

# Public Document Pack

**Contact:** Hazel Brinton  
**Direct Dial:** 01275 884811  
**E-mail:** hazel.brinton@n-somerset.gov.uk  
**Date:** Friday, 3 May 2024

**To all Members of the Council**

**Note to councillors:**

The full agenda papers for the Annual Council Meeting are available to view on the Modern Gov app on members' council device and on the council's website via the link below:

[Link to papers Council 14 May 2024](#)

Dear Sir or Madam

**Summons to attend the Council Meeting – Tuesday, 14 May 2024 at 6.00 pm  
New Council Chamber**

You are requested to attend the Meeting of the Council to be held at 6.00 pm on Tuesday, 14 May 2024.

**Please Note** that any member of the press and public may listen in to proceedings at this meeting via the weblink below –

<https://youtube.com/live/HzxMNoVjQWs>

The agenda is set out below.

Yours faithfully

Assistant Director Legal & Governance and Monitoring Officer

**This document and associated papers may be made available in a different format on request.**

## Agenda

1. **Apologies for absence**
2. **Election of the Chairperson of the Council for the Municipal Year 2024/25**
3. **Appointment of the Vice-Chairperson of the Council for the Municipal Year 2024/25**
4. **Public Participation, petitions, and deputations (Standing Orders 2 (vi) and 17)**

The Council will hear any person who wishes to address it in accordance with the Standing Orders. The Chairperson will select the order of the matters to be heard.

Each person will be limited to a period of five minutes for public participation and deputations and three minutes for petitions. This section of the meeting must not exceed 30 minutes and discussion must not refer to a current planning application.

The Council will also receive questions from the public and provide answers thereto, subject to the Chairperson being satisfied that the questions are relevant to the business of the meeting.

Requests must be submitted in writing to the Assistant Director Legal & Governance, or to the officer mentioned at the top of this agenda letter, by noon on the day before the meeting and the request must detail the subject matter of the address.

5. **Declaration of Disclosable Pecuniary Interest (Standing Order 37)**

A Member must declare any disclosable pecuniary interest where it relates to any matter being considered at the meeting. A declaration of a disclosable pecuniary interest should indicate the interest and the agenda item to which it relates. A Member is not permitted to participate in this agenda item by law and should immediately leave the meeting before the start of any debate.

If the Member leaves the meeting in respect of a declaration, he or she should ensure that the Chairperson is aware of this before he or she leaves to enable their exit from the meeting to be recorded in the minutes in accordance with Standing Order 37.

6. **Minutes - 16 April 2024** (Pages 7 - 24)

16 April 2024, to approve as a correct record (attached).

7. **Forward Plan dated 3 May 2024** (Pages 25 - 44)

(attached)

**8. Motions by Members (Standing Order No. 14) (Pages 45 - 48)**

(1) “This council recommends that the Executive puts in place a mechanism where the opinion of ward member(s) is sought 5 working days prior to decisions being made, unless urgent” – Councillor Luke Smith.

(2) Local Plan changes to support public realm and public art – Councillor Bridget Petty (attached).

**9. Corporate Parenting Report (Pages 49 - 52)**

Report of Councillor Gibbons (attached).

**10. Support Services - ICT Contract (Pages 53 - 108)**

Report of Councillor Bell (attached).

**11. Question Time (Standing Order No.18)**

Questions must relate to issues relevant to the work of the Executive.

Members are requested to supply the Democratic Services Officer with a note of each question at, or just after, the meeting. A summary note of each question will be included in an appendix to the minutes.

**12. Reports on joint arrangements and external organisations and questions relating thereto**

**(1) Avon Fire Authority**

Oral report.

**(2) Avon and Somerset Police and Crime Panel**

Oral report.

**(3) West of England Combined Authority Joint Scrutiny Committee**

Oral report.

**13. Petitions to be presented by Members (Standing Order No. 16)**

These have to be received by the Assistant Director Legal & Governance by 12.00 noon on the day of the meeting.

**14. The Council's Constitution 2024 (Pages 109 - 172)**

Report of the Assistant Director Legal & Governance (attached).

**15. Political Balance and Leaders and Deputy Leaders of the Political Groups for the Municipal Year 2024/25**

The Assistant Director Legal & Governance will report orally.

**16. Constitutional appointments etc.**

The Leader to appoint up to eight Members of the Council to form the Executive, including their portfolios.

The Council to approve arrangements for the Policy/Overview and Scrutiny Panels, the Committees, and the Scheme of Delegation in accordance with the Constitution.

**17. Appointments to Outside Bodies 2024/25 (Council) (Pages 173 - 182)**

Report of Assistant Director Legal & Governance (attached).

**18. Municipal Calendar 2024/25 (Pages 183 - 188)**

Report of Assistant Director Legal & Governance (attached).

**19. Announcements (if any)**

**(1) Chairperson's Announcements**

**(2) Leader's Announcements**

**(3) Chief Executive's Announcements**

**20. Urgent business permitted by the Local Government Act 1972 (if any)**

For a matter to be considered as an urgent item, the following question must be addressed: "What harm to the public interest would flow from leaving it until the next meeting?" If harm can be demonstrated, then it is open to the Chairperson to rule that it be considered as urgent. Otherwise the matter cannot be considered urgent within the statutory provisions.

**Exempt Items**

Should the Council wish to consider a matter as an Exempt Item, the following resolution should be passed -

"(1) That the press, public, and officers not required by the Members, the Chief Executive or the Director, to remain during the exempt session, be excluded from the meeting during consideration of the following item of business on the ground that its consideration will involve the disclosure of exempt information as defined in Section 100I of the Local Government Act 1972."

**Mobile phones and other mobile devices**

All persons attending the meeting are requested to ensure that these devices are switched to silent mode. The chairperson may approve an exception to this request in special circumstances.

## **Filming and recording of meetings**

The proceedings of this meeting may be recorded for broadcasting purposes.

Anyone wishing to film part or all of the proceedings may do so unless the press and public are excluded for that part of the meeting or there is good reason not to do so, as directed by the Chairperson. Any filming must be done as unobtrusively as possible from a single fixed position without the use of any additional lighting, focusing only on those actively participating in the meeting and having regard to the wishes of any members of the public present who may not wish to be filmed. As a matter of courtesy, anyone wishing to film proceedings is asked to advise the Chairperson or the Assistant Director Legal & Governance and Monitoring Officer's representative before the start of the meeting so that all those present may be made aware that it is happening.

Members of the public may also use Facebook and Twitter or other forms of social media to report on proceedings at this meeting.

## **Emergency Evacuation Procedure**

### **On hearing the alarm – (a continuous two tone siren)**

Leave the room by the nearest exit door. Ensure that windows are closed.

Last person out to close the door.

**Do not** stop to collect personal belongings.

**Do not** use the lifts.

**Follow** the green and white exit signs and make your way to the assembly point.

**Do not** re-enter the building until authorised to do so by the Fire Authority.

**Go to Assembly Point C – Outside the offices formerly occupied by Stephen & Co**

This page is intentionally left blank

## **Minutes**

of the Meeting of

## **The Council**

**Tuesday, 16 April 2024**

New Council Chamber

Meeting Commenced: 6.00 pm

Meeting Concluded: 8.20 pm

### **Councillors:**

Wendy Griggs (Chairperson)

Peter Crew (Vice-Chairperson)

Nigel Ashton

Mike Bell

Mike Bird

Christopher Blades

Steve Bridger

Peter Bryant

Peter Burden

Mark Canniford

Ashley Cartman

Annabelle Chard

Caritas Charles

James Clayton

Andy Cole

John Crockford-Hawley

Ciaran Cronnelly

Stuart Davies

Thomas Daw

Oliver Ellis

Catherine Gibbons

Jenna Ho Marris

Nicola Holland

Clare Hunt

Patrick Keating

Sue Mason

Hugh Malyan

Stuart McQuillan

Tom Nicholson

Ian Parker

Robert Payne

Marcia Pepperall

Bridget Petty

Lisa Pilgrim

Terry Porter

Michael Pryke  
Luke Smith  
Mike Solomon  
Dan Thomas  
Helen Thornton  
Joe Tristram  
Richard Tucker  
Annemieke Waite  
Roger Whitfield  
Martin Williams  
Hannah Young

**Apologies:** Councillors: Jemma Coles, David Shopland and Timothy Snaden.

**Officers in attendance:** Jo Walker (Chief Executive), Nicholas Brain (Assistant Director Legal & Governance and Monitoring Officer), Claire Shiels (Director Children's Services), Amy Webb (Director of Corporate Services), Hayley Verrico (Director of Adult Social Services), Philippa Penney (Head of Democratic and Electoral Services), Vanessa Andrews (Marketing and Communications Manager), Jenny Ford (Head of Development) and Jacqui Scott (Virtual School Head).

**COU 156 Public Participation, petitions, and deputations (Standing Orders 2 (vi) and 17)**

None received.

**COU 157 Declaration of Disclosable Pecuniary Interest (Standing Order 37)**

None declared.

**COU 158 Minutes**

**Resolved:** that the minutes of the meeting of 20 February 2024 be approved as a correct record.

**COU 159 Chairperson's announcements**

None.

**COU 160 Adult Social Services and Housing Commissioning Intentions 2024/25**

Councillor Whitfield presented the report which set out the planned delivery of the Adult Social Services and Housing commissioning priorities for the forthcoming eighteen months. It outlined all of the services regardless of value to support the theme of openness and transparency.

The Adult Services and Housing Policy & Scrutiny Panel had been consulted in March this year. Appendix A listed all the new services for the coming eighteen months, whilst Appendix B gave the extensive list of current services. Publishing the intentions was expected to help design and lead a healthier market for the future.



There were many areas where services were commissioned for preventative work, with robust plans in place for delivery and procurement. The recommendations also sought approval to commence specific procurement activities or extend contracts beyond their original term.

**Motion:** moved by Councillor Whitfield, seconded by Councillor Canniford

The Leader clarified the position that this report was setting out a broad commissioning intention and reserved scope for appropriate scrutiny throughout that process. Any contract award would be subject to usual process in line with established contract standing orders.

Councillor Whitfield confirmed that consideration was given to the real living wage during any process such as this, and that in-house service delivery formed part of the commissioning and procurement strategy.

**Resolved:** that Council

Received the planned Adult Social Services and Housing commissioning priorities for the next 18 months and, where necessary, seek approval to commence specific procurement activities or to extend contracts beyond their original term, specifically:

1. Agreed the Adult Social Care and Housing commissioning intentions for the next 18 months.
2. Approved the commencement of activities listed in Appendices A & B, delegating to the Director for Adult Social Care, approval to determine the relevant procurement or commissioning routes, and the award of any contract, in consultation with the relevant Executive Member(s).
3. Approved activity listed in Appendices A & B the extension of any contracts that have already reached the term under the original permission to commence a procurement.

## **COU 161 Climate Emergency Strategy and Action Plan update and progress report**

Councillor Waite introduced the report which provided a progress update against previously agreed activity. Whilst much of the work remained on track, there were still some areas of concern, including the Council's own estate and fleet, which were being prioritised as exemplified by the following activity.

The successful award of Salix funding for Hutton Moor would decrease the Council's footprint by 300 tCO<sub>2</sub>e per year. Funding had been secured through the Libraries Improvement Fund for a replacement EV mobile library. A successful bid of £15m had also been secured to deliver electric buses for certain routes.

Councillor Waite outlined progress in other areas including the success of Solar Together, and the peat restoration project.

A draft Climate Adaption Strategy had now been completed which considered climate projections, flood risks, heat vulnerability and economic impacts. It was largely based on reports from IPCC, Met Office, and government, and made use of the local adaptation tool. We could all expect weather changes, evidenced by the months of record rainfall. Flooding has had major impact on the deterioration of our roads with potholes in places never seen before. Members were reminded that these could not be repaired when the roads were wet. Other effects included coastal erosion and farmers being unable to plant crops, all of which were serious matters and would most adversely affect the more vulnerable.

Every adaptation plan must begin with assessing risks, many of which could only be properly addressed by legislation and funding. If approved, the plan would be a living document.

The recent peer review had commended the council and reflected a credit to all the hard work over the last few years. Work had already started and plans were being developed for a series of round table workshops in the coming months.

**Motion:** moved by Councillor Waite, seconded by Councillor Petty.

Members thanked Councillor Waite for the detailed report which showed the enormity of the task ahead. Communication and encouragement with residents were both central to support delivery of the plan.

Members noted that many of the activities were reliant on large grants, and regard should be given to the economic impact alongside climate adaption considerations. This would be considered as part of an energy strategy going forwards.

Those risks which were beyond council control should be clearly articulated in order to present government with a costed and targeted list. With regard to flooding, there was concern that service delivery capacity within the council was disproportionate to that risk, and that this should be reviewed in the context of the MTFP. The spiralling cost of insurance due to flooding was also a problem being experienced by householders.

It was agreed that this refreshed action plan should be presented to schools and educational establishments as part of the careers and green skills agenda.

Councillor Waite summarised that the plan would be re-presented to Council with more targeted future risks and actions.

**Resolved:** that the Council

1. Supported the adoption of the Climate Adaptation Strategy
2. Supported the development of the Net Zero Pathway
3. Noted the progress on existing projects to tackle climate change, which were also summarised in this report.

**COU 162 Corporate Parenting Report**

Councillor Gibbons presented the report which provided information about the statutory duties regarding children in care as well as insights into their experiences of education, training, and employment.

Councillor Gibbons was pleased to welcome Jacqui Scott as the new Virtual School Headteacher. The virtual school offered personalised support for each child in care, working closely with schools, foster carers, and other professionals.

It was not a physical school but played a school role to look after all the children who come into care in North Somerset. Mainstream school didn't suit all, and Jacqui gave a number of examples reflecting the challenges experienced and the successes of this approach. She referred to a number of interventions and support which reached widely across a broad spectrum of activities including the Inclusion Officer role to support transition, trauma training, unaccompanied asylum seekers, and lifechanging experience opportunities

Members were encouraged to continue to support children in care in their capacity as councillors, but also in other areas such as being a school governor, teacher, or business owner being able to offer work experience. All members were welcome to attend celebration events.

**Resolved:** that the report be noted.

**COU 163 Petitions to be presented by Members (Standing Order No. 16)**

None received.

**COU 164 Motions by Members (Standing Order No. 14)**

Councillor Charles introduced his motion as published with the agenda papers. He referred to the democratic emergency declared by the previous administration and the perceived lack of public confidence in the democratic process. People seemed willing to be part of informing decision making and this keenness was reflected across society as a whole. Petition to debate provided a useful tool to enable discussion, achieve answers and support more informed decisions. The proposed threshold was open for further consideration, but the current proposal was in line with that of Bristol City Council.

Seven members indicated their support for a debate on the motion.

**Motion:** Moved by Councillor Charles and seconded by Councillor Holland.

An amendment was proposed by Councillor Bell which was in line with the spirit of this motion and the council's commitment to openness and transparency. It provided an additional threshold of 500 which could trigger a referral to the appropriate Policy and Scrutiny Panel. The amendment was supported by Councillor Charles.

**Amendment:** the proposed alternative wording was moved by Councillor Bell and seconded by Councillor Gibbons, and accepted by Councillors Charles and

Holland.

“This Council Believes

1. We are facing rapidly deteriorating public confidence in the democratic process.
2. That our corporate plan vision of being “Open” and “Fair” should be signalled by our willingness to embrace a range of ways for us to engage in a constructive ongoing engagement with the residents and businesses we serve.
3. That in the formulation and implementation of policy and service change we can gain insight and lived experience from developing mechanisms that allow us to work alongside citizens in understanding their views and accepting or feeding back on changes recommend by the population of north somerset.
4. That involving residents and businesses on an ongoing basis in the work of the council is not a threat to representative democracy but a valued addition to the effectiveness of service delivery.

“This Council Notes

1. That a recent Local Government Association perception survey showed trust in local authorities in the areas of service delivery, value for money and listening to residents’ concerns are at an all-time low. The same survey found that 68% of residents trusted councillors to make decisions about how services are provided locally compared to just 7% who trusted Members of Parliament or Government ministers to make decisions.
2. Recent data from the Office for National Statistics show that only around a third of people feel they have a say in what their government does.
3. That across the world governments have increasingly used innovation in democratic engagement by using deliberative democratic practices such as the Citizens Assembly on Abortion in Ireland and in the UK through Assembly North and its work on devolution.
4. That in neighbouring Bristol the council has successfully run a petitions scheme that allows citizens to petition for a debate on an issue of concern at full council if they successfully reach the threshold of signatures of eligible residents and businesses.

“This Council Resolves to

1. To adopt a right to petition along the lines of the scheme used by Bristol City Council where upon receipt of the specific threshold of eligible citizen signatures a debate on the issue stated shall be called for the next available meeting of full council or the relevant policy and scrutiny panel.
2. Ensure that the details of any petition submitted to the council are published on the council website and that the response to any petition, whether meeting the threshold for debate or not, is communicated to the petition organiser and published on the website.
3. The threshold of signatures to trigger a full council debate shall be 2,500 local government electors within North Somerset. The threshold of signatures to trigger a debate at the relevant policy and scrutiny panel shall be 500 local government electors.
4. To instruct the Monitoring Officer to make the necessary constitutional changes and administrative adjustments, in consultation with the Audit Committee, to ensure the effective implementation of the scheme by the end of 2024.

5. The scheme will make clear that petitions will be excluded from this scheme in respect of a right for debate if they relate to any matter in respect of a planning decision, any matter relating to a licensing decision or any matter where there is an appeals process already in place. Petitions will also be excluded if it is a duplicate petition or relates to a matter that has previously been considered in the preceding 12 months. In line with our existing approach, petitions must also be relevant to any matter in relation to which the Council has powers or duties, and which affects the district.
6. To instruct the Executive to develop plans for a citizen review of North Somerset's approach to resident engagement as part of work to develop a new engagement and consultation strategy already underway. The resident review shall be conducted using deliberative democratic methodology.
7. The scheme will be regularly reviewed to monitor effectiveness."

The implementation of this right to petition would not affect the current mechanism for a councillor to deliver a petition on behalf of local signatures as this remained unchanged.

Members discussed the threshold level and whether this should be kept under review in the event of either numerous or insufficient numbers of petitions. Whilst the motion referred to citizens, it was recognised that this should reflect North Somerset residents, business taxpayers and electors.

It was noted that the scheme adopted by Bristol City Council reserved the right to verify signatures as required. The use of an IT based e-petition was not proposed at this stage.

Members echoed support for this motion and the addition of the lower threshold enabling matters to be brought to Policy and Scrutiny Panels. This strengthened our democracy and was a clear recognition of trying to be more open and engaging. The levels could be reviewed after six months.

The Leader underlined the importance of treating petitions with respect and to be clear with an open mechanism for response to support trust and confidence.

**Resolved:** that the Motion as set out in full above be approved and adopted.

**COU 165 Question Time (Standing Order No.18)**

Councillor Williams left the meeting at this point.

Oral questions were directed to members concerned and the summary notes and topics involved are contained in Appendix 1.

**COU 166 Matters referred from previous meeting**

None.

**COU 167 Leader's announcements**

None.

**COU 168 Chief Executive's announcements**

None.

**COU 169 Forward Plan dated 2 April 2024**

The Leader presented the Forward Plan.

**Resolved:** that the Forward Plan be noted

**COU 170 Policy and Scrutiny Panel Report**

The Chairpersons of each panel commended the report to Council.

Councillor Bridger added some more general comments on the ongoing review of scrutiny improvements and consequential added value. The team were already working on a number of strands including the recording of more evidenced and focused outcomes and tracking actions as part of this. The contribution of non-executive members through the policy and scrutiny process was to be reflected more overtly in the reports that went to the Executive, which was important in adding validity to the process.

**COU 171 Reports and matters referred from the Executive - dated 27 March 2024**

None.

**COU 172 Reports and matters referred from the Policy/Overview and Scrutiny Panels other than those dealt with elsewhere on this agenda**

None.

**COU 173 Reports and matters referred from the other Committees other than those dealt with elsewhere on this agenda**

None.

**COU 174 Reports on joint arrangements and external organisations and questions relating thereto**

**1) Avon Fire Authority**

Councillor Thomas provided an oral update to the meeting. Avon Fire Authority met in March to debate the 'Updated 2024/25 Revenue Budget and Medium-Term Financial Plan' which was not agreed at the previous AFA meeting in February. The fire service was required to make £4m in savings over the next 4 years. 5 options were presented to meet this budget shortfall. Members rejected the recommended proposal which would have resulted in reduction of fire crew numbers from 5 to 4 and the overall reduction of full-time front-line firefighters by 40. After a long and difficult debate an alternative option was adopted by members which would mean the Fire Fighter number reductions will be delayed with no impact on capital investment plans for the Service.

**2) Avon and Somerset Police and Crime Panel**

Councillor Crew provided an oral update to the meeting. This Panel had most recently convened following the start of the pre-election period. Councillor Crew had consulted with Councillor Bridger, and it had been agreed to align future meetings of the Community Safety Scrutiny Steering Group to follow after the Police and Crime Panel meetings. Any information could then be brought to Council as necessary.

**3) West of England Combine Authority (WECA) Joint Scrutiny Committee**  
None

Councillor Waite reported back further to the Environment Agency (EA) motion put to the Council meeting in November 2023. A report had been circulated to members earlier that morning. It seemed clear that maintenance funding was insufficient. The EA had not yet provided a detailed list of those assets that would not be maintained but was expected to do so in the next few months.

Councillor Waite had met with Councillor Burden last month to discuss their shared concerns and was pleased to confirm that these meetings would continue to take place. Further engagement work with the EA would be necessary in order to protect communities. Councillor Waite had been invited to next Internal Drainage Board meeting and also to join a walk to areas where the IDB had responsibility.

Councillor Burden thanked Councillor Waite and echoed his concern with the historical lack of funding for maintenance. A lot of money had been invested for capital work but there had been neglect of the basic maintenance. Councillor Waite had a meeting scheduled with the EA and North Somerset Flood Risk Manager and would feed back to Councillor Burden after that had taken place.

**COU Urgent business permitted by the Local Government Act 1972 (if any)**

**175**

None.

---

Chairperson

---

This page is intentionally left blank



**North Somerset Council  
Council Meeting 16 April 2024  
Question Time (Agenda Item 12)**

**Question 1**

**From Councillor Steve Bridger  
To Executive Member for Spatial Planning, Placemaking and Economy –  
Councillor Mark Canniford**

**Developer appointment of management companies**

Councillor Bridger asked the following question:

“Colleagues will recognise that it has become very common (even the norm) for a housing developer and the council to agree during the planning process that the green spaces are not to be ‘adopted’ by the council but managed privately.

I am increasingly concerned by how some management companies seem to be treating residents in my ward as a ‘cash cow’ with households facing significant hikes in the estate service charge collected by a particular management company.

I met Sir Liam Fox at the weekend to discuss this as I know he shares these concerns and is acting on behalf of some residents in Portishead.

After seeking advice from the Solicitor, will Mark agree to a meeting to help me understand whether the council – as the Local Planning Authority – can influence (or has any agency) over how developers appoint companies to manage Public Open Space following a planning approval?”

Councillor Canniford thanked Councillor Bridger for his question confirming that the council’s preference was to adopt infrastructure and that this was assessed on a case-by-case basis. He agreed that this was unreasonable and should be reviewed, and to meet to consider suitable solutions. If this was not possible, then council could make representation to government.

**Question 2**

**From Councillor Patrick Keating  
To Executive Member for Highways and Transport - Councillor Hannah Young**

**Use of BSIP funding**

Councillor Keating asked the following question:

“While we can be rightly proud of the success of North Somerset in gaining record funding for Bus Service Improvement, our residents are concerned that existing and proposed plans for infrastructure works are overengineered for the number of buses circulating on our roads - and the disruption caused outweighs benefits - is there really a need for a huge new gyratory at Churchill?”

Can the Executive Member therefore please commit to:

- Reporting back to this Council before our next meeting in May on what steps she intends to take to ensure funds are spent only on practical, effective, and value for money schemes – that are to the benefit of all North Somerset residents
- Commit to scrapping schemes that do not meet this test
- Reassure us that all members are fully involved in the refresh of the BSIP and to push government to give NSC more flexibility on how to use BSIP funding – so that future schemes have the full support of local communities.

Councillor Young thanked Councillor Keating for his question and replied that much work had been undertaken behind the scenes hearing the concerns of communities regarding the delivery of BSIP. She reminded members of the extensive process of bidding to government for that funding. There were very good reasons for continuing at that time, including massive cuts to bus services. However, there had also been concerns about the nature of the schemes. There was recognised frustration for residents using our roads and the scale and impact of disruption.

There was therefore going to be a review of delivery against our original intentions and, other than the Wood Hill scheme, there would be a pause for the remainder of the infrastructure delivery. This would be reflected on the Forward Plan and members would be engaged in the refresh process.

### **Question 3**

**From Councillor Oliver Ellis**

**To Executive Member for Highways and Transport - Councillor Hannah Young**

#### **Safer lanes in Nailsea**

Councillor Ellis asked the following question:

“Will the Executive Member for transport agree to a meeting that she agreed to over seven months ago to look at ways to make Nailsea’s lanes safer?”

Councillor Young thanked Councillor Ellis for his question and replied that she would commit to a further meeting. The West End lanes in Nailsea were being considered in the context of the local plan, and she understood that this had already been fed back to Councillor Ellis.

### **Question 4**

**From Councillor Ciaran Cronnelly**

**To the Leader – Councillor Mike Bell**

#### **Funding for flooding mitigation at Hutton Moor Lane Park Homes**

Councillor Cronnelly asked the following question:

“The recent heavy rain across North Somerset has led to residents living at Hutton Moor Lane Park Homes becoming stranded in their home due to surface level flooding, which at times has been so high it is not passable without a vehicle. I applaud the council who have acted when requested and they have identified issues

with how the gulleys are discharging. To fix the issue will require capital programme investment and I'm concerned that due to the financial pressures placed on the council this won't be prioritised this year. Can you provide reassurance that the council will look into this as a priority and prioritise repairs this financial year?

Councillor Bell thanked Councillor Cronnelly for his question and responded that the cause was being investigated by the highways and flood risk teams as it appeared there was no drainage in the vicinity, leaving reliance on soakaways. Feasibility work was looking at the viability of capital works, but the relevant land was owned by a third party. An interim solution was being sought for this year.

More generally, there were real issues in flooding management and mitigation across the network due to the increase in rain over a sustained period and an outdated system that was not able to cope.

### **Question 5**

**From Councillor Stuart McQuillan**

**To Executive Member for Highways and Transport - Councillor Hannah Young**

#### **Accountability for bus service reliability**

Councillor McQuillan asked the following question:

"I am regularly approached by frustrated parents in Long Ashton who are seeking to get their children to Backwell and Nailsea schools via the X7 and X9 bus routes. I hear stories of cancelled busses, and overcrowded busses – indeed I experienced this myself recently being unable to board a bus that was full. It could be said that full busses are a good thing – but if people do not have good experiences on busses, they will look at other forms of transport such as the private car. I am aware of the work the council is doing to improve the sustainability of bus routes through BSIP, but my feeling is that the council are taking are doing its part by improving infrastructure through BSIP (and all the challenges that come with it) but there is not enough of a response from First Bus as yet. Can you outline what we are doing to hold First Bus to account in general – and what can we do to improve the reliability and capacity of the X7 and X9 routes specifically?"

Councillor Young thanked Councillor McQuillan for his question and underlined that this matter did indeed fall within the scope of BSIP. It was recognised that a lot of money was being spent on subsidising services which was why so much focus was on the infrastructure. She was having frequent and regular meetings with First Bus, with focus on performance and reliability to get services working more effectively.

### **Question 6**

**From Councillor Luke Smith**

**To Executive Member for Culture and Leisure – Councillor Mike Solomon**

#### **Award of Salthouse Fields concession**

Councillor Smith asked the following question:

“The awarding of the Salthouse Field's new concessions has been delayed. This means that the badly missed mini-train is expected to remain out of use for another season.

Despite the conflicting element being incredibly limited to a clash between a proposed redevelopment of the minigolf and longstanding proposals from Clevedon Skate Project. Residents will find it a bitter pill to swallow that the whole area and planned investments have been affected, with no guarantee that in a year's time a practical solution will be found. To summarise, Is this really the best way forwards?”

Councillor Solomon thanked Councillor Smith for his question and replied that unfortunately it was the only way forwards as the council did not run the concessions. He added that he would love to see someone come forward and run the train and the crazy golf, but that nobody had been forthcoming.

## **Question 7**

**From Councillor Ash Cartman**

**To Executive Member for Highways and Transport - Councillor Hannah Young**

### **Bus lanes and the Bus Service Improvement Programme**

Councillor Cartman asked the following question:

“Can the Executive Member clarify there will be no commitment for bus lanes for the next six months and ask the government for more time and flexibility for the funding?”

Councillor Young thanked Councillor Cartman for his question and responded that she had already been working with the Department for Transport to extend the programme. It had been a challenging programme to deliver, and more time was needed between schemes to check and test that they were right. There would be a pause on scheme delivery and the Forward Plan had been updated to reflect more sensible timings.

## **Question 8**

**From Councillor Tom Nicholson**

**To the Leader – Councillor Mike Bell**

### **Banwell bypass**

Councillor Nicholson asked the following question:

“Would you mind giving us an update on the Banwell Bypass? It's obviously a matter of great significance so if you don't mind giving us an update, I would be grateful. I would also like to apologise for not giving you a heads up of this question prior to about 15 minutes ago, I do appreciate your willingness to take a question at very short notice.”

Councillor Bell thanked Councillor Nicholson for his question. It had been unfortunate that the original contractor had pulled out, and the impact of that was continuing to be explored. Replacement contractors had already been identified to start the advance

environmental works, and there were continued conversations with Homes England as the funder. He remained confident that construction would start before too long and could guarantee that the bypass would be built, it was just a question of timing.

## **Question 9**

**From Councillor Thomas Daw**

**To Executive Member for Highways and Transport - Councillor Hannah Young**

### **Wrington school bus service**

Councillor Daw asked the following question:

“Wrington had the 127 bus which travelled between Wrington and the school. This has now been cut which I only found out about from North Somerset website. There are also issues for parents about the cost as it costs about twice as much to use the Bakers Dolphin alternative. Why wasn't I consulted about it, and can we extend the hours that the 125 bus runs so that it starts earlier for commuters?”

Councillor Young thanked Councillor Daw for his question and agreed that there had been some glitches in informing councillors of changes to bus services. Attempts to improve the service were being made through enhanced partnership with the service providers and the West of England Combined Authority. Changes could only be made in April and September each year, and these required a ten-week consultation in advance. It was really important to be talking to our communities at the time that they can influence change, and people were strongly encouraged people to speak with her and the officer team. The service had to be considered as a whole and there would always be specific winners and losers. Whilst arrangements were made so that young people would not be stranded, it wasn't always possible to guarantee that would be the cheapest option.

## **Question 10**

**From Councillor Mike Solomon**

**To Executive Member for Highways and Transport - Councillor Hannah Young**

### **Management of detour road signs**

Councillor Solomon asked the following question:

“I am seeing more and more detour signs having to go up and they just seem a bit random and unclear. Can we look at the management of these road signs that aren't necessarily all ours?”

Councillor Young thanked Councillor Solomon for his question and said that an upcoming scrutiny session had already been arranged to consider network management. It was clearly an issue for our communities. Whilst many of the signs were not those of North Somerset, it posed a large workload for a small network management team.

## **Question 11**

**From Councillor Stuart Davies**

**To Executive Member for Highways and Transport - Councillor Hannah Young**

### **Highways Improvement request forms**

Councillor Davies asked the following question:

“I submitted three highways improvement request forms last year and haven’t heard anything in response. This was having a negative impact on the community so please can we have feedback on these requests?”

Councillor Young thanked Councillor Davies for his question and undertook to pick up on these requests if there had been no feedback at all. There was a process for assessment which prioritised school safety. The challenge of staffing and recruitment in this area was posing a problem across all councils.

## **Question 12**

**From Councillor Peter Bryant**

**To the Leader – Councillor Mike Bell**

### **Decision to resurface Beach Road, Weston-super-Mare**

Councillor Bryant asked the following question:

“Thank you for the current resurfacing of Beach Road, but why has this decision been made as the road is currently in the top 5% of roads within the district?”

Councillor Bell thanked Councillor Bryant for his question and confirmed that the reason for the repair was because the road was beginning to deteriorate. It was cheaper and less disruptive to intervene early where possible to prevent more serious deterioration. Beach Road was a very important A road leading into and out of Weston-super-Mare and so fitted within a different area of prioritisation. Councillor Bell was satisfied that resurfacing was a sensible, value for money decision and the sooner we could do the same for other roads, the better.

## **Question 13**

**From Councillor Stuart McQuillan**

**To Executive Member for Highways and Transport - Councillor Hannah Young**

### **Openness in sharing meeting information**

Councillor McQuillan asked the following question:

“Could the meetings that you are having with the bus operator be shared to some extent as it would help with the public perception is that the council isn’t doing something when it actually is?”

Councillor Young thanked Councillor McQuillan for his question and said she was happy to provide an update at the end of each meeting.

#### **Question 14**

**From Councillor Bridget Petty**

**To Executive Member for Highways and Transport - Councillor Hannah Young**

#### **Change to bus service work in Backwell**

Councillor Petty asked the following question:

“In the past week, Taylor Wimpey have issued documents saying that the BSIP work will not continue in Backwell. The residents have become very concerned that the communications they are getting are not from the council. Will you give commitment to making a public statement on this issue? I appreciate our commitment to be open, but I think we could trust in our residents more. Would you consider a standing item on BSIP given the significance and interest? Can you confirm that the Forward Plan entry for May relating to the Backwell works will be removed?”

