 Procurement Routes and Pre-Procurement Considerations

2.1 Calculating the Estimated Total Contract Value

- 2.1.1 Before undertaking a procurement, exercise or contract modification Officers must calculate the Total Contract Value. The Total Contract Value includes VAT. Officers shall follow Council guidance on how to do this and seek advice from the relevant Procurement Resource where required.
- 2.1.2 Total contract value must be the maximum value payable under the whole contract lifecycle including implementation and exit arrangements. It must also consider any potential variables including:
- a) Options to supply additional goods/services/works.
 - b) Options to extend or renew the contract.
 - c) Price rises provided for in the contract.
 - d) The value of any goods, services or works provided by the Council under the contract other than payment.
- 2.1.3 Officers must not separate a requirement into smaller contracts to avoid a higher threshold procurement. unless there is a justifiable reason and approved by MT.
- 2.1.4 Where possible Officers should look to combine requirements with other service areas to avoid duplication of contracts and to increase the commercial attractiveness of opportunities.
- 2.1.5 Where it is not possible to calculate a contract value the Contract must be treated as above threshold and Officers must seek advice from their Procurement Resource before proceeding.

2.2 Procurement Routes

The relevant Procurement Resource will advise Officers whether an existing framework or existing Council corporate contract is available and should be used to demonstrate value for money.

Contract Type	Contract Value		Process	Award Procedure based on	Contract Publication	Documentation
	From	To				
All	£0	£5,000	Request for Quotation	One quotation sought – direct approach to single supplier.	Not required.	Officer to record details Local supplier to be used where appropriate (or reason for not using recorded).
All	£5,001	£30,000	Request for Quotations	At least two written quotations sought based on a simplified RFQ document with appropriate T&Cs At least one local supplier to be invited where possible.	Not required	Local supplier to be used where appropriate (or reason for not using recorded).
All	£30,001	PA 2023 Services Threshold (see para 2.3)	Request for Quotation	At least four written quotations (no group relationship) sought based on an RFQ document with appropriate T&Cs	Must be placed on Find a Tender Service first, if in addition wherever the Council chooses to advertise,	Must be based on a written specification with appropriate terms and conditions

Contract Type	Contract Value		Process	Award Procedure based on	Contract Publication	Documentation
	From	To				
				At least two local suppliers to be invited where possible.		
Supplies and Services	Above Services Threshold		Formal tender	Full tender process	Find a Tender Service, Pro-Contract Specialist publication, if appropriate, after advertised on Find a Tender Service	As required by the PA 2023 and detailed in the CPPR's
Works	Services Threshold (£214,904)	Works Threshold (£5,372,609)	Request for Quotation	At least five quotations based on an ITT document with appropriate T&Cs At least two local suppliers to be invited where possible.	Find a Tender Service, Pro-Contract, and Contracts Finder Specialist publication if appropriate	Must be based on a written specification with appropriate terms and conditions
Works	Above Works threshold		Formal Tender	Full tender process	Find a Tender Service, Pro-Contract, and Contracts Finder Specialist publication if appropriate	As required by the PA 2023 and detailed in the CPPRs

2.3 Legal Thresholds

2.3.1 The Thresholds that are prescribed by the Public Contracts Regulations 2015 are:

Type	Threshold
Supplies/ Services	£214,904
Works	£5,372,609
Light Touch Regime (applies to certain social, health, educational services)	£663,540

2.3.2 The PA2023 Schedule 1 Thresholds are updated by the Government every two years, most recently issued during January 2023, via a Procurement Policy Notice (PPN), when changes are made these CPPRs will be updated accordingly.

2.3.3 If the Total Contract Value is above these thresholds, then the Above Threshold process as outlined in this document must be followed. Failure to do so will result in a breach of the Procurement Regulations.

2.4 Pre-Procurement Considerations

2.4.1 Before undertaking a procurement, the officer shall:

- Consider all other means of satisfying the need (including recycling and re-use where appropriate);
- Take advice as necessary from the Council's Procurement Resource;
- Consider whether there is a Dynamic Market or Framework Agreement already in place that should be used;
- Engage with the market (see guidance within this document):

3 Governance and Exceptions to the Normal Tendering route

3.1 Governance

- 3.1.1 Prior to undertaking any procurement activity, the Officer must ensure that all the necessary governance processes have been followed and approvals obtained from Management Team, Commercial Board, Change Management Team or Committee and therefore plenty of time should be allowed for this.
- 3.1.2 Officers must seek advice from the relevant Procurement Resource to determine the correct procurement route.

