

Public Document Pack

NORTH LINCOLNSHIRE COUNCIL

Church Square House
30-40 High Street
Scunthorpe
DN15 6NL

10 May 2022

Dear Councillor,

You are summoned to attend the **ANNUAL MEETING of the COUNCIL** to be held on **WEDNESDAY 18 MAY 2022** in two parts at two different venues as follows -

Part 1 - At 10.30 am at Normanby Hall, Normanby for the following business –

1. Welcome and speech of the retiring Mayor
2. To elect a Mayor
3. Vote of thanks to retiring Mayor
4. To appoint a Deputy Mayor

AT THIS POINT IN THE PROCEEDINGS THE MEETING WILL BE ADJOURNED FOR LUNCH at approximately 12 noon AND THEN RECONVENED as follows -

Part 2 - At 1.30 pm at the Pods, Ashby Road, Scunthorpe for the following business -

5. Declarations of Disclosable Pecuniary Interests and Personal or Personal and Prejudicial Interests
6. To approve dates for meetings of the Council in accordance with Section 2, Schedule 12 of the Local Government Act, 1972
- 7(a) Local Governance and Housing Act 1989 - Political Balance of the Council (Pages 1 - 4)
Report by the Director: Governance and Communities
- 7(b) To note the appointment of Group Leaders, Deputy Leaders and Secretaries
- 7(c) To note the number and names of members to be appointed to the Cabinet and their Cabinet Member portfolios
- 7(d) To appoint Chairs and Vice-Chairs of committees and panels
- 7(e) To establish and appoint members to committees, scrutiny panels and key

outside bodies

- 7(f) To appoint lead members on key 'champion' themes
- 7(g) To consider a timetable of meetings for 2022/2023
- 7(h) To pass such other resolutions as may be appropriate
- 8. Constitutional Review of Committee Terms of Reference (Pages 5 - 32)
Report of the Monitoring Officer
- 9. Amendments to Article 14 of the Constitution and Contract Procedure Rules
(Pages 33 - 84)
Report of the Director: Governance and Communities
- 10. Council Plan 2022-25 (Pages 85 - 100)
Report of the Director: Governance and Communities
- 11. Periodic Electoral Review - Final Recommendations of the Local Government
Boundary Commission for England (Pages 101 - 142)
Report of the Director: Governance and Communities

(Working Papers on the above will be circulated to all members prior to the meeting)

Yours sincerely

B McIntyre
Director: Governance and Communities

**NOTE: ANY MEMBER WHO WISHES
TO MOVE ANY AMENDMENT MUST
INFORM THE DIRECTOR:
GOVERNANCE AND COMMUNITIES
IN WRITING BEFORE 9.30 A.M. ON
MONDAY 16 MAY 2022.**

NORTH LINCOLNSHIRE COUNCIL

LOCAL GOVERNMENT AND HOUSING ACT 1989 ('the Act') – POLITICAL BALANCE OF THE COUNCIL

1. OBJECT AND KEY POINTS IN THIS REPORT

- 1.1 The Council is required under the above Act to keep under review the allocation of seats on its ordinary committees. This report carries out that review setting out a proposed allocation of seats available to political groups/members on the size of committees/panels to be appointed.

2. BACKGROUND INFORMATION

- 2.1 The Council's political composition is 28 Conservative, 14 Labour and 1 Independent. In accordance with the Act, it is necessary that the Council keeps under review the allocation of seats on its ordinary committees to ensure they are 'politically balanced'.
- 2.2 Section 15 of the Act provides that any review must be carried out by applying the following four Principles, in priority order, as follows:
- (a) that not all the seats may be allocated to members of the same political group;
 - (b) where a majority of the members of Council are members of the same political group, a majority of the seats on each committee must be allocated to that political group;
 - (c) subject to (a) and (b) above, the relationship between the total number of committee seats allocated to each group and the total number of seats on all committees must, as near as possible, be the same as the relationship between the number of members of the group as a proportion of the total number of members of Council; and
 - (d) subject to (a) – (c) above, taking each committee separately, the number of seats allocated to a particular political group reflects that group's proportion of the membership of the Council.