Councillor Young thanked Councillor Petty for her question and completely appreciated the comments made. She was keen to get a communication out imminently to ward and parish council members and was not aware of the Taylor Wimpey statement so would review the wider comms. The Backwell decision would not be made in May and would be likely to be moved to the tail end of the calendar year. The Forward Plan would be updated to reflect this.

This page is intentionally left blank



## Forward Plan

for the four-month period commencing on

**1<sup>st</sup> June 2024**

published on 3<sup>rd</sup> May 2024



This Forward Plan gives details of decision items to be presented during the forthcoming four months.

Councillors are invited to review the items and to consider whether any of them should be referred for scrutiny or discussed with the appropriate Executive Member.

### Executive (9)

**Leader of the Council - Councillor Mike Bell:** External liaison including strategic partnerships, Local Enterprise Partnership, North Somerset Partnership, Joint Executive Committee (WECA and North Somerset Council), • Strategic policy/corporate plan development, forward programme and strategic review • Strategic communications • Community engagement and consultation • Finance- Revenue budget including revenues and benefits - capital programme including major projects (Banwell Bypass & MetroWest/Portishead Rail) - Income generation • Corporate services

**Deputy Leader of the Council and executive member for children's services, families and life-long learning – Councillor Catherine Gibbons:** Children and young people's services - Early help and family hubs - Family support - Safeguarding - Children in care - Adoption and fostering services - Care experienced young people - Corporate parenting - Youth offending service • Displaced Foreign Nationals • Cost of living crisis response • Education - Early years settings - Special educational needs and disabilities (education) - School place planning and admissions - Links with local HE and FE institutions - Links with schools and multi academy trusts - Elective home education - Children's licences and permits • Skills - Skills strategy - Careers advice - Community learning

**Executive Member for climate, waste and sustainability – Councillor Annemieke Waite:** • Delivery of Strategic Asset Management Plan including: - Decarbonisation of North Somerset Council assets - Accommodation strategy project delivery - Corporate estate operational management - Strategic asset planning • Green energy • Climate Emergency • Ecological emergency • Marine environment conservation • Flood risk management • Green infrastructure strategy • Environmental services - Recycling and waste minimisation - Waste and street cleansing contracts

**Executive Member for homes and health – Councillor Jenna Ho Marris:** • Green homes • Housing development programme delivery • Affordable housing delivery • Homelessness and rough sleeper support • Housing solutions • Private sector housing • Alliance Homes liaison •

Equalities and diversity • Public health - Health and Wellbeing Board and Strategy - Integrated Care System and Locality Partnerships - Health improvement - Health protection - Health and care services

**Executive Member for highways and transport – Councillor Hannah Young:** • Highways operations - Highway network management - Highway maintenance contracts - Streetlighting • Highway technical services and delivery - Liveable neighbourhood schemes - Active travel schemes - Highway structures • Strategic transport - Transport policy - Transport decarbonisation including BSIP delivery - Public transport - Home to school transport - Bus and rail strategy • Parking strategy including parking operational management

**Executive Member for adult services and stronger communities – Councillor Roger Whitfield:** • Reablement and technology enabled care • Care reforms • Early intervention and prevention • Integrated commissioning • Domiciliary, residential and nursing care • Social work and occupational therapy • Customer services • Town and parish liaison • North Somerset Together • Voluntary sector liaison

**Executive Member for safety in the community – Councillor James Clayton:** • Regulatory services - Trading standards - Food and commercial health and safety - Environmental protection - Licensing • Emergency management • CCTV • Community safety - Night-time economy - Safety of women and girls - PSPOs • Liaison with police and fire services • Resilience Forum • Unauthorised encampments strategy

**Executive Member for spatial planning, placemaking and economy – Councillor Mark Canniford:** • Placemaking delivery • Visitor economy development • Development and commercial programme • Planning policy • Heritage and design • Spatial planning • Building control • Resilient economy - Employment - Local economy • High street and town centre renewal including Sovereign • Birnbeck Pier project  
Grove Park, High Street and wayfinding levelling up projects

**Executive Member for culture and leisure – Cllr Mike Solomon:** • Culture strategy and relationships with key partners including Arts Council England and Super Culture • Heritage Action Zones • Weston Hillfort project • Libraries • Community venues • Enabling events • Sports and leisure strategy • Seafronts, parks and lakes operational management and investment, including Marine Lake and Tropicana • Concessions • Crematoria and cemeteries

The items and the final decision taker are indicative. Decision making is subject to the Constitution.

Copies of documents listed can be obtained by contacting the officer named in the attached schedules. Other relevant documents may be submitted to the decision maker and can be requested from the named officer as they become available or may be available on the Council's website [www.n-somerset.gov.uk](http://www.n-somerset.gov.uk)

June 2024

1. Council and Executive Items

(NB No Council meeting scheduled for June. Executive meeting for July has been reinstated to consider items on Bus Service Improvement Plan and Local Plan due to time constraints for these items)

Meeting Date	Item/Issue requiring decision	Background Documents for Consideration	Decision Taker	Exempt Item? Yes/No/Part	Policy & Scrutiny Panel Activity & Engagement / Timeline	Contact Officer for Further Details
19/06	Local Plan Regulation 19		Executive		PEP scrutiny all member briefing 30 May 2024	Michael Reep <a href="mailto:Michael.reep@n-somerset.gov.uk">Michael.reep@n-somerset.gov.uk</a>
19/06	Adoption of updated Bus Service Improvement Plan, update in accordance with National Bus Strategy guidance updated January 2024 (previously listed April)	Bus Service Improvement Plan	Executive	No	12/04/2024 Informal Scrutiny engagement session	Carl Nicholson <a href="mailto:Carl.nicholson@n-somerset.gov.uk">Carl.nicholson@n-somerset.gov.uk</a>
19/06	Climate Adaptation Strategy (new entry)	Climate Emergency Action Plan <a href="https://www.somerset.gov.uk/sites/default/files/2023-03/31208_Climate_Emergency_Action_Plan_ACC.pdf">n- somerset.gov.uk/sites/default/files/2023-03/31208 Climate Emergency Action Plan ACC.pdf</a>	Executive		TCCP Scrutiny – 07/03/2024 Full Council – 16/04/2024	Victoria Barvenova <a href="mailto:Victoria.barvenova@n-somerset.gov.uk">Victoria.barvenova@n-somerset.gov.uk</a>
19/06	Waste vehicle purchase (new entry)	Decisions related to Teckal company, procurement regs (?)	Executive	No	Waste subgroup of TCC briefing (to confirm date)	Gemma Dando / Colin Russell <a href="mailto:Gemma.dando@n-somerset.gov">Gemma.dando@n-somerset.gov</a>
19/06	Approval of the School Place Planning Strategy 2024 – 2027 (rescheduled to July now reinstated to the June meeting)	CYPS Policy & Scrutiny Panel Scrutiny Working Group Papers – 8 December 2024 CYPS Policy & Scrutiny Panel Scrutiny Working Group Paper – May 2024 Public consultation – link to be provided later	Executive	No	CYPS Policy & Scrutiny Panel – School Organisation Working Group	Contact: Sally Varley (01275 884857)

Meeting Date	Item/Issue requiring decision	Background Documents for Consideration	Decision Taker	Exempt Item? Yes/No/Part	Policy & Scrutiny Panel Activity & Engagement / Timeline	Contact Officer for Further Details
19/06	Peer Review	TBC	Executive	No	Engagement with Group Leaders and Strategic Political Leaders, which includes all scrutiny chairs between February and April 2024	Jo Walker <a href="mailto:Jo.Walker@n-somerset.gov.uk">Jo.Walker@n-somerset.gov.uk</a> Councillor Mike Bell <a href="mailto:Mike.Bell@n-somerset.gov.uk">Mike.Bell@n-somerset.gov.uk</a>
19/06	Street Lighting Contract Commissioning Plan (rescheduled to July)	Street Lighting Contract Commissioning Plan	Executive	No	Informal Meeting has been agreed with Chairman Cllr Bridger. Date of Meeting to be confirmed but will be late February.	Mark Cogan <a href="mailto:Mark.cogan@n-somerset.gov.uk">Mark.cogan@n-somerset.gov.uk</a>
19/06	Winterstoke Road Bridge design and Construction services (Reverted to report to April Executive delegating decision to Executive Member)	None	Executive	No	TCC scrutiny engagement February / March 2024	Jason Reading <a href="mailto:Jason.reading@n-somerset.gov.uk">Jason.reading@n-somerset.gov.uk</a>

## 2. Executive Member Items and Director Key Decisions

Decision not before	Item/Issue requiring decision	Background Documents for Consideration	Decision Taker	Exempt Item? Yes/No/Part	Policy & Scrutiny Panel Activity & Engagement / Timeline	Contact Officer for Further Details
01/06	Approval of concept Design for Queensway signals / B3440 (previously listed April and May)	Bus Service Improvement Plan (BSIP) - Contract Award of Design and Build Contractor: <a href="https://n-somerset.moderngov.co.uk/documents/s5141/11%20Bus%20Service%20Improvement%20Plan%20Design%20and%20Build%20Contractor.pdf">https://n-somerset.moderngov.co.uk/documents/s5141/11%20Bus%20Service%20Improvement%20Plan%20Design%20and%20Build%20Contractor.pdf</a>	Executive Member – Cllr Young	No	Ongoing engagement and previously briefed in Summer 2023	James Padgham <a href="mailto:James.padgham@n-somerset.gov.uk">James.padgham@n-somerset.gov.uk</a>
01/06	Approval of concept Design for Moor Lane / Central Way roundabout (previously listed April and May)	Bus Service Improvement Plan (BSIP) - Contract Award of Design and Build Contractor: <a href="https://n-somerset.moderngov.co.uk/documents/s5141/11%20Bus%20Service%20Improvement%20Plan%20Design%20and%20Build%20Contractor.pdf">https://n-somerset.moderngov.co.uk/documents/s5141/11%20Bus%20Service%20Improvement%20Plan%20Design%20and%20Build%20Contractor.pdf</a>	Executive Member – Cllr Young	No	Ongoing engagement and previously briefed in Summer 2023	James Padgham <a href="mailto:James.padgham@n-somerset.gov.uk">James.padgham@n-somerset.gov.uk</a>
01/06	Approval of concept design– Tickenham Road Roundabout (new entry)	Bus Service Improvement Plan (BSIP) - Contract Award of Design and Build Contractor: <a href="https://n-somerset.moderngov.co.uk/documents/s5141/11%20Bus%20Service%20Improvement%20Plan%20Design%20and%20Build%20Contractor.pdf">https://n-somerset.moderngov.co.uk/documents/s5141/11%20Bus%20Service%20Improvement%20Plan%20Design%20and%20Build%20Contractor.pdf</a>	Executive Member – Cllr Young	No	Ongoing engagement and previously briefed in Summer 2023	James Padgham <a href="mailto:James.padgham@n-somerset.gov.uk">James.padgham@n-somerset.gov.uk</a>

Decision not before	Item/Issue requiring decision	Background Documents for Consideration	Decision Taker	Exempt Item? Yes/No/Part	Policy & Scrutiny Panel Activity & Engagement / Timeline	Contact Officer for Further Details
01/06	Traffic Signal Obsolescence Grant funding acceptance (new entry)	DP 528 Traffic Signals Obsolescence Grant (TSOG) acceptance decision report	Exec Member - Cllr Young	No	TCC Panel Chairperson confirmed no further scrutiny engagement necessary at this stage	Mark Cogan <a href="mailto:Mark.cogan@n-somerset.gov.uk">Mark.cogan@n-somerset.gov.uk</a>
01/06	Approval of the updated Local Development Scheme (new entry)	North Somerset Local Development Scheme	Executive Member -Cllr Canniford	No	PEP scrutiny all member briefing 30 May 2024	Claire Courtois <a href="mailto:claire.courtois@n-somerset.gov.uk">claire.courtois@n-somerset.gov.uk</a>
01/06	Contract Award for the delivery of an expansion to the buildings at Clevedon School to meet local place needs (previously listed for June, September, December 2023, January, and March 2024 – now moved to September. (Removed from plan, to be re-included at later date)	Report to the Children & Young People's Services Policy and Scrutiny Panel Date of Meeting: 20 October 2022 Subject of Report: Children & Young People's Services – School's Capital Programme – <a href="#">Committee Report NSC (moderngov.co.uk)</a>  Commissioning and Procurement Plan <a href="#">Approval of Commissioning Plan for delivering an expansion to the buildings at Clevedon School.pdf</a>	Director of Place  Moved from 21/06/23 Executive to Director Decision	No	Report to the Children & Young People's Services Policy and Scrutiny Panel Date of Meeting: 20 October 2022 Subject of Report: Children & Young People's Services – School's Capital Programme – <a href="#">Committee Report NSC (moderngov.co.uk)</a>  Reports to CYPS School Organisation Steering Group Being planned for June 2023	Sally Varley (she/her) Head of Strategic Place Planning, Capital Programmes and School Organisation/Admissions Service <a href="mailto:sally.varley@n-somerset.gov.uk">sally.varley@n-somerset.gov.uk</a>  Jonathan Hughes Senior Project Manager <a href="mailto:Jonathan.hughes@n-somerset.gov.uk">Jonathan.hughes@n-somerset.gov.uk</a>  David Peacock Senior Project Manager <a href="mailto:David.peacock@n-somerset.gov.uk">David.peacock@n-somerset.gov.uk</a>

Decision not before	Item/Issue requiring decision	Background Documents for Consideration	Decision Taker	Exempt Item? Yes/No/Part	Policy & Scrutiny Panel Activity & Engagement / Timeline	Contact Officer for Further Details
01/06	A38 MRN Scheme <b>Contract 1 works package A</b> – Contract Award of D&B Stage 1 (re-listing and previously listed for September, October 2022, January, March-April, May, August, September, November 2023 and January, February, April, and May 2024 – previously one contract) relisted in August	<p>Director Decision: 19/20-DE295 <a href="https://www.n-somerset.gov.uk/sites/default/files/2020-05/19-20%20DE%20295.pdf">https://www.n-somerset.gov.uk/sites/default/files/2020-05/19-20%20DE%20295.pdf</a></p> <p>OBC Commissioning and Procurement Plan</p> <p>– Exec Member Decision DP270 Decision (n-somerset.gov.uk)</p> <p>A38 Major Road Network Scheme Outline Business Case Submission and Local Contribution Funding</p> <p>– Full Council/Exec Member: –COU82 Agenda for Council on Tuesday, 9th November, 2021, 6.00 pm   North Somerset Council (moderngov.co.uk) DP 22/23 95 signed (n-somerset.gov.uk) DP 22/23 DP 108 MRN professional services procurement plan (n-somerset.gov.uk) Commissioning &amp; Procurement Plans for the Design &amp; Build Contract of the A38 Major Road Network (MRN) Scheme and associated Professional Services Exec member decision DP423 22/23 Approval of additional local contributions as a consequence of inflationary cost increases. DP423 (n-somerset.gov.uk)</p>	Director of Place	No	<p>The Place P&amp;SP were consulted at the OBC Submission Decision and Commissioning Plan stage during September/October 2021.</p> <p>An interim written briefing was provided to Place P&amp;SP on 31st May 2022 and a further written briefing was provided on 8<sup>th</sup> December 2022. A briefing will then be offered Transport, Climate and Communities P&amp;S Panel following OBC approval from DfT.</p>	Jason Reading, Senior Project Manager, Place Directorate <a href="mailto:Jason.reading@n-somerset.gov.uk">Jason.reading@n-somerset.gov.uk</a>

Decision not before	Item/Issue requiring decision	Background Documents for Consideration	Decision Taker	Exempt Item? Yes/No/Part	Policy & Scrutiny Panel Activity & Engagement / Timeline	Contact Officer for Further Details
01/06	A38 MRN Scheme <b>Contract 2 works package B</b> – Contract Award of D&B Stage 1 (re-listing and previously listed for September, October 2022, January, March April, May, August and September, November 2023 and January, February, April, and May 2024 – previously one contract) now listed August 2024	<p>Director Decision: 19/20-DE295 <a href="https://www.n-somerset.gov.uk/sites/default/files/2020-05/19-20%20DE%20295.pdf">https://www.n-somerset.gov.uk/sites/default/files/2020-05/19-20%20DE%20295.pdf</a></p> <p>OBC Commissioning and Procurement Plan</p> <p>– Exec Member Decision DP270 <a href="https://www.n-somerset.gov.uk">Decision (n-somerset.gov.uk)</a></p> <p>A38 Major Road Network Scheme Outline Business Case Submission and Local Contribution Funding</p> <p>– Full Council/Exec Member: <a href="https://www.n-somerset.gov.uk">COU82 Agenda for Council on Tuesday, 9th November, 2021, 6.00 pm   North Somerset Council (moderngov.co.uk)</a></p> <p><a href="https://www.n-somerset.gov.uk">DP 22/23 95 signed (n-somerset.gov.uk)</a></p> <p><a href="https://www.n-somerset.gov.uk">DP 22/23 DP 108 MRN professional services procurement plan (n-somerset.gov.uk)</a></p> <p>Commissioning &amp; Procurement Plans for the Design &amp; Build Contract of the A38 Major Road Network (MRN) Scheme and associated Professional Services</p> <p>Exec member decision DP423 22/23 Approval of additional local contributions as a consequence of inflationary cost increases.</p> <p><a href="https://www.n-somerset.gov.uk">DP423 (n-somerset.gov.uk)</a></p>	Director of Place	No	<p>The Place P&amp;SP were consulted at the OBC Submission Decision and Commissioning Plan stage during September/October 2021.</p> <p>An interim written briefing was provided to Place P&amp;SP on 31st May 2022 and a further written briefing was provided on 8<sup>th</sup> December 2022. A briefing will then be offered to Transport, Climate and Communities P&amp;SP following OBC approval from DfT.</p>	<p>Jason Reading, Senior Project Manager, Place Directorate <a href="mailto:Jason.reading@n-somerset.gov.uk">Jason.reading@n-somerset.gov.uk</a></p>



Decision not before	Item/Issue requiring decision	Background Documents for Consideration	Decision Taker	Exempt Item? Yes/No/Part	Policy & Scrutiny Panel Activity & Engagement / Timeline	Contact Officer for Further Details
01/06	A38 MRN Scheme Award of Professional Services Contract (previously listed for September, October 2022, January, March, April, May, August September, November 2023 and January, February, April, and May 2024) now listed for August 2024	<p>Director Decision: 19/20-DE295 <a href="https://www.n-somerset.gov.uk/sites/default/files/2020-05/19-20%20DE%20295.pdf">https://www.n-somerset.gov.uk/sites/default/files/2020-05/19-20%20DE%20295.pdf</a></p> <p>OBC Commissioning and Procurement Plan</p> <p>- Exec Member Decision DP270 Decision (<a href="https://www.n-somerset.gov.uk">n-somerset.gov.uk</a>)</p> <p>A38 Major Road Network Scheme Outline Business Case Submission and Local Contribution Funding</p> <p>- Full Council/Exec Member: COU82 Agenda for Council on Tuesday, 9th November, 2021, 6.00 pm   North Somerset Council (<a href="https://www.moderngov.co.uk">moderngov.co.uk</a>)</p> <p>DP 22/23 95 signed (<a href="https://www.n-somerset.gov.uk">n-somerset.gov.uk</a>)</p> <p>DP 22/23 DP 108 MRN professional services procurement plan (<a href="https://www.n-somerset.gov.uk">n-somerset.gov.uk</a>)</p> <p>Commissioning &amp; Procurement Plans for the Design &amp; Build Contract of the A38 Major Road Network (MRN) Scheme and associated Professional Services</p> <p>Exec member decision DP423 22/23 Approval of additional local contributions as a consequence of inflationary cost increases. DP423 (<a href="https://www.n-somerset.gov.uk">n-somerset.gov.uk</a>)</p>	Director of Place	No	<p>The Place P&amp;SP were consulted at the OBC Submission Decision and Commissioning Plan stage during September/October 2021.</p> <p>An interim written briefing was provided to Place P&amp;SP on 31st May 2022 and a further written briefing was provided on 8<sup>th</sup> December 2022. A briefing will then be offered to Transport, Climate and Communities P&amp;SP following OBC approval from DfT.</p>	<p>Jason Reading, Senior Project Manager, Place Directorate <a href="mailto:Jason.reading@n-somerset.gov.uk">Jason.reading@n-somerset.gov.uk</a></p>

Decision not before	Item/Issue requiring decision	Background Documents for Consideration	Decision Taker	Exempt Item? Yes/No/Part	Policy & Scrutiny Panel Activity & Engagement / Timeline	Contact Officer for Further Details
01/06	Contract Award Decision for BSIP Real Time Information (RTI) (previously listed for May 2024)	BSIP Commissioning Plan – Report to Full Council 12 July 2022.	Director of Place (key decision)	No	Ongoing engagement and previously briefed in Summer 2023	Contact: Alex Topham <a href="mailto:Alex.Topham@n-somerset.gov.uk">Alex.Topham@n-somerset.gov.uk</a>

## July 2024

### 1. Council and Executive Items

(NB Executive meeting scheduled for July – changed from June)

Meeting Date	Item/Issue requiring decision	Background Documents for Consideration	Decision Taker	Exempt Item? Yes/No/Part	Policy & Scrutiny Panel Activity & Engagement / Timeline	Contact Officer for Further Details
09/07	NSEC Shareholder update	<a href="https://n-somerset.moderngov.co.uk/documents/s4774/18.0%20NSEC%20shareholder%20update%20to%20Council.pdf">https://n-somerset.moderngov.co.uk/documents/s4774/18.0%20NSEC%20shareholder%20update%20to%20Council.pdf</a>	Council	No	Item for noting but will be taken to TCC Scrutiny Panel 27/06/2024	Amy Webb <a href="mailto:Amy.Webb@n-somerset.gov.uk">Amy.Webb@n-somerset.gov.uk</a>
09/07	MetroWest Phase 1 – Authorisations to enable project construction	Report to Council 9 <sup>th</sup> January 2024	Council	No	Scrutiny-led All-Member briefing to be arranged prior to the Council meeting	Contact: James Willcock <a href="mailto:James.Willcock@n-somerset.gov.uk">James.Willcock@n-somerset.gov.uk</a>
09/07	Contract award for Banwell bypass design and build contract (previously listed May 2024)	COU83 Banwell bypass stage 2 gateway decision <a href="https://n-somerset.moderngov.co.uk/documents/s5290/05%20Full%20Council%20-%20Bypass%20Gateway%20Decision%20stage%202%20FINAL.pdf">https://n-somerset.moderngov.co.uk/documents/s5290/05%20Full%20Council%20-%20Bypass%20Gateway%20Decision%20stage%202%20FINAL.pdf</a>	Council	No	Informal TCC Panel meeting 22/04/2024	Katie Park 07771947034
17/07	Approval of the School Place Planning Strategy 2024 – 2027 (moved from previously rescheduled now reinstated June meeting; reinstated back to June meeting)	CYPS Policy & Scrutiny Panel Scrutiny Working Group Papers – 8 December 2024 CYPS Policy & Scrutiny Panel Scrutiny Working Group Paper – May 2024 Public consultation – link to be provided later	Executive	No	CYPS Policy & Scrutiny Panel – School Organisation Working Group	Contact: Sally Varley (01275 884857)

Meeting Date	Item/Issue requiring decision	Background Documents for Consideration	Decision Taker	Exempt Item? Yes/No/Part	Policy & Scrutiny Panel Activity & Engagement / Timeline	Contact Officer for Further Details
17/07	Street Lighting Contract Commissioning Plan (moved from rescheduled now reinstated June meeting)	Street Lighting Contract Commissioning Plan	Executive	No	Informal Meeting has been agreed with TCC Chairperson Cllr Bridger. Date of Meeting 4 April.	Mark Cogan <a href="mailto:Mark.cogan@n-somerset.gov.uk">Mark.cogan@n-somerset.gov.uk</a>
17/07	Decision on whether to adopt 1) the new parking management strategy, 2) introduce charges to new car parks/ on-street locations, 3) introduce a new short-stay parking permit	<a href="#">Parking management strategy consultation</a>	Executive	No	PEP Task finish group - 4 meetings: 15/3, 10/4 (others tbc)	Steve Thorne <a href="mailto:Steve.Thorne@n-somerset.gov.uk">Steve.Thorne@n-somerset.gov.uk</a>
17/07	Decision on whether to change to 3-weekly residual waste collections	<a href="#">Public consultation for introducing 3 weekly residual waste collections.pdf</a>	Executive	No	Details to be confirmed	Colin Russell <a href="mailto:Colin.Russell@n-somerset.gov.uk">Colin.Russell@n-somerset.gov.uk</a>
17/07	Q4 Performance Management Update	<a href="#">Organisational priorities   North Somerset Council (n-somerset.gov.uk)</a>  <a href="#">Risk Management Strategy (n-somerset.gov.uk)</a>	Executive	No	This is an information item. Quarterly updates to Scrutiny Panels will follow the update to the Executive as per the agreed business planning and risk management framework.	<a href="mailto:Emma.diakou@n-somerset.gov.uk">Emma.diakou@n-somerset.gov.uk</a>  <a href="mailto:Jo.belbin@n-somerset.gov.uk">Jo.belbin@n-somerset.gov.uk</a>
17/07	Energy Strategy (new entry)	Strategic Asset Management Plan 210208 North Somerset SAMP Report Part 2_FINAL (moderngov.co.uk)  Climate Emergency Action Plan <a href="https://n-somerset.gov.uk/sites/default/files/2023-03/31208%20Climate%20Emergency%20Action%20Plan%20ACC.pdf">n-somerset.gov.uk/sites/default/files/2023-03/31208 Climate Emergency Action Plan ACC.pdf</a>	Executive		TCCP – 27/06/2024	Ian Gillard <a href="mailto:ian.gillard@n-somerset.gov.uk">ian.gillard@n-somerset.gov.uk</a>

## 2. Executive Member Items and Director Key Decisions

Decision not before	Item/Issue requiring decision	Background Documents for Consideration	Decision Taker	Exempt Item? Yes/No/Part	Policy & Scrutiny Panel Activity & Engagement / Timeline	Contact Officer for Further Details
17/07	Commissioning and Procurement plan for the delivery of the Public Sector Decarbonisation Scheme (PSDS) at Hutton Moor Leisure Centre (new entry)	Report to the Executive 24 April 2024  23/24 DP 244	Executive	No	Transport, Climate and Communities Policy and Scrutiny Panel – informal meeting arranged for 25 June 2024.	Karlie Phillips – Leisure Manager  <a href="mailto:Karlie.phillips@n-somerset.gov.uk">Karlie.phillips@n-somerset.gov.uk</a>
01/07	Approval of concept design for Churchill Gate (new entry)	Bus Service Improvement Plan (BSIP) - Contract Award of Design and Build Contractor: <a href="https://n-somerset.moderngov.co.uk/documents/s5141/11%20Bus%20Service%20Improvement%20Plan%20Design%20and%20Build%20Contractor.pdf">https://n-somerset.moderngov.co.uk/documents/s5141/11%20Bus%20Service%20Improvement%20Plan%20Design%20and%20Build%20Contractor.pdf</a>	Executive Member – Cllr Young	No	Ongoing engagement and previously briefed in Summer 2023	James Padgham <a href="mailto:James.padgham@n-somerset.gov.uk">James.padgham@n-somerset.gov.uk</a>
01/07	Approval of concept design for Lime Kiln Roundabout (new entry)	Bus Service Improvement Plan (BSIP) - Contract Award of Design and Build Contractor: <a href="https://n-somerset.moderngov.co.uk/documents/s5141/11%20Bus%20Service%20Improvement%20Plan%20Design%20and%20Build%20Contractor.pdf">https://n-somerset.moderngov.co.uk/documents/s5141/11%20Bus%20Service%20Improvement%20Plan%20Design%20and%20Build%20Contractor.pdf</a>	Executive Member – Cllr Young	No	Ongoing engagement and previously briefed in Summer 2023	James Padgham <a href="mailto:James.padgham@n-somerset.gov.uk">James.padgham@n-somerset.gov.uk</a>

**August 2024**

**1. Council and Executive Items**

**(NB: NO Council or Executive Meeting scheduled in August)**

<b>Meeting Date</b>	<b>Item/Issue requiring decision</b>	<b>Background Documents for Consideration</b>	<b>Decision Taker</b>	<b>Exempt Item? Yes/No/Part</b>	<b>Policy &amp; Scrutiny Panel Activity &amp; Engagement / Timeline</b>	<b>Contact Officer for Further Details</b>
---------------------	--------------------------------------	---	-----------------------	---------------------------------	---	--

## 2. Executive Member Items and Director Key Decisions

Decision not before	Item/Issue requiring decision	Background Documents for Consideration	Decision Taker	Exempt Item? Yes/No/ Part	Policy & Scrutiny Panel Activity & Engagement / Timeline	Contact Officer for Further Details
01/08	A38 MRN Scheme <b>Contract 1 works package A</b> - Contract Award of D&B Stage 1 (re-listing and previously listed for September, October 2022, January, March April, May, August, September, November 2023 and January, February, April, May and June 2024 – previously one contract)	<p>Director Decision: 19/20 DE295  <a href="https://www.n-somerset.gov.uk/sites/default/files/2020-05/19-20%20DE%20295.pdf">https://www.n-somerset.gov.uk/sites/default/files/2020-05/19-20%20DE%20295.pdf</a>                      OBC Commissioning and Procurement Plan                      - Exec Member Decision DP270 <a href="#">Decision (n-somerset.gov.uk)</a> A38 Major Road Network Scheme Outline Business Case Submission and Local Contribution Funding                      - Full Council/Exec Member: COU82 <a href="#">Agenda for Council on Tuesday, 9th November, 2021, 6.00 pm   North Somerset Council (moderngov.co.uk)</a>  <a href="#">DP 22/23 95 signed (n-somerset.gov.uk)</a>  <a href="#">DP 22/23 DP 108 MRN professional services procurement plan (n-somerset.gov.uk)</a>                      Commissioning &amp; Procurement Plans for the Design &amp; Build Contract of the A38 Major Road Network (MRN) Scheme and associated Professional Services                      Exec member decision DP423 22/23 Approval of additional local contributions as a consequence of inflationary cost increases.  <a href="#">DP423 (n-somerset.gov.uk)</a></p>	Director of Place	No	<p>The Place P&amp;SP were consulted at the OBC Submission Decision and Commissioning Plan stage during September/October 2021.</p> <p>An interim written briefing was provided to Place P&amp;SP on 31st May 2022 and a further written briefing was provided on 8<sup>th</sup> December 2022. A briefing will then be offered Transport, Climate and Communities P&amp;S Panel following OBC approval from DfT.</p>	Jason Reading, Senior Project Manager, Place Directorate <a href="mailto:Jason.reading@n-somerset.gov.uk">Jason.reading@n-somerset.gov.uk</a>

Decision not before	Item/Issue requiring decision	Background Documents for Consideration	Decision Taker	Exempt Item? Yes/No/Part	Policy & Scrutiny Panel Activity & Engagement / Timeline	Contact Officer for Further Details
01/08	A38 MRN Scheme <b>Contract 2 works package B</b> - Contract Award of D&B Stage 1 (re-listing and previously listed for September, October 2022, January, March April, May, August and September, November 2023 and January, February, April, May and June 2024 – previously one contract)	<p>Director Decision: 19/20 DE295 <a href="https://www.n-somerset.gov.uk/sites/default/files/2020-05/19-20%20DE%20295.pdf">https://www.n-somerset.gov.uk/sites/default/files/2020-05/19-20%20DE%20295.pdf</a></p> <p>OBC Commissioning and Procurement Plan</p> <p>- Exec Member Decision DP270 <a href="https://www.n-somerset.gov.uk">Decision (n-somerset.gov.uk)</a></p> <p>A38 Major Road Network Scheme Outline Business Case Submission and Local Contribution Funding</p> <p>- Full Council/Exec Member: <a href="https://www.n-somerset.gov.uk">COU82 Agenda for Council on Tuesday, 9th November, 2021, 6.00 pm   North Somerset Council (moderngov.co.uk)</a></p> <p><a href="https://www.n-somerset.gov.uk">DP 22/23 95 signed (n-somerset.gov.uk)</a></p> <p><a href="https://www.n-somerset.gov.uk">DP 22/23 DP 108 MRN professional services procurement plan (n-somerset.gov.uk)</a></p> <p>Commissioning &amp; Procurement Plans for the Design &amp; Build Contract of the A38 Major Road Network (MRN) Scheme and associated Professional Services</p> <p>Exec member decision DP423 22/23 Approval of additional local contributions as a consequence of inflationary cost increases.</p> <p><a href="https://www.n-somerset.gov.uk">DP423 (n-somerset.gov.uk)</a></p>	Director of Place	No	<p>The Place P&amp;SP were consulted at the OBC Submission Decision and Commissioning Plan stage during September/October 2021.</p> <p>An interim written briefing was provided to Place P&amp;SP on 31st May 2022 and a further written briefing was provided on 8<sup>th</sup> December 2022. A briefing will then be offered to Transport, Climate and Communities P&amp;SP following OBC approval from DfT.</p>	Jason Reading, Senior Project Manager, Place Directorate <a href="mailto:Jason.reading@n-somerset.gov.uk">Jason.reading@n-somerset.gov.uk</a>