3.2 Exceptions to the Normal Tendering Routes

- 3.2.1 Exceptions are provided for in exceptional circumstances where the Section 151 Officer believes that a normal tendering procedure cannot be followed.
- 3.2.2 If the Procurement Thresholds are exceeded, then an exception may not be legal. There are only limited circumstances where it is permitted to award a contract to a supplier without first running a competitive tendering procedure. Any exception must be discussed with the relevant Procurement Resource before any decision is made.
- 3.2.3 In these exceptional circumstances the authority must be obtained prior to contract award, from the following:

Contract Value		Who Approves	Process
From	To		
Above Threshold		Relevant Committee	Option A - Written Report via MT
£75,000	£214,904	Section 151 Officer in consultation with the Management Team	Option B - Written Report
£0	£75,000	Section 151 Officer	Option C - Written Report

Note: The Options are:

- A. Tendering exercise would not achieve best value, and the value of the contract is above the published threshold value.

- B. Quotation or Tender differs marginally from the original specification, only one potential supplier or contractor, and the value of the contract is between £75,000 and the CCS published threshold value.
- C. Value is below £75,000 , the requirement is of an urgent nature , social value is of high importance there is only one supplier or contractor and there is an unforeseen event.

3.2.4 Advice to be sought from the relevant Procurement Resource prior to submission of any Report for the purpose of an Exception to the normal tendering route. Officers are to send a copy of any exception report to the Business Development Officer Contracts and Procurement to be kept on the Register of Exceptions.

3.3 Urgency

3.3.1 In the event of an unforeseeable urgent or emergency to the normal tendering routes, Section 5 of the Procurement Act 2023 allows for the Direct Award of a contract subject to the urgent emergency protocol criteria being met. These cannot be situations that are attributable to the actions of the Council. If an Officer considers an urgent requirement has arisen, then you must consult the relevant Procurement Resource prior to awarding a contract.

3.3.2 The relevant Procurement Resource must put in place a contract that includes a commercially acceptable set of terms and conditions and a specification.

4 Specific requirements for certain types of procurement

4.1 Procuring with External Grant Monies

- 4.1.1 If a Contract is being procured that is being funded either entirely or in part by External Grant Monies, then the Officer must ensure that they are operating in accordance with the conditions of those grant monies when undertaking any procurement or contracting activities. Officers should seek support from the relevant Procurement Resource in this regard.

4.2 Procuring utilising a Framework Agreement

- 4.2.1 The Council encourages the use of Framework Agreements where they offer Value for Money. Officers will be advised by the relevant Procurement Resource when using a Framework Agreement.
- 4.2.2 When selecting a Framework to use in an above threshold procurement the relevant Procurement Resource shall ensure that the Council is permitted to use the Framework by checking that the Council is named in the Tendering Notice (or Contract Notice if the Framework was established before 24th February 2025) and that the Framework provider is a Contracting Authority.
- 4.2.3 Contracts awarded under a Framework Agreement must always be awarded in accordance with the rules set out within the Framework Agreement Documentation. It is the responsibility of the relevant Procurement Resource to check the Framework Agreement Documentation, and this may need to be requested from the Framework provider.

4.3 Procuring utilising a Dynamic Market

- 4.3.1 Dynamic Markets can only be established for contract values above the threshold for good and services but below the threshold for works and construction.
- 4.3.2 The Procurement Resource must lead on any Dynamic Market procurement.

4.4 Appointment of Consultants

- 4.4.1 The following procedure applies when it is necessary to appoint a consultant to provide services to the Council.
- 4.4.2 The Officer must obtain approval to use a consultant using the Council's decision-making processes, i.e., through report to Management Team or relevant Board.

- 4.4.3 Consultants should only be used whereby they will be providing advice to fill a knowledge gap by either identifying options and recommendations or advice to implement solutions and therefore will be time limited.
- 4.4.4 If the request is approved the Officer must then comply with the procedural requirements based upon the Estimated Total Contract Value.
- 4.4.5 Payment for the Consultancy Service should be based on the satisfactory completion of defined outputs along with clear terms and conditions.
- 4.4.6 Advice should be obtained from the relevant Procurement Resource prior to entering a contract with a consultant.
- 4.4.7 All Consultancy contracts must be added to the Council's Contracts Register regardless of the value.
- 4.4.8 For Agency appointments the Officer must refer to the HR Manager for direction.
- 4.4.9 The Officer must not engage with any agency to secure CVs, without prior engagement with the Human Resources Service, and without a full understanding of the agency's terms and conditions.

NOTE: Some agencies require you to accept their terms and conditions prior to receipt of CVs. These terms and conditions may include clauses regarding 'introductory fees' which may be payable even if no appointment is made through that agency. These fees are often substantial and pose significant financial risk to the Council.