2.3 In carrying out its review, the Council may only depart from applying the principles by passing a resolution with no member voting against such resolution.

3. OPTIONS FOR CONSIDERATION

3.1 The Council is under a legal obligation to carry out a review of the seats allocated on its committees pursuant to the Act.

3.2 Consequently, a review has been undertaken and Appendix A sets out for council's consideration, the political balance and proposed allocation of seats available to political groups/members on the size of committees/panels to be appointed.

4. ANALYSIS OF OPTIONS

4.1 See 3.1 above.

5. FINANCIAL AND OTHER RESOURCE IMPLICATIONS (e.g. LEGAL, HR, PROPERTY, IT, COMMUNICATIONS etc.)

5.1 There are no direct resource implications associated with consideration of this report.

6. OTHER RELEVANT IMPLICATIONS (e.g. CRIME AND DISORDER, EQUALITIES, COUNCIL PLAN, ENVIRONMENTAL, RISK etc.)

6.1 There are no other relevant implications.

7. OUTCOMES OF INTEGRATED IMPACT ASSESSMENT (IF APPLICABLE)

7.1 An Integrated Impact Assessment is not required for this report.

8. OUTCOMES OF CONSULTATION AND CONFLICTS OF INTERESTS DECLARED

8.1 No conflicts of interest have been identified or declared.

9. RECOMMENDATIONS

9.1 That following a review of the political balance of its committees in accordance with the principles of the Act, the Council considers for approval the proposed allocation of seats available to political groups/members on the size of committees/panels appointed, as set out in Appendix A.

DIRECTOR OF GOVERNANCE AND COMMUNITIES

Church Square House
30-40 Church Square
SCUNTHORPE
North Lincolnshire
DN15 6NL

Author: Richard Mell/Will Bell
Date: April 2022

Background Papers used in the preparation of this report

Local Government and Housing Act 1989
LLG Political Proportionality

PROPOSED ARRANGEMENTS - 2022/23

(Based on 28 (*65%) Conservative and 14 (*33%) Labour and 1 (*2%) Independent Proportionality)

Committee	No. of Members	Conservative	Labour	Independent
Planning Committee	8	5	3	0
Licensing Committee	10	6	3	1
Appeals Committee (Drawn from a pool of 12 members – 8 Conservative and 4 Labour)	3	2	1	0
Audit Committee	5	3	2	0
Governance Scrutiny Panel	3	2	1	0
Health Scrutiny Panel	3	2	1	0
Places Scrutiny Panel	3	2	1	0
Children's and Education Scrutiny Panel *	7	6	1	0
*Majority of seats on the committee/panel to be maintained by the majority political group. This panel includes 4 statutory co-opted members - two Church Representatives – voting, plus two Parent Governors Representatives – voting, in relation to Education Issues only.				
Standards Committee	5	3	2	0
(Plus two co-opted non-voting members)				
Appointment and Employment Committee	5	3	2	0
Total Seats	52	34	17	1
Proportionality		*65%	*33%	*2%

NORTH LINCOLNSHIRE COUNCIL

COUNCIL

CONSTITUTIONAL REVIEW OF COMMITTEE TERMS OF REFERENCE

1. OBJECT AND KEY POINTS IN THIS REPORT

- 1.1 For Council to consider approving amendments to Committee Terms of Reference contained within the Constitution following a review undertaken as part of the periodic review of the Constitution.

2. BACKGROUND INFORMATION

- 2.1 The Constitution is an evolving document and is periodically reviewed to ensure it remains legislatively compliant and accords with best practice.
- 2.2 As part of the review process, the opportunity has been taken to review Committee Terms of Reference to ensure that they accord with legislative change and best practice but also to incorporate locally determined changes arising from the Council's governance requirements as detailed below. Save for these matters, only minor amendments have been made to the existing Terms of Reference, which are attached at Appendix 1, with the changes shown in bold.