Decision not before	Item/Issue requiring decision	Background Documents for Consideration	Decision Taker	Exempt Item? Yes/No/Part	Policy & Scrutiny Panel Activity & Engagement / Timeline	Contact Officer for Further Details
01/08	A38 MRN Scheme Award of Professional Services Contract (previously listed for September, October 2022, January, March, April, May, August September, November 2023 and January, February, April, May and June 2024)	<p>Director Decision: 19/20 DE295 <a href="https://www.n-somerset.gov.uk/sites/default/files/2020-05/19-20%20DE%20295.pdf">https://www.n-somerset.gov.uk/sites/default/files/2020-05/19-20%20DE%20295.pdf</a></p> <p>OBC Commissioning and Procurement Plan</p> <p>- Exec Member Decision DP270 <a href="https://www.n-somerset.gov.uk">Decision (n-somerset.gov.uk)</a></p> <p>A38 Major Road Network Scheme Outline Business Case Submission and Local Contribution Funding</p> <p>- Full Council/Exec Member: <a href="https://www.n-somerset.gov.uk">COU82 Agenda for Council on Tuesday, 9th November, 2021, 6.00 pm   North Somerset Council (moderngov.co.uk)</a></p> <p><a href="https://www.n-somerset.gov.uk">DP 22/23 95 signed (n-somerset.gov.uk)</a></p> <p><a href="https://www.n-somerset.gov.uk">DP 22/23 DP 108 MRN professional services procurement plan (n-somerset.gov.uk)</a></p> <p>Commissioning &amp; Procurement Plans for the Design &amp; Build Contract of the A38 Major Road Network (MRN) Scheme and associated Professional Services</p> <p>Exec member decision DP423 22/23 Approval of additional local contributions as a consequence of inflationary cost increases. <a href="https://www.n-somerset.gov.uk">DP423 (n-somerset.gov.uk)</a></p>	Director of Place	No	<p>The Place P&amp;SP were consulted at the OBC Submission Decision and Commissioning Plan stage during September/October 2021.</p> <p>An interim written briefing was provided to Place P&amp;SP on 31st May 2022 and a further written briefing was provided on 8<sup>th</sup> December 2022. A briefing will then be offered to Transport, Climate and Communities P&amp;SP following OBC approval from DfT.</p>	Jason Reading, Senior Project Manager, Place Directorate <a href="mailto:Jason.reading@n-somerset.gov.uk">Jason.reading@n-somerset.gov.uk</a>

**September 2024**

**1. Council and Executive Items**

<b>Meeting Date</b>	<b>Item/Issue requiring decision</b>	<b>Background Documents for Consideration</b>	<b>Decision Taker</b>	<b>Exempt Item? Yes/No/Part</b>	<b>Policy &amp; Scrutiny Panel Activity &amp; Engagement / Timeline</b>	<b>Contact Officer for Further Details</b>
11/09			Executive			
17/09	Support Services Partnership 2025 – “Contract 3: ICT” next steps (new entry)	To be confirmed	Council	Part	TCC Scrutiny working group established	Stuart Anstead

## 2. Executive Member Items and Director Key Decisions

Decision not before	Item/Issue requiring decision	Background Documents for Consideration	Decision Taker	Exempt Item? Yes/No/Part	Policy & Scrutiny Panel Activity & Engagement / Timeline	Contact Officer for Further Details
01/09	Commissioning Plan for the delivery of an expansion to the buildings at Clevedon School to meet local place needs and resolve High Alumina Cement Concrete issues identified (previously listed for June, September, December 2023, January, and March 2024)	<p>Report to the Children &amp; Young People's Services Policy and Scrutiny Panel Date of Meeting: 20 October 2022 Subject of Report: Children &amp; Young People's Services – School's Capital Programme - <a href="#">Committee Report NSC (moderngov.co.uk)</a></p> <p>Commissioning and Procurement Plan <a href="#">Approval of Commissioning Plan for delivering an expansion to the buildings at Clevedon School.pdf</a></p>	<p>Director of Place</p> <p>Moved from 21/06/23 Executive to Director Decision</p>	No	<p>Report to the Children &amp; Young People's Services Policy and Scrutiny Panel Date of Meeting: 20 October 2022 Subject of Report: Children &amp; Young People's Services – School's Capital Programme - <a href="#">Committee Report NSC (moderngov.co.uk)</a></p> <p>Reports to CYPS School Organisation Steering Group Being planned for June 2023</p>	<p>Sally Varley (she/her) Head of Strategic Place Planning, Capital Programmes and School Organisation/Admissions Service <a href="mailto:sally.varley@n-somerset.gov.uk">sally.varley@n-somerset.gov.uk</a></p> <p>Jonothan Hughes Senior Project Manager <a href="mailto:Jonothan.hughes@n-somerset.gov.uk">Jonothan.hughes@n-somerset.gov.uk</a></p> <p>David Peacock Senior Project Manager <a href="mailto:David.peacock@n-somerset.gov.uk">David.peacock@n-somerset.gov.uk</a></p>

This page is intentionally left blank

# Agenda Item 8

## **Motion Proposed Local Plan changes to support public realm and public art.**

Motion By Cllr Bridget Petty

May 2024

The latest news is that the Local Plan is continuing to be revised and will be consulted on again before submission to the planning inspector. In the next 15 years thousands of houses will get built across North Somerset.

A Backwell resident approached me to ask if North Somerset Council would consider planning changes like neighbouring councils Bristol and South Glos to use the planning process to access funding to support public art through section 106 and policy development.

A report in 2022 found that the biggest housebuilders (many who work in North Somerset) made more than £7 billion in profit in the two years of the pandemic. Two who have their sights set on Backwell, 'Persimmon amassed profits of more than £1.76billion.. Taylor Wimpey £994m.' With profits like this, there is no reason to think the developers can't be delivering the affordable housing needs we have and the improvements to services such as sustainable transport and public art. It is not a question of or, they are making millions off land in North Somerset and public art is a small but important way that the local community can be provided some cultural compensation.

Placemaking has been the topic of many conversations over the past five years, and we do need our towns and our villages to take pride in their sense of place. Public Art has many potential benefits such as;

- Encourage high-quality design and environmental standards
- Improve accessibility and legibility
- Enhance public open space and other recreational facilities
- Raise the profile of town and village centres
- Empower local people and communities
- Celebrate heritage, biodiversity, and culture
- Advocating and promoting the benefits of public art

Officers have recently been working on a cultural audit and action plan, so this work can support this.

### **The Council resolves to:**

Add additional text to the Local Plan to recognise the importance and opportunity to have a contribution from developers to support public art and the public realm. This is compatible with the latest NSC Corporate Plan that recognises the importance of good place-making and a sustainable thriving community.

This could feature in policies (and/or where the officers see fit);

- SP4: Placemaking
- LP1: Wolvershill Strategic Site, and
- DP1: High quality design

Reference: [Britain's biggest housebuilders make £7bn of profit in pandemic | This is Money](#)

This page is intentionally left blank

## North Somerset Council

### Report to the Council

**Date of Meeting:** 14/05/24

**Subject of Report:** Briefing - Graduating From Care, Core Offer for Care Leavers in the Southwest and the Regional App.

**Town or Parish:**

**Officer/Member Presenting:** Cllr Catherine Gibbons

**Key Decision:** No

**Reason:** N/A – briefing only - no decision required

### Recommendations

#### 1. Summary of Report

This briefing provides an overview of the regional developments in relation to 'levelling up' our local and regional offer to care experienced young people through the Graduating from Care Southwest project.

#### 2. Policy

Corporate Parenting Strategy

#### 3. Details

'Corporate parenting' describes our collective responsibility as a Council, local authority and partner agencies to act as effective parents for children and young people who are in our care or who are care leavers. It involves a commitment to ensuring that they receive the support, guidance, and opportunities they need to thrive and achieve their full potential.

There are clear Statutory responsibilities placed on local authorities to ensure that care experienced young people have the help and support they need when they become Care Leavers, and this is set out in our local offer. In practice, Local Authorities have taken differing approaches and offered different levels of support, leading to a lack of consistency for care experienced young people.

In order to overcome this, and to deliver an ambitious and consistent offer across the region, North Somerset have joined with nine local authorities in the South West in developing and signing up to, the 'Graduating from Care Southwest' project.

The Graduating Care Southwest Project is a Local Authority collaboration and commitment to 'level up' to a Regional Core Offer to care leavers across the Southwest that goes beyond statutory requirements. This will be achieved through changes to individual local authority offers as well as developmental work with regional partners and businesses.

Further plans to enable the remaining local authorities in the region to join the project are in progress.

An important part of the project is development of a regional app for care leavers which will publish the Core Regional Offer across the nine local authorities along with more details about each individual Local Authorities local offer.

### **What does the Core Regional Offer comprise of?**

The Regional Core Offer comprises of 5 key areas; Advice and Support; Education, Employment & Training; Financial Offer; Health & Wellbeing; Housing.

The development of each aspect has sought to provide the regional standard for new local authorities wishing to join and is an important first step in creating parity in the local offers across the region.

### **What is the App?**

The App has been co-produced with young people across the region.

The App will provide access to the Core Regional offer as well as the full local offer from each local authority involved.

The App will enable young people to access information quickly and easily about their rights, entitlements as well as how to access advice and support in relation to a wide a range of issues for example, their health and wellbeing, education employment and training, budgeting and financial support, support to becoming a parent and much more.

The App will also provide an important platform to communicate with our Care Leavers, for example posting events and offering opportunities for young people to share their views, experiences and shape services.

### **Launching the App**

The App goes live on Monday 29<sup>th</sup> April and will be in the public domain from this date.

The Care Leavers Team and Participation Team will be focused on supporting sign-up for all care experienced young people during May through.

The content of our App pages will be maintained and updated regularly to ensure that these are constantly developing, including exciting fresh content for young people and have the most up to date information.

### **How can members actively support?**

As Corporate Parents, there are many opportunities to support children in care and care experienced young people in all aspects of their lives and future aspirations. This could include:



- Keeping the importance of our care experienced children and young people high on the agenda, regularly scrutinising our work in this area and monitoring improvement programmes
- Offering practical support.
- Support others including businesses and communities to come forward with opportunities for mentoring, training, work experience or enhanced offers and discounts.
- Providing moral support and building esteem by regularly celebrating success
- Using their voices to promote learning and engagement opportunities within the community.
- Continuing to listen regularly and directly to our children and young people.
- View the Graduating from Care South West App when it goes live and promote its use and visibility of our 'Local Offer'.

If you would like more information about how you can play an even more active role as a corporate parent, you can contact the Head of Corporate Parenting, Liz Brierley (liz.brierley@n-somerset.gov.uk)

#### **4. Consultation**

N/A – briefing only - no decision required

#### **5. Financial Implications**

This briefing does not include additional financial implications.

#### **Costs**

N/A – briefing only - no decision required.

#### **Funding**

N/A – briefing only - no decision required.

#### **6. Legal Powers and Implications**

N/A – briefing only - no decision required.

#### **7. Climate Change and Environmental Implications**

N/A – briefing only - no decision required.

#### **8. Risk Management**

N/A – briefing only - no decision required.

#### **9. Equality Implications**

N/A – briefing only - no decision required.

[Click here to enter Equality Implications

#### **10. Corporate Implications**

N/A – briefing only - no decision required.

## **11. Options Considered**

N/A – briefing only - no decision required.

### **Author:**

Liz Brierley – Head of Corporate Parenting

### **Appendices:**

[Click here to enter Appendices]

### **Background Papers:**

[Click here to enter Background Papers]

## North Somerset Council

### Report to the Council

**Date of Meeting: 14 May 2024**

**Subject of Report: Support Services ICT Contract**

**Town or Parish:**

**Officer/Member Presenting: Leader of the Council**

**Key Decision: No**

### Reason:

Not an Executive decision

### Recommendations

That council approves the commissioning plan for the provision of ICT services which will initiate a detailed exploration of a shared service for the delivery of its future requirements as the preferred option. The due diligence process will be undertaken at pace to provide an opportunity to commission a commercial service if the shared service is deemed unviable.

This recommendation assumes that a Shared Service model will be delivered via an established Local Authority Trading Company (LATC) to which the Council can become a partner and therefore retain its sovereignty and influence over future delivery and strategy.

### 1. Summary of Report

In September 2023, the Council agreed to the following four decisions which defined the initial stages of the commissioning intentions for the procurement of the existing Support Services contract services:

1. To move toward a multi-provider model.
2. To stagger contract end dates so that existing services are re-procured incrementally.
3. To procure the revenues and benefits service using a government framework.
4. To develop an options appraisal for ICT provision to compare a shared service within the public sector vs. a commercial supplier offer.

Connected to item 4 – the approach has been to engage market specialists to investigate and define a future delivery model for ICT services – service management, hosting, security, networks, applications, system administration, end-user devices and telephony.

The options appraisal undertaken by external consultants (SOCITM) concluded that a shared service model delivered by a Local Authority Trading Company (LATC) received the highest alignment with the assessment model, making it the preferred option for the delivery of future ICT services. Subsequent market analysis by SOCITM concluded that there is one such company (DELT Shared Services Ltd, a Teckal company of Plymouth City Council) with a suitable operating model, capability and experience to deliver the Council's requirements and achieve positive alignment per the assessment. The recommendation is

to undertake a detailed due diligence process to understand and test if the identified LATC could provide a viable delivery solution before committing to joining the partnership.

## **2. Policy**

This project forms part of the Corporate Plan:

- Aim: Open and enabling
- Priority: Managing our resources and invest wisely

Additionally, the project specifically supports the ambition of the corporate services directorate to 'Strengthen our strategic partnerships to get the best deal for North Somerset, our residents, and communities'. This is predicted to support the delivery of two of the overarching outcomes:

- Delivered a multi-supplier model for support services.
- Service transformation to deliver medium-term financial plan savings.

## **3. Details**

At its meeting on 18 September 2023, Council agreed the two options that would be considered to identify a new provider of IT services, viz. a commercial outsource solution vs. a shared service provider.

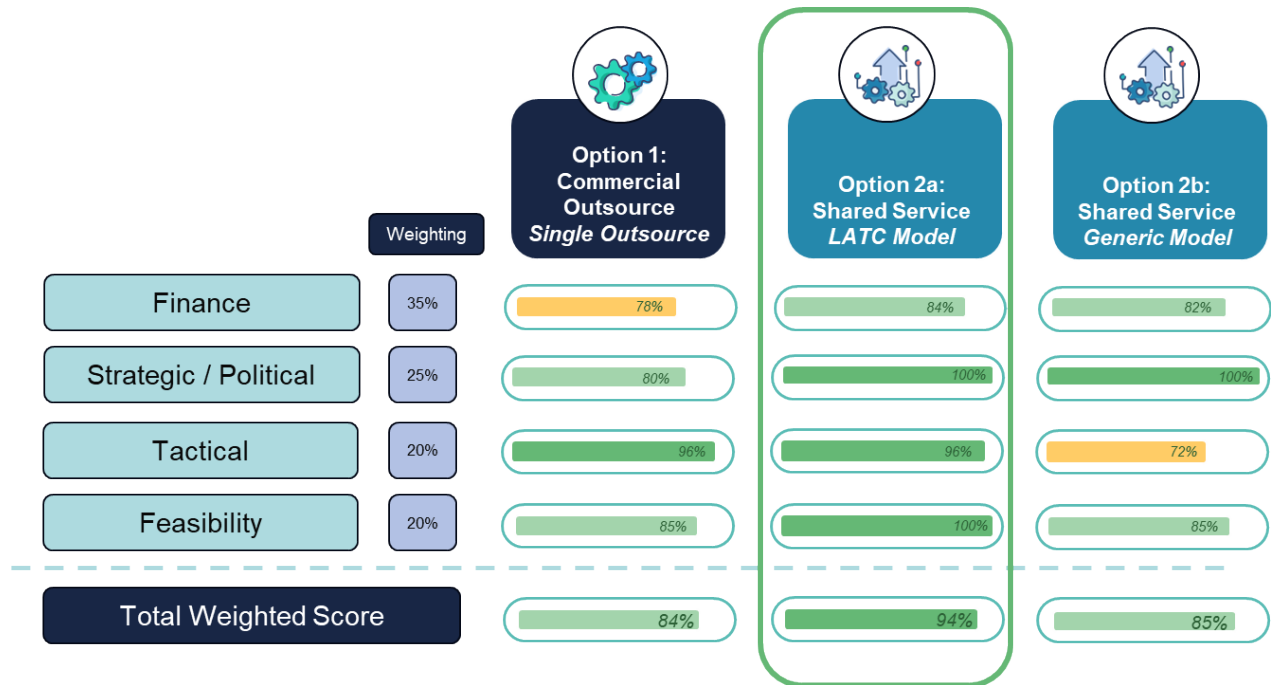
With support from independent external specialists, SOCITM, the council conducted a detailed appraisal and market assessment of the two options. While the appraisal considered these two approaches, the final assessment differentiated that of shared service providers into two categories which were:

- a Local Authority Trading Company (LATC) shared service model, and
- a generic shared service model.

The options appraisal considered the options using a quantitative model based on independently defined criteria comprising the following categories:

- Financial considerations,
- Strategic and political drivers,
- Tactical alignment, and
- Feasibility to deliver for the council.

A summary of the options appraisal scores are detailed below:



The shared service model aligned to an LATC Model (2a) received the highest alignment with the assessment model and therefore score, making it the preferred option. In summary, the reasoning behind this assessment is the LATC model allows the council to:

- Retain control of the IT environment and set architectural direction.
- Minimise initial capital expenditure as an LATC would run the existing service as-is from day 1 and not insist on immediate change.
- Access a service with greater alignment with the criteria and requirements.
- Leverage additional available shared services under its shareholder agreement.
- Commit to the development of regional services providing skills and employment within the SW region.
- Experience more rapid cultural alignment as a result of TUPE'd staff moving to an LATC model.

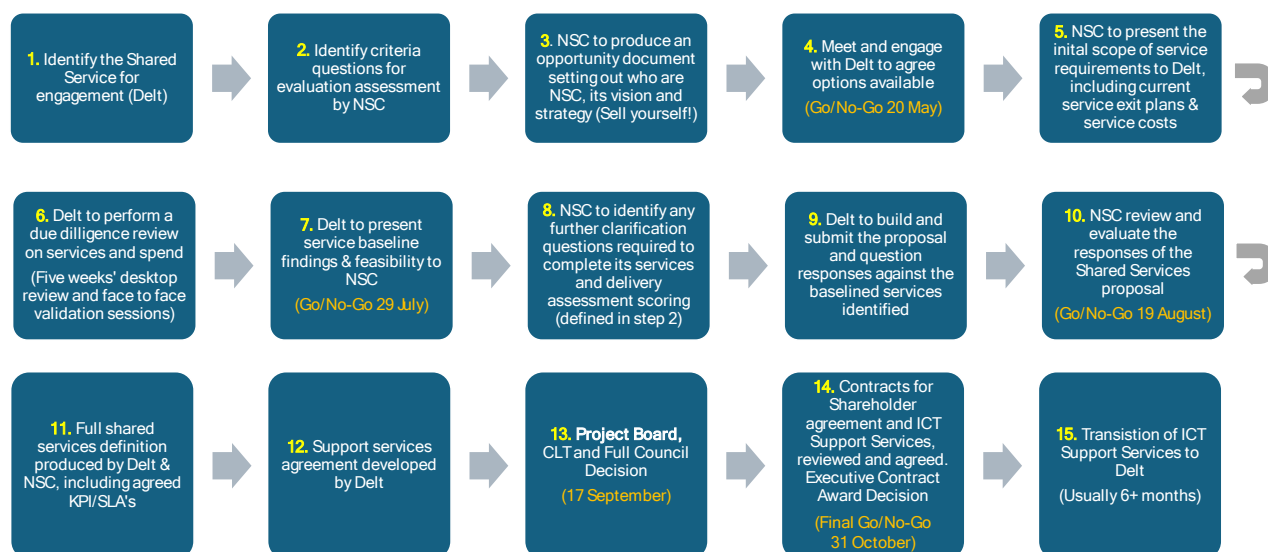
Considering the available market, while several companies provide a mixture of different services e.g. Back Office Services and Customer Services or the generic shared service model, based on published information and SOCITMs knowledge of the market, there is only one company nationally that fits the LATC model when compared to NSC requirements. While other companies have attempted to create a similar model, the resulting organisations would not meet the Councils strategic objectives, in areas such as a partners ability to retain sovereignty and influence over future delivery and strategy. On this basis, the due diligence process will focus on the acceptability of joining the existing LATC Delt Shared Services Limited which is based in the south west region.

The detailed due diligence process will produce a robust evaluation and assessment framework and will consider the following:

- Financial model to deliver the published MTFP savings.
- Company composition and future governance processes.
- Initial budget benchmarking.
- Commercial arrangements regarding dividend sharing.
- The initial shareholder investment.
- Exit schedules.
- Termination for convenience.

- Flexibility on sole provider rights (ability to buy products & services from other providers).
- Opportunities for other services (Payroll etc).

The plan and broad timeline are set out in the following diagram:



In terms of next steps and responsibilities for review and approval of the final decision, the Project Board will adopt the daily governance, with updates to the Corporate Leadership time and via informal engagement with the Leader and the Executive. A final decision regarding contract award being taken by Executive subject to approval of the Commissioning and Procurement Plan (this paper) and a later decision of Full Council to becoming a shareholder of the company. The proposed timeline is as follows:

- May 2024 - Full Council – Commissioning and Procurement Plan
- September 2024 - Full Council - SSP 2025 “Contract 3: ICT” Shareholder Agreement
- October 2024 – Executive – Contract award

#### 4. Consultation

Engagement has taken place across the organisation based on shared requirements and historical knowledge of the services. Recommendations have been tested and discussed at several governance groups including local subject matter experts in the Client Team, the dedicated Project Board and the Corporate Leadership Team.

SOCITM was appointed as a technical specialist and using its experience, knowledge and information sources available nationally has shaped their Assessment and recommendation. Please see Background Papers A & B for the SOCITM outcome reports.

#### 5. Financial Implications

Becoming a joint shareholder of the LATC involves the transfer of the Council budget to deliver services, and will provide the opportunity to receive a shareholder dividend payment at the end of each financial year and the options appraisal concluded that an appropriate level of savings to meet future MTFP targets can be achieved. However, it is important to note that these are not contractually guaranteed as per the historic configuration of a commercial contract, therefore represent a risk. The Board (of which will be a member) will be required to recommend dividend payments for partners.

Any new partnership will require a new approach to the management & governance arrangements with finance being central to the oversight. Hence, having the correct commercial skills and monitoring information will be essential to the model's success.

The Council's medium term financial plan from 2025/26 contains budget provision of £5.5m per year for delivery of core ICT services (subject to inflation) in addition to c£1m of headroom for trading activity. Currently, an appropriate revenue budget exists for the provision of ICT services alongside an annual capital allocation to support software replacement and transformation., which is set via the Capital Strategy. Any services commissioned from Delt would be constrained by these budgets and it is envisaged that across the life of a 10 year contract budgeted expenditure will be up to £65m.

There is an ambition to continue trading activities as these will provide opportunities for income generation and cost avoidance as partner organisations choose to share infrastructure, development or implementation costs.

## **6. Legal Powers and Implications**

The services covered under this scope are essential corporate functions as required for the effective operation of the local authority and support the organisation in the delivery of all of its statutory functions.

The contract currently providing these services to the council has exhausted its initial term and all available extensions. The Public Contracts Regulations 2015 restrict the Council's ability formally to extend the existing contract beyond the term specified in the original procurement, therefore no compliant mechanism exists that would allow for the existing commercial contract to continue in its current form. Establishing a shared service or tendering a new contract is therefore the Council's only compliant option for the provision of its future services.

The Localism Act 2011 and Local Government Act 2003 provide local authorities with the power to form and maintain companies and allow for those companies to undertake trading activity.

Regulation 12 of the Public Contract Regulations 2015 provides that a contract awarded by a local authority to a company under its control is outside the scope of those Regulations provided that more than 80% of the activities of the company are undertaken for the controlling authorities and there is no direct private capital participation in the company.

Accordingly if the company becomes a joint owner of Delt Shared Services Limited it can then directly award a contract to the company without the need for a public procurement under the Regulations.

## **7. Climate Change and Environmental Implications**

Climate impact and detailed environmental implications will be fully assessed as part of the due diligence process. These environmental considerations will form a core part of any corporate social responsibility requirements of a future shared service.

## **8. Risk Management**

Several risks have been identified for a shared service model, including potential limitations for product development due to funding and potential strategic misalignment outside of the council's control.

There is a full risk register and monitoring process in place for the Support Services 2025 programme. Following a risk assessment, the highest-scoring inherent risks and opportunities are:

<b>Risk</b>	<b>Inherent risk score</b>	<b>Residual likelihood</b>	<b>Residual impact</b>	<b>Residual risk score</b>	<b>Mitigations</b>
Council takes on a share of company risk as a result of the partnership	High	3	2	Medium	Due diligence process to assess level of risk and adequate cover
Arrangements will require executive-level resources to manage the shared service partnership	High	3	2	Medium	Define future governance arrangements and obtain CLT support.
Additional in-house resources to ensure best value is achieved	High	3	3	Medium	Align with OD review and an adjusted structure for the Client Team
The choice of LATC could limit options and strategic fit.	High	1	3	Low	Market assessment shows only one company aligned with requirements, test as part of Due Diligence
Cannot rely on dividend payments to support the revenue budget position.	Medium	2	2	Low	Monitor and establish forecasts to inform budget outturn.  Consider future running costs as part of the due diligence process.
<b>Opportunities</b>	<b>Inherent opport score</b>	<b>Residual likelihood</b>	<b>Residual impact</b>	<b>Residual opport score</b>	<b>Exploitations</b>
Council retains control of its own ICT strategy and infrastructure. Also includes the ability to influence and shape the future service.	Medium	4	4	High	Need to define future ICT Strategy clearly to provide clarity of business desire.
Savings could be achieved via an annual dividend process	Medium	3	4	High	Create and agree the initial service budget baseline for year 1.
Mitigates increased resource costs and	Medium	4	3	High	Communicate with existing resources



the wider sharing of specialists					to reduce loss at the end of the contract.
Social economic impact from local employment and growth.	Medium	3	3	Medium	Consider wider options for expansion.

## 9. Equality Implications

Have you undertaken an Equality Impact Assessment? No

An equality impact assessment will form a core part of the due diligence process of a future shared service.

## 10. Corporate Implications

Failure to re-procure the services delivered by the contract fully will result in the council being unable to deliver its statutory and essential corporate functions.

Currently, North Somerset Council trades services for a modest annual income and shares examples of good practices with its peers. Entering into a shared service arrangement will not prevent the continuation of this model and such an ambition could be welcomed by the trading company.

## 11. Options Considered

Previous to agreeing to limit the two approaches explored by the option appraisal to that of a commercial outsource solution vs. a shared service provider, other possibilities were considered such as insourcing the ICT service. This was deemed too expensive and impractical due to:

- Limitations in the council's ability to access highly technical specialists to support expert roles such as cloud hosting, thin device configuration, security management, network design, etc.
- The creation of new cost pressures due to moving staff from private to LG pension schemes. The cost is estimated at £250k in extra resource costs, and
- A transfer of resources would not align with the employment grading structure (ICT professionals demand high salaries and LG banding recognises these as management levels).

The current delivery model (outsourced) allows access to technical specialist roles where costs are apportioned across multiple authorities. Access to these roles without the economy of scale of a commercial or shared service would be on an expensive consultancy basis which potentially would lack the knowledge of the current environments and configuration.

### Author:

Stuart Anstead, Head of Support Services [stuart.anstead@n-somerset.gov.uk](mailto:stuart.anstead@n-somerset.gov.uk)

### Appendices:

#### Appendix A – SOCITM Options Appraisal



Updated Appendix 1  
North Somerset Optic

## Appendix B – SOCITM Market Assessment



North%20Somerset%  
20Market%20Assessm

### **Background Papers:**

None

# North Somerset Council

## Options Appraisal

Page 59

Procurement Advisory

ICT Replacement Arrangement

11 March 2024

# Contents

<b>01</b>	Executive summary
<b>02</b>	Options for consideration and assessment criteria
<b>03</b>	High Level Pain Points
<b>04</b>	Options Appraisal – Financial Assessment
<b>05</b>	Options Appraisal - Strategic/Political Alignment
<b>06</b>	Options Appraisal - Tactical Alignment
<b>07</b>	Options Appraisal – Feasibility Assessment
<b>08</b>	Summary
<b>09</b>	Resource Profiling
<b>10</b>	Recommendation
<b>11</b>	Appendices



# Executive Summary

Page 61



# Executive summary

## Options appraisal

Page 62

The intention of this Options Appraisal is to:

- Identify and summarise the options being considered for a replacement IT services contract
- Establish the assessment criteria against which the options will be compared, including **strategic** drivers, **tactical** drivers and **feasibility** to deliver for the Council
- Provide an independent assessment of the options being considered, making a recommendation on the preferred option based on the pros and cons for each

In summary, the report concludes that, based on the agreed assessment criteria, a **shared service** model aligned to a **Local Authority Trading Company** offering is the preferred option, though the overall differences between the options are marginal.



# Options appraisal

Page 63



# Options for Appraisal

The options to be assessed for the replacement of the Agilisys full scope ICT contract have been agreed by the North Somerset Council stakeholders and defined as:

Page 64



## Option 1

### A commercial outsource solution

Include consideration of single outsource and multi-source options



## Option 2a

### A Local Authority Trading Company (LATC) shared service model

Include consideration of partnership / shareholder options for current and future service requirements



## Option 2b

### Generic shared service model offerings

Include consideration of partnership / shareholder options for current and future service requirements





# Assessment Criteria

The assessment criteria agreed with the Council as the basis on which to assess the options

Each of the options identified will be assessed against the following criteria, the aim being to determine which option will best align the North Somerset Council requirements.



## Financial assessment

The extent to which the option is viable from an affordability perspective, including the funding sources available

Page 65



How

- Financial Assessment



## Strategic / Political

The extent to which the option is viable from an affordability perspective, including the funding sources available



How

- Corporate Objectives
- Political alignment



## Tactical Alignment

The extent to which the option meets tactical and business needs of the Council, and its customers



How

- Tactical Driver Assessment



## Feasibility

The extent to which the external market factors, resource availability and timeline makes each of the options feasible to undertake



How

- Resource Availability
- Time Availability
- Technology & Services Availability
- Sourcing Strategy Viability
- Political Alignment

For overall assessment purposes, each criteria will receive the following weighting:

Financial assessment – 35%

Strategic / Political – 25%

Tactical Alignment – 20%

Feasibility – 20%



# High Level Pain Points

Pain Point	Consideration for Options Appraisal	Area
Project Management in ICT to support change	Suppliers' capability will need to include strong, and available, project management skills	Service provision / requirements
Training for End Users to adopt technology	Suppliers must be able to promote the adoption of new technologies by conducting user training and supporting the council with potential cultural change	Service provision / requirements
Perception of IT – keeping the lights on, not driving improvement	Suppliers to ensure IT is an enabler and help the council realise benefits by driving valued change	Tactical alignment / service requirements
Current supplier is lacking proactive suggestions and developments to encourage constant enhancements.	Suppliers to promote and help deploy collaborative ways of working, utilising MS-based infrastructure.	Service provision / requirements
Inconsistent integration between applications leading to manual workarounds and no single point of truth	Option needs to include suppliers that will have the experience and knowledge to develop and maintain integrations and change processes to realise benefits	Service provision / requirements
Poor feedback and tracking of incidents, issues and problems	Option needs to include suppliers that will deploy effective, digital, customer focused service management function	Service provision / requirements
Supplier lacking the strategic influence to drive changes. Agilisys tend to focus on their commercial opportunities.	Option needs to include suppliers that place customers first, use digital solutions to enhance user experience and have the capability to implement technology and cultural change	Service provision / requirements
Lost momentum in driving transformation and service improvement initiatives	Option needs to include suppliers that are forward thinkers, passionate about ICT as an enabler and have a proven record of change, transformation and implementation	Tactical alignment / service requirements
Financial pressures on the Council requires savings / cost reductions	Option needs to include service offerings that are effective, efficient and value for money, offerings that can adopted and not need adapting, that provide opportunities for savings against the current revenue expenditure run rates	Financial assessment

Page 66



# Options - Considerations

Basis of option selection and considerations

Defined a high-level service description that enable an applicable market search to be conducted

Full scope ICT service encompassing:

- |  |  |
|--|--|
| <ul style="list-style-type: none"><li>• ICT Support &amp; Management (Including Telephony and Web)</li><li>• Hosting and Networks Infrastructure Management</li><li>• Business Applications Support</li><li>• Innovation &amp; Transformation Services</li></ul> | <ul style="list-style-type: none"><li>• Data &amp; Security Management</li><li>• ICT Procurement</li><li>• Training</li><li>• Project management</li></ul> |
|--|--|

Conducted a review of the current market to understand how the council's ICT service requirements could be met.