4.5 Concession Contracts

- 4.5.1 A concessions contract is an agreement between the Council and a Supplier where the Supplier is given the right to exploit works or services provided for their own gain. This may still be the case even if the Council contribute some income.
- 4.5.2 If you consider that a contract may be a concession contract, then you must seek advice from PL.

4.6 Subsidy Control

- 4.6.1 A subsidy (previously known as State Aid) is any advantage granted by a public authority through state resources on a selective basis to any organisation that could potentially distort competition. The definition of subsidy is very broad because "an advantage" can take many forms. It is anything which an organisation engaged in economic activity could not get on the open market.
- 4.6.2 Subsidy Control rules can (amongst other things) apply to
 - a) Grants

- b) loans
- c) guarantees
- d) tax breaks
- e) the use or sale of state assets for free or less than market rate

4.6.3 Officers must seek advice from the PL who will seek advice from the Legal Resource before continuing with a procurement where there is any potential subsidy.

Below Threshold Procurements

5 Below threshold procurements

5.1 Principles of Below Threshold Procurement

- 5.1.1 Below threshold procurements are not subject to the all the requirements of the PA 2023. The specific legal requirements relating to below threshold procurements are listed in 5.2 below.
- 5.1.2 Even though below threshold procurements are not subject to full legislative requirements they must still follow the Council's processes as outlined in this section.

5.2 Requirements of the Procurement Act 2023

- 5.2.1 Proportionate to the value of the contract, the Procurement Resource should complete an appraisal of the market to assess Supplier interest, and advise as to whether conducting Pre-Market Engagement would benefit both the Council and the supply markets.
- 5.2.2 Within an open or below threshold tendering opportunity, Officers must not include an assessment of a bidder for the purpose of de-selection of bidders (i.e. short listing). The only exception to this is for works contracts that are above the supplies and services threshold but below the works threshold which can include a shortlisting stage.
- 5.2.3 Proportionate to the subject matter of the Contract, the procurement may assess a Bidders legal status; financial capacity or technical ability for performing the contract within an overall assessment.
- 5.2.4 Officers shall be mindful of the barriers that small and medium size enterprises (SMEs) may face when responding to opportunities and must take reasonable steps to remove these barriers. This might include requesting proportionate levels of insurance and experience.
- 5.2.5 The Procurement Resource must publish a Contract Details Notice on Find a Tender Service for all Contracts with a Total Contract Value of £30,000 (including VAT) and above.
- 5.2.6 All Contracts with a Total Contract Value of £5,000 or above shall be recorded on the Council's Contract register.

5.3 Advertising Contracts

- 5.3.1 Procurements below £30,000 are not required to be advertised on the Find a Tender Service.
- 5.3.2 In the interest of achieving value for money the Business Development Officer Contracts and Procurement may advise the advertising of a particular activity.

5.3.3 If the RFQ is valued at above £30, 000 the Procurement Resource must ensure it is advertised on Find a Tender Service before being advertised anywhere else.

5.4 Request for Quotations (RFQ) process

5.4.1 As outlined in this document, RFQs are the Council's preferred method of undertaking procurements that are below threshold.

5.4.2 The Business Development Officer Contracts and Procurement will work with the service area representative to ensure completion of standard format templated RFQ documents. The RFQ must state that the Council is not bound to accept any quotations received.

5.4.3 RFQs must contain:

- a) A specification which describes clearly the Council's Requirement in sufficient detail to enable the submission of competitive offers and to enable the Council to hold the supplier to account.
- b) Relevant terms and conditions that are proportionate to the requirement
- c) Simplified award criteria that outline how the RFQ will be evaluated.
- d) Instructions on the performance and management of the contract.

5.4.4 For all RFQs the Council's electronic tendering platform must be used to invite suppliers and publish the RFQ documents. All Suppliers invited to quote must be issued with the same information at the same time and subject to the same conditions.

5.4.5 Records of the RFQ process including evaluation of the RFQ must be retained by the Business Development Officer Contracts and Procurement.

Above Threshold Procurements

6 Above threshold procurements

6.1 Pre-market Engagement

- 6.1.1 Officers should consult with the relevant Procurement Resource before engaging with the market. Before any discussions take place with any potential supplier(s) then a Preliminary Market Engagement Notice must be published on Find a Tender Service.
- 6.1.2 Throughout any market engagement all steps should be taken to ensure that suppliers are treated equally and fairly and that no advantage and disadvantage is afforded to any supplier.
- 6.1.3 Full records of pre-market engagement must be kept using the template provided by the Procurement Resource, ensuring that the process is fair and transparent. To avoid distorting competition Officers shall communicate to all Bidders any relevant information exchanged, in the context of, or resulting from any pre-market engagement when publishing the tender documentation.
- 6.1.4 Where pre-market engagement has taken place, but a Preliminary Market Engagement Notice was not published prior, the rationale for this must be recorded in your Contract Details Notice.