Audit Committee

Following a review of the Council's whistleblowing policy, to include in the Audit Committee's Terms of Reference the requirement to receive an annual report on whistleblowing activity within the Council.

Humber and North Yorkshire Joint Health and Overview and Scrutiny Committee (JHOSC)

Following a report to, and recommendation of, the Health Scrutiny Panel on 13 April 2022 to incorporate into the Constitution Terms of Reference to establish a JHOSC. This follows extensive work across the sub-region to put in place appropriate governance arrangements following the transition from Clinical Commissioning Groups to Integrated Care Systems, and to enable the JHOSC to respond, in

summary, to statutory consultations on major developments or variations to local health provision. The proposed Terms of Reference are included in Appendix 1 and will be inserted into Part D of the Constitution: Overview and Scrutiny Procedure Rules, whereas the other Terms of Reference will be inserted into Part C of the Constitution: Responsibility for Functions.

2.3 As the Committee Terms of Reference form part of the Council's Constitution, Council's approval to the amendments is sought so they can be incorporated into the Constitution.

2.5 Work continues to update the Constitution, under officer delegations, following completion of phase 2 of the senior management review alongside minor revisions to the budget and policy framework rules following changes to the Local Authorities (Standing Orders) (England) Regulations 2001.

3. OPTIONS FOR CONSIDERATION

3.1 Option 1: To approve the revised Committee Terms of Reference as detailed at Appendix 1 of this report.

3.2 Option 2: Not to approve the revised Committee Terms of reference as detailed at Appendix 1 of this report.

4. ANALYSIS OF OPTIONS

4.1 Option 1: To approve the revised Committee Terms of Reference would mean that they keep pace with legislative change, best practice and local governance requirements.

4.2 Option 2: Not to approve the revised Committee Terms of Reference would mean that they do not accord with best practice and legislative change or accommodate local governance requirements.

5. FINANCIAL AND OTHER RESOURCE IMPLICATIONS (e.g., LEGAL, HR, PROPERTY, IT, COMMUNICATIONS etc.)

5.1 There are no financial or resource implications arising from this report.

5.2 The review of the Committee Terms of Reference has been externally validated by specialist public sector solicitors.

5.3 The revised Committee Terms of Reference will be inserted into the Constitution which can be found [here](#)

6. OTHER RELEVANT IMPLICATIONS (e.g., CRIME AND DISORDER, EQUALITIES, COUNCIL PLAN, ENVIRONMENTAL, RISK etc.)

6.1 No other relevant implications have been identified arising from this report.

7. OUTCOMES OF INTEGRATED IMPACT ASSESSMENT (IF APPLICABLE)

7.1 An Integrated Impact Assessment is not required for this report.

8. OUTCOMES OF CONSULTATION AND CONFLICTS OF INTERESTS DECLARED

8.1 No conflicts of interest have been declared or identified arising from this report.

9. RECOMMENDATIONS

9.1 Council approves Option 1 of this report; and

9.2 Council approves the [Constitution](#) and to it being updated with the revised Committee Terms of Reference as detailed in Appendix 1.

MONITORING OFFICER

Church Square House
30-40 Church Square
SCUNTHORPE
North Lincolnshire
DN15 6NL

Author: Will Bell
Date: 28 April 2022

Background Papers used in the preparation of this report:

Minute 3 of the Deputy Leader – Adults and Health cabinet member 24 January 2022

Minute 614 of the Health Scrutiny Panel 13 April 2022

Local Authorities (Standing Orders) (England) Regulations 2001.

North Lincolnshire Council [Constitution](#)

PART C - RESPONSIBILITY FOR FUNCTIONS

This part indicates whether “local choice functions” are:

- (a) the responsibility of the Council and its committees; or
- (b) the responsibility of the Executive, or
- (c) they are, or are not, the responsibility of the Executive to a specified extent.