## 1. Commercial Solution:

- The market offers two primary solutions to meeting the councils full scope ICT service requirements:
  - A complete full scope outsource arrangement with a single supplier
  - A multi-source arrangement where the council purchases services from subject matter experts with either the council or one of the suppliers acting as the service integrator (usually the Service Desk operator)
- Crown Commercial Services (CCS) and Government Digital Services (GDS) advocate multi-source arrangement, making use of the applicable frameworks CCS have set up for access to qualified and capable suppliers.
- Adopting a single source solution would provide the council with a simpler structure with one primary contact point for all ICT services and all sub-contracted services managed by that one prime supplier. That option could limit a client's choice of supplier as it is the larger, more established Service Integrators with the ability and experience of providing full scope services who are lower in numbers than SME's
- Adopting a multi-source arrangement could have a greater impact on the council's inhouse ICT team, potentially creating the need for a service integrator role to sit alongside the strategy lead



# Options – Considerations (cont.)

Basis of option selection and considerations

## 2. Shared Service Solution:

- There are two generally accepted business models for shared services:
  - Shareholder Customers: where public sector organisations can become partners in a shared service arrangement
  - Commercial client: where a council may consume services provided by a shared service on a commercial basis without having to invest in becoming a partner of the shared service organisation
  - These two models are offered by generic shared service providers and Local Authority Trading Companies:
    - Generic shared services where a number of local authorities consolidate IT infrastructure and back-office services to a single, common shared service to be consumed by the local authorities within the group
    - Local Authority Trading Company where a number of local authorities combine to form a limited company to provide IT infrastructure and back-office services under a commercial model, recognising the sovereignty of the council's involved in the partnership
- Becoming a shareholder of an existing shared service organisation will allow a council greater involvement in decisions and the direction of ICT as the partners will have influence.
- Becoming a partner will require an initial investment, however, that may entitle each partner to receive a distribution of any surpluses made by the shared service.
- A commercial client will only be entitled to consume the services being offered by the shared service and have minimal influence over direction and change (commercial clients can account for a maximum of 20% of a shared service organisations revenue stream)
- Charges for a commercial client arrangement will be based on a fee for business-as-usual services plus any project charges for changes or upgrades. There is no distribution of surpluses under this model



# Options – Considerations (cont.)

Basis of option selection and considerations

## Overview of other considerations

### Hybrid BAU/Transformation Services Model:

- A hybrid solution would combine inhouse BAU services and external Transformation services.
- This would mean that the council would need to bring its BAU ICT services inhouse with the available internal capabilities and resources taking on the running and management of those applicable ICT services.
- Recruitment of skills to provide BAU resources will be a challenge based on Skills v market rates for the council.
- An external Transformation partner would need to be procured, to provide the council with the knowledge and capability to provide support and lead on service innovation and transformation to meet its strategic and tactical drivers.
- Supplier relationship management would remain key to ensure delivery alignment across inhouse and external service delivery teams.

### Inhouse Model:

- This requires the council to bring all of its currently outsourced ICT services back inhouse and to ensure that each service area is fully resourced with the right skills and capabilities required to maintain services ensuring a high level of continuity of service to its users from day 1.
- Recruitment resources with the skills required will be a challenge based on Skills v market rates for the council.

The Socitm Advisory engagement with NSC has been focused on the Commercial and Shared Services Offerings only.



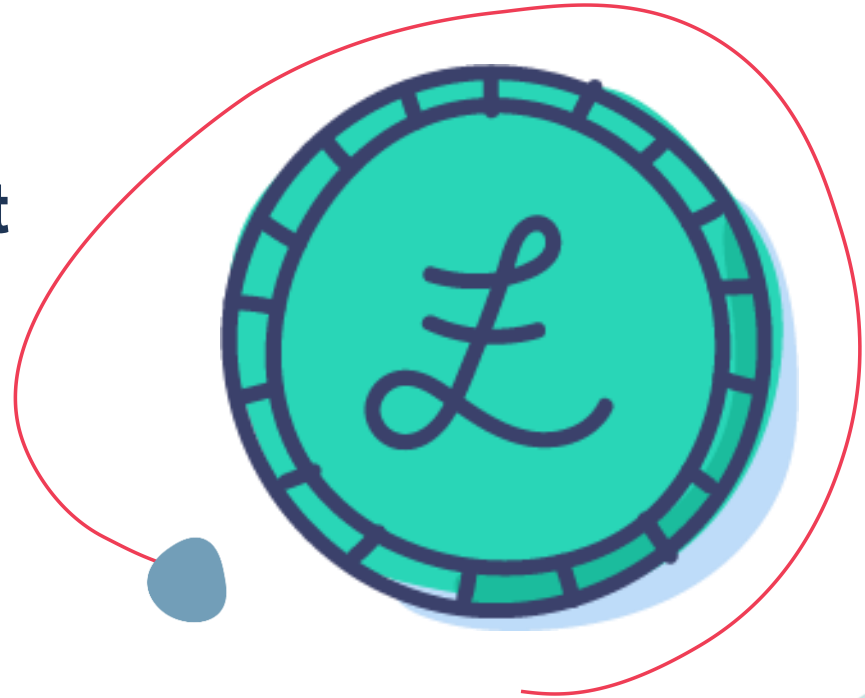
# Options Appraisal Criteria Scoring

Each of the assessment criteria will be assessed using the following scoring approach:

5	Meets all the objectives
4	Meets most of the objectives
3	Meets some of the objectives
2	Meets a small number of the objectives
1	Does not meet the objectives

# Financial Assessment

Page 71



# Financial Assessment

Page 72

The council have identified the need for 15% savings against the current revenue expenditure baseline.

The financial assessment provides indicative insight to the potential impact on the council's revenue budget and an indication on how capital expenditure will be impacted



### Capital Expenditure – Transition

Assessing the potential capital expenditure requirements for implementing a new solution



### Capital Expenditure – Ongoing

Assessing the potential impact to ongoing capital expenditure for hardware, project and change activities



### Revenue Expenditure – ongoing

Assessing the potential impact to revenue expenditure following the implementation of a new solution

The current baseline 'As-Is' revenue expenditure for the proposed ICT scope of services is £6.15m as defined by 'Contract 3' within the SSP MTFP Savings targets and budgets file





# Financial Assessment – Option 1

	Weighting	
Capital Expenditure – Transition & Implementation	10%	<b>3</b> Commercial organisations will look to transform the ICT environment during transition to migrate clients to the suppliers' infrastructure, to realise efficiency benefits. Cost is likely to be higher than simply taking the services on, though there is potential for larger supplier to spread some investment costs over the life of the contract
Capital Expenditure - Ongoing	10%	<b>4</b> Migration to SaaS based solutions will move expenditure from capital to revenue as services are charges as subscriptions
Revenue Expenditure - Ongoing	80%	<b>4</b> Likely to offer savings as part of the contract commitment though that is likely to drive adoption of the supplier service to help realise savings for the supplier – may feel like being done to, not done with.
<b>Weighted Scoring</b>		<b>3.9</b>



# Financial Assessment – Option 2

## Option 2 – Shared Service

### 'LATC' Model

### Generic Shared Services

#### Weighting

Page 74  
Capital Expenditure – Transition & Implementation

10%

5

In addition to transition costs, council will be required to make an investment in a partnership – <£250  
Initial transition will be take-on services as-is and, therefore, minimal upfront transformation, lowering initial capital investment

5

In addition to transition costs, council may be required to make an investment in a partnership  
Initial transition will be take-on services as-is and, therefore, minimal upfront transformation, lowering initial capital investment

Capital Expenditure - Ongoing

10%

5

Dedicated transformation team for change that benefit from education and training to enable transformation which could make change more effective and efficient to deliver services

4

Transformation projects to migrate council infrastructure to share service providers way of working will be charged as projects, increasing ongoing capital budget requirements

Revenue Expenditure – Ongoing \*

80%

4

No initial commitment to make savings against as-is costs. Partnership model likely to return benefit through dividend distribution. Ways of working and cultural changes will show service improvement for 'same' cost. Short term benefit to cost will be related to avoidance of supplier markup on 3<sup>rd</sup> party agreements and hardware (currently 10%)

4

Long term potential for cost reductions if/when services are migrated to adopt common shared services infrastructure. Short term benefit to cost will be related to avoidance of supplier markup on 3<sup>rd</sup> party agreements and hardware (currently 10%)

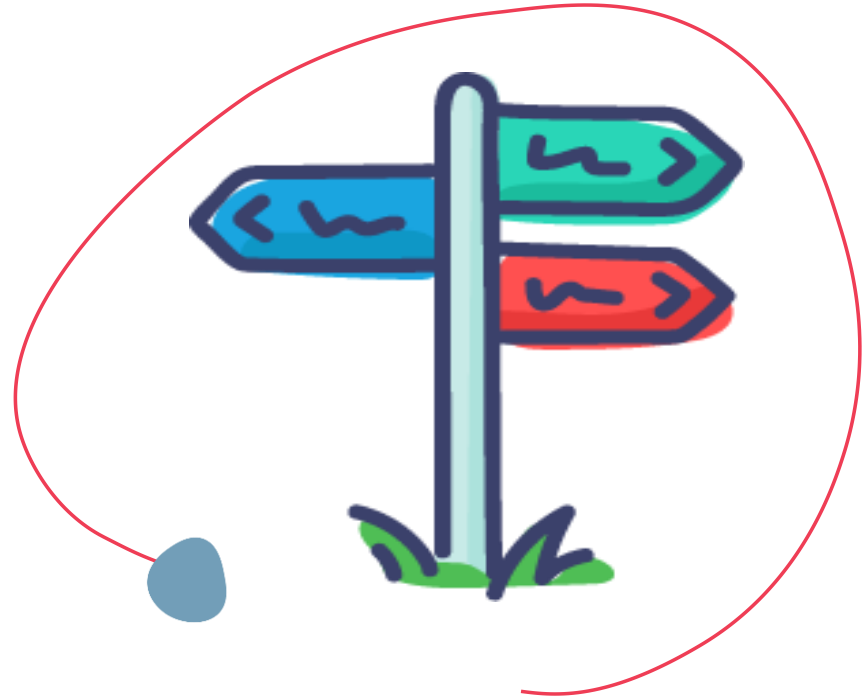
Weighted Scoring	4.2	4.1
------------------	-----	-----

\* Shared Service likely to produce a year-end dividend. Consider 1<sup>st</sup> year baselining



# Strategic / Political Assessment

Page 75



# Strategic / Political Criteria

Why the Strategic / Political Criteria is important

- At the outset of the options appraisal process, we sought to understand the corporate priorities and political drivers that the options must align with to be considered for down selection



## Corporate Objectives

The alignment of the options with the council's vision, values and ambitions



## Political alignment

How the options align with the council's political requirements for social, economic and environmental factors, promoting local employment and engagement

## Our vision



### Open

You told us open means being honest and transparent. It means listening to you and your views on the decisions we make. It means being accountable for how we spend your money and ensuring we provide the very best value we can.



### Fair

You told us fair means being accessible and inclusive in how we work. It means listening to the views of all groups and acting on local issues. It means ensuring equity in access to services.



### Green

You told us green means we take our responsibility to respond to the climate emergency seriously. It means we do all we can to understand the impact our actions have on the environment and mitigate them where possible.

## Our ambitions

- Our children and young people are cared for, safe, supported, and are given equality of opportunity to thrive
- Our communities are caring, healthy and safe, where people help each other to live well
- Our towns and villages are thriving and sustainable places to live, work and visit
- Our council delivers consistently good services and value for money to support our community

## Our values



We act with **INTEGRITY**



We **RESPECT** each other



We **INNOVATE**



We **CARE**



We **COLLABORATE**



**Social** contribution to the local community that promotes social interaction, health and wellbeing



**Economic** progress occurs in harmony with nature to ensure residents enjoy prosperous and fulfilling lives



Support local employment, promoting access to facilities and natural **environment**



# Strategic / Political Assessment

	Weighting	Option 1 - Commercial	Option 2 – Shared Service	
			Option 2a – Shared Service – LATC Model	Option 2a – Shared Service – Generic
<b>Corporate Objectives</b> Open, fair, green, acting with integrity, respect, innovative, caring and collaborative	50%	4 Will state alignment to vision and values, will also be strong on green agenda though may not be as open and transparent being commercial organisations	5 Likely to be aligned due to shared services being offered by joint councils / similar organisations and Government Shared Service strategies	5 Likely to be aligned due to shared services being offered by joint councils / similar organisations and Government Shared Service strategies
<b>Political alignment</b> How the options align with the council's political requirements for social, environmental and local employment factors	50%	4 Commercial organisations will be focused on social value and environment factors and offer those benefits to the Council. Are likely to have less local/regional presence to support a Council's vision of community development	5 Regional use of shared services provide social/economic alignment between those authorities and aid in supporting community and regional growth in skills and employment.	5 Regional use of shared services provide social/economic alignment between those authorities and aid in supporting community and regional growth in skills and employment.
<b>Weighted Scoring</b>		4.0	5.0	5.0

# Tactical Alignment Assessment

Page 78



# Tactical Drivers

## Why Tactical Drivers are important

- At the outset of the options appraisal process, we sought to understand the corporate priorities and key tactical drivers that the future service, and its provision, needs to meet.
- The tactical drivers are used throughout the options appraisal to support the identification of the right services from the right source to meet your organisation's needs for the future.



### Support the Workforce

Right tools, systems and accesses for office and remote working, promoting self-service, improving IT perception



### Development and Change

Drive service improvement and support 'horizontal' service development and change



### Control and security

Digital, data and technology strategies defined by the Council in a secure and compliant manner



### Information Management

Optimise the Microsoft environment, improving information flow and shared working practices (data strategy?)



### Flexibility and agility

Agility to adapt commercially and technically, able to expand scope 'vertically' over contract lifetime



# Tactical Drivers – Option 1

	Weighting	Option 1 - Commercial
<p><b>Support the Workforce</b> Right tools, systems and accesses for office and remote working, promoting self service, improve IT perception</p>	20%	5 Forefront of technology, innovation, AI (automation), efficient deployment to provide an effective and efficient workplace for the workforce
<p><b>Control and security</b> Digital, data and technology strategies defined by the Council in a secure and compliant manner</p>	20%	5 Commercial organisations will align to the Council's strategy, vision and ambitions, allowing the council to set direction and strategy. Commercial organisations offer Security Operations Centres (SOC) as a standard offering to enhance security standards.
<p><b>Development and Change</b> Drive service improvement and support 'horizontal' service development and change</p>	20%	5 Forefront of technology, innovation, AI (automation), efficient deployment to provide an effective and efficient infrastructure with readily available skills and resources to deliver transformation and change. Often hold budgets for innovation and product development which clients benefit from
<p><b>Information Management</b> Optimise the Microsoft environment, improving information flow and shared working practices</p>	20%	5 Commercial organisations provide solutions within a management service to optimise information management, and the transformational activities need to deploy them. Likely to be Partners of MS to provide access to skills, support and funding
<p><b>Flexibility and agility</b> Agility to adapt commercially and technically, able to expand scope 'vertically' over contract lifetime</p>	20%	4 Will offer flexibility and agility, both commercially and technically, though it may come at a cost. Innovation is likely to be more viable. Commercial terms under CCS frameworks can limit service and commitment periods but provide council's will greater commercial control. Standard services provided under standard T&C make exit easier for clients providing the ultimate flexibility to move supplier
<b>Weighted Scoring</b>		<b>4.8</b>

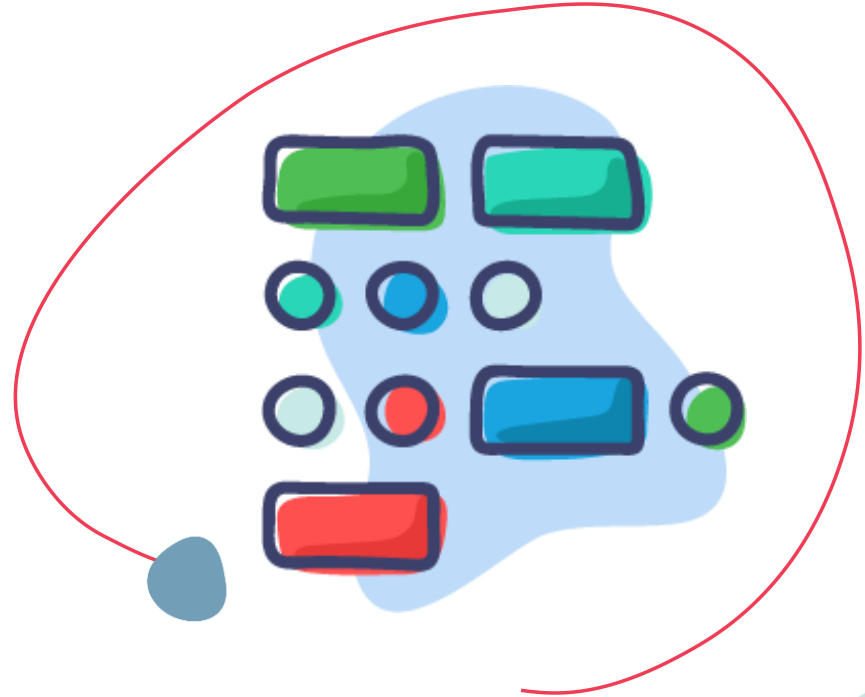


# Tactical Drivers – Option 2

Option 2 – Shared Service			
	Weighting	'LATC' Model	Generic Shared Services
<b>Support the Workforce</b> Right tools, systems and accesses for office and remote working, promoting self service, improve IT perception	20%	5 Council will retain control of refresh timing and product/service and supplier will provide access to tools and expertise to support deployment and development	4 Potential limitation to available products and services as shared services will offer the services, they operate rather than what's available in the market
<b>Control and security</b> Digital, data and technology strategies defined by the Council in a secure and compliant manner	20%	5 Clients will retain strategy / architectural roadmap ownership and shared service will support the service requirements of the council. Operational decisions can be made quickly to implement change in a secure and controlled manner, often proactively, in line with the council's focus areas	4 Shared Services likely offer the services they are consuming rather than align to the client's strategy and ambitions. Full understanding of the control environment, legislation and regulation. Appreciation of both Data Owner and Data Processor responsibilities in a Local Authority setting
<b>Development and Change</b> Drive service improvement and support 'horizontal' service development and change	20%	5 Through strong education and learning, resource capable of supporting wide range of products and services. Transformation team driving service improvement and supporting clients to adopt new technologies / services and by TUPE'ing existing resource, drive cultural change for improved services, customer and employee satisfaction	3 Potential limitation to available products and services as shared services will offer the services, they operate rather than what's available in the market. Some will offer change and transformation services in addition though not as well as commercial organisations. Council's often working with limited funds, therefore, product development and change can be restrictions
<b>Information Management</b> Optimise the Microsoft environment, improving information flow and shared working practices	20%	4 Allow clients to retain existing infrastructure and have access to skilled resource for architectural assessments to propose and develop improved shared working practises. Allows clients to maximise use of existing Microsoft environment, though won't be MS Gold Partner.	3 A shared service provider that is based on a Microsoft environment will be able to optimise the council environment, though, again, potential limitations for product development due to funding. Not going to be MS Partner aligned
<b>Flexibility and agility</b> Agility to adapt commercially and technically, able to expand scope 'vertically' over contract lifetime	20%	5 The council owns strategy and direction, the supplier will offer commercial and technology flexibility to deliver change and vertical scope expansion for each council's portfolio. Greater flexibility afforded over the generic shared service model as the council will retain their existing, standalone services, albeit the resources are owned by the shared service provider	4 Likely to offer a standard Shareholder or Joint Agreement to offer standard services. Even as a shareholder, changes to the infrastructure/services would require approval by the shareholder/partner committee as joint owners. Uniqueness of service offerings will make contract/service exit more complex, limiting ultimate flexibility (hence the 'amber' shading)
<b>Weighted Scoring</b>		4.8	3.6

# Feasibility Assessment

Page 82



# Feasibility Assessment

Why the Feasibility Assessment is important:

- In down selecting to a preferred option, is it key that a potential solution can be delivered by the council
- The criteria used to assess feasibility review the timeliness of a procurement, the ability to implement the solution and the access to the right products and services over the potential life of a contract



## Resourcing – Transition and Ongoing

The level of resource required to deliver transition and the impact on the BAU team ongoing



## Sourcing strategy & routes to market

How the different routes to market affect the procurement approach and future flexibility



## Time to conduct a procurement

The length of time each option will take to complete a procurement and how that may impact interdependencies



## Technology products and Services availability

The availability of, and the ease of adoption of products and services aligned to the council's requirements



# Feasibility – Option 1

Page 84

	Weighting	Option 1 - Commercial
Resourcing availability and transitioning services	25%	5 Set up programme team to include, Programme Manager, PMO/Project Manager, Architect, BA, Procurement & Comm, Legal, HR, Training/Learning – key to confirm if can be provided inhouse. Transition will be chargeable activity and in suppliers' interest to complete early so will be driven by the supplier
Time to conduct a procurement	25%	3 21-23 weeks. Time for ICT procurement not a limiting factor (contract expires 30 Sept 2025), however, interdependencies of other services (R&B, contact centre) and cost of running a longer procurement make this less attractive as an option
Technology product & service availability	25%	5 Forefront of technology development and deployment, key product partnerships (MS Gold), not necessarily tied to one product/service. Access to skills for specialist areas can be bought in (contractors). Standardised products and services bought under standard T&C's, mean exiting a supplier and transitioning to new suppliers is simpler
Sourcing strategy / route to market	25%	4 Full tender process via CCS framework or Open/Restricted procedure via ITT which would include evaluation, moderation, negotiation and award. CCS frameworks offer standard terms and conditions that all suppliers have signed up to. Greater choice of suppliers available in the market to provide services. Open/Restriction procedure likely to adopt supplier terms and conditions
<b>Weighted Scoring</b>		<b>4.25</b>



# Feasibility – Option 2

## Option 2 – Shared Service

### 'LATC' Model

### Generic Shared Services

Weighting

Resourcing availability and transitioning services

25%

5 Set up programme team to include, Programme Manager, PMO/Project Manager, Architect, BA, Procurement & Comm, Legal, HR, Training/Learning – key to confirm if can be provided inhouse. Transition resources will include skilled shared service resources as well as TUPE'd staff to provide support and service continuity Speed and extend of transition and transformation will be set by the CA's ability to meet the timescales (typical transition between 3 to 6 months)

4 Set up programme team to include, Programme Manager, PMO/Project Manager, Architect, BA, Procurement & Comm, Legal, HR, Training/Learning – key to confirm if can be provided inhouse. Speed and extend of transition and transformation will be determined by how different NSC services are to the target shared service and the difficulty in adopting a single solution

Time to conduct a procurement

25%

5 10-12 weeks. Preparation of service requirements / outcomes and early engagement with shared service providers to assess alignment will be critical to achieving the timeline

5 10-12 weeks. Preparation of service requirements / outcomes and early engagement with shared service providers to assess alignment will be critical to achieving the timeline

Technology product & service availability

25%

5 The Shared service model here remains agnostic to products and services that the council choses to adopt as the Clients will retain strategy / architectural roadmap ownership and shared service will support the service requirements of the council. Operational decisions can be made quickly to implement change in a secure and controlled manner, often proactively, in line with the council's focus areas

3 All core services required by the council are available from Shared Services. Would be tied to product set / infrastructure being used by the Shared Services. Access to skills for specialist areas can be bought in (contractors). Unique setup of a shared service could result in a complex exit process at the end of a contract (or for early termination)

Sourcing strategy / route to market

25%

5 Aligned to the UK Governments drive for increased use of shared services, to improve efficiencies. PCR2015 Shared Service Teckal exemption allows for direct contracting under a shareholder/joint agreement for common services following evaluation and value for money assessments. Council will be required to sign up to the existing shareholder terms and conditions.

5 Aligned to the UK Governments drive for increased use of shared services, to improve efficiencies. PCR2015 Shared Service Teckal exemption allows for direct contracting under a shareholder/joint agreement for common services following evaluation and value for money assessments. Council will be required to sign up to the existing shareholder terms and conditions.

Weighted Scoring 5.0

4.25

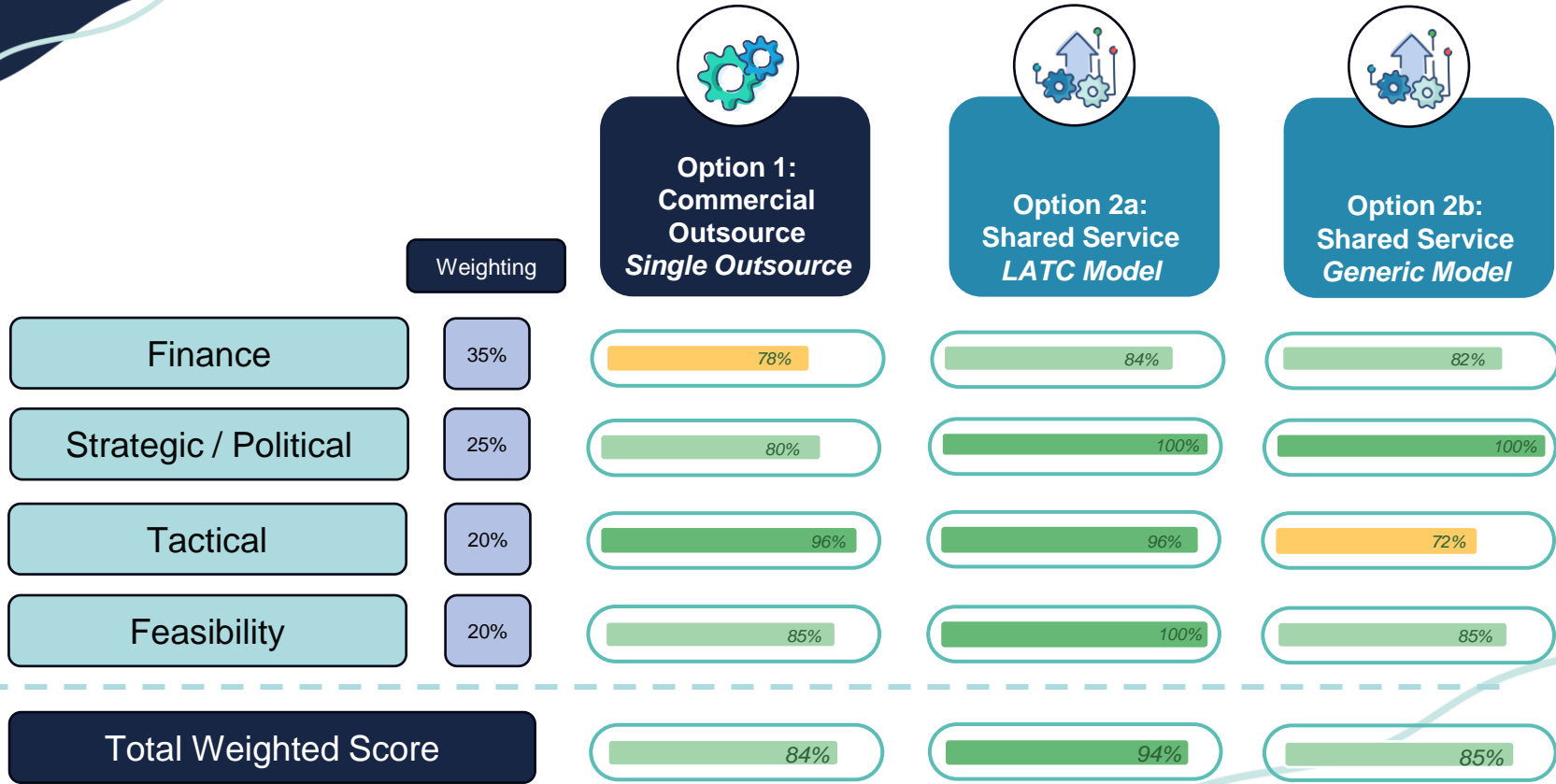
# Summary



# Option Appraisal

Summary Assessment of the down-selected Options

Page 87



# Options Down-select



## Option 1: Commercial Outsource *Single Outsource*



## Option 1: Commercial Outsource *Multi-Outsource*



### Pros

- Potential sector experienced managed Service could provide a wrap for most as-is services
- Standard supplier approach would be to transform services to achieve efficiencies at point of transition to the new contract, however this would mean an additional up-front cost and could add complexity and risk to BAU services
- Early transformation of services would aim to bring efficiencies through investment, for long term gain

### Cons

- Procurement framework and contract would limit the future flexibility of services provided and may require further procurements to accommodate future needs.
- Multiple Framework procurements maybe required for any services that sit outside of the framework permitted service scope e.g. Print and Mail, and may result in more than one supplier
- Early transformation of services would mean an additional up-front cost and could add complexity and risk to BAU services

### Pros

- Potential market leading products and service, providing innovation and a high level of skills
- Standard supplier approach would be to transform services to achieve efficiencies at point of transition to the new contract
- Early transformation of services would aim to bring efficiencies through investment, for long term gain
- Early transformation of services would aim to bring efficiencies through investment, for long term gain

### Cons

- Would require multiple procurements for each service package adding demand and cost to the process
- Increased supplier relationship management and service integration needed within NSC
- Early transformation of services would mean an additional up-front cost and could add complexity and risk to BAU services



# Options Down-select



## Option 2a: LATC Shared Service Model



## Option 2b: Generic Shared Service Model



Page 89

### Pros

- Teckal Exempt service route with no procurement cost implications
- NSC retains control of its ICT strategy and goals
- Strategic influence and direction as an equal shareholder
- Ability to use additional available shared services under its shareholder agreement
- Regional services providing skills and employment within the SW region
- Likely to see more rapid cultural improvement as a result of TUPE'd staff moving to a LATC model

### Cons

- Cost would expect to remain in line with the as-is costs from day 1, until any transformation triggers efficiencies
- Savings might only be realised through any dividend payments at the end of each year to the shareholders.
- May not be at the forefront of new technology and innovation











### Pros

- Council Mutual or MoU shared service model agreement outside of procurement process as per PCR2015 regulation.
- Ability to use additional available shared services
- Regional services providing skills and employment within its own geographic location.

### Cons

- Adoption of joint technology, systems, infrastructure and strategies.
- Slow to limited strategic influence
- Unlikely to be at the forefront of product and process innovation
- Migration to a shared infrastructure would reduce exit flexibility resulting in possible penalty clauses being applied and higher cost of exit
- Potential strategic alignment outside of NSC's control

# Resource Profiling

	As-Is Position	Commercial Offering Single Outsource	Commercial Offering Multi-source	Shared Service Partnership / LATC	Shared Service Client
House Team	 1 internal FTE dedicated to ICT services	 +1/+2 internal FTE to maximise the benefit from a new arrangement (Portfolio/Contract/Service Manager)	 +2/+3 internal FTE to integrate services across all providers, manage overall security posture, set strategy and architectural direction	 +1/+2 internal FTE to maximise the benefit from a new arrangement (Portfolio/Contract/Service Manager) plus representation at Partnership Board	 +1/+2 internal FTE to maximise the benefit from a new arrangement (Portfolio/Contract/Service Manager)
External Team	 Agilisys utilising 36 resources to the deliver ICT services - 27 providing BAU and project support - 6 providing support to Print and scanning - 6 management, commercial and governance	 Agilisys resource would TUPE to new provider, potential for early reductions in FTE from transformation during transition would improve efficiency	 Agilisys resource would TUPE to new providers, though potential for redundancies if team can't be allocated to new service/provider. Some duplication of roles across providers	 Agilisys resource would TUPE to new provider, medium/long term reductions in FTE as ways of working improve and sharing of services across councils is implemented	 Agilisys resource would TUPE to new provider, medium/long term reductions in FTE as services consolidate to shared service model

Page 90



# Recommendation

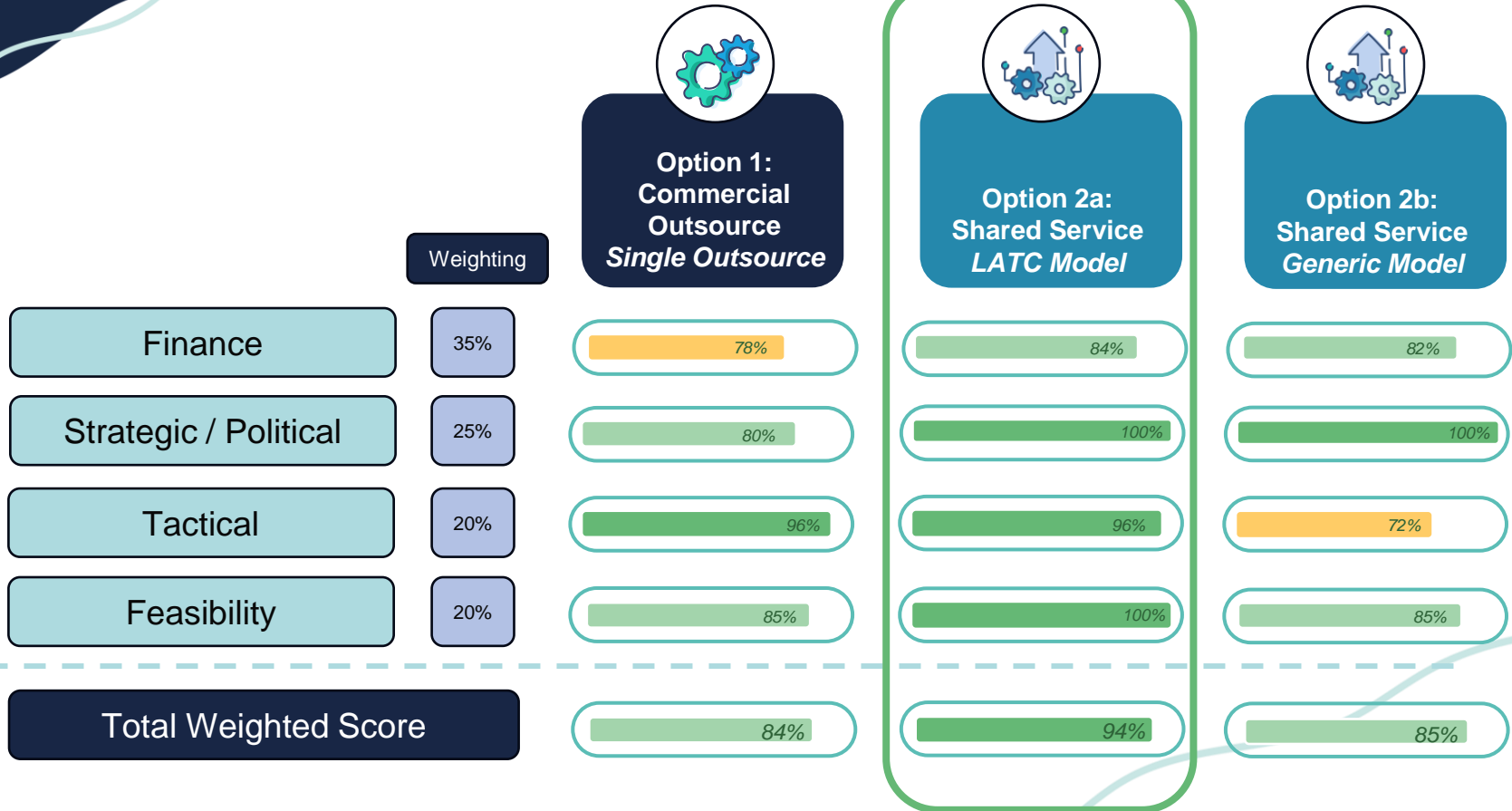
Page 91



# Option Appraisal

Recommendation

Page 92



Based on the agreed assessment criteria used within this options appraisal, the preferred option is a **Shared Service** utilising the **Local Authority Trading Company (LATC) model**.