6.2 Selecting a procurement procedure

- 6.2.1 Under the PA 2023 there are 2 procurement procedures that can be used for above threshold procurements outside of an existing corporate contract, framework agreement or dynamic market:
 - i. Open procedure – Single stage where no shortlisting of suppliers take place
 - ii. Competitive Flexible Procedure – Multi-stage process where shortlisting of suppliers can take place.
- 6.2.2 To obtain the best commercial outcome and to ensure the process is proportionate the Competitive Flexible Procedure should only be conducted by an officer from PL.

6.3 Invitation to Tender (ITT)

- 6.3.1 Procurement Lincolnshire's template documents should be used for all above threshold procurements which are accessible through the Procurement Resource.

6.4 Communication with markets during a tender process

- 6.4.1 Officers will ensure that all communication with potential suppliers is fair and transparent and does not afford any suppliers an advantage or disadvantage.

- 6.4.2 During a live tender communication with any supplier must be in writing via the Council's e-tendering portal unless alternative communication is permitted under the competitive flexible procedure. Any communication outside the Council's e-tendering portal must be done in conjunction with the relevant Procurement Resource assigned to the procurement by PL and a detailed log kept of such communication.
- 6.4.3 Officers will bear in mind obligations around conflicts of interest and if an actual or perceived conflict of interest develops then the officer will consult with the assigned Procurement Resource who will consider what steps can be taken to avoid or remove conflicts of interest including the use of ethical walls agreements.

6.5 Conditions of Participation

- 6.5.1 Information about a Bidder's business standing, model and any exclusion grounds will be obtained by the Procurement Resource from the Central Digital Platform using the Supplier Information functionality. The platform is managed by the Crown Commercial Service and is designed so that Suppliers can submit and keep updated their business information, and it will then be available for all public bodies nationally to access.
- 6.5.2 The assigned Procurement Resource must ensure that this system is used and not use any local forms or processes. The use of the Supplier Information System is mandatory for all above threshold procurements.
- 6.5.3 The Officer assigned will ensure that Conditions of Participation are relevant to the subject matter of the contract and be proportionate.

6.6 Standards and Award Criteria

- 6.6.1 The Award Criteria is used to determine which of the Bidders will be awarded the contract and they are assessed as part of the ITT.
- 6.6.2 Public Contracts must be awarded based on the Most Advantageous Tender (MAT).
- 6.6.3 All Award Criteria and sub-criteria must be weighted, and these weightings must be set out in the Procurement Documentation.
- 6.6.4 Award criteria must provide for international equivalents for any British standards.
- 6.6.5 When determining the process that will be used to supplement an ITT there should be caution on the use of bidder presentations. This should only be assessed where presenting is a material part of the contract delivery or where a product demonstration is required. If an Officer considers the use of a presentation is necessary advice should be sought from the assigned PL Officer who shall coordinate proceedings during any such presentation.

6.7 Publishing the ITT

- 6.7.1 The ITT documentation should all be made available to all suppliers at the same time as publishing the Tender Notice on the councils e-tendering system. If this is not likely to be possible then advice must be obtained from the assigned Procurement Resource on how to manage the risk associated with this.
- 6.7.2 Suppliers must be given an adequate period to prepare and submit a Tender consistent with the urgency and or complexity of the contract requirements. Minimum timescales outlined in the PA 2023 must be complied with.
- 6.7.3 Late tenders will not be accepted unless approved by the assigned Procurement Resource and only if it is not in breach of the Procurement Act 2023.
- 6.7.4 Any Tender amendments, changes to instructions or clarifications should be issued in writing to all bidders unless the clarification is confidential to a specific bidder. Officers must review the Tender Notice to see if that also requires amendment. A Tender Notice amendment must be published if there are changes to the timescales for the return of the tender.
- 6.7.5 ITTs must not be amended following the submission of final bids.

6.8 Evaluation

- 6.8.1 Tenders must be evaluated, recorded and awarded in accordance with the published Award Criteria. The basis on which the tender will be evaluated must be determined before tenders are invited and must be included as part of the tender information.
- 6.8.2 The overall basis for any award of contract must be the 'most advantageous tender' (MAT).
- 6.8.3 Evaluation panels should be established with members of the panel being those who have a good level of knowledge of the requirement and the award criteria.
- 6.8.4 Prior to bids being received by the evaluation panel they must be asked to confirm, or reconfirm if they have already done so, that there are no conflicts of interest.
- 6.8.5 A meeting must be held as part of the evaluation process either to score or to agree a consensus score and this meeting should be ideally chaired by the assigned Procurement Officer who is not permitted to be an evaluator. The role of the Procurement Officer is to ensure that the scoring or consensus takes place transparently in accordance with the tender documentation.
- 6.8.6 Evaluating Officers are required to reach consensus and produce an agreed narrative detailing the reasons for the final agreed score(s) and the score(s).
- 6.8.7 As per this document if presentation or product demonstrations are used then Officers must ensure contemporaneous notes are made detailing all the questions, responses and points raised or full auditory records are kept.