C1.01 RESPONSIBILITY FOR LOCAL CHOICE FUNCTIONS

Function	Body	Membership	Delegation of Functions
1. Local Act Functions	Council	All members of the Council	
2. Determination of an appeal against any decision made by or on behalf of the Council	Appeals Committee	Members of the Council	
3. The appointment of Review Boards under Regulations under Section 34 (4) of the Social Security Act 1998 (Determination of Claims and Reviews)	Council	All members of the Council	
4. The making of arrangements in relation to appeals against the exclusion of pupils from maintained schools	The Executive	All members of the Executive	Executive member for Children’s Services after considering advice from the relevant Scrutiny Panel

<p>5. The making of arrangements pursuant to Section 94(1), (1 A) and (4) to the School Standards and Framework Act 1998 (Admission Appeals)</p>	<p>The Executive</p>	<p>All members of the Executive</p>	<p>Executive member for Children's Services after considering advice from the relevant Scrutiny Panel</p>
<p>6. The making of arrangements pursuant to Section 95(2) of the School Standards and Framework Act 1998 (Children to whom Section 87 Applies: Appeals by Governing Bodies)</p>	<p>The Executive</p>	<p>All members of the Executive</p>	<p>Executive member for Children's Services after considering advice from the relevant Scrutiny Panel</p>
<p>7. Any function relating to contaminated land</p>	<p>The Executive</p>	<p>All members of the Executive</p>	<p>Director: Economy and Environment</p>
<p>8. The discharge of any function relating to the control of pollution or the management of air quality</p>	<p>The Executive</p>	<p>All members of the Executive</p>	<p>Director: Economy and Environment</p>
<p>9. The service of an abatement notice in respect of a statutory nuisance</p>	<p>The Executive</p>	<p>All members of the Executive</p>	<p>Director: Economy and Environment</p>
<p>10. The passing of a resolution that Schedule 2 to the Noise and Statutory Nuisance Act 1993 should apply in the authority's area</p>	<p>The Executive</p>	<p>All members of the Executive</p>	<p>Director: Economy and Environment</p>

11.The inspection of the authority's area to detect any statutory nuisance	The Executive	All members of the Executive	Director: Economy and Environment
12.The investigation of any complaint as to the existence of a statutory nuisance	The Executive	Members of the Executive	Director: Economy and Environment
13.The obtaining of information under Section 330 of the Town and Country Planning Act 1990 as to interests in land	The Planning Committee	Members of the Council	Director: Economy and Environment
14.The obtaining of particulars of persons interested in land under Section 16 of the Local Government (Miscellaneous Provisions) Act 1976	The Executive	All Members of the Executive	All Directors
15.The making of agreements for the execution of highways works	The Executive	All members of the Executive	Director: Economy and Environment
16.The appointment of any individual (a) to any office other than an office in which he is employed by the authority (b) to any body other than (i) the authority (ii) a joint committee of two or more authorities, or	The Council in relation to non-executive functions; the executive in relation to executive functions	All members of the Council in relation to non-executive functions; All members of the Executive in relation to executive functions	Director: Governance and Communities

<p>(c) to any committee or sub-committee of such a body and the revocation of any such appointment</p>			
<p>17. The making of agreements with other local authorities for the placing of staff at the disposal of those authorities</p>	<p>The Executive</p>	<p>All members of the Executive</p>	
<p>18. Any function of a local authority in their capacity as a harbour authority (to the extent that those functions are not contained in a local Act)</p>	<p>The Executive</p>	<p>All members of the Executive</p>	
<p>19. Functions relating to the preparation, submission and modification of a Local Area Agreement (Sections 106, 110, 111 and 113 of the Local Government and Public Involvement in Health Act 2007)</p>	<p>The Executive</p>	<p>All members of the Executive</p>	<p>Leader of the Council</p>