A marginally higher score is awarded to the LATC model overall because:

- Greater alignment with all assessment criteria laid out by the council
- Allows the council to retain control of the IT environment and set architectural direction
- Minimises initial capital expenditure as an LATC would run the existing service as-is from day 1 and not insist on immediate transformational activity
- See cultural changes in the way IT is delivered faster than in other models as an LATC model will TUPE staff to the LATC who drive improvements in ways of operating, working environments and employee satisfaction which should improve the perception of IT within the council
- Is a long term 'partnership ethos' that is based on economic growth and enablement rather than a short-term focus on cost savings (savings are likely to be realised in the short/medium term, though are not committed to by an LATC)

# Appendices



# High level risks

## The top risks identified in conducting this options appraisal

Risk	Likelihood	Impact	Mitigation
Having selected a preferred option, the market does not provide access to a supplier that is aligned with the council on vision, technology and financial outcomes resulting in the need to reassess the sourcing option	Low	Med	Early review of the scopes of service provided by the suppliers in the market to confirm alignment. Contact with other councils that have engaged with an LATC to assess alignment, benefits realisation and financial outcomes.
NSC and a shared service provider do not come to an agreement on services and costs after all due diligence has been carried out on the as-is position	Low	High	Sharing all requirements and information to enable early due diligence to be carried out by the LATC on the as-is services and costs to establish any gaps. Potential to engage independent reviewer to assess any gaps and provide possible options to resolve and concerns
There is a risk that a shared service model would not provide the agility and flexibility required to meet the changing business (or IT) needs of the council impacting their ability to deliver on business strategy, customer satisfaction or financial targets	Med	Med	Develop and share digital, information and data strategies and, where possible technology roadmaps, that demonstrate the direction and timeline of change/development plans of the council. Understand the portfolio management approach of the shared service provider, how they prioritise and allocate projects etc before committing to a contract
A shared service provide may not commit to continual service improvements or financial savings over the life of a contract resulting in the council not achieving their strategic or tactical objectives	Med	Med	Guarantees are unlikely to be given for savings as these would be dependent upon transformation achieving the required efficiencies. Service improvements would be achieved via opportunities to consolidate resources and shared platforms and infrastructure and through transformation. This could be dependent upon NSC investment?
Adopting a shared service model results in the council having to enhance the inhouse team beyond expectation to manage the relationships, drive a change agenda at Boards with other Partners, manage a change portfolio, realise any benefits from the new partnership and generally improve the perception of ICT for Council employees	Low	Med	Appropriately plan the inhouse target operating model to manage a supplier. Obtain clear insight to shared service governance, portfolio management, partnership management expectations during the procurement phase. Engage the business in the collation and development of service requirements, expected outcomes and critical success factors to ensure buy-in and shared responsibility.



# Option Appraisal

## Summary Scoring Table

Criteria	Weighting	Option 1: Commercial Outsource <i>Single Outsource</i>		Option 2a: Shared Service <i>LATC Model</i>		Option 2b: Shared Service <i>Partnership</i>	
		Score	Weighted Score	Score	Weighted Score	Score	Weighted Score
Strategy / Political	25%	4.00	1.00	5.00	1.25	5.00	1.25
Tactical	20%	4.80	0.96	4.80	0.96	3.60	0.72
Feasibility	20%	4.25	0.85	5.00	1.00	4.25	0.85
Finance	35%	3.90	1.37	4.20	1.47	4.10	1.44
<b>Total Weighted Score</b>	<b>100%</b>		<b>4.18</b>		<b>4.68</b>		<b>4.26</b>
<i>% of Max score</i>			<i>84%</i>		<i>94%</i>		<i>85%</i>

Page 96





# Reference material

Feasibility

<https://www.bevanbrittan.com/insights/articles/2017/the-teckal-exemption-from-procurement-new-guidance-from-the-ecj-on-the-essential-activity-test/>

[https://assets.publishing.service.gov.uk/media/5a80c8fde5274a2e8ab52273/Guidance on Public to Public Procurement - Oct 16.pdf](https://assets.publishing.service.gov.uk/media/5a80c8fde5274a2e8ab52273/Guidance_on_Public_to_Public_Procurement_-_Oct_16.pdf)

<https://www.local.gov.uk/our-support/efficiency-and-income-generation/shared-services>

Page 97

Tactical

<https://socitm.net/wp-content/uploads/2021/11/socitm-guide-ICT-shared-services-05-the-importance-of-ICT.pdf>

This page is intentionally left blank

# LATC Market Insight

Page 99

North Somerset Council



# Overview of Market Insight

A review carried out on the Local Authority Trading Company (LATC) landscape in 2024, has found that no central register of Public Sector Shared Services exist, and Companies House records don't currently provide the ability for a search on LATC specific registrations.

The latest report detailing Local Authority shared services landscape was carried out by the Local Government Association (LGA) in 2019 when it published its comprehensive Share Services Map for each region in England covering Local Authorities, Blue Light and Trusts, across all services.

<https://www.local.gov.uk/our-support/efficiency-and-productivity/shared-services/shared-services-map>

Page 100

The majority of active operational shared services listed within this report were created between 2010 and 2016 which aligns with the Governments agenda for the sharing of knowledge and resources across all public sector.

The data collected by LGA was carried out by request to each local authority and has produced a comprehensive list which provides us with a good insight into the services provided, the legal models in which they are delivered, and the partners involved.

We have reviewed and validated the focused list of LATC's through Companies House records to ensure that the shared services are active and operational in 2023

Please note that this market insight is focused on English Shared Services, due to the limited marketplace information of services available within Scotland and Wales and the alignment of those entities to Scottish and Welsh Government strategies.

# LATC Legal Delivery Models

The Local Authority Trading Company (LGA) model can be delivered via the following legal entity methods, which then allows for an equal shareholder control of the shared service company and provides the ability to trade in the wider commercial market with a view to generating a profit for the shareholders (rather than just on a broad cost recovery basis).

- 1. Company limited by shares**
- 2. Company limited by guarantee**
- 3. Industrial and provident society**

LGA's report identifies those shared services organisations that have this legal model, with both 1. Company limited by shares and 2. Company limited by guarantee listed.

Source: <https://www.unison.org.uk/content/uploads/2013/06/On-line-Catalogue212753.pdf>

# LGA ICT Shared Service Findings

The LGA 2019 market analysis identified the following details:



**626** Total Shared Services



**32** Of which provide a form of ICT & Digital Shared Services



**19** of those Services provided ICT support



**1** Only Shared Service has been created a 'Company Limited by Shares' in the form of an LATC

# Local Government Association Findings

The LGA report also identifies those organisations whose legal model for the delivery of services is via a 'company limited by shares' or 'company limited by guarantee' which provides the vehicle for LATC status and who are verified as operationally active in 2023.



**7**

Shared Services Operational have been created using the Company Limited by Shares legal model



**5**

Shared Services Operational have been created using the Company Limited by Guarantee legal model



**Only 1**

Is listed under the category of ICT & Digital Services



**3**

Is listed under the category of Back Office and Customer Services

# LGA Market Insight 2019

## 2023 Active Shared Service Legal Vehicles applicable for LATC Service Models

Page 104

Shared Service Arrangement	Organisation	Shared service category	Operational from which year?	Which legal vehicle is it being delivered through?	Region
2020 Vision / Publica Shared Services Partnership	Cotswold District Council	Back Office Services and Customer Services	2017	Company limited by guarantee	South West
Delt Shared Services Ltd	Plymouth City Council	ICT & Digital Services	2014	Company limited by shares	South West
Emergency Service Fleet Management (Humberside) Ltd	Humberside Fire and Rescue	Property, Facilities and Utilities	2015	Company limited by guarantee	Yorks & Humber
Fire and Rescue Indemnity Company (FRIC)	Essex Fire and Rescue	Community Safety (including Fire)	2015	Company limited by guarantee	East of England
Growth Lancashire	Growth Lancashire	Business Support, Employment, Economic Growth & Regeneration	2004	Company limited by guarantee	North West
Joint Working Agreement between Lancashire County Council and Blackpool Council	Lancashire County Council	Environmental Protection, Waste & Regulatory Services	2007	Company limited by shares	North West
North West Fire Control	Cheshire Fire Authority	Community Safety (including Fire)	2014	Company limited by shares	North West
Public Sector Partnership Services Limited (PSPS)	East Lindsey District Council & South Holland District Council	Back Office Services and Customer Services	2010	Company limited by shares	East Midlands
Unity Partnership Limited	Oldham Metropolitan Borough Council	Back Office Services and Customer Services	2011	Company limited by shares	North West
Vertiau North Yorkshire	Richmondshire District Council	Democracy, Governance & Performance	2011	Company limited by shares	Yorks & Humber
Waste Disposal – incineration with electricity and heat recovery	Coventry City Council	Environmental Protection, Waste & Regulatory Services	1994	Company limited by shares	West Midlands
Worcestershire JPV	Worcestershire County Council	One Public Estate	2015	Company limited by guarantee	West Midlands







This page is intentionally left blank

## North Somerset Council

### Report to Council

**Date of Meeting: 14 May 2024**

**Subject of Report: Proposed Constitution changes - Proposed Amendments to the Contract Standing Orders, Public Participation for Planning and Regulatory Committee and periodic update of reference data**

**Town or Parish: N/A**

**Officer/Member Presenting: Assistant Director Legal & Governance**

**Key Decision: N/A**

#### **Reason:**

Not an Executive decision.

#### **Recommendations**

1. That the Contract Standing Orders (CSOs) set out in Appendix 1 of the report be recommended to Council for adoption.
2. That Audit Committee provide any comments on the proposed changes to the standing order related to Planning & Regulatory Committee public participation.
3. That authority is delegated to the s151 Officer and Monitoring Officer to update references (such as officer titles and allowances) and consequential amendments to Financial Regulations, in particular, legislative references after implementation (expected 28 October 2024) of the Procurement Act 2023.

#### **1. Summary of Report**

The report seeks approval of amendments to the Contract Standing Orders to ensure that they are legally compliant and up to date. The amendments to the Contract Standing Orders are reflective of wider government legislation, are benchmarked against neighbouring authorities and are intended to allow North Somerset Council greater flexibility and access to local supplier markets.

The proposed changes to public participation rules for Planning and Regulatory Committee are being promoted by that Committee's Chairperson and Vice-chairperson following feedback received from town and parish council representatives and seek to afford suitable opportunity for those councils to address the Committee.

It is normal practice to update the Constitution to reflect e.g. changes in officer titles and levels of allowances.

## **2. Policy**

See the details in the appended report to Audit Committee.

## **3. Details**

As set out in the appended report to Audit Committee.

## **4. Consultation**

Consultation on the revised Contract Standing Orders has been undertaken with the Executive, Audit Committee, Corporate Leadership Team, Directorate Leadership Teams, the S151 Officer, the Monitoring Officer, and the Head of Finance.

The proposed changes are recommended by all consultees. In particular, Audit Committee has the role of reviewing any proposed changes in consultation with the monitoring officer before submission to Council. The third recommendation above was added by the Audit Committee in light of the implementation date (expected to be 28 October 2024) for the Procurement Act 2023 now being announced by Government.

## **5. Financial Implications**

There are no direct financial implications relevant to this report.

## **6. Legal Powers and Implications**

N/A

## **7. Climate Change and Environmental Implications**

N/A

## **8. Risk Management**

See the appended report to Audit Committee

## **9. Equality Implications**

See the appended report to Audit Committee

## **10. Corporate Implications**

See the appended report to Audit Committee

## **11. Options Considered**

See the appended report to Audit Committee

**Author:**

Geoff Chamberlain, Head of Procurement  
Nicholas Brain, Assistant Director Legal & Governance

**Appendices:**

Appendix 1 Audit Committee report 25 April 2024 including

- Appendix 1.1 Proposed Contract Standing Orders
- Appendix 1.2 Proposed changes to Standing Order 17A

**Background Papers:**

[North Somerset Council Constitution - December 2023 \(n-somerset.gov.uk\)](https://www.n-somerset.gov.uk/nsc-constitution-december-2023/)

This page is intentionally left blank

# North Somerset Council

## Report to Audit Committee

**Date of Meeting: 25 April 2024**

**Subject of Report: Proposed Constitution changes - Proposed Amendments to the Contract Standing Orders and Public Participation for Planning and Regulatory Committee**

**Town or Parish: N/A**

**Officer/Member Presenting: Director of Corporate Service, Head of Procurement and Asst Director Legal & Governance**

**Key Decision: N/A**

### **Reason:**

Not an Executive decision.

### **Recommendations**

1. That the Contract Standing Orders (CSOs) set out in Appendix 1 of the report be recommended to Council for adoption.
2. That Audit Committee provide any comments on the proposed changes to the standing order related to Planning & Regulatory Committee public participation.

## **1. Summary of Report**

The report seeks approval of amendments to the Contract Standing Orders to ensure that they are legally compliant and up to date. The amendments to the Contract Standing Orders are reflective of wider government legislation, are benchmarked against neighbouring authorities and are intended to allow North Somerset Council greater flexibility and access to local supplier markets.

The proposed changes to public participation rules for Planning and Regulatory Committee are being promoted by that Committee's Chairperson and Vice-chairperson following feedback received from town and parish council representatives and seek to afford suitable opportunity for those councils to address the Committee.

## **2. Policy**

The Council has approved a Constitution which sets out how the Council operates, how decisions are made and the procedures to be followed to ensure that the Council is efficient, transparent, and accountable to the local populace. Some of the processes set out in the Constitution are required by law, while others are a matter for the Council to decide upon and approve.

The Constitution contains Articles and Standing Orders containing the basic rules governing the Council's business. Standing Orders and Contract Standing Orders are found in Part 4.

### **3. Details**

#### Contract Standing Orders

The existing Contract Standing Orders were approved in July 2017. The key areas of proposed change are:

- Updates to reflect the UK leaving the EU, removing references to European legislation the Council is no longer subject to.
- Addition of Primary Care contracts (Pharmacies, GP Surgeries) to the list of areas where the CSOs **do not** apply.
- Introduction of a section clarifying the use of Grant funding.
- Threshold changes relating to contract value, approval, and decision-making.
- Introduction of requirements for an annual Commissioning Plan and amendments to the use of combined Commissioning and Procurement Plans.
- Updated reference to a new Social Value policy and guidance.
- Further clarification for the use of framework agreements and framework contracts.
- Clarification on contract award processes.
- Addition of advice regarding Health & Social Care Contracts including reference to the Provider Selection Regime (January 2024).

The proposed revised Contract Standing Orders are included in Appendix 1.

The Procurement Team have developed new guidance, templates, flow charts, processes, and training to support the proposed changes which will be available on approval of the revised Contract Standing Orders.

#### Standing Order 17A – Public Speaking at Planning & Regulatory Committee

Public speaking at committee meetings is at the discretion of the Council and when a council elects, as is the case in North Somerset Council, to have public speaking addresses is carried out in accordance with rules set by the council.

Following feedback from town and parish council representatives the Chairperson and Vice-chairperson of Planning and Regulatory Committee are promoting the changes to Standing Order 17A set out in Appendix 2.

### **4. Consultation**

Consultation on the revised Contract Standing Orders has been undertaken with the Executive, Corporate Leadership Team, Directorate Leadership Teams, the S151 Officer, the Monitoring Officer, and the Head of Finance.

The proposed revisions to Standing Order 17A will be drawn to the attention of all members ahead of publication of the Annual Meeting agenda at which changes will be considered in order that members have opportunity to consider in depth ahead of the meeting.



## 5. Financial Implications

There are no direct financial implications relevant to this report.

## 6. Legal Powers and Implications

N/A

## 7. Climate Change and Environmental Implications

N/A

## 8. Risk Management

Risk	Inherent Risk Score	Residual Likelihood	Residual Impact	Residual Risk	Comments:
Reduced oversight of Procurement Team due to increased thresholds.	Medium	3	2	Low/Medium	Approval levels for Key Decisions and Director approval. Clear responsibilities set out for adherence to the Standing Orders. Training and provision of standard templates and guidance.
Increased opportunity for legally required contract notices not to be published.	Medium	3	2	Low/Medium	Procurement developing mandatory MS forms to facilitate officers registering their contracts and posting award notices.
Reduced compliance with the Local Authorities (Data Transparency) Code 2015	Medium	3	2	Low/Medium	Procurement developing mandatory MS forms to facilitate officers registering their contracts and posting award notices.
Low value contracts may feature a less accessible audit trail for review.	Medium	3	2	Low/Medium	Training and provision of standard templates and guidance.

There are no material risks associated with the proposed change to Standing Order 17A.

## 9. Equality Implications

The proposed changes should not have any material impact on equality or diversity groups.

## **10. Corporate Implications**

The Constitution is a single point of reference containing the principal operating structures and procedures of the authority. The Constitution sets out corporate governance and establishes how the Council operates, how decisions are made and the procedures which are followed to ensure that these are efficient, transparent, and accountable to the local populace.

## **11. Options Considered**

The proposed amendments to the Contract Standing Orders have taken place in consideration of UK law and the position of the Council. The recommendations contained in this report have been developed using the professional judgement of Council officers in consultation with corporate leadership and are designed to provide an appropriate balance of risk, resourcing, accountability, responsibility, consistency, and flexibility.

Not changing Standing Order 17A following feedback is an option but was discounted as not being supportive of the Council's aim to be open and listening when making decisions.

### **Author:**

Geoff Chamberlain, Head of Procurement

Nicholas Brain, Asst Director Legal & Governance

### **Appendices:**

Appendix 1 Proposed Contract Standing Orders

Appendix 2 Proposed changes to Standing Order 17A

### **Background Papers:**

[North Somerset Council Constitution - December 2023 \(n-somerset.gov.uk\)](https://www.n-somerset.gov.uk)

## **Contract Standing Orders 2024**

### **Contents**

<b>PART A – CONTRACTS FOR GOODS, SERVICES and WORKS</b> .....	3
1. <u>Introduction</u> .....	3
2. <u>Scope</u> .....	4
3. <u>Responsibilities</u> .....	6
4. <u>Definitions of terms used in these CSOs</u> .....	7
5. <u>Delegation</u> .....	13
6. <u>Suspension of and Exceptions to Contract Standing Orders</u> .....	14
7. <u>Approvals –Whole Life Contract Value below £159,999</u> .....	16
8. <u>Approvals – whole life Contract value between £160,000 and £499,999</u> .....	17
9. <u>Approvals – whole life Contract value over £500,000</u> .....	19
10. <u>Approvals – Procurements led by another Local Authority / Public Body</u> .....	22
11. <u>Approval level and thresholds</u> .....	22
12. <u>Key Decisions</u> .....	24
13. <u>Signing of Contracts</u> .....	25
14. <u>Framework Agreements (multi supplier)</u> .....	26
15. <u>Framework Contracts (single supplier)</u> .....	28
16. <u>Light Touch regime (and any subsequent legislation inc Provider Selection Regime)</u> .....	30
17. <u>Outsourcing and community right to challenge</u> .....	31
18. <u>Public Works or Services concessions under The Concession Contracts Regulations 2016</u> .....	31
19. <u>Social Value</u> .....	32
20. <u>Types of Procedures</u> .....	33
21. <u>Advertising Online</u> .....	34
22. <u>Receipt of Tenders</u> .....	35
23. <u>Evaluating Tenders</u> .....	36
24. <u>Awarding the Contract</u> .....	37

25. <u>Reverse Auctions</u> .....	38
26. <u>FTS Thresholds</u> .....	39
27. <u>Contracts</u> .....	40
28. <u>Prevention of Bribery or Corruption</u> .....	41
29. <u>Declaration of interest</u> .....	41
30. <u>Extending the term of the Contract</u> .....	42
31. <u>Contract Variation other than extending the term of the Contract</u> .....	43
32. <u>Contract Management</u> .....	43
33. <u>The Contract Performance framework</u> .....	44
<b>PART B – LAND AND BUILDINGS</b> .....	<b>45</b>
34. <u>Purchasing and Leasing</u> .....	45
<b>PART C – DISPOSAL OF ASSETS OTHER THAN LAND OR PROPERTY</b> .....	<b>45</b>
35. <u>Disposal of Assets other than Land or Property</u> .....	45
<b>PART D – HEALTH AND SOCIAL CARE CONTRACTS</b> .....	<b>47</b>
36. <u>Regulations and Guidance</u> .....	47
37. <u>Tendering Processes</u> .....	48
<b>PART E – GRANTS</b> .....	<b>51</b>
38. <u>Differentiation between Contracts and Grants</u> .....	51
39. <u>Example of a Grant</u> .....	52
40. <u>Administration of Grants</u> .....	53
<b>PART F – PROCUREMENT PROCESS FOR CONTRACTS BELOW £159,999</b> .....	<b>54</b>

## **PART A – CONTRACTS FOR GOODS, SERVICES and WORKS**

### **1. Introduction**

- 1.1 Contract Standing Orders (CSOs) are the rules that must be used when purchasing Works, Services and/or Goods (supplies).
- 1.2 Council officers and members must comply with these CSOs in all instances when buying Works, Services and Goods (supplies) on behalf of the Council and failure to comply may result in disciplinary action being taken against the officer concerned. Officers have a duty to report any breaches of these CSOs to the director responsible for the procurement.
- 1.3 These CSOs form part of the Council's Constitution and provide the framework that governs the Council's procurement of Contracts for Works, Services and Goods. Following these CSOs helps the Council to demonstrate:
  - 1.3.1 good internal governance;
  - 1.3.2 propriety and the proper spending of public money;
  - 1.3.3 value for money and effective use of resources is being achieved;
  - 1.3.4 the delivery of high quality Works, Services, Goods;
  - 1.3.5 compliance with relevant laws;
  - 1.3.6 controls to deter fraud, bribery and corruption.
- 1.4 Every Contract for Works, Services and Goods made by the Council must conform to all relevant legislation. UK public procurement legislation and policy require that Contracts are awarded fairly, in an open and transparent manner and without discrimination on grounds of nationality and that all potential bidders are treated equally. A Bidder or supplier harmed, or who may suffer harm, as a result of the Council failing to comply with the public procurement regulations will have a right to take action against the Council in the High Court. Remedies available include:
  - 1.4.1 The award of damages;
  - 1.4.2 A financial penalty imposed on the Council;
  - 1.4.3 An order to set aside a decision of the Council to award the Contract;
  - 1.4.4 Suspension of the Tender process;
  - 1.4.5 The inability of the Council to enforce the Contract obligations still to be performed against the Contractor.
- 1.5 Detailed information and guidance on the procurement process and Contract management is available from the Procurement Service and should be used in conjunction with these CSOs.
- 1.6 All figures in these CSOs are **exclusive** of VAT unless stated otherwise.
- 1.7 The Council recognises the value and role of small and medium sized enterprises (SMEs), locally based suppliers and the voluntary, community and social enterprise (VCSE) sector, and will strive to ensure that procurement procedures are accessible, fair and proportionate to the size and complexity of the Works, Services and Goods being procured.

## 2. **Scope**

### 2.15 These CSOs apply:

- 2.15.1 whenever the Council intends to spend money (or provide other payments in kind) under Contracts for Works, Services or Goods;
- 2.15.2 to expenditure from either capital or revenue sources;
- 2.15.3 to Works and Services concession Contracts;
- 2.15.4 to Goods for re-sale;
- 2.15.5 to both officers and members;
- 2.15.6 where the Council acts as the lead partner in a multi-authority procurement;
- 2.15.7 Where any third party, for example another local authority, is authorised to procure Works, Services and/or Goods on behalf of the Council.

### 2.16 These CSOs **do not** apply:

- 2.16.1 to Contracts of employment;
- 2.16.2 to acquisitions and disposals of land or buildings unless related to a Contract for Works, Services or Goods;
- 2.16.3 to financial Services in connection with the issue, purchase, sale or transfer of securities or other financial instruments, in particular transactions by the Council to raise money or capital;
- 2.16.4 to service level agreements made between departments within the Council;
- 2.16.5 in the case of civil contingencies;
- 2.16.6 in the case of individual investments which are not deemed as the purchase of Goods or Services for the purposes of these CSOs;
- 2.16.7 where the Council is acting as an agent on behalf of other commissioning authorities, for example the NHS, and is only procuring Contracts on their behalf;
- 2.16.8 where the Council instructs counsel or any external legal advisors to represent or act on its behalf;
- 2.16.9 to out of county social care placements;
- 2.16.10 to resources deployed for unforeseen emergency care packages or accommodation costs aimed at supporting appropriate action to protect individuals from abuse, neglect or homelessness;
- 2.16.11 to social care packages that are, or are considered to be at the time of placement, funded by the ICB as part of continuing health care;
- 2.16.12 primary Care Contracts, including those awarded to pharmacies, GP Surgeries.
- 2.16.13 Contracts to engage artists, shows, attractions, events or other entertainment media to provide entertainment or facilities;
- 2.16.14 Grant Payments: however, you must refer to Part E for further guidance on the definition and use of Grant funding.

### 2.17 However, in all instances listed in 2.16, all relevant legislation, rules, and guidance must still be complied with together with other relevant parts of the Council's Constitution.

- 2.18 The following entities have their own rules and are not bound by these CSOs except when they participate in joint purchasing with the Council:
- 2.18.1 all schools within the district of North Somerset;
  - 2.18.2 companies in which the Council has an interest **except for** Local Housing Development Vehicles and Local Authority Controlled Companies.
- 2.19 These CSOs do apply to the award of concession Contracts and utility Contracts. If you are seeking to Tender a concession Contract or if the Council, as a “utility”, wishes to procure Works, Services and/or Goods for the purpose of carrying out its “utility activities” of any value you must contact the Procurement Service for advice.
- 2.20 The guidance on the procurement process gives more information on the tendering of Works, Services and Goods by the Council and the procedures to be followed.
- 2.21 Specific guidance on how the CSOs are applied to Contracts relating to Health and Social Care (including Public Health) can be found in Part D.

### **3. Responsibilities**

- 3.1 Overall responsibility for these CSOs rests with the Section 151 Officer. Further information and advice on these CSOs can be obtained from the Procurement Service.
- 3.2 Anyone undertaking purchasing activity on behalf of the Council (but especially in the context of purchasing Works, Services or Goods above prescribed values, (known as FTS (Find a Tender Service) financial thresholds) must comply with all relevant laws and regulations.
- 3.3 The FTS financial thresholds are reviewed every two years in order to comply with the UK's obligations. The most up to date list of thresholds can be found at the following link.

[Guide to Find a Tender Service \(FTS\) and Contracts Finder Thresholds.docx](#)

- 3.4 Directors are responsible for ensuring that:
  - 3.4.1 officers follow these CSOs;
  - 3.4.2 any agent, consultant or Contractual partner acting on behalf of the Council to purchase Works, Services or Goods, or any of them involved in the management of Contracts for the Council, comply with these CSOs;
  - 3.4.3 the central Contracts Register, held by the Procurement Service, is updated on each occasion a Contract is let by the Council which has a total Contract value of £5,000 excluding VAT and above, or is for a duration of three years or longer;
  - 3.4.4 original Contract documents, including the Tender documents of the successful Bidder, are safely kept by the Projects and Property Team in the central deeds store.



#### 4. Definitions of terms used in these CSOs

- 4.1 **Award Criteria:** the evaluation criteria and methodology used to weight, select and award a Contract to a successful Bidder.
- 4.2 **Award Letter:** written confirmation of the award of a Contract by the Council to a successful Bidder, using the standard template.
- 4.3 **Bid:** an offer made by each Bidder to provide Works, Services or Goods to the Council for a particular amount of money on specified terms, normally in the form of a Tender or quotation.
- 4.4 **Bidder:** a person, business, company or other organisation who responds to the Council's invitation to bid as part of the Tender / procurement process.
- 4.5 **Buying:** purchasing Works, Services or Goods from an external supplier or Contractor.
- 4.6 **Call-off Contract:** the Contract made under a Framework Agreement to a framework supplier following the holding of a mini-competition or the placing of an order. Although the Framework Agreement sets out the overarching terms and conditions, each individual "call-off" Contract or order constitutes its own separate Contract under the Framework Agreement.
- 4.7 **Code of Conduct:** the Council's codes regulating the conduct of officers and members.
- 4.8 **Combined Commissioning and Procurement Plan:** all of the requirements of a separate Commissioning Plan and Procurement Plan in one combined document, see 4.10 and 4.46 for clarity on content. When a Combined Commissioning and Procurement Plan is required is set out in 11.3.
- 4.9 **Commissioning:** the process used to plan, procure, evaluate, deliver and monitor the provision of Works, Services and Goods to allow the Council to meet its requirements in the most economical, effective and efficient way.
- 4.10 **Commissioning Plan:** a document which sets out, before the procurement process commences, the Works, Services or Goods to be purchased together with the expected outcomes, using the standard template. The standard template is available from the Procurement Service. This could be a specific plan for each requirement or an annual commissioning intentions plan covering all commissioning requirements over a period. When a Commissioning Plan is required is set out in 11.3.
- 4.11 **Concession Contract:** a Contract under which the Council outsources Works or Services to a Contractor / supplier ('the concessionaire') who has the right to commercially exploit the Works or the Services and who accepts a transfer of the operating risk in return for exploiting the Works or the Services.
- 4.12 **Conflict of Interest:** a set of circumstances that creates a risk that an individual's ability to apply judgement or act in one role is, or could be, impaired or influenced by a secondary interest. This may apply to both officers and members.

- 4.13 **Constitution:** a document approved by the Council which:
- 4.13.1 allocates powers and responsibility within the Council and between the Council and others;
  - 4.13.2 delegates authority to act to the executive, committees, executive members and officers; and
  - 4.13.3 regulates the behaviour of individuals and groups through rules of procedure, codes and protocols.
- 4.14 **Contingency Measures:** actions to reduce the impact of, or prevent, identified risks which might affect the successful delivery of a Contract.
- 4.15 **Contract:** an agreement entered into voluntarily by two or more parties that creates a legal obligation on the Contractor to supply Works, Services or Goods to the Council in return for a payment.
- 4.16 **Contractor:** A party that has agreed to supply Works, Services and / or Goods to the Council under a Contract.
- 4.17 **Contract Award Report:** a report prepared by the Contract manager and the Procurement Service which makes a recommendation to the relevant decision-making body (refer to the table at paragraph 11.3) to award the Contract to the successful Bidder.
- 4.18 **Contracts Finder:** Contracts Finder is a government website. All Contracts that the Council advertises over the defined Contracts Finder threshold must be advertised on Contracts Finder. Please refer to the following link for the most up to date thresholds. [Guide to Find a Tender Service \(FTS\) and Contracts Finder Thresholds.docx](#)
- 4.19 **Contract management:** the proactive process to be used by the Council to manage Contract delivery to ensure that the Contractor is fully complying with its Contractual obligations, allows the Council to manage Contractor performance and Contract compliance and minimises risk to the Council of Contractor default.
- 4.20 **Contract Manager:** a named officer who is responsible for ensuring that the Council achieves its objectives, as set out in the Contract. This might not be the officer's job title – they might act in the role of Contract manager for only part of the time.
- 4.21 **Contracts Register:** a list of all the Contracts let by the Council that are over £5,000 in whole-life value or for a period of three years or longer. The register is kept and maintained by the Procurement Service.
- 4.22 **Contract Variation:** an agreement to vary the terms of a Contract. All parties to the Contract must agree to the variation and any variation must be within the original scope of, and made in compliance with, the Contract. Officers must consider whether the Contract is being varied, or whether the variation is so substantial that the original Contract is extinguished and a new one is being entered into.
- 4.23 **Corporate Governance:** the action or manner of governing, managing and overseeing the way that the Council operates.
- 4.24 **Corporate Requirements:** where the requirement for Goods and Services is used by the whole authority rather than individual directorates, for example stationery and agency staff.