6.8.8 Bids must be kept confidential.

6.9 Clarification of bids by Evaluators

6.9.1 If the Evaluation Panel determine that there are areas of ambiguity or lack of clarity, then consideration should be given to clarifying these issues with the Bidder(s). Clarifications must be sought in writing, using the Council's e-tendering platform unless an alternative process for clarification has been detailed in the ITT as part of the Competitive Flexible Procedure.

6.9.2 Clarifications requested of Bidders during the evaluation process shall not be an opportunity for Bidders to enhance their already submitted bids. Rather this should be an opportunity to clarify a specific element included in their already submitted bid.

6.9.3 Officers should seek the support of the assigned Procurement Resource where necessary and always in the event of a Competitive Flexible Procedure being used.

6.9.4 The clarification process must ensure that all Bidders are treated equally and fairly.

6.10 Assessment Summaries and Standstill

6.10.1 The assigned Procurement Resource will ensure that Assessment Summaries are completed using the standard Council template.

6.10.2 The assigned Procurement Officer will issue a Contract Award Notice to commence an 8 working day mandatory or voluntary Standstill Period prior to awarding a Contract.

6.10.3 Unless the award of the contract falls within the delegated authority of the Section 151 Officer, approval should be sought in line with the Council's Constitution.

6.11 Due diligence

6.11.1 Prior to awarding a Contract the assigned Procurement Resource will verify any standards that a Bidder has self-certified through a procurement process. This includes but is not limited to any professional qualifications, required internal standards and insurance levels.

6.11.2 Advice must be obtained from the relevant Procurement Resource to determine if the Bidder must be excluded from the process. The Procurement Resource must check the debarment list prior to any selection stage and/or the award of a Contract.

7 Light Touch Regime (LTR) and Provider Selection Regime

7.1 Light Touch Regime

- 7.1.1 The Light Touch Regime is for certain services contract in social, health and education services and are subject to more flexible procurement rules. For a contract to be a light tough contract the Common Procurement Vocabulary (CPV) code must be listed in Schedule 1 Procurement Act 2023.
- 7.1.2 Officers must seek advice from the relevant Procurement Resource prior to undertaking a LTR tender.
- 7.1.3 A different threshold exists for LTR contracts.
- 7.1.4 LTR contracts do still have to follow some of the provisions of the PA 2023 but have greater flexibility and freedoms.
- 7.1.5 LTR contracts must be advertised using a tender notice unless a direct award justification applies.
- 7.1.6 The Procurement Resource must determine if Bidders are excluded or excludable and consider Conflicts of Interest before awarding a contract.
- 7.1.7 The Procurement Resource will ensure transparency obligations through the publication requirements, by completing a contract award notice and a contracts details notice when a contract is over £5,000,000.
- 7.1.8 The Procurement Resource shall consider whether the requirement can be broken into lots and the services supplied under more than one contract.
- 7.1.9 The Procurement Resource will use either the open, competitive flexible procedure or direct award where justified. There are no mandated timescales for LTR contracts, but officers will ensure that the time scales are reasonable, taking into account the nature of the requirement and the complexity of the contract.
- 7.1.10 Officers should apply a voluntary standstill period to LTR contracts.
- 7.1.11 Contract managers are required to set and publish 3 KPIs for contracts with a Total Contract Value of above £5,000,000.
- 7.1.12 Contract Managers are permitted to amend LTR contracts if amendments are in accordance with the objectives outlined in this document. LTR contracts do not require the publication of Contract Change notices.

8 Other Considerations

These considerations apply to above and below threshold procurements.

8.1 Information Assurance and Data protection

- 8.1.1 The relevant Procurement Resource must consider the information assurance requirements of the Contract if they anticipate any Personal Data is to be processed as part of the contract.
- 8.1.2 Where personal data may be processed as part of the contract, officers must seek further advice from the Data Protection Officer.