- 4.25 **Declaration of Interest:** the requirement on members and officers to declare their financial or other interests or assets that could create a conflict of interest in the performance of their duties.
- 4.26 **Direct Award:** the ability to award a Contract directly to a chosen supplier, when the value is below £25,000 excluding VAT, or following the approval of an exception as outlined at 6.3.
- 4.27 **Disaggregated:** in the context of procurement, to disaggregate is to break down the requirement into smaller chunks to avoid the required governance which is not permitted.
- 4.28 **Disclosable Interest:** a financial interest or asset that could create a conflict in the performance of the duties of a member or officer.
- 4.29 **Dynamic Purchasing System (DPS):** an electronic system similar to an electronic Framework Agreement. A DPS provides a list of Contractors from which the Council can conduct an e-competition for Tenders. Contractors can apply to join the DPS at any time. If considering a DPS of any value advice must be sought from the Procurement Service.
- 4.30 **Exceptions:** limited circumstances in which compliance with these CSOs is waived in accordance with paragraph 6 below.
- 4.31 **FTS:** Find a Tender Service - Find a Tender Service replaced the EU's Tenders Electronic Daily (TED) and OJEU for Contracts in the UK that exceed the thresholds, it is also a term used when referring to value thresholds.
- 4.32 **Framework Agreement:** an agreement made between one or more public bodies and more than one Contractor. A Framework Agreement is a multi-Contractor agreement. A Framework Agreement sets out the terms for making specific purchases ('calls-offs') under the framework. The terms will include the nature of the Works, Services or Goods to be supplied, the unit price, the standards for service delivery and the terms on which future purchases will be made. Purchases can be made:
- 4.32.1 by order without re-opening competition. For example, offering an order to the Contractor with the lowest price; or
  - 4.32.2 following a mini competition.

The Framework Agreement will set out which purchase route is to be used and the procedure to be followed for making specific purchases. A Framework Agreement does not commit the buying organisation(s) (otherwise known as commissioner(s)) to make any purchases and framework suppliers can choose whether or not to accept the order or take part in a mini-competition, unless the Framework Agreement otherwise provides.

- 4.33 **Framework Contract:** similar to a Framework Agreement but made between one or more public bodies and one Contractor only. A Framework Contract is a single Contractor agreement. The Framework Contract sets out the terms for making purchases of Works, Services or Goods. A Framework Contract does not commit the buying organisation(s) to place any order under it. If a buying organisation wishes to buy Works, Services, or Goods under the Framework Contract it will place an order do so in accordance with the terms of the Framework Contract. The Framework Contract Contractor will be Contractually bound to deliver the Works / Services / Goods ordered.
- 4.34 **Goods (supplies):** the term used where the principal reason for the procurement is to purchase, lease, rent or hire-purchase, with or without an option to buy, actual products.
- 4.35 **Grant:** An amount of money awarded to an organisation by the Council for which there is no expectation of receiving a specific benefit in return. The Grant can be awarded for a service or part of a service, but the recipient is under no obligation to provide specific Services. Further guidance on the use of Grants can be found in Part E.
- 4.36 **Lead Partner:** one of the parties to a joint commissioning arrangement who, on behalf of the other parties within the joint commissioning group, agrees to take the lead in the procurement process and (where applicable) responsibility for managing a Contract on behalf of the other parties within the group.
- 4.37 **Light Touch Regime:** the light touch regime applies to those Services identified within Schedule 3 of the PCR 2015, (and any other subsequent legislation) and includes health, social and related Services, as well as other Services.
- 4.38 **Local Authority Controlled Company (LACC):** an organisation controlled by the Council that can be awarded Contracts directly by the Council without the Council having to follow the public procurement regime, provided the following 3 conditions are met;
- 4.38.1 the Council exercises over the LACC a control which is similar to that which it exercises over its own departments;
  - 4.38.2 more than 80% of the activities of the LACC are carried out in the performance of tasks entrusted to it by the Council or by other organisations similarly controlled by the Council, and
  - 4.38.3 there is no direct private capital participation in the LACC with the exception of non-controlling and non-blocking forms of private capital participation required by national legislative provisions, which do not exert a decisive influence on the LACC.
- If you are considering the creation of a LACC, you must seek the advice of the S151 officer and the Monitoring Officer.
- 4.39 **Mini or Further Competition:** a mini or further competition is a process carried out to place a call-off Contract under a Framework Agreement where the best value supplier has not been specified. It allows you to further refine your requirement whilst retaining the benefits offered under the framework.

- 4.40 **Most Economically Advantageous Tender (MEAT):** the process of assessing a Tender based on quality and price over the life of the Contract. Factors such as the period for completion, maintenance costs, technical merit, and value for money should be taken into consideration.
- 4.41 **Outsourcing:** the process of Contracting out an existing service, which is being provided by the Council, to another party.
- 4.42 **PCR 2015:** the Public Contracts Regulations 2015, the primary legislation governing procurement and Contracting for the public sector in the UK. To be replaced in late 2024.
- 4.43 **Period:** a timeframe as defined by the officer.
- 4.44 **Portal:** a web-based system which the Council currently uses to advertise and run requests for quotes (RFQs) and Tenders.
- 4.45 **Procurement:** the process of obtaining Works, Services and Goods (supplies).
- 4.46 **Procurement Plan:** a plan which sets out the approach to a procurement process. When a Procurement Plan is required is set out in 11.3.
- 4.47 **Provider Selection Regime (PSR) 2024:** The PSR is a set of rules for procuring health care Services in England by organisations termed relevant authorities. Relevant authorities are:
- 4.47.1 NHS England;
  - 4.47.2 Integrated care boards (ICBs);
  - 4.47.3 NHS trusts and NHS foundation trusts;
  - 4.47.4 Local authorities and combined authorities.
- 4.48 **Reverse Auction:** a procedure using the Portal where invited bidders bid against each other, reducing their Tender price in decrements (reducing increments) of a determined value until bidding stops.
- 4.49 **RFQ (Request for Quote):** a request to multiple suppliers (minimum of 3), using North Somerset Council Standard Templates, inviting them to submit a written quotation against a defined set of requirements.
- 4.50 **Seal:** The Council's seal is kept by, and is under the control of, the Assistant Director (Governance & Monitoring Officer).
- 4.51 **Services:** the principal reason for the procurement is considered to be neither Goods/supplies or Works.
- 4.52 **Service Outcome:** a measure of the Contract objectives in terms of service delivery.
- 4.53 **Social Value:** The Public Services (Social Value) Act 2012 imposes a duty on the Council to consider at the pre-procurement stage of any service Contract how the Services proposed to be procured may improve the economic, social and environmental well-being of North Somerset and how the Council may secure that improvement as part of the procurement process.

- 4.54 **Selection Questionnaire (SQ):** the government questionnaire which must be used for pre-qualifying bidders in a procurement process. When conducting a procurement that equals or exceeds the FTS thresholds, this questionnaire must be used.
- 4.55 **Sub-contractor:** an individual, business or other organisation who is hired by the main Contractor to deliver part of the Contract, and who is paid by the main Contractor.
- 4.56 **Supplier:** any person, business, company, public entity or other organisation which offers on the market the delivery of Works, Services and / or Goods to the market.
- 4.57 **Suspension:** the suspension or waiver of compliance with CSOs.
- 4.58 **Tender:** the written document submitted by a Bidder as part of its Tender process in which the Bidder offers to provide Goods, Services and/or Works for the bid price to the Council.
- 4.59 **TOMS:** Themes, Outcomes and Measures – a framework for delivering excellence in measuring and reporting Social Value.
- 4.60 **VCSE:** Voluntary Community and Social Enterprise, the voluntary or non-profit sector of the economy.
- 4.61 **Value for Money:** the optimum combination of whole life costs and quality (or fitness for purpose) of the Goods, Works or Services to meet the Council's requirement.
- 4.62 **Whole Life Contract Value:** the cost of the Contract over its full duration, exclusive of VAT, including the value of any extension periods.
- 4.63 **Works:** the principal reason for the procurement is to carry out one of the following;
- 4.63.1 the execution, or the design and execution, of Works related to one of the activities listed in Schedule 2 of the Public Contracts Regulations 2015. In principle, construction, civil engineering and property maintenance. For a complete list, contact the Procurement Service;
  - 4.63.2 the execution of, or the design and execution of, a work;
  - 4.63.3 the realisation, by whatever means, of a work corresponding to the requirements specified by the Council exercising a decisive influence on the type or design of the work.

## **5. Delegation**

- 5.1 A director may delegate the duties assigned to him/her within these CSOs. For example, a director may delegate to another named officer or officers the authority to approve commissioning or approval of reports for the use of exceptions.
- 5.2 All such delegations shall be formally recorded via a formal Decision, logged with the S151 officer and a record kept within each Directorate.
- 5.3 Delegations may be revoked at any time by the delegating director at which point the delegated duty will revert back.
- 5.4 No delegation shall abrogate or remove the responsibility associated with the duty given to the director. The duty will remain with the director.
- 5.5 Delegated officers cannot approve their own Decisions.

## 6. Suspension of and Exceptions to Contract Standing Orders

6.1 **Suspension** - Only full council has the power to suspend or waive any requirements within these CSOs.

6.2 **Exceptions** - Contracts are only allowable below the relevant FTS Thresholds. If one of the exceptions listed in CSO 6.3 apply then the relevant decision maker in conjunction with the Head of Procurement may approve exceptions to these CSOs (to the extent that they are lawfully able to do so) in genuinely urgent situations and/or where there is a sound legal, financial or value for money reason. The officer must:

6.2.1 Complete, for the relevant decision maker's approval, a prescribed form (**Exception Form**) detailing the exception(s) intended to be used and the reasons for the request. The relevant decision maker is listed in the 'Contract Award approval' column in the table at paragraph 11.3. The reasons available are listed in paragraph 6.3 below.

6.2.2 Ensure that the Supplier completes the Selection Questionnaire (SQ) in full (or appropriate document proportionate to the value) to ensure due diligence has taken place prior to Contract award.

6.2.3 Notify the Procurement Service of the exception (if Granted) by completing the Contract Register Form (available on the intranet).

6.3 Exceptions for below FTS threshold procurements: valid reasons

The following are considered acceptable reasons for seeking an exception:

6.3.1 quantifiable and significant cost and efficiency savings can be achieved through seeking an alternative route;

6.3.2 reasons of extreme urgency mean that normal time limits cannot be met, including as a result of unforeseen emergency or disruption to Council Services. This may include for example, storm damage to public buildings. Not having sufficient time to Tender may not in itself constitute urgency.

6.3.3 the Council would otherwise be exposed to immediate and significant financial, legal or reputational risk that has been identified in the relevant risk register;

6.3.4 only one supplier is objectively able to provide the Works, Services or Goods in question including, but not limited to, where the provision is specialist, where the supplier has exclusive intellectual property rights, artistic or other rights, has a monopoly or where the Goods bought are for re-sale. In such circumstance only that one supplier may be asked to quote / Tender, however the quote / Tender must be evaluated for capability and suitability.

6.3.5 Where the opportunity will be advertised using an RFQ and there is more than one supplier but fewer than three suppliers capable of supplying the Works, Services or Goods to be procured, only those suppliers shall be asked to quote. The number of suppliers in the marketplace may be limited because the opportunity to be procured is of a specialist nature or a supplier has exclusive intellectual property, artistic or other rights in the subject matter or has a monopoly, or the market is weak.



- 6.3.6 Where the opportunity has been advertised using an RFQ or Tender and you invited at least three suppliers but less bids than the minimum required have been received, you are not required to obtain an exception to these CSOs.
- 6.3.7 Additional or new Works, Services or Goods are required which, through unforeseen circumstances, were not included in an existing Council Contract and are necessary for the completion of the Contract and/or cannot be carried out separately. Forgetting to include the additional or new Services in the original Tender/RFQ will not in itself apply to this exception. Any officer wishing to rely on this exception must first have considered whether including additional or new Works, Services or Goods would be a Contract variation and permitted under UK public procurement legislation.
- 6.3.8 Goods are required as a partial replacement for, or addition to, existing Goods or installations and obtaining them from another source would result in incompatibility or disproportional technical difficulties in operation or maintenance.
- 6.3.9 The Council has the benefit of a Local Authority Controlled Company (LACC) under Regulation 12 of the Public Contracts Regulations 2015.
- 6.4 An exception must *not* be Granted where this would mean the Council would be in breach of any laws.
- 6.5 No exception can be relied on until the relevant decision maker, in conjunction with the Head of Procurement, has authorised the exception.
- 6.6 Where an exception is Granted, the exception report will replace the requirement for a Contract Award report.
- 6.7 All Contracts, including the award of a Contract to which an exception has been applied, must demonstrate compliance with:
  - 6.7.1 All applicable legislation and guidance (including equality of treatment, transparency; non-discrimination; proportionality and mutual recognition);
  - 6.7.2 Due diligence must be evidenced in terms of ensuring the supplier meets the council's minimum requirements;
  - 6.7.3 The principles of procurement best practice and value for money;
  - 6.7.4 The requirement to identify and secure appropriate funding;
  - 6.7.5 Appropriate and robust risk management and Contract management arrangements.
- 6.8 **Exceptions - Contracts Equal to or Above the FTS Thresholds**
  - 6.8.1 The application of the FTS procurement rules cannot be exempted. If you require clarification you should consult with the Procurement Service.
  - 6.8.2 The Provider Selection Regime (PSR) allows for the compliant direct award of Contracts under specific circumstances. Please contact the Procurement Service if you believe your requirement falls under the PSR (this will apply to Services that include healthcare only).

## **7. Approvals –Whole Life Contract Value below £159,999**

- 7.1 Officers are required to complete the online Pre-Procurement Engagement Form (available on the intranet) for all Contracts with a whole life Contract value over £5,000 excluding VAT.
- 7.2 Under £25,000 excluding VAT – Quotations are not required and a direct award to a single supplier is permissible. Preference should be given to local and VCSE organisations where they exist and offer value for money and can deliver the Works, Services and/or Goods to be supplied.
- 7.3 Between £25,001 and £159,999 excluding VAT – a minimum of 3 written quotations are required. Use of the Council's e-tendering Portal is optional. When selecting suppliers to quote, preference should be given to local organisations where they exist and offer value for money and can deliver the Goods, Services and/or Works to be supplied.
- 7.4 Officers are required to complete the Contracts Register – New Entry Form (available on the intranet) for all Contracts with a whole life Contract value over £5,000 excluding VAT. This must be completed within 10 working days of the Contract award.
- 7.5 Subject to the completion of 7.4, the Procurement Service is required to:
  - 7.5.1 Enter any Contracts over £5,000 excluding VAT onto the Council's Contracts Register; and
  - 7.5.2 Publish a Contracts Finder Award Notice for any Contracts over £25,000 excluding VAT.
- 7.6 Officers are required to complete the Contracts Register – Amendment Form (available on the intranet) for all variations and extensions to Contracts. See section 30 and 31.

## **8. Approvals – whole life Contract value between £160,000 and £499,999**

- 8.1 Officers are required to complete the online Pre-Procurement Engagement Form (available on the intranet) for all Contracts.
- 8.2 All Council procurements with an estimated whole life Contract value between £160,000 and £499,999 excluding VAT will have two stages of approval:
- A. Combined Commissioning & Procurement Plan;
  - B. Contract Award Report.
- 8.3 Combined Commissioning and Procurement Plan - for procurements where the whole life value is estimated between £160,000 and £499,999 excluding VAT, and where it has not been previously included on the annual Commissioning Intentions Plan, a Combined Commissioning and Procurement Plan can be used. The format of such is a mixture of the criteria laid out in 9.2 and 9.7. There may be an opportunity to use a Combined Commissioning and Procurement Plan where the whole life value is over £500,000 excluding VAT, this will be at the discretion of the Procurement Service. This will not be applicable where the procurement was previously approved in the annual Commissioning Intentions Plan.

It is important that the Procurement Service is engaged at a sufficiently early stage to jointly produce the Combined Commissioning and Procurement Plan with the commissioner.

- 8.4 Contract Award Report – a Contract award report must be approved before the Contract is awarded, which sets out a record of the procurement process, including but not limited to:
- 8.4.1 The subject matter and the whole life value of the Contract proposed to be made;
  - 8.4.2 The procurement process followed;
  - 8.4.3 (where applicable) The results of market analysis undertaken;
  - 8.4.4 Details of the evaluation criteria, the weightings and the results of the evaluation process;
  - 8.4.5 The name of the successful Bidder, unless, when the Contract Award Report is deemed to be a Key Decision (see 8.6) an anonymised version may be submitted for publication along with the relevant Tender details in a separate, confidential appendix.
  - 8.4.6 The reasons why its Tender was selected including overall scores of successful and unsuccessful bidders (anonymised);
  - 8.4.7 The reasons for the rejection of the other bids received;
  - 8.4.8 (where applicable) conflicts of interests detected and subsequent measures taken;
  - 8.4.9 any risks associated with the award of the Contract and measures taken to minimise that risk;
  - 8.4.10 Contract management requirements with specific reference to any outstanding risks to be monitored.
- 8.5 The Contract Award Report will normally be prepared by the Contract manager jointly with the Procurement Service and is used to advise the relevant decision making body.

- 8.6 Where the procurement is led by another Local Authority / public body, please see section 10.
- 8.7 If the whole life value of the Contract to be awarded is more than 10% of the original value previously approved at the Commissioning Plan stage, the subsequent Contract Award report will require approval at the relevant threshold which may result in a requirement for a Key Decision to be published.
- 8.8 Direct award – in the event of a direct award (exception), neither a Commissioning Plan nor Procurement Plan is required. You must evidence within the Exception/Contract Award Report the valid reasoning behind the decision to award a Contract without competition, referring to one of the exceptions as outlined at 6.3. Due diligence must be completed on the supplier.
- 8.9 For the approval stages outlined above, templates are available from the Procurement Service.

## **9. Approvals – whole life Contract value over £500,000**

- 9.1 Officers are required to complete the online Pre-Procurement Engagement Form (available on the intranet) for all Contracts.
- 9.2 All Council procurements with an estimated whole life Contract value over £500,000 excluding VAT will have three stages of approval:
  - A. Commissioning Plan;
  - B. Procurement Plan;
  - C. Contract Award Report.
- 9.3 Commissioning Plan – must be prepared by the Contract manager and approved by the relevant decision maker before a procurement process can commence. The Commissioning Plan must set out:
  - 9.3.1 Contract Title;
  - 9.3.2 Outline scope of the procurement – what is the Council buying?;
  - 9.3.3 Available budget and estimated whole life Contract value, including any extension period;
  - 9.3.4 Contract length, including any Contract extension period;
  - 9.3.5 The end date of any existing Contract (if applicable);
- 9.4 A Commissioning Plan must be completed (either as part of the annual Commissioning Intentions Plan or separately for each individual project) if the Council is intending to become party to a Contract, the procurement of which is being led by another local authority/public body, as per section 10.
- 9.5 Annual Commissioning Intentions Plan - The Commissioning Plan can be in the form of an annual Commissioning Intentions Plan, prepared by the relevant commissioning team and approved by the relevant decision maker. The annual Commissioning Plan must set out:
  - 9.5.1 Title – Commissioning Priorities for the “period”;
  - 9.5.2 Links to Corporate Plan/Strategic Plan for the directorate/team and other relevant report information;
  - 9.5.3 An appendix containing a detailed list of relevant projects expected throughout the year including budget(s) available, and whether a procurement will be undertaken;
  - 9.5.4 Clear information on whether the budget available is made up from the Council revenue/capital budget or is external funding either applied for or expected to be agreed within the “period”;
  - 9.5.5 A commitment to review the Appendix as referred to at 9.5.3, and report on progress at the end of the “period”;
  - 9.5.6 Projects not completed at the review point will be carried over to the new “period” if applicable or removed from the list.
- 9.6 The annual Commissioning Intentions Plan will not remove the requirement for a project specific Commissioning Plan for projects/procurements not originally covered in the annual plan, either by omission or because of a new, previously unknown requirement.

- 9.7 Procurement Plan –The Procurement Plan will set out how the procurement will be managed in order to deliver the best outcomes for the Council. The level of detail in the Procurement Plan should be proportionate to the whole life value of the Contract and the level of risk, but should where relevant include:
- 9.7.1 High level summary of Contract purpose and outcomes, including the approach to reflecting these in the specification;
  - 9.7.2 Governance process, including the engagement of key stakeholders and approval of key documents during the procurement process;
  - 9.7.3 Market analysis, including any work that needs to be done by the Council to market itself to potential bidders as an important customer;
  - 9.7.4 Review of potential performance issues, and how they will be mitigated/managed through the procurement process;
  - 9.7.5 Key risks, including climate emergency and sustainability risks, and how they will be mitigated during the procurement process;
  - 9.7.6 Approach to evaluation, including evaluation criteria and weightings. Evaluation criteria shall include an assessment of the bids against the deliverables to be secured under the Contract;
  - 9.7.7 Legal issues, including terms and conditions for the Contract, Contract length and extensions etc.;
  - 9.7.8 Commercial issues such as pricing strategy, management of change, and performance management/incentives;
  - 9.7.9 Approach to Social Value and method of evaluation in line with the Councils Social Value Policy, including performance obligations, main areas of potential benefit, VCSE and sustainability opportunities;
  - 9.7.10 Approach to Climate Emergency, specifically referencing the risks that have been highlighted using the Climate Emergency Risk Register
  - 9.7.11 Overall projected timescales and milestones;
  - 9.7.12 Approach to assessing and agreeing preferred route to market.
- 9.8 It is important that the Procurement Service is engaged at a sufficiently early stage to jointly produce the Procurement Plan with the commissioner.
- 9.9 Where the procurement is led by another Local Authority / public body, a procurement plan is still required, however please see section 10.

- 9.10 Contract Award Report – a Contract award report must be approved before the Contract is awarded, which sets out a record of the procurement process, including but not limited to:
- 9.10.1 The subject matter and the whole life value of the Contract proposed to be made;
  - 9.10.2 The procurement process followed;
  - 9.10.3 (where applicable) The results of market analysis undertaken;
  - 9.10.4 Details of the evaluation criteria, the weightings and the results of the evaluation process;
  - 9.10.5 The name of the successful Bidder, unless, when the Contract Award Report is deemed to be a Key Decision (See 9.12), an anonymised version may be submitted for publication along with the relevant Tender details in a separate, confidential appendix.
  - 9.10.6 The reasons why its Tender was selected including overall scores of successful and unsuccessful bidders (anonymised);
  - 9.10.7 The reasons for the rejection of the other bids received;
  - 9.10.8 (where applicable) conflicts of interests detected and subsequent measures taken;
  - 9.10.9 any risks associated with the award of the Contract and measures taken to minimise that risk
  - 9.10.10 Contract management requirements with specific reference to any outstanding risks to be monitored
- 9.11 The Contract Award Report will normally be prepared by the Contract manager with the Procurement Service and is used to advise the relevant decision making body.
- 9.12 A Contract Award Report is required to enter into a Contract where the procurement has been led by another local authority/public body, as per section 10.
- 9.13 If the whole life value of the Contract to be awarded is more than 10% of the original value previously approved at the Commissioning Plan stage, the subsequent Contract Award report will require approval at the relevant threshold which may result in a requirement for a Key Decision to be published.
- 9.14 Direct award – in the event of a direct award (via an exception), neither a Commissioning Plan nor Procurement Plan is required. You must evidence within the Exception/Contract Award Report the valid reasoning behind the decision to award a Contract without competition, referring to one of the exceptions as outlined at 6.3. Due diligence must be completed on the supplier.
- 9.15 For the approval stages outlined above, a template is available from the Procurement Service.

## **10. Approvals – Procurements led by another Local Authority / Public Body**

10.15 Where the procurement is led by another Local Authority / public body, the same approval levels and thresholds apply, as per section 11. However, the content within any Decision relating specifically to the procurement, only needs to include the key information, and to reflect that another organisation is responsible for the procurement.

## **11. Approval level and thresholds**

11.1 The value of the Contract is the whole life Contract value. It is not the annual Contract value.

11.2 Contracts must not be disaggregated to avoid FTS thresholds, or any thresholds specified within these CSOs.

11.3 The table below sets out the approvals and thresholds that must be used in conjunction with Sections 7, 8 and 9 of these CSOs.



Estimated Contract Value (Ex VAT)	Permitted Sourcing Options	Mandatory Pre-Procurement Engagement Form	Use Portal	Commissioning Plan approval	Procurement Plan approval	Contract Award approval	Record on Contract Register
<£25,000	Quotations not required; Direct award permissible	Yes £5,000 to £25,000	No	N/A	N/A	Director or delegated Officer	>£5,000
£25,001 to £159,999	Request for Quotation (min. 3* suppliers)	Yes	Optional	N/A	N/A	Director or delegated Officer	Yes
£160,000 to £499,999	FTS Tender (Goods/Services)	Yes	Yes	Combined Commissioning and Procurement Plan, approved by Director advised by Head of Procurement		Director advised by the Head of Procurement or Procurement Manager	Yes
	Request for Quotation (Works)	Yes					
£500,000 to £999,999	FTS Tender (Goods/Services)	Yes	Yes	Executive Member	Director advised by Head of Procurement	Director advised by the Head of Procurement	Yes
	Request for Quotation (Works)	Yes					
£1,000,000 to £9,999,999	FTS Tender	Yes	Yes	Executive	Director advised by Head of Procurement	Director advised by the s.151 Officer and Head of Procurement	Yes
>£10,000,000	FTS Tender	Yes	Yes	Full Council	Director advised by Head of Procurement	Director advised by the s.151 Officer and Head of Procurement	Yes

\*Note: In accordance with CSO 6.3.5, if there are fewer suppliers in the market place capable of supplying the Works, Services or Goods to be procured than the number of bidders which should be invited to Tender and the relevant exception has been approved, you are only required to invite those suppliers capable of supplying the Works, Services or Goods.

## 12. Key Decisions

- 12.1 Key decisions are those taken by the relevant authority (Director, Executive Member, Executive or full Council) according to value, which are likely to:
- 12.1.1 result in the 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 [values over £500,000 excluding VAT are considered to be significant];
  - 12.1.2 to be significant in terms of its effect on communities living or working in an area comprising two or more wards in the area of the Local Authority.
- 12.2 In terms of the threshold approval process, it is considered that a Procurement Plan is an internal document and not a key decision as it not asking for approval of expenditure and therefore is not published on the Council's website.
- 12.3 Contract Award Reports are not Key Decisions unless the whole life value of the Contract to be awarded is more than 10% of the original value previously approved at the Commissioning Plan stage. The subsequent Contract Award report will require approval at the relevant Commissioning Plan threshold which may result in a requirement for a Key Decision to be published.

### **13. Signing of Contracts**

- 13.1 Contracts below the relevant FTS threshold and for a duration up to three years may be signed by two authorised officers, either the relevant Director or the Assistant Director or such other officer(s) as the Director has formally authorised (using their delegated powers) to sign Contracts.
- 13.2 Contracts equal to or exceeding the relevant FTS threshold or for a duration of more than three years may be sealed by the Council, as determined by the Assistant Director (Governance & Monitoring Officer).

## **14. Framework Agreements (multi supplier)**

- 14.1 Before the use of any Framework Agreement, advice must be obtained from the Procurement Service.
- 14.2 The intention behind a Framework Agreement is to streamline the competitive process by enabling the commissioners, at any time during the term of the framework, to buy Works, Services, or Goods by placing an order (without re-opening competition) or by holding a mini competition process (competed Services), without having to Tender each individual requirement. Multiple orders or call-off Contracts can be made through the framework. Framework Agreements can be useful where the Council needs to make repeated and potentially high value purchases, such as for temporary staff support or care placements.
- 14.3 It may be possible to access an existing Framework Agreement, let by the Council or another public body. As you would be calling off from the framework this negates the need to conduct a full procurement for the new requirement.
- 14.4 The following principles should be followed when deciding whether to buy Works, Services or Goods under an existing Framework Agreement established by another body:
- 14.4.1 There should be evidence that the framework can be accessed by the Council;
  - 14.4.2 For competed Services, the framework must provide for the holding of a mini-competition.
  - 14.4.3 For the making of a purchase without re-opening competition the framework must clearly identify the criteria for selecting, in order of priority, the Contractor to be first, and subsequently, offered the order;
  - 14.4.4 The framework should offer value for money;
  - 14.4.5 The technical aspects and quality standards of the framework shall meet the Council's requirements.
  - 14.4.6 The Framework Agreement must be let by "a Contracting authority". A private sector company will not be a "Contracting authority" under the PCR 2015.
- 14.5 For procurements equal to or above the relevant FTS threshold, the award of a Framework Agreement is regulated by the PCR 2015.
- 14.6 If the Framework Agreement falls within the PCR 2015 then the term of the framework must not exceed four years. There is a provision to establish a framework for a longer period, but this is only applicable in exceptional circumstances and where it can be justified by the subject of the framework. The Procurement Service must be contacted for advice.

- 14.7 Call-off Contracts can extend beyond the life-span of the Framework Agreement. However, call-off Contracts made close to, or at the end of, the term of the framework that have a disproportionate duration may amount to a breach of the PCR 2015. Before such a call-off Contract is made, advice must be obtained from the Procurement Service.
- 14.8 The use of a Framework Agreement must be approved as part of the Procurement Plan or the Combined Commissioning and Procurement Plan, whichever is appropriate.
- 14.9 There are two approaches to the Contract Award approval process for Framework Agreements and the orders/placements made under them. The Procurement Plan or Combined Commissioning and Procurement Plan must be clear on which method is being used. Either:
- 14.9.1 A Contract Award Report for the approval to establish a Framework and for all expenditure under the Framework, which is authorised at the appropriate level, based on estimated expenditure across of the life of the Framework. No further Contract Award approvals for individual orders/placements would be required; or
  - 14.9.2 A Contract Award Report for the approval to establish a Framework. Contract Award approvals for the individual orders/placements would be required as and when they are incurred in line with the Threshold table in 11.3.
  - 14.9.3 Note that in either case, before any order/placement is made, a purchase order (PO) to the value of the order/placement must first be authorised.
- 14.10 A Framework Agreement is closed for the duration of its operation which means that no new providers and/or suppliers can be added to the framework. If you wish to create a Contract which allows for new suppliers to be added, you must set up a Dynamic Purchasing System (DPS). If you wish to set up a DPS you should contact the Procurement Service. If you are creating a framework under the Light Touch regime, a degree of flexibility is available. Contact the Procurement Service for further information.

## **15. Framework Contracts (single supplier)**

- 15.1 Before the use of any Framework Contract, advice must be obtained from the Procurement Service.
- 15.2 A Framework Contract differs from a Framework Agreement in that it is made with a single supplier, meaning that orders may be placed with that single supplier without competition. When an order is made under a Framework Contract the supplier will be Contractually bound to accept that order.
- 15.3 A single supplier arrangement is likely to be used where the Council wishes to make a high number of purchases over a specified period, the aggregate value of those purchases being of high value, for example the purchase of stationery.
- 15.4 Framework Contracts can be created so that one, or many purchases can be made under it.
- 15.5 The following principles should be followed when deciding whether to use an existing Framework Contract established by another body:
  - 15.5.1 There should be evidence that the framework can be accessed by the Council;
  - 15.5.2 The framework should offer value for money;
  - 15.5.3 The technical aspects and quality standards of the framework should meet the Council's requirements.
  - 15.5.4 The Framework Agreement must be let by "a Contracting authority". A private sector company will not be a "Contracting authority" under the PCR 2015.
- 15.6 For procurements equal to or above the FTS threshold, the award of a Framework Contract is regulated by the PCR 2015.
- 15.7 If the Framework Contract falls within the PCR 2015 then the term of the framework must not exceed four years. There is a provision to establish a framework for a longer period, but this is only applicable in exceptional circumstances and where it can be justified by the subject of the framework. The Procurement Service must be contacted for advice.
- 15.8 Call-off Contracts can extend beyond the life-span of the Framework Agreement. However, call-off Contracts made close to, or at the end of, the term of the framework that have a disproportionate duration may amount to a breach of the PCR 2015. Before such a call-off Contract is made, advice must be obtained from the Procurement Service.
- 15.9 The use of the Framework Contract must be approved as part of the Procurement Plan or the Combined Commissioning and Procurement Plan, whichever is appropriate.

- 15.10 There are two approaches to the Contract Award approval process for Framework Contracts and the orders/placements made under them. The Procurement Plan or Combined Commissioning and Procurement Plan must be clear on which method is being used. Either:
- 15.10.1 A Contract Award Report for the approval to establish a Framework and for all expenditure under the Framework, which is authorised at the appropriate level, based on estimated expenditure across of the life of the Framework. No further Contract Award approvals for individual orders/placements would be required; or
  - 15.10.2 A Contract Award Report for the approval to establish a Framework. Contract Award approvals for the individual orders/placements would be required as and when they are incurred in line with the Threshold table in 11.3.
  - 15.10.3 Note that in either case, before any order/placement is made, a purchase order (PO) to the value of the order/placement must first be authorised.

**16. Light Touch regime (and any subsequent legislation inc Provider Selection Regime)**

16.15 The light touch regime applies to those Services identified within Schedule 3 of the PCR 2015, and include health, social and related Services, as well as other Services.