8.2 Sustainable Commissioning

- 8.2.1 For all above Threshold contracts then consideration must be given as to how the Contract might improve the economic, social and environmental wellbeing of Lincolnshire, as required by the Public Services (Social Value) Act 2012. This duty also relates to Light Touch Regime (LTR) as described in section 7.1, where the Estimated Total Contract Value exceeds the Services PCR 2015 Threshold.
- 8.2.2 The Council must consider in the form of a Social Value appraisal, whilst recognising the principle of Proportionality:
 - a) How, what is proposed to be procured, might improve the economic, social and environmental well-being of the relevant area.
 - b) How, in conducting the process of procurement, it might act with a view to securing that improvement; and
 - c) Whether to carry out any consultation in relation to the above matters.

8.3 TUPE

- 8.3.1 Where TUPE may apply the relevant Procurement Resource should seek advice from their Monitoring Officer.

Contract Formation

9 Contract Formation

9.1 Contract Formation

- 9.1.1 The Section 151 Officer has the responsibility to ensure that a Scheme of Delegation is in place, and contracts should be signed in accordance with this scheme.
- 9.1.2 The Procurement Resource is responsible for securing signature of the contract by both parties prior to commencement of the contract.
- 9.1.3 Where the value of the contract exceeds £75,000, legal advice should be obtained as to whether the contract is executed under hand or under seal.

9.2 Contracts signed under hand

- 9.2.1 The Procurement Resource must ensure that when a contract is signed under hand (by either wet or electronic signature) the signatory has authority to do so.
- 9.2.2 Contract signed under hand are generally contracts with a total contract value under the FTS threshold.
- 9.2.3 The limitation period for a claim is 6 years from the date of the breach.

9.3 Contracts signed under seal

- 9.3.1 Where contracts are completed by each side adding their formal Seal, the fixing of the Council's Seal must be witnessed by or on behalf of the Chairman of the Council.
- 9.3.2 Every Council sealing will be consecutively numbered, recorded and signed by the person witnessing the Seal. The Seal must not be affixed without the authority of the Chief Executive Officer, a duly authorised Committee, or the Chairman of the Council.
- 9.3.3 A contract should be sealed where:
 - a) The Council may wish to ensure a limitation period of 12 years from the date of the breach;
 - b) Where the Council has paid no consideration for goods or services, or the carrying out of works; or
 - c) Legal advice has been provided to this effect.

9.4 Contract Publication

- 9.4.1 Where a contract is above £5,000,000 or if a works contract above the works threshold, then a redacted version of the Contract must be published in a notice.
- 9.4.2 Contract publication and redaction must be conducted by the relevant Procurement

Resource.

9.5 Document Retention

9.5.1 All relevant documentation must be kept in accordance with the Council's document retention policy.

9.6 Bonds And Parent Company Guarantees

9.6.1 The Officer must consult the Director of Corporate Services to identify whether a Parent Company Guarantee or Bond is needed;

a) When a Contracted Supplier is a subsidiary of a parent company as to the necessity of a Parent Company Guarantee when any of the following conditions are satisfied:

- i. The Total Contract Value exceeds £500,000, or
- ii. Award is based on evaluation of the parent company, or
- iii. There is some concern about the financial stability of the Contracted Supplier; and

b) To identify whether a Bond is needed:

- i. Where it is proposed to make substantial staged or other payments in excess of £500,000 and there is some concern about the financial stability of the Contracted Supplier, and there is no Parent Company Guarantee available.

9.7 Prevention Of Corruption

9.7.1 All Officers must comply with the Code of Conduct and must not invite or accept any gift or reward in respect of the award or performance of any contract:

- a) It will be for the Officer to prove that anything received was not received corruptly;
- b) High standards of conduct are obligatory, and a failure to reach the required standards may lead to disciplinary action. Staff involved in procurement should be aware that the Council's counter fraud and whistleblowing policies apply equally to these procedures, as they do to other Council activities. Criminal sanctions for action of corruption are possible under the Bribery Act 2010.

9.7.2 The relevant Procurement Resource must ensure that all bidders sign an anti-collusion statement which will be in the template procurement documentation and require bidders to complete a declaration of good standing confirming that they have not met any grounds for mandatory exclusion.

9.7.3 All Officers involved with a procurement will comply with the Procurement Conflict of Interest Process which is managed by the relevant Procurement Resource.

9.8 Contract and Risk Management

9.8.1 Duly nominated and authorised contract managers must fully adhere to the Council’s contract and risk management guidelines, as detailed in the Council’s Contract and Risk Management Guidance Notes.