16.16 The light touch regime applies where the Services are considered to be of lower interest to cross border competition. The Services listed in Schedule 3 are subject to the PCR 2015, but a “light touch” regime applies, and a higher FTS threshold applies.

16.17 Whether or not a service is within Schedule 3 must be decided, on a case-by-case basis as it will be dependent upon the full scope of what is being procured. For example, you may be procuring a multi lot Contract for facilities management Services which include an element of security Services. Although security Services are within Schedule 3 the remainder of the facilities management Services are not. In this instance, although your Contract would have a light touch element, the majority of the Contract would not be light touch and so the entire procurement would be subject to the full PCR 2015.

16.18 Services listed in Schedule 3 of the PCR 2015 are subject to the “light touch regime” and not subject to the full procurement regime of the PCR 2015. Schedule 3 Services include health, social and related Services, and the provision of Services to the community. You must seek advice from the Procurement Service if you consider your service will be subject to the light touch regime before you commence the procurement.

16.19 The Provider Selection Regime (PSR) came into effect on 1 January 2024 and applies to the procurement of Healthcare Services in England by relevant authorities. Relevant authorities are:

16.19.1 NHS England

16.19.2 Integrated care boards (ICBs)

16.19.3 NHS trusts and NHS foundation trusts

16.19.4 Local authorities and combined authorities

The PSR does not apply to the procurement of Goods or non-health care Services (unless as part of a mixed procurement), irrespective of whether these are procured by relevant authorities.

16.20 For further information on Health and Social Care related Services considered “Light Touch” or “PSR” and the differing procurement rules to be followed, please see Part D Health and Social Care Contracts, section 36, or contact the Procurement Service.



## **17. Outsourcing and community right to challenge**

- 17.1 Where it makes economic sense and it is a functional solution, the Council may outsource Services or transfer them to the local community to provide directly.
- 17.2 The 'community right to challenge' is part of the 2011 Localism Act and gives voluntary and community groups, charities, parish and town councils and council employees the right to express an interest in taking over the running of a Council service. The Council must consider and respond to this challenge. Where the challenge is accepted, the Council must then run a procurement exercise in which the organisation making the challenge can bid to run the service (but not necessarily win). Expressions of interest to deliver Services under the 'community right to challenge' shall be dealt with through the Council's adopted 'Process Guide to dealing with expressions of interest under the Community Right to Challenge.'

## **18. Public Works or Services concessions under The Concession Contracts Regulations 2016.**

- 18.1 The Concession Contracts Regulations 2016 apply to above threshold public Works concessions and public service concessions. There are no concession Contracts for supplies.
- 18.2 Key factors of concession Contracts are:
- 18.2.1 the award of the contract shall involve the transfer to the concessionaire of an operating risk in exploiting the works or services encompassing demand or supply risk or both; and
  - 18.2.2 the part of the risk transferred to the concessionaire shall involve real exposure to the vagaries of the market, such that any potential estimated loss incurred by the concessionaire shall not be merely nominal or negligible.
- 18.3 If you consider that your opportunity may be a public Works or a public Services concession Contract you must contact the Procurement Service for advice before beginning any stage of the procurement.

## **19. Social Value**

- 19.1 The overall approach to delivering Social Value through the Council's suppliers is to agree proportionate and relevant Social Value outcomes with bidders during the procurement that are aligned to the Corporate Plan ambitions. There are two different but complementary routes in which this can be achieved. Firstly, Social Value can be built into the Contract as a performance obligation within the requirements/specification. Secondly, bidders can be asked to be innovative about how they might deliver additional Social Value under the Contract, and their responses are assessed as part of the overall evaluation process. These two routes are not necessarily independent i.e., both may be used within the same procurement process.
- 19.2 Procurement documents, in particular the evaluation model, should allow bidders to describe how they will deliver Social Value in addition to the core requirements of the Contract. Procurement documents should also be clear on how responses will be assessed and evaluated.
- 19.3 In addition to the two routes outlined in 18.1, how you should approach achieving Social Value will differ depending on the value of your procurement;
- 19.3.1 For procurements below £159,999 excluding VAT - you should consider Social Value as forming part of your evaluation criteria where appropriate and proportionate to do so, but inclusion is not mandatory. A weighting of up to 10% may be applied. The evaluation will be quantitative only.
- 19.3.2 For short term Contracts (less than 6 months) and one-off projects/purchases in excess of £160,000 – Social Value must be included as part of your evaluation criteria. A weighting of up to 10% must be applied. The evaluation will be quantitative only.
- 19.3.3 For long term Contracts (more than 6 months), with a value equal to or greater than £160,000 excluding VAT, a quantitative and qualitative evaluation must be undertaken. Please contact the Procurement Service for advice.
- 19.4 The approach to achieving Social Value through the Council's procurements should be agreed as part of the development of either the Combined Commissioning and Procurement Plan or the Procurement Plan.

## 20. Types of Procedures

- 20.1 Where the opportunity to be advertised has an estimated whole life Contract value above £160,000, the type of procedure to be followed must be determined as part of the development of the Procurement Plan, in consultation with the Procurement Service, prior to advertising. The types of procedure are as follows:
- 20.1.1 **Open Procedure** – where suppliers submit a Tender in response to an advertisement. This is done via an Invitation to Tender (ITT) document, through a single stage process.
  - 20.1.2 **Restricted Procedure** – includes a Pre-Qualification stage via the standard selection questionnaire, which is sent to all suppliers who express an interest in response to an advertisement. A selection of these suppliers is then invited to submit a Tender via an ITT.
  - 20.1.3 **Competitive Dialogue** – a procedure to be used where the procurement is of a very complex nature (technically, legally or financially), and the Council is unable to properly define one or more of these elements within the specification. For the Council to formulate its requirements, it will hold dialogue sessions with bidders during the Tender process.
  - 20.1.4 **Competitive with Negotiation** – this is a three-stage procedure that allows for negotiation after initial Tenders have been submitted.
- 20.2 Where the estimated whole life Contract value is under £160,000 you are not required to conduct a Tender process, and may conduct a quotation process instead, but that doesn't mean you shouldn't use a Tender process if you consider it to be appropriate. Where you do conduct a Tender process, the Open Procedure must be used.
- 20.3 For further information and guidance on the procurement process for Contracts below £159,999 excluding VAT, please see PART F.

## **21. Advertising Online**

- 21.1 The Council uses a web-based system to advertise and run both request for quotes (RFQs) and Tenders. The Portal allows opportunities to either be openly advertised, where any appropriately registered supplier may express interest, or for quotes/Tenders to be sent to specifically chosen suppliers only. All opportunities with a total estimated whole life Contract value of £160,000 and above must be openly advertised in line with the table at 11.3, unless the use of an appropriate Framework is agreed. (For procurements in respect of Health and Social Care Services Contracts please see Part D). Below this figure opportunities may be advertised openly at the discretion of the Commissioner. Whatever the value, where the Council advertises Contracts openly using the Portal the opportunity must also be advertised on the government's Contracts Finder website if the opportunity will exceed £25,000 excluding VAT in value.
- 21.2 Should you elect, at your own discretion, to conduct a formal Tender process for opportunities with an estimated whole life Contract value of under £160,000, you must advertise the opportunity as part of the Tender process.
- 21.3 The process of advertising procurement opportunities via the Portal does not negate the requirement to advertise relevant opportunities in other media, such as Find a Tender service (FTS), Contract's Finder, the Council's website, local newspapers, or any other method, should this be required.
- 21.4 The Council can also publish Prior Information Notices (PINs) as part of a soft market testing exercise to understand the quantity, appetite, and capability of suppliers to deliver potential future Contracts. Under certain circumstances, publishing a PIN can reduce the minimum tender timescales for the procurement.
- 21.5 All suppliers invited to Tender must be issued with the same information at the same time and subject to the same conditions.

## **22. Receipt of Tenders**

22.1 Procurements with an estimated total Contract value below £159,999 excluding VAT, may be undertaken via email or operated through the Portal, depending on the knowledge and experience of the commissioner in the use of the Portal.

22.1.1 Any submissions received after the date and time stipulated in the procurement documents should not be considered;

22.1.2 On checking a submission, any errors or discrepancies affecting the content of a bid should be the subject of clarification with the Bidder.

22.1.3 If you are uncertain about the approach to apply to an error, or the period to grant a Bidder to correct it, then seek the advice of the Procurement Service.

22.2 All procurements with an estimated total Contract value above £160,000 must be operated through the Portal in conjunction with the Procurement Service.

22.2.1 Any submissions received after the date and time stipulated in the Tender documents should not be considered;

22.2.2 All submissions received electronically via the Portal must either be unsealed by the Procurement Service or by officers authorised by the Procurement Service;

22.2.3 On checking a submission, any errors or discrepancies affecting the content of a bid should be the subject of clarification with the Bidder.

## **23. Evaluating Tenders**

- 23.1 Care should be taken to evaluate the bid using the most economically advantageous Tender (MEAT) rather than simply the unit price. The lowest priced Tender may not necessarily offer the best value for money over the life of the Contract; therefore, you should take into account price and quality using agreed price and quality weightings.
- 23.2 Should a submitted bid appear to be priced too low to deliver the required quality of service this should be clarified. The Bidder should be challenged as to how they can deliver the expected quality and requirements at that price. Should this show that the proposed service is indeed unsustainable, the Tender may be rejected. Before any bid is rejected you must take advice from the Procurement Service.
- 23.3 Each bid should be evaluated by scoring objectively in accordance with the award criteria by a panel of appropriate officers. The process and evaluation model should be set out in the Procurement Plan. The Contract should be awarded to the Bidder submitting the Tender that achieves the highest score in the evaluation process.
- 23.4 The criteria used to evaluate each bid must:
- 23.4.1 Be based on the predetermined award criteria specified in the RFQ or invitation to Tender document, including the weightings to be used;
  - 23.4.2 Include the total value of the Contract;
  - 23.4.3 Be strictly observed throughout the Tender process;
  - 23.4.4 Be capable of objective assessment;
  - 23.4.5 Avoid discrimination.
- 23.5 Where the opportunity is above £500,000 excluding VAT, or where there is a perceived risk through the term or nature of the Contract regardless of Contract value, an assessment of the bidders' financial standing should be undertaken to the satisfaction of the relevant Director.
- 23.6 The results of the Tender evaluation process must be recorded in writing.
- 23.7 The Council is not obliged to accept any Tender.

## 24. Awarding the Contract

24.1 The following applies to all procurements with an estimated Contract value above £160,000:

24.1.1 All bidders should be notified simultaneously via the Portal and as soon as possible, of the intention to award the Contract to the successful Bidder. The unsuccessful bidders must have at least 10 calendar days in which to challenge the decision before the Contract is formally awarded. This 'standstill period' is commonly referred to as the Alcatel period and is a legal requirement of an FTS compliant procurement process.

24.1.2 Where the winning Bidder has identified itself as being within the scope of IR35 Legislation via the Tender process the Authorised Officer must check the Contractors employment tax status on the HMRC website, [Check employment status for tax - GOV.UK \(www.gov.uk\)](http://www.gov.uk), to determine whether the winning Bidder should be paid via the Council's payroll system or via the raising of an invoice on the Council's finance system. If in any doubt, you should contact your directorate HR Advisor.

24.1.3 If the decision is challenged by an unsuccessful Bidder, then the Contract cannot be awarded and the Assistant Director (Governance & Monitoring Officer) must be contacted to advise on the steps to be taken.

24.1.4 The Procurement Service shall (via the Portal) debrief in writing all those bidders who submitted a bid about the relative advantages of the winning Bidder and should disclose:

1. How the award criteria were applied and the scores and relative advantages of the winning Bidder(s);
2. The name of the winning Bidder(s).

24.1.5 All documents should be kept in accordance with the Corporate Retention and Disposal Schedule.

24.2 The following applies to all procurements with an estimated Contract value below £159,999 excluding VAT:

24.2.1 All bidders should be notified simultaneously (via the Portal if appropriate) and as soon as possible of the intention to award the Contract to the successful Bidder.

24.2.2 Unsuccessful bidders must be provided with a breakdown of their scores, the name of the winning Bidder and the winning Bidder's scores. A 'standstill period' is not a legal requirement, however it is considered good practice to allow some time between notifying unsuccessful bidders and making the Contract award.

24.2.3 A legal challenge cannot be made for Contracts which fall below the FTS threshold.

## **25. Reverse Auctions**

25.1 On the advice of, and with prior authorisation from the Procurement Service, electronic reverse auctions may be used for the submission of prices. The specific procedures to be used must be approved by the Head of Procurement and should normally be facilitated via the Portal.



## **26. FTS Thresholds**

- 26.1 The procurement of Goods, Services and Works that equal or exceed the FTS procurement thresholds are covered by the FTS Consolidated Procurement Directive as enforced by the Public Contract Regulations 2015. The Directive lays down strict processes for advertising, timetabling and Contractor selection.
- 26.2 These rules take precedence over all Council and UK national regulations and carry potentially heavy penalties for non-compliance.
- 26.3 There are separate thresholds regarding Services covered within the “Light Touch” regime, the Concession Contracts Regulation 2016 and the Utilities Contracts Regulations 2016, the Provider Selection Regime 2024. If you are uncertain if your opportunity falls under one of these Regulations, you must seek advice from the Procurement Service to understand current thresholds.
- 26.4 All opportunities that equal or exceed the FTS Threshold must be advertised in the FTS and Contracts Finder.

## **27. Contracts**

27.1 All Contracts shall, as a minimum:

- 27.1.1 be in writing;
- 27.1.2 specify what is to be supplied (that is, the Works, materials, Services, matters or things to be furnished, had or done);
- 27.1.3 specify the payment provisions (that is, the price to be paid and when);
- 27.1.4 specify the time-scale within which the Contract is to be performed; and
- 27.1.5 specify the termination provisions under which the Council shall and may terminate the Contract.

27.2 In addition, every Contract involving a purchase of £50,000 and above must also clearly state as a minimum:

- 27.2.1 the performance standards to be met;
- 27.2.2 the insurance requirements;
- 27.2.3 health and safety requirements;
- 27.2.4 equality and diversity requirements;
- 27.2.5 (where relevant) that the Contractor may not assign the Contract or sub-Contract any part of the Contract without prior written consent from the Council;
- 27.2.6 information governance, Freedom of Information and Data Protection requirements;
- 27.2.7 Contract management requirements;
- 27.2.8 a right, given to the council, of access to documents and records which relate to the subject matter of the Contract for monitoring and audit purposes;
- 27.2.9 an obligation on the Council to pay undisputed invoices within 30 days;
- 27.2.10 an obligation on the principal Contractor to pay any Sub-contractor invoices within 30 days;
- 27.2.11 a clause for the prevention of corruption and bribery; and
- 27.2.12 Contract enforcement mechanisms.

27.3 Formal advice from the Assistant Director (Governance & Monitoring Officer) must be sought on Contract terms and conditions for the following Contracts:

- 27.3.1 where the estimated whole-life value of the opportunity is above £160,000 excluding VAT;
- 27.3.2 those involving leasing arrangements;
- 27.3.3 where it is proposed to use the external supplier's own terms;
- 27.3.4 those that are considered to be high risk in terms of service failure or the Council's reputation; or
- 27.3.5 those that are complex in any other way.

27.4 All Contracts must be formally concluded in writing before the supply, service or construction begins. An award letter is insufficient.

## **28. Prevention of Bribery or Corruption**

28.1 Officers must comply with the Council's Code of Conduct and must not invite or accept gift or reward for the award of, or in respect of, the performance of any Contract. It will be for the officer to prove that anything received was not received corruptly. High standards of behaviour are obligatory. Corrupt behaviour will result in disciplinary action being taken against the officer concerned. Offering, promising or giving of a bribe (active bribery) and the requesting, agreeing to receive or accepting of a bribe (passive bribery) is a criminal offence under the Bribery Act 2010 and council employees should take all necessary steps to protect themselves and the Council against committing acts of bribery.

## **29. Declaration of interest**

29.1 Prior to any procurement commencing, officers that will be involved in the development of the specification, evaluation and/or decision, will be required to complete a Conflict of Interest form, specifically for the procurement activity. This is to ensure that all procurements are undertaken fairly and any disclosable interests are known to the Council. This is in addition to any declarations made as part of the annual Register of Personal and Pecuniary Interests. Any interests declared should be documented and managed appropriately. If in doubt, please contact the Procurement Service for advice.

29.2 If it comes to the knowledge of a member or officer of the Council that an individual has, or may have, a conflict of interest in the Contract to be procured or awarded, (not previously declared) they shall immediately give written notice to the PA for their Directorate who will inform the relevant Director, as well as the Procurement Service.

29.3 Such written notice is required regardless of whether the interest is that of a member or officer themselves or a close relative, partner, direct or indirect. An indirect disclosable interest is distinct from a direct disclosable interest in that it is not a Contract to which the member or employee is directly a party.

29.4 The Directorate PA shall maintain a record of all declarations of interests notified by members and officers.

29.5 The Directorate PA shall ensure that the attention of all members is drawn to the Code of Conduct for Local Authority Members.

### **30. Extending the term of the Contract**

- 30.1 If the original Contract includes an option to extend the initial term and the authority to enter into the Contract was given for the whole life Contract value the relevant Director may authorise the extension period via a Director's Decision subject to evidence of satisfactory performance of the Contract.
- 30.2 Where an extension meets the criteria of 30.1, there is no requirement to book onto the forward plan or publish the decision.
- 30.3 If the original Contract does not include an option to extend the initial term or the authority to enter into the Contract was not given for the extension period;
- 30.3.1 the maximum extension period allowed is 50% of the initial (original) term or a maximum of 12 months, whichever is lesser; AND
  - 30.3.2 Authority to extend the initial term must be obtained before the Contract is extended. The value of the extension period will determine who can authorise the extension based on the values in the table at paragraph 9.4 above.
- 30.4 Following permission to extend a Contract, Contract managers must inform the Procurement Service of the extension (see 7.6) and must provide a signed Decision to allow the Procurement Service to update the Council's Contract Register.
- 30.5 Where the whole life value of the Contract equals or exceeds the relevant FTS threshold the PCR 2015 must be fully complied with. Where this applies you must seek advice from the Procurement Service.

## **31. Contract Variation other than extending the term of the Contract**

- 31.1 Instructions to vary a Contract shall be made in writing and before the variation is made approved by the relevant Director and referred to Legal Services for advice where the Contract is subject to the PCR 2015.
- 31.2 Where a Contract (excluding Capital projects with a compensation event/change control mechanism) with a whole-life Contract value above the FTS thresholds is proposed to be increased by a value of 10% or more, an immediate report with the advice of the Procurement Service shall be made to the Section 151 Officer who shall decide what further action is necessary.
- 31.3 Where a variation occurs during the life of the Contract that cannot be met from within existing budgetary provision, an immediate report shall be made to the Section 151 officer who shall decide what further action is necessary.
- 31.4 Where any claim for payment exceeds the original Contract sum by 25% excluding VAT or more, the matter must be referred to the Procurement Service before any settlement is made.
- 31.5 Capital projects with a compensation event/change control mechanism allowed for within the Contract, for example NEC4 Contracts, may manage Contract variations within the project structure/governance, subject to an appropriate delegated authority decision and monitoring at Capital Programme Planning and Delivery Board (CPPDB).
- 31.6 Following permission to vary a Contract, Contract managers must inform the Procurement Service of the variation (see 7.6) and must provide a signed Decision to allow the Procurement Service to update the Council's Contract Register.

## **32. Contract Management**

- 32.1 Directors shall ensure that there is a named Contract manager for each new Contract. For each Contract with an expected value above £160,000 excluding, the Contract manager will work jointly with the Procurement Service during the procurement process.
- 32.2 As part of the procurement process the Contract manager and Procurement Service will agree the Contract management measures that are appropriate for the Contract. This will include, but not be limited to, performance measurement/management, review meetings, risk management, governance and escalation. The approach to Contract management shall be proportionate, with management activity linked to Contract risk and value.
- 32.3 For all procurements with a value in excess of £160,000, following the Contract award, a Contract Management Plan will be developed by the Contract manager with guidance from the lead Procurement Officer.
- 32.4 Contract Managers should consider on-going monitoring of Contractors' financial standing by signing up to Audit's service.

### **33. The Contract Performance framework**

- 33.1 The Council has a performance framework to ensure strong corporate governance of its key Contracts.
- 33.2 Contract managers shall measure Contract performance against the standards and the performance indicators set out in the Contract. Contract managers shall also identify (through a risk assessment) an appropriate set of indicators of the quality of the actual process of Contract management.
- 33.3 For all key Contracts, Contract managers shall meet quarterly with the relevant procurement lead to discuss and complete a quarterly assessment to assure the Council that each Contract is delivering good outcomes and is being well managed. With the exception of capital projects which are monitored at Capital Programme Planning and Delivery Board (CPPDB).
- 33.4 Directors shall ensure that Contracts which are of strategic importance (in terms of the Services offered and/or the Contract value and/or the risk of service failure and/or the reputational risk to the Council) shall be referred to the Council's corporate leadership team (CLT). Significant Contracts which are under-performing shall also be referred to CLT.

## **PART B – LAND AND BUILDINGS**

### **34. Purchasing and Leasing**

- 34.1 Purchasing and leasing of land and buildings shall be made in compliance with the Council's Financial Regulations and Disposal of Land & Property Procedures.
- 34.2 No property related Contract sale, purchase, tenancy, lease or third party rights shall be entered into without the involvement of Assistant Director (Governance and Monitoring Officer), (through the Section 151 Officer).

## **PART C – DISPOSAL OF ASSETS OTHER THAN LAND OR PROPERTY**

### **35. Disposal of Assets other than Land or Property**

- 35.1 Disposal of other assets (other than land and building) shall be made in compliance with the Council's Financial Regulations.
- 35.2 In addition, there shall be clear documentation agreed and signed by the budget holder, their line manager and the Director detailing:
- 35.2.1 Why the item is no longer required.
  - 35.2.2 A statement as to the physical condition of the item.
  - 35.2.3 An estimated market value for disposal.
- 35.3 The Section 151 Officer must be informed of the proposed disposal of any item listed on the Council's Asset Register. The relevant Service Accountant must be informed of the proposed disposal of items originally obtained through leasing arrangements.
- 35.4 Serviceable surplus Goods shall be first offered for disposal within the Council. If no internal interest is received the item can be disposed of externally. If it is perceived that the Goods are usable in their present state for their original purpose, then the Council may be able to sell the item. Careful consideration should be given to the selling of Goods as the Council must comply with the Consumer Protection Act 1987 and the Consumer Rights Act 2015 Compliance with the Act rests with Directors.
- 35.5 The Council is able to supply office furniture to the general marketplace, providing the furniture is in a usable condition and not likely to cause injury.
- 35.6 Any item identified as being beyond economic repair shall be scrapped. If it is perceived that there is a scrap value, the item shall be sold as scrap. Electrical, gas, or mechanical items identified as no longer 'fit for purpose' shall only be sold as scrap or for refurbishment to an established company in the business of handling scrap or reconditioning items. Any sale document must clearly show that the item is being sold for scrap or refurbishment value only. Such items must not be offered for direct sale to the general market.

## **PART C Continued**

- 35.7 Motor vehicles can be offered for direct sale providing that the vehicle has a valid MOT certificate, is otherwise roadworthy and has no other obvious defects.
- 35.8 The item may either be sold through public auction or by private treaty. If to be sold by private treaty:
- 35.8.1 Where the estimated disposal value is under £500 at least one written offer shall be obtained and retained, and the highest offer shall be accepted.
  - 35.8.2 Where the estimated disposal value is between £500 and £50,000 then at least three written offers must be sought and retained, and the highest offer shall be accepted.
  - 35.8.3 Where the estimated disposal value is over £50,000, advice must be sought from the relevant Finance Business Partner or the Section 151 Officer, who shall recommend an appropriate disposal method for approval by the Director, or relevant delegated authority.
- 35.9 No surplus Goods may be given or sold to any Council officer Member or their immediate family, except when won via public auction.
- 35.10 Further advice on disposal considerations must be initially sought from the Procurement Service.



## **PART D – HEALTH AND SOCIAL CARE CONTRACTS**

### **36. Regulations and Guidance**

- 36.1 The Council recognises that the procurement of health and social care Services involves a range of unique considerations, which are different and/or additional to those that apply to the procurement of other Goods, Services and Works. Health and social care Services are treated differently for the purpose of the EU Public Procurement Directives (Regulation 74 Public Contracts Regulations 2015 and any subsequent legislation) and the Provider Selection Regime (01/01/2024). The Council is also mindful of the duties in respect of the commissioning of social care Services brought into force by the Care Act 2014, the Children Act 1989, the Children Act 2004, the Childcare Act 2006, the Child Poverty Act 2010, the Children and Families Act 2014 and associated regulations and statutory guidance (all as amended). This, along with the intention to integrate Services between Health and Social Care more fully and the introduction of the Provider Selection Regime for Health-related Contracts means that, in order to reflect these principles, the Council has adapted these standing orders setting out the underlying principles and administrative procedures that will be followed in relation to the procurement and award of Contracts for such Services.
- 36.2 The Council recognises that the Care Act 2014 introduces and consolidates a number of duties which will be relevant to its commissioning and procurement functions and decisions. The Council also recognises the unique considerations involved in the procurement of Children’s Services and is mindful of its duties in respect of the Children Act 1989, the Children Act 2004, the Childcare Act 2006, the Children and Families Act 2014 and the UN Convention on the Rights of the Child. Accordingly, in procuring Contracts for the Services, from the formulation of the specification for a Service and throughout the Tender and award process, the Council and its officers will take account of the Council’s duties to:
- 36.2.1 promote the well-being of the individuals who will be in receipt of the Services;
  - 36.2.2 take account of the specific needs of different categories of users including in particular, disadvantaged and vulnerable groups, including children;
  - 36.2.3 provide and arrange Services which will contribute towards the prevention or delay in the development of or reduction in the needs of adults and carers in the area;
  - 36.2.4 promote the integration of care and support with health Services;
  - 36.2.5 promote the involvement and empowerment of users;
  - 36.2.6 provide a variety of different providers of the Services in its geographical area;
  - 36.2.7 facilitate a variety of high-quality Services from which an individual can choose to obtain the Services;
  - 36.2.8 properly shape and maintain the sustainability and innovation of the market for the Services; and
  - 36.2.9 make available to Providers information about demand for the Services, both current and forecast and other relevant data about the market.

## **PART D Continued**

- 36.3 The Council and its officers will take into account longer term commissioning strategies and information about the market for the Services available to the Council through Market Position Statements, Joint Strategic Needs Assessments and other analysis when designing, procuring and awarding Contracts for the Services.
- 36.4 The Council will ensure that the best interests of children affected by procurement and commissioning decisions are treated as a primary consideration, meaning that they are considered first and only not followed if outweighed by the cumulative impact of other considerations.
- 36.5 The Council will safeguard and promote the well-being and welfare of people who are or maybe in receipt of the Services.
- 36.6 The Council will ensure that all Providers have robust safeguarding procedures in place and managed effectively. keep under review the educational, training and social care provision for children and young people who have special educational needs or a disability and consider the extent to which this provision is sufficient to meet the needs of the children and young people concerned;
- 36.7 The Council will ensure that there are sufficient social care Services for disabled children to allow such Services to continue until such time as there is a final decision on their case by adult Services;
- 36.8 The Council will base commissioning on strategic needs assessments and evidence that the Services procured will be effective at meeting needs and desired outcomes. This will include ensuring that data in relation to numbers of children and their particular needs is accurate and kept up-to-date; and
- 36.9 The Council will adopt a whole system approach to designing universal, targeted and specialist Services to improve outcomes for children 'in need', children at risk of entering care, looked after children and children involved in the youth justice system including those in custody.
- 36.10 The Council will encourage collaborative working in the form of consortia of Providers, joint commissioning, multi-agency working and pooled budgets.

## **37. Tendering Processes**

- 37.1 Prior to the Tender of any Contract for any Health and/or Social Care Services, the Council will explore the nature of such Contracts and the funding sources to determine whether the Provider Selection Regime shall apply as opposed to the Public Contracts Regulations 2015 (or subsequent legislation).
- 37.2 Where it has been determined that the Provider Selection Regime shall apply the relevant rules shall be followed in order to award the Contract. This may involve tendering the opportunity to the open market where appropriate to do so and the publication of any such award in line with the requirements of the regulations.

## **PART D Continued**

- 37.3 Prior to the Tender of any Contract for any Health and Social Care Services, the Council will, where appropriate, engage in transparent dialogue with Providers and explore the submissions and ideas (whether formally or informally) presented by Providers when developing the specification for a Contract for such Services as provided for in the UK Regulations.
- 37.4 Where it has been determined that the Public Contracts Regulations 2015 apply and the value of a Contract for the Services exceeds the Light Touch Regime FTS Threshold, the authorised party as defined within the Threshold table at 11.3 will be responsible for deciding the process to be followed to ensure that the requisite details of the Contract are made known in line with the general Contract Standing Orders (CSOs). The Council will be required to record and accept any risk in not advertising the Contract as specified in the CSOs, see below.
- 37.5 Following consultation, and subject to the terms of the Council's core Contract Standing Orders and any overriding thresholds it has set, a competitive procedure for the Tender of the Contract may not be required, or only a limited competition is required. Such a decision may be appropriate for the reasons including (but not limited to) the following:
- 37.5.1 that it can be demonstrated that the Contract is of no interest to Providers in other EU member states; and/or
  - 37.5.2 the total sum to be paid under the Contract is so low that Providers located in other EU member states would not be interested in bidding for the Contract; and/or
  - 37.5.3 the Service is of such a specialised nature that no cross-border market of suitable Providers exists; and/or
  - 37.5.4 the existing Provider(s) of the Service is(are) the only Provider(s) capable of delivering the Service to meet the needs of the individual(s) concerned; and/or
  - 37.5.5 an innovative, highly specialised, cost effective or unique Service is being offered by a particular Provider(s) and the Council wishes to evaluate the effectiveness of that Service; and/or
  - 37.5.6 the nature of the Service is such that it will not or cannot be adequately specified in advance because of the nature of the social care needs of the service user(s) concerned; and/or
  - 37.5.7 there are special circumstances such as ownership of land or property, geographic locations or particular skills or experience of Providers of the Services which limit the choice of Provider; and/or
  - 37.5.8 the application of a competitive Tender process would adversely affect or result in the loss of a linked service; and/or
  - 37.5.9 it has become urgent to provide the Service because of an emergency, crisis or as a result of unforeseen circumstances which are not attributable to the Council.

## **PART D Continued**

- 37.6 Officers will be required to maintain a list of all Contracts which they decide do not require to be procured through a traditional competitive Tender on the basis of the determinations made under 36.14 above.
- 37.7 All Tender processes will be proportionate to the value of the Contract, the nature of the Services and the Council will endeavour to produce clear and accessible documentation.
- 37.8 The Council will avoid duplicative or excessive paperwork in the Tender process and will consider wherever possible using e-procedures which reduce the demand on administrative resources.
- 37.9 Procurement processes for the Services will involve realistic timescales which allow Providers sufficient time to meet and respond to the necessary requirements.
- 37.10 The Council will, give proper consideration to the financial and economic criteria it imposes on Providers through any procurement exercise for Services to ensure that they are proportionate to the Contract in mind, and that small Providers, and Providers that are new in the market, are not unfairly or unnecessarily excluded from the procurement procedure.
- 37.11 The Council will endeavour to provide appropriate information to Providers before and during the course of any tendering processes to ensure that Providers are able to provide adequate detail in the Tender responses and are able to provide prices which are firm and capable of being delivered. Where possible this will include an adequate and sufficient amount of detail on any staff that might be subject to a TUPE transfer, the associated costs and pensions arrangements.
- 37.12 All of the above does not negate the requirement for approval by the appropriate authority. The (annual) Commissioning Intentions Plan, Procurement Plan if appropriate, and Contract Award Report/Exception Report will still be required.

## **PART E – GRANTS**

### **38. Differentiation between Contracts and Grants**

38.1 This guidance has been produced to assist in clarifying whether an arrangement with a supplier is a Contract or a Grant agreement. Throughout this note, “organisation” includes individuals, trusts, unincorporated associations, and companies, whether private, not for profit or charitable.

38.2 There is no one factor that determines whether an arrangement is a Grant agreement or a Contract. The arrangement must be considered as a whole. In summary:

38.3 An arrangement will be a Contract where:

38.3.1 The council is buying a service, i.e. the council will receive a benefit in exchange for payments made to an organisation. The benefit can be a service provided directly to the council, or sometimes to a third party (e.g. recipients of social care Services)

38.3.2 The organisation is obliged to provide the service in question, it cannot decide to not provide the service and repay any funds received to the council. If the organisation fails to provide the service, the council will be able to make a claim against the organisation for any losses the council suffers as result of this failure.

38.4 An arrangement will be a Grant where:

38.4.1 The council gives Grant monies to an organisation without receiving a benefit in return.

38.4.2 The organisation is not obliged to provide the specific service. The organisation can decide not to provide the Services, and its only obligation will be to repay the Grant monies it has been given. See example below.

38.5 Please note whether an arrangement is labelled a Contract or a Grant agreement is irrelevant. You must consider the substance of the arrangement.

## **PART E Continued**

### **39. Example of a Grant**

39.1 A third sector organisation provides counselling to over 65s with mental health issues. Following an open and transparent Grant award process, the council decides to provide Grant monies to this organisation to assist with the provision of such counselling.

39.2 The arrangement will be a Grant agreement if:

39.2.1 The council simply views the counselling as 'a good thing' that it wishes to support. The Grant monies are given voluntarily, and the council does not receive a benefit in return for the Grant monies given.