Appendix 1 – Glossary

Term	Definition
Award Criteria	<p>The criteria used by the Council to evaluate the Bidder's tender against the needs identified within the specification to determine the successful tender. Such criteria may comprise for example –</p> <ul style="list-style-type: none"> a) Price, or total cost; b) Quality including technical merit, aesthetic and functional characteristics, accessibility, design for all users, social, environmental and innovative characteristics and trading and its conditions; c) Organisation, qualification and experience of staff assigned to performing the contract, where the quality of the staff assigned can have a significant impact on the level of performance of the contract (and not already evaluated at SQ stage); or d) After-sales service and technical assistance, delivery conditions such as delivery date, delivery process and delivery period or period of completion.
Bidder(s) / Tenderer(s)	Potential Suppliers who are actively involved in a procurement process.
Bond	An insurance policy: If the Supplier does not do what it has promised under a contract with the Council, the Council can claim from the insurer the sum of money specified in the Bond (often 10% of the Total Contract Value). A Bond is intended to protect the Council against a level of cost arising from the Economic Operator's failure.
Call off without competition	<p>A mechanism within an existing framework that allows for a contract to be awarded without competition because the framework is either for a single supplier or because there is a mechanism within the framework that allows for it. As long as the terms of the framework are complied with this is permitted.</p> <p>Not to be mistaken for Direct Award or Exception to the Normal Tendering route.</p>
Chief Officer S151	The Officers defined as such in the Constitution.
Code of Conduct	The code regulating conduct of Officers and Members is defined in the Constitution.
Committee	A Committee, which has power to make, decisions for the Council, for example a joint Committee with

Term	Definition
	another local authority but not a scrutiny committee.
Constitution	<p>The constitutional document approved by the Council which:</p> <ul style="list-style-type: none"> • Allocates powers and responsibilities within the Council and between it and others; • Delegates authority to act to the Executive, Committees, Executive Councillors and Officers; and Regulates the behaviour of individuals and groups through rules of procedure, codes and protocols.
Consultant(s)	<p>Someone contracted for a specific length of time to work to a defined project brief with clear outcomes to be delivered usually relating to a business change or transformation. The individual(s) will operate outside of the Council’s organisational structure and payment is based on the delivery of defined outputs. The individual(s) should not be working in a Business-as-Usual environment (such as advising on legal risk and technical matters) these contracts should usually be classified as Professional Services.</p>
Contract Register	<p>An electronic register that must be populated, with key information about contracts, for all contracts awarded as required by these procedures.</p>
Contracted Supplier / Sub-contracted Supplier	<p>A Supplier who is currently contracted to provide services.</p>
Contracting Authority	<p>The organisation letting the contract in question. Contracting Decision - Any of the following decisions;</p> <ul style="list-style-type: none"> • Composition of Approved Lists • Withdrawal of Invitation to Tender • Whom to invite to submit a quotation or tender shortlisting • Award of contract • Any decision to terminate a contract
Corporate Contract	<p>A contract let or approved by the Procurement Team to support the Council’s aim of achieving Value for Money.</p>
Council	<p>For the purposes of these Contract and Procurement Procedure Rules, “Council” refers to West Lindsey District Council.</p>
(Common) Seal	<p>The seal that may be, and in the case of the Council is, attached to a document by a corporate body when executing a Deed.</p>

Term	Definition
Conditions of Participation	<p>A component of the evaluation process set out to assess the Bidders capability to provide the requirements identified in the ITT. This is not an evaluation of how they will provide the requirements requested, more an evaluation of their organisation's intrinsic ability to provide those services.</p> <p>Conditions of Participation may only relate to:</p> <ul style="list-style-type: none"> • Suitability to pursue a professional activity • Economic and Financial standing • Technical and Professional ability
Contract Manager	Officer who is responsible for the management and administration of a contract. This includes where it is part of an Officers role even if not mentioned in their job title.
Convertible Contract	A contract where, at the time that it is awarded, the estimated total contract value is below threshold but during the lifetime of the contract it is modified so the total contract value is above threshold.
Concession Contract	A contract where at least part of the scope allows the supplier to exploit works or services and the Supplier is exposed to the real operating risk involved with operating those works or services. An example would be the opportunity to run a café.
Conflict of Interest	a personal, professional or financial interest or perceived interest that may compromise, or have the appearance of, or potential for, influencing or compromising professional judgement and the integrity if the procurement, directly or indirectly.
Ethical Wall Agreement	Mechanism agreed between 2 or more parties to avoid conflicts of interest.
Direct Award	An award that is made to a single supplier with limited competition. These are permitted in very limited circumstances under PA 2023 and should not be made without an Exception to the Normal Tendering Route approval and consulting your Commercial Resource.
Deed	A signed and sealed instrument containing some legal transfer, bargain, or contract.
Dynamic Market	A fully electronic compliant 'Approved List', where Suppliers can join at any point while the DM is open,

Term	Definition
	and they meet the Conditions of Participation.
Exception to the Normal Tendering Route	<p>A method of procurement that is contrary to these rules but the necessary permission has been obtained in accordance with this document.</p> <p>Not to be mistaken with Direct Award</p>
Electronic Tendering	A secure means to store and transmit all Procurement Documentation via a secure electronic vault (Pro-Contract).
Estimated Total Contract Value	The estimated value of a procurement as defined in this document.
Evaluating Officers	Members of the Evaluation Panel
Evaluation Panel	A group of relevant Officers of the Council, or appropriate stakeholders, who have the technical knowledge and experience to judiciously evaluate bids received in response to a procurement exercise.
External Grant Funding	Funding that is provided to the Council from an external body to deliver a specific requirement. This is <u>not</u> where the Council provides grant funding to third parties.
Financial Regulations	The financial regulations outlining officer responsibilities for financial matters, issued by the Executive Director of Resources forming part of the Constitution.
Framework Agreement(s)	An agreement between one or more Contracting Authorities and one or more Economic Operators, the purpose of which is to establish the terms governing contracts to be awarded during a given period, in particular with regard to price and, where appropriate, the quantity envisaged.
Framework Supplier(s)	An Economic Operator who has successfully secured a place on a public framework contract.
Have Regard to	To consider the objectives and see what weighting if any they should have.
Invitation to Tender (ITT)	A key document within the Procurement Documentation which must contain or reference, the instructions for Bidders, specification, evaluation model and other relevant materials to allow the procurement activity to be concluded successfully.
Key Decision	An executive decision taken by the Council which is likely to result in

Term	Definition
	<p>e) the relevant local authority incurring expenditure which is, or the making of savings which are, significant having regard to the local authority's budget for the service or function to which the decision relates; or</p> <p>f) to be significant in terms of its effects on communities living or working in an area comprising two or more wards or electoral divisions in the area of the relevant local authority.</p>
Legal Support	The Councils nominated Legal resource.
Local	Where the supplier is based or established in Lincolnshire and has substantive business operations in Lincolnshire. In this context, this means having a registered office, factory or other permanent base and staff in that location through which meaningful business operations have been conducted for at least 12 months.
'MAT'	Most Advantageous Tender, whereby a combination of price, quality, social value, environmental impact and other relevant factors as appropriate specific to the contract rather than focusing solely on cost
Officer	The officer of the Council with responsibility for undertaking a procurement or commissioning activity.
Parent Company Guarantee	A contract which binds the parent of a subsidiary company as follows: If the subsidiary company fails to do what it has promised under a contract with the Council, they can require the parent company to do so instead.
Personal Data	As defined in UK General Data Protection Regulations 2018
Procurement Documentation	The full suite of procurement documents required to undertake a compliant procurement process. Includes but not limited to: SQ, Specification, ITT, Terms and Conditions and Form of Tender
Procurement Objectives	Objectives that are set out in the Procurement Act 2023:
Procurement Resource	Those in the Procurement Teams charged with providing direction and advice to secure compliance and Value for Money for procurement activities.
Request for Quotation (RFQ)	A simplified version of a tender documentation with a more streamlined and efficient process. As a minimum it should include a statement of requirements, terms

Term	Definition
	and conditions and details of how the quotes will be assessed and awarded.
Small and Medium sized Enterprise (SME)	A business that has fewer than 250 staff and has a turnover of an amount less than or equal to £44 million, or a balance sheet total of an amount less than or equal to £38 million.
Specification	a document which sets out the detailed requirements and scope of goods, services or works to be provided by the supplier. The specification should be written in a contractually enforceable manner.
Substantial Modification	Any change to the tender, or contract, that would or could, foreseeably change the interest of Economic Operators in the procurement or contract. In practice this means that any change that might result in additional Economic Operators interested in the procurement activity or contract.
Supplier	Any person who offers on the market supplies, services or works and who sought, who seeks, or who would have wished to be the person to whom a public contract is awarded. In this document Economic Operators are not yet active in the procurement process. If they are active in the process they will be named Bidders in this document.
Standstill Period	A period of time between the publishing of a Contract Award Notice and the award of a contract that must be observed.
Terms and Conditions	Special and general arrangements, governing laws, rules, requirements, standards etc. forming integral parts of a contract. To be provided by Legal Services Lincolnshire.
Total Contract Value	The total value of the successful Bidders' response which will be, or has been, formed into a contract with the local authority.
TUPE	Transfer of Undertakings (Protection of Employment) - TUPE refers to the Transfer of Undertakings (Protection of Employment) Regulations, 1981. These regulations were introduced to ensure the protection of employees when, for example, a business is taken over by another organisation. Broadly, TUPE regulations ensure that the rights of employees are transferred along with the business.
Value for Money	Where quality and cost combine to produce a service

Term	Definition
	which meets technical and customer requirements, at an acceptable level of expenditure in the prevailing budgetary constraints, for an acceptable level of quality.