39.2.2 Counselling is provided in a way that meets the organisation's objectives, e.g., the organisation decides who can attend, when the counselling sessions are to be held etc;

39.2.3 The organisation may choose whether to provide the counselling, or return the Grant monies given to the council;

39.2.4 Any surplus Grant monies must be returned to the council.

39.3 A Grant agreement will only be suitable if the non-delivery of the counselling service will not have any negative consequences for the council. A Grant agreement would not be suitable for example where the council:

39.3.1 Has a statutory duty to provide such counselling (i.e. the council must ensure the service is provided or it will be in breach of its statutory duties, under a Grant agreement the organisation could decide whether to provide the service); or

39.3.2 Is under an obligation to a third party to provide such counselling; or

39.3.3 Has identified a gap in its provision of care to the elderly with mental health Services and wishes to specify how, when and to whom the service will be provided.

## **PART E Continued**

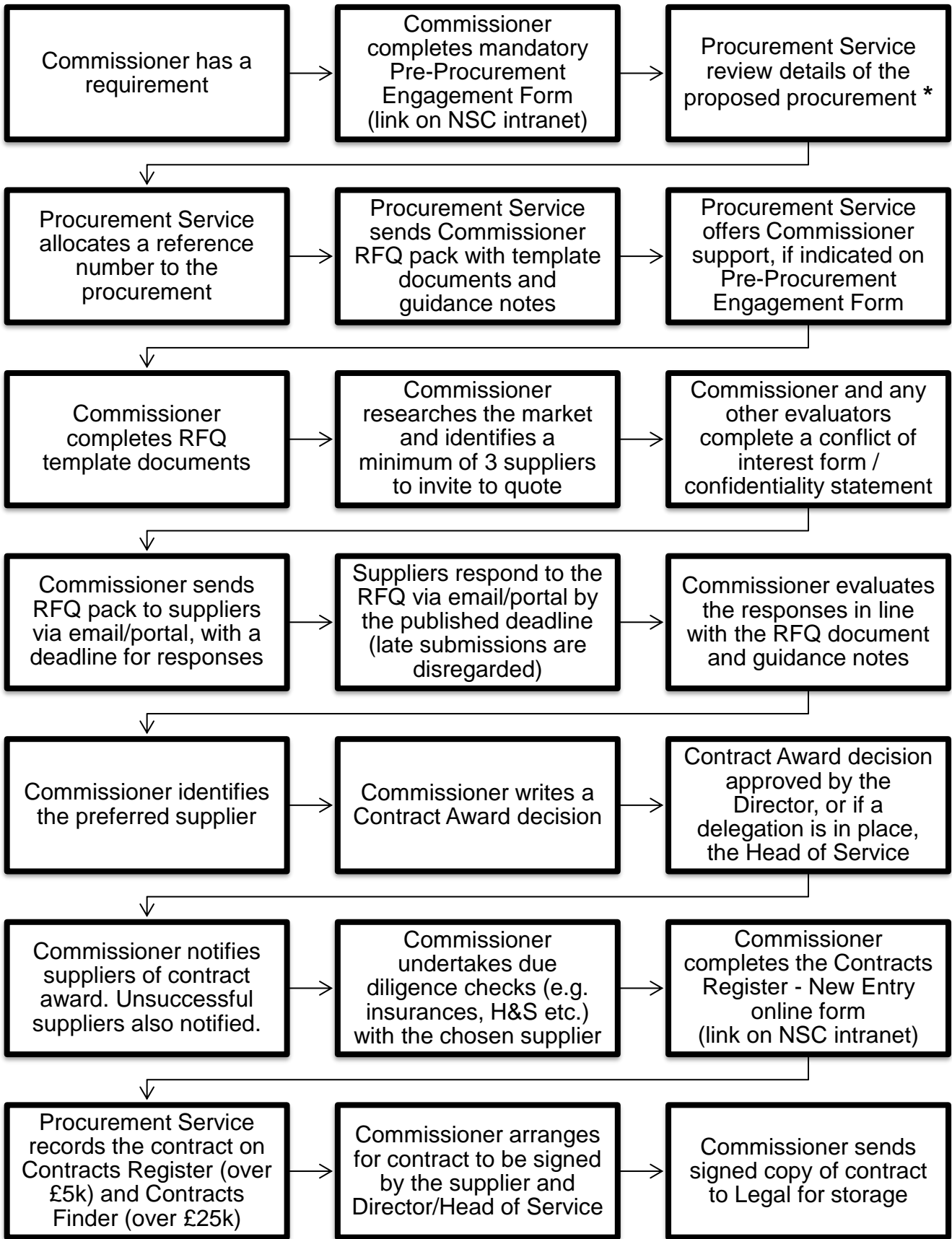
### **40. Administration of Grants**

- 40.1 Grants must be awarded following an open and transparent award process and should not be directed to a specific organisation.
- 40.2 If the Grant being awarded is below £159,999 excluding VAT, you can create your own award process and administer via email.
- 40.3 For Grants over £160,000 excluding VAT, please contact the Procurement Service for advice on the best way to approach this.

#### **What happens under a Grant agreement if the organisation does not provide the service?**

- 40.4 If the organisation does not spend the Grant monies on providing the Services, its only obligation will be to repay the Grant monies to the council. Under a Grant agreement, the organisation can decide not to provide the service in question and simply repay the Grant monies to the council.
- 40.5 The organisation will not have any further liabilities to the council. If the council suffers any loss caused by the organisation not providing the Services for which the Grant was given, the council will not have any right to make any claims against the organisation. A Grant agreement will not be suitable where the council requires Services to be provided.

**PART F – PROCUREMENT PROCESS FOR CONTRACTS BELOW £159,999**



\* **Note:** if the value of the estimated procurement is over £160,000 excluding VAT, or the Commissioner intends to use a Framework (any value), the Procurement Service will work with the Commissioner to procure this requirement. A Pre-Procurement Engagement form needs to be completed for all procurements irrespective of value, as per 8.1 of the CSOs.



## Proposed changes to Standing Order 17A – Public speaking at Planning and Regulatory Committee

Proposed deletions shown in red strikethrough and new provisions shown highlighted yellow

### STANDING ORDER 17A – PUBLIC SPEAKING AT PLANNING AND REGULATORY COMMITTEE

17.16 This Standing Order applies to the Planning and Regulatory Committee when determining planning applications. Standing Order 17 applies to business of the Planning and Regulatory Committee other than when determining planning applications

17.17 Public speaking about applications for planning permission will be allowed at the start of relevant agenda items in accordance with the following requirements.

17.17A The Town or Parish Council in whose area the application site is situated, as statutory consultee, will be afforded the opportunity to speak via its Chairperson or Vice-Chairperson, or Chairperson or Vice-Chairperson of its Planning Committee. The Chairperson or Vice-Chairperson, or Chairperson or Vice-Chairperson of its Planning Committee must advise of the intention to speak in writing to the Assistant Director Legal and Governance by 12 noon three working days before the meeting

17.18 ~~Notifications~~ Requests to speak, indicating whether the speaker supports or objects to the application, must be made in writing to the Assistant Director Legal and Governance by 12 noon three working days before the meeting.

17.19 If both the applicant and supporters of the application are present, the applicant may speak or defer to a supporter

17.20 If there is more than one person wishing to object or support an application, the Chairperson will invite those persons to agree a spokesperson among themselves. In default of agreement the Chairperson may select one person to speak.

17.21 Public speaking about applications for planning permission will normally be limited to ~~three~~ ~~four~~ minutes per applicant/supporter, and ~~will be limited to three minutes for supporter and three~~ ~~four~~ minutes for the objectors. The Chairperson may, in the event of an agenda with many items, adjust the normal speaking time limits in the interests of the efficiency of the meeting. The Chairperson will ensure parity of speaking time limits between applicant/supporter and objectors. Speakers will be advised if the normal limit is adjusted by the Chairperson. Each speaker will only be permitted to address the committee once and will not be able to participate further during consideration of the item.

17.22 The Committee will hear those speaking at the meeting in the following order unless the Chairperson considers it preferable in conducting the business of the Council to hear speakers in a different order: - the Town or Parish Council Chairperson or Vice-Chairperson, or Chairperson or Vice-Chairperson of its Planning Committee first, the speaker against the application ~~first~~ second and the applicant or their supporter ~~second~~ third. Members of the committee may raise questions or points of clarification with any public speaker

This page is intentionally left blank

## North Somerset Council

### Report to the Council

**Date of Meeting: 14 May 2024**

**Subject of Report: Appointments on Outside Bodies**

**Town or Parish: None specific**

**Officer/Member Presenting: Assistant Director Legal & Governance**

**Key Decision: N/A**

### **Reason:**

Not an Executive Decision.

### **Recommendations**

That the Council determines the appointment of Members on Outside Bodies.

#### **1. Summary of Report**

The schedule of appointments is attached as an appendix to this report and Council is invited to consider its nominations accordingly.

#### **2. Policy**

The Constitution provides that appointments to external organisations are reserved to Council, save where such appointments have been delegated by the Council, or are exercisable by the Executive. A separate report on Executive outside body appointments will be considered by the Executive at its meeting on 19 June 2024.

Appointments of three or more are subject to political balance.

#### **3. Details**

The attached schedule of appointments comprises bodies to which the Council is required to appoint members, bodies where it is desirable for a member to be appointed, and those where the Council has a power of appointment but does not need to be a member.

In addition to Outside Bodies, the schedule also lists 'Appointments to other roles / Council led partnership groups' to provide a complete list of Council appointments.

Included within the schedule is the Council appointment for 2024-25 for Bristol, North Somerset, South Gloucestershire Integrated Care Partnership. By designation, this remains the Chairperson of the Health and Wellbeing Board.

#### **4. Consultation**

The schedule of annual appointments has been circulated to Group Leaders for their consideration in advance of the Annual Meeting.

## **5. Financial Implications**

The Council has determined either that travel expenses to the main meeting place will be paid by the Council, with other travel expenses requiring prior authorisation or that expenses aren't paid by the Council, in which circumstances claims are submitted to the Outside Body concerned.

## **6. Legal Powers and Implications**

The Constitution provides that appointments to external organisations are reserved to Council, save where such appointments have been delegated by the Council, or are exercisable by the Executive. Political Balance applies to appointments of three or more.

## **7. Climate Change and Environmental Implications**

Active travel and/or the use of public transport where these options exist would reduce the impact of any journeys to and from meetings of the Outside Bodies as listed.

## **8. Risk Management**

N/A

## **9. Equality Implications**

N/A

## **10. Corporate Implications**

N/A

## **11. Options Considered**

N/A

### **Author:**

Philippa Penney, Head of Democratic and Electoral Services, 01275 884010

### **Appendices:**

The table of appointments will be to follow as below:

Appendix 1 - North Somerset Council Appointments on External Organisations:  
Appointments made by The Council

### **Background Papers:**

Outside Bodies correspondence: Council Appointments 2023/24

## North Somerset Council Current Appointments on External Organisations and Partner Organisations: Appointments made by The Council

### Section A - Appointments subject to political balance (appointments of three or more)

Organisation	Appts	Auth. Granted by	Representative(s)	Political Group Nominating	Term of Office Expires	Name & Address of Correspondent
Avon Fire Authority	4 (1:1:1:1)  [Exp N]	COU 25/2023	Cllr Dan Thomas Cllr Martin Williams (8 year limit 2027) Cllr Robert Payne (8 year limit 2027) Cllr Richard Tucker (8 year limit 2027)	G C LD L	May 2027 4-year term (Subject to 8 year limit in total)	Amanda Brown The Clerk to the Fire Authority <a href="mailto:Amanda.Brown@avonfire.gov.uk">Amanda.Brown@avonfire.gov.uk</a> Emma Bowen Democratic Services Assistant <a href="mailto:Emma.Bowen@avonfire.gov.uk">Emma.Bowen@avonfire.gov.uk</a>
Local Government Association General Assembly	4 (1:1:1:1)  [Exp Y] NSC has five votes at the Assembly which are allocated (2:1:1:1)	COU 25/2023	Group leaders by designation: Cllr Nigel Ashton (2) Cllr Mike Bell (1) Cllr Bridget Petty (1) Cllr Catherine Gibbons (1)	C LD G L	Municipal Year End	Fatima de Abreu, Member Services, Local Government Association <a href="mailto:Fatima.DeAbreu@local.gov.uk">Fatima.DeAbreu@local.gov.uk</a> (Alternative: <a href="mailto:MemberServices@local.gov.uk">MemberServices@local.gov.uk</a> )

### Section B - appointments not subject to political balance (less than three appointments)

Organisation	Appts	Auth. Granted by	Representative	Term of Office Expires	Name & Address of Correspondent
Birbeck Regeneration Trust	2 [Exp Y]	COU 25/2023	Cllr Robert Payne Cllr Mike Solomon	Municipal Year End	Charles McCann <a href="mailto:chales@talk21.com">chales@talk21.com</a>

## North Somerset Council Current Appointments on External Organisations and Partner Organisations: Appointments made by The Council

Organisation	Appts	Auth. Granted by	Representative	Term of Office Expires	Name & Address of Correspondent
Bristol Airport Consultative Committee	1 [Exp Y]	COU 25/2023	Cllr Thomas Daw	Municipal Year End	Alicia Fox, BACC Secretary <a href="mailto:baccsecretary@gmail.com">baccsecretary@gmail.com</a> David Hall, BACC Chair Person <a href="mailto:chairbacc@gmail.com">chairbacc@gmail.com</a>
Bristol Port Company Liaison Committee	2 [Exp Y]	COU 25/2023	Cllr Nigel Ashton Cllr Patrick Keating	Municipal Year End	PA to the Chief Executive Officer, Bristol Port Company <a href="mailto:julie.lock@bristolport.co.uk">julie.lock@bristolport.co.uk</a>
Campaign to Protect Rural England	1 [Exp Y]	COU 25/2023	Cllr Joe Tristram	Municipal Year End	Gill Sayzeland, CPRE <a href="mailto:gillsayzeland@googlemail.com">gillsayzeland@googlemail.com</a>
Clevedon Business Improvement District	1 [Exp Y]	COU 25/2023	Cllr Hannah Young	Municipal Year End	George Grace, BID Manager <a href="mailto:george@clevedonbid.com">george@clevedonbid.com</a>
Clevedon Community Association	1 [Exp Y]	COU 25/2023	Cllr Hannah Young	Municipal Year End	Anne Scholes, Centre Manager, Clevedon Community Association <a href="mailto:anne@clevedoncommunitycentre.org.uk">anne@clevedoncommunitycentre.org.uk</a>
Clevedon Pier & Heritage Trust	1 [Exp Y]	COU 25/2023	Cllr Mike Solomon	Municipal Year End	Clevedon Pier & Heritage Trust <a href="mailto:admin@clevedonpier.com">admin@clevedonpier.com</a> <a href="mailto:NicoleLaken@clevedonpier.com">NicoleLaken@clevedonpier.com</a>
Clifton Suspension Bridge Trust	1 [Exp Y]	COU 25/2023	Cllr Ash Cartman	Municipal Year End	Tim Baines, Clerk to the Trustees <a href="mailto:tbaines@bcscsconsultants.co.uk">tbaines@bcscsconsultants.co.uk</a>
Durnford Quarry Local Liaison Group	1 [Exp Y]	COU 25/2023	Cllr Stuart McQuillan	Municipal Year End	Tarmac Southern Ltd. <a href="mailto:andy.cadell@tarmac.com">andy.cadell@tarmac.com</a>

North Somerset Council Current Appointments on External Organisations and Partner Organisations: Appointments made by The Council

Organisation	Appts	Auth. Granted by	Representative	Term of Office Expires	Name & Address of Correspondent
Health and Well Being Board	6 [Exp Y]	COU 25/2023	By designation:  Executive Member – Homes and Health (voting)  Executive Member – Adult Services and Stronger Communities (voting)  Executive Member – Children & Young People (voting)  Chairperson of Children & Young People Scrutiny Panel (non-voting)  Chairperson of Adult Social Care Scrutiny Panel (non-voting)  Chairperson of Health Overview & Scrutiny Panel (non-voting)	Municipal Year End	Leo Taylor <a href="mailto:Leo.taylor@n-somerset.gov.uk">Leo.taylor@n-somerset.gov.uk</a>
Bristol, North Somerset, South Gloucestershire Integrated Care Partnership	1 [Exp ?]	COU 25/2023	By designation: Health and Well Being Board Chairperson	Municipal Year End	Leo Taylor <a href="mailto:Leo.taylor@n-somerset.gov.uk">Leo.taylor@n-somerset.gov.uk</a>

North Somerset Council Current Appointments on External Organisations and Partner Organisations: Appointments made by The Council

Organisation	Appts	Auth. Granted by	Representative	Term of Office Expires	Name & Address of Correspondent
North Somerset Citizens Advice Bureau	1 [Exp Y]	COU 25/2023	Cllr Catherine Gibbons	Municipal Year End	Director North Somerset Citizen's Advice Bureau <a href="mailto:bureau@nsomersetcab.cabnet.org.uk">bureau@nsomersetcab.cabnet.org.uk</a>
Police and Crime Panel	2 [Exp N]	COU 97/2023 COU 19/2021	Cllr Stuart Davies Cllr Peter Crew	Nov 2023 4-year term May 2025 4-year term	Clerk to the Police & Crime Panel, Patricia Jones <a href="mailto:PLJones@somerset.gov.uk">PLJones@somerset.gov.uk</a> Andrew Randell <a href="mailto:ARandell@somerset.gov.uk">ARandell@somerset.gov.uk</a>
Portishead Youth Centre Management Committee	1 [Exp Y]	COU 25/2023	Cllr Sue Mason	Municipal Year End	Kimberley Jones, Head of Centre and Youth Provision, Portishead Youth Centre <a href="mailto:mail@portisheadyouthcentre.co.uk">mail@portisheadyouthcentre.co.uk</a>
Severnside Sirens Trust	1 [Exp N]	COU 25/2023	Cllr Nicola Holland	Municipal Year End	Victoria Bywater, Cooksley & Co (Trust Administrators) <a href="mailto:info@severnsidesirens.co.uk">info@severnsidesirens.co.uk</a>
South-West Armed Forces Covenant Partnership Board	2 [Exp Y]	COU 25/2023	Cllr Stuart Davies Cllr Catherine Gibbons	Municipal Year End	Garry Hawkes, Secretariat South-West Armed Forces Covenant Partnership Board <a href="mailto:Garry.Hawkes@n-somerset.gov.uk">Garry.Hawkes@n-somerset.gov.uk</a>
Standing Conference of Severnside Local Authorities	1 [Exp: Y]	COU 25/2023	Cllr Bridget Petty	Municipal Year End	Severn Estuary Partnership, c/o School of Earth and Ocean Sciences, Main Building, Park Place, Cardiff, CF10 3AT <a href="mailto:severn@cardiff.ac.uk">severn@cardiff.ac.uk</a>
Strawberry Line Society	1 [Exp Y]	COU 25/2023	Cllr Joe Tristram	Municipal Year End	Treasurer & Membership Secretary <a href="mailto:info.sls1978@gmail.com">info.sls1978@gmail.com</a>



North Somerset Council Current Appointments on External Organisations and Partner Organisations: Appointments made by The Council

Organisation	Appts	Auth. Granted by	Representative	Term of Office Expires	Name & Address of Correspondent
Uphill Village Society (formerly known as 'Uphill Victory Hall Committee')	1 [Exp Y]	COU 25/2023	Cllr Helen Thornton	Municipal Year End	Leigh Morris, Secretary, Uphill Village Society <a href="mailto:secretary@uphillvillage.org.uk">secretary@uphillvillage.org.uk</a>
Wessex Reserve Forces & Cadets Association	2 [Exp N]	COU 25/2023	Cllr Stuart Davies Cllr Catherine Gibbons	Municipal Year End	Hannah Owen, Association Staff Officer, Wessex RFCA <a href="mailto:wx-offman@rfca.mod.uk">wx-offman@rfca.mod.uk</a>
Weston Town Centre Co Ltd	2 [Exp Y]	COU 25/2023	Cllr Mark Canniford Cllr Mike Solomon	Municipal Year End	Steve Townsend <a href="mailto:steve.townsend@wsmtcp.co.uk">steve.townsend@wsmtcp.co.uk</a>
Winter Gardens Access Board	1 [Exp Y]	COU 25/2023	Cllr Robert Payne	Municipal Year End	Richard Blows Weston Placemaking Manager <a href="mailto:Richard.Blows@n-somerset.gov.uk">Richard.Blows@n-somerset.gov.uk</a>

**North Somerset Council Current Appointments on External Organisations and Partner Organisations: Appointments made by The Council**

**Section C - Appointments to other roles / Council led partnership groups:**

If an appointment is subject to political balance, the Councillors' political group' are listed in brackets after their names.

Organisation	Appts	Auth. Granted by	Representative(s)	Term of Office Expires	Name & Address of Correspondent
North Somerset Armed Forces Covenant Partnership (previously listed as 'Armed Forces Champion')	1 [Exp Y]	COU 25/2023	Cllr Stuart Davies	Municipal Year End	Garry Hawkes, Armed Forces Co-ordinator <a href="mailto:Garry.Hawkes@n-somerset.gov.uk">Garry.Hawkes@n-somerset.gov.uk</a>
Corporate Parenting Panel (previously known as Children's Champions Group)	Unlimited [Exp Y]	COU 25/2023	Cllr Nicola Holland Cllr Wendy Griggs Cllr Steve Bridger Cllr Lisa Pilgrim Cllr Martin Williams Cllr Ciaran Cronnelly  Note: Following a change to the Terms of Reference, the Panel is now chaired by the Executive Member for Children's Services.	Municipal Year End	Harriet Isherwood, Democratic Services <a href="mailto:Harriet.Isherwood@n-somerset.gov.uk">Harriet.Isherwood@n-somerset.gov.uk</a>
Disability Access Group	1 [Exp Y]	COU 25/2023	By designation Executive Member - Homes and Health	Municipal Year End	Louise Roberts, Equality and Diversity Manager <a href="mailto:louise.roberts@n-somerset.gov.uk">louise.roberts@n-somerset.gov.uk</a>
Equality Stakeholder Group [previously known as Equality Scheme Implementation Group]	1 [Exp Y]	COU 25/2023	By designation Executive Member – Homes and Health	Municipal Year End	Louise Roberts, Equality and Diversity Manager <a href="mailto:louise.roberts@n-somerset.gov.uk">louise.roberts@n-somerset.gov.uk</a>

North Somerset Council Current Appointments on External Organisations and Partner Organisations: Appointments made by The Council

Organisation	Appts	Auth. Granted by	Representative(s)	Term of Office Expires	Name & Address of Correspondent
[Responding to] Hate Incidents in North Somerset	1 [Exp Y]	COU 25/2023	Cllr Joe Tristram	Municipal Year End	Howard Pothecary, Safer Communities Service Manager Howard Pothecary <a href="mailto:Howard.Pothecary@n-somerset.gov.uk">Howard.Pothecary@n-somerset.gov.uk</a>
Heritage & Regeneration Champion	1 [Exp Y]	COU 25/2023	Cllr John Crockford-Hawley	Municipal Year End	Rachel Lewis, Heritage and Design Manager <a href="mailto:rachel.lewis@n-somerset.gov.uk">rachel.lewis@n-somerset.gov.uk</a>
Home to School Transport Appeals Panel	1 [Exp Y]	COU 25/2023	Cllr Tom Nicholson	Municipal Year End	Integrated Transport Unit Bella Fortune, Transportation Service Manager <a href="mailto:Bella.Fortune@n-somerset.gov.uk">Bella.Fortune@n-somerset.gov.uk</a>
Joint Safety & Consultative Committee (JSCC)	11 [Exp Y]	COU 25/2023	Cllr Richard Tucker Cllr Ash Cartman Cllr Ian Parker Cllr Mark Canniford Cllr Tom Nicholson Cllr Mike Solomon Cllr Peter Crew Cllr Andy Cole	Municipal Year End	Jessika Robinson, Democratic Services <a href="mailto:Jessika.robinson@n-somerset.gov.uk">Jessika.robinson@n-somerset.gov.uk</a>
Mental Health Champion	1 [Exp Y]	COU 25/2023	Cllr Mike Solomon	Municipal Year End	Director of Adult Social Services <a href="mailto:Hayley.Verrico@n-somerset.gov.uk">Hayley.Verrico@n-somerset.gov.uk</a> (Martin Hawketts, Lead Officer for Mental Health <a href="mailto:Martin.Hawketts@n-somerset.gov.uk">Martin.Hawketts@n-somerset.gov.uk</a> )

North Somerset Council Current Appointments on External Organisations and Partner Organisations: Appointments made by The Council

Organisation	Appts	Auth. Granted by	Representative(s)	Term of Office Expires	Name & Address of Correspondent
North Somerset Local Access Forum	3 [Exp Y]	COU 25/2023 and COU97/202 3	Cllr Dan Thomas Cllr Peter Burden Cllr Helen Thornton	May/Nov 2023 4-year term	Harriet Isherwood, Democratic Services <a href="mailto:Harriet.Isherwood@n-somerset.gov.uk">Harriet.Isherwood@n-somerset.gov.uk</a>
Standing Advisory Council on Religious Education	3 [Exp Y]	COU 25/2023	Cllr Caritas Charles Cllr Martin Williams	May 2023 4-year term	Helen Caldwell, Strategic & Policy Development Manager, NSC <a href="mailto:Helen.Caldwell@n-somerset.gov.uk">Helen.Caldwell@n-somerset.gov.uk</a>  Jessika Robinson, Democratic Services <a href="mailto:Jessika.robinson@n-somerset.gov.uk">Jessika.robinson@n-somerset.gov.uk</a>
Younger People's Champion	1 [Exp Y]	COU 25/2023	Cllr Jenna Ho Marris	Municipal Year End	Director of Children's Services

## North Somerset Council

### Report to the Council

**Date of Meeting: 14 May 2024**

**Subject of Report: Municipal Calendar 2024/25**

**Town or Parish: None**

**Officer/Member Presenting: Assistant Director Legal & Governance**

**Key Decision: N/A**

**Reason:**

Not an Executive Decision.

### Recommendation

(1) that the Municipal Calendar for 2024/25 as attached to the report be approved; and

(2) that the Leader of the Council be authorised to approve any amendments not dealt with elsewhere.

### 1. Summary of Report

The report sets out the dates for constitutional meetings for 2024/25 as agreed at Council on 14<sup>th</sup> November 2023.

### 2. Policy

None

### 3. Details

3.1 As required under the Constitution, the Municipal Calendar is approved each year at the Annual Council Meeting in May. To allow councillors and officers to plan ahead and to give members of the public as much notice as possible of forthcoming meetings, a revised draft municipal calendar for 2024/25 was considered and approved by Council at its meeting on 14<sup>th</sup> November 2023, subject to final adoption at the Annual meeting.

3.2 An updated Municipal Calendar is attached as Appendix 1 to the report.

### 4. Consultation

Chairpersons and senior officers have been consulted on proposed dates. The draft calendar was considered by the Executive on 18 October 2023, and by Council on 14<sup>th</sup> November 2023.

### 5. Financial Implications

None

### 6. Legal Powers and Implications

None

## **7. Climate Change and Environmental Implications**

Holding virtual meetings under the Coronavirus Regulations 2020 avoided the need for members, officers and other participants to travel to and from meetings. Livestreaming physical meetings of the Executive and Council continues to provide for other interested parties to watch meetings online thereby avoiding the need to travel to the Town Hall. Active travel to and from physical meetings would reduce the environmental impact associated with journeys to and from the Town Hall.

## **8. Risk Management**

Having a draft calendar in place well in advance reduces the risk of meeting clashes both within the Council and with partner organisations.

## **9. Equality Implications**

Have you undertaken an Equality Impact Assessment? No

The livestreaming of meetings has increased accessibility and opened up the decision-making process to a wider audience.

## **10. Corporate Implications**

None

## **11. Options Considered**

As contained within the report.

### **Author:**

Philippa Penney  
Head of Democratic and Electoral Services  
Tel: 01275 884010

### **Appendices:**

Appendix 1 - Municipal Calendar 2024/25

### **Background Papers:**

Municipal Calendar 2023/24  
Minutes of the Executive 18 October 2023  
Minutes of Council 14 November 2023

**Municipal Calendar for 2024-25****May 2024**

Tuesday 14 May at 6.00pm	Council (Annual Meeting)
Wednesday 15 May at 2.30pm	Planning and Regulatory Committee

**June 2024**

Tuesday 4 June at 10.00am	Standards Sub-Committee
Tuesday 4 June at 2.00pm	Licensing Sub-Committee
Wednesday 12 June at 2.30pm	Planning and Regulatory Committee
Wednesday 19 June at 6.00 pm	Executive
Thursday 27 June at 2pm	Transport, Climate and Communities Policy and Scrutiny Panel

**July 2024**

Tuesday 2 July at 10.00am	Adult Services and Housing Policy & Scrutiny Panel
Tuesday 2 July at 2.00pm	Licensing Sub-Committee
Wednesday 3 July at 2.00pm	Health and Wellbeing Board
Thursday 4 July at 10.00am	Children and Young People's Services Policy & Scrutiny Panel
Tuesday 9 July at 6.00 pm	Council
Tuesday 16 July at 10.00am	Placemaking, Economy and Planning Policy & Scrutiny Panel
Wednesday 17 July at 2.30pm	Planning and Regulatory Committee
Wednesday 17 July at 6.00pm	Executive

Thursday 18 July at 2.00pm	Health Overview and Scrutiny Panel
Monday 22 July at 3.00pm	Public Rights of Way sub-Committee

### **August 2024**

Tuesday 6 August at 2.00pm	Licensing Sub-Committee
Wednesday 21 August at 2.30pm	Planning and Regulatory Committee

### **September 2024**

Tuesday 3 September at 2.00pm	Licensing Sub-Committee
Wednesday 11 September at 2.30 pm	Executive
Tuesday 17 September at 6.00 pm	Council
Wednesday 18 September at 2.30pm	Planning and Regulatory Committee
Thursday 26 September at 10.30am	Audit Committee

### **October 2024**

Tuesday 1 October at 10.00pm	Standards Sub-Committee
Tuesday 1 October at 2.00pm	Licensing Sub-Committee
Thursday 10 October at 2.00pm	Health Overview and Scrutiny Panel
Wednesday 16 October at 2.30pm	Executive
Thursday 17 October at 10.00am	Children and Young People's Services Policy & Scrutiny Panel
Wednesday 23 October at 2.30pm	Planning and Regulatory Committee
Tuesday 29 October at 11.00am	Licensing Committee
Wednesday 30 October at 2pm	Health and Wellbeing Board

### **November 2024**

Tuesday 5 November at 2.00pm	Licensing Sub-Committee
Tuesday 5 November at 10.00am	Adult Services and Housing Policy & Scrutiny Panel
Tuesday 12 November at 6.00pm	Council



Monday 18 November at 3.00pm	Public Rights of Way sub-Committee
Tuesday 19 November at 2.00pm	Placemaking, Economy and Planning Policy & Scrutiny Panel
Wednesday 20 November at 2.30pm	Planning and Regulatory Committee
Thursday 28 November at 10.30am	Audit Committee
Thursday 28 November at 2.00pm	Transport, Climate and Communities Policy & Scrutiny Panel

### **December 2024**

Tuesday 3 December at 2.00pm	Licensing Sub-Committee
Wednesday 4 December at 2.30 pm	Executive
Wednesday 18 December at 2.30pm	Planning and Regulatory Committee

### **January 2025**

Tuesday 7 January at 2.00pm	Licensing Sub-Committee
Tuesday 14 January at 6.00 pm	Council
Wednesday 15 January at 2.30pm	Planning and Regulatory Committee
Thursday 23 January at 10.30am	Audit Committee

### **February 2025**

Tuesday 4 February at 10.00am	Standards Sub-Committee
Tuesday 4 February at 2.00pm	Licensing Sub-Committee
Wednesday 5 February at 2.30 pm	Executive
Wednesday 12 February at 2.00pm	Health and Well Being Board
Tuesday 18 February at 6.00 pm	Council
Wednesday 19 February at 2.30pm	Planning and Regulatory Committee
Tuesday 25 February at 6.00 pm	Council (Reserve Budget Meeting)
Thursday 27 February at 10.00am	Children and Young People's Services Policy & Scrutiny Panel

## **March 2025**

Tuesday 4 March at 11am	Licensing Committee
Tuesday 4 March at 2.00pm	Placemaking, Economy and Planning Policy & Scrutiny Panel
Tuesday 11 March at 2.00pm	Licensing Sub-Committee
Thursday 13 March at 2.00pm	Transport, Climate and Communities Policy and Scrutiny Panel
Tuesday 18 March at 10.00am	Adult Services and Housing Policy & Scrutiny Panel
Wednesday 19 March at 2.30pm	Planning and Regulatory Committee
Thursday 20 March at 2.00pm	Health Overview and Scrutiny Panel
Monday 24 March at 3.00pm	Public Rights of Way sub-Committee

## **April 2025**

Tuesday 01 April at 2.00pm	Licensing Sub-Committee
Tuesday 01 April at 6.00 pm	Council
Wednesday 16 April at 2.30pm	Planning and Regulatory Committee
Thursday 24 April at 10.30am	Audit Committee
Tuesday 29 April at 2.00pm	Licensing Sub-Committee
Wednesday 30 April at 6.00 pm	Executive