C1.02 RESPONSIBILITY FOR COUNCIL FUNCTIONS

The Council will appoint the following Committees, with membership, terms of reference and delegations as shown:-

APPEALS COMMITTEE - TERMS OF REFERENCE

APPEALS COMMITTEE - TERMS OF REFERENCE

Delegated

To hear and make decisions in respect of **appeals in relation to:-**

- (a) grading and re-grading
- (b) grievances and dignity at work
- (c) disciplinary matters
- (d) dismissals on grounds of redundancy, capability or some other substantial reason
- (e) against actions short of dismissal imposed by the Investigation and Disciplinary Sub Committee **in relation to the Head of Paid Service, Chief Finance Officer or Monitoring Officer (Statutory Governance Officers)** and to consider whether to uphold the original decision, impose lesser sanctions than those already imposed, or remove all sanctions imposed.

Membership

3 members of the Council

Delegations

Authority is delegated to the Director: Governance and Communities in consultation with any three members of the Committee (including at least one member from the opposition group) to take decisions on procedural matters in respect of matters referred to the Committee prior to the meeting of the Committee. If the appeal concerns the Director: Governance and Communities and/or an employee within that service area this delegation shall be exercised by the Chief Executive, or the Deputy Chief Executive.

LICENSING COMMITTEE - TERMS OF REFERENCE

Advisory

- (a) To receive the outcome of consultations required to be carried out under section 5 of the Licensing Act 2003 and recommend to the council any revision to the local statement of licensing policy as a result of such consultation. The statement of licensing policy shall be reviewed at least every three years and revisions made and published at such times as considered appropriate.
- (b) To recommend to council any revisions to the Statement of Principles: Gambling following required consultations in accordance with section 349 of the Gambling Act 2005. The statement shall be reviewed at least every three years and revisions made and published at such times as considered appropriate.

Delegated

- (a) To exercise the functions of the council as the licensing authority for the purposes and requirements of the Licensing Act 2003. To delegate these functions, where appropriate, to the Licensing Activities Sub-Committee or Director: Economy and Environment in accordance with the above legislation, and as defined and detailed in the statement of licensing policy in accordance with guidance issued by the Secretary of State (sections 3 to 10 of the above Act refers).
- (b) To promote the four licensing objectives as defined in section 4 of the Licensing Act 2003
 - the prevention of crime and disorder
 - public safety
 - the prevention of public nuisance and
 - the protection of children from harmwhilst carrying out its functions and those delegated to the Licensing Activities Sub-Committee.
- (c) To comment on any draft guidance and respond to any consultation documents issued by the Secretary of State.
- (d) To exercise the functions of the Council as the licensing authority for the purposes and requirements of all other relevant legislation, including that relating to acupuncture and body piercing, animals and pet shops, betting, gaming and lotteries, hackney carriage and private hire vehicles (taxis), house to house and street collections, street trading consents, public entertainment, and sex establishments (Please note this list is not exhaustive). To delegate these functions to the Director: Economy and Environment (see Scheme of Delegations to Officers) or to the Licensing (Miscellaneous) Sub-Committee to determine the grant, renewal, variation, transfer or revocation of any licence, permit, consent, permission, registration, certificate or other like document under such legislation.

- (e) To set and review appropriate licensing conditions.
- (f) To set and amend fees and charges for licences, consents and other permissions, together with hackney carriage and private hire tariffs.
- (g) To set and review standard conditions attached to licences, consents and other permissions where applicable.
- (h) To set and review procedures for giving required notices and determining applications for licences, consents or other permissions at meetings of the Committee and its Sub-Committees.
- (ii) To determine the action to be taken as regards general relevant licensing issues including new/revised legislation, regulations, codes of practice or circulars. (This would include reviewing delegated powers to take account of any changes to legislation.)
- (j) To set the fees for gambling premises in accordance with paragraph 3.2 of the report of the Director of Neighbourhood and Environmental Services of 7 November 2006.
- (k) To determine applications for small lotteries in accordance with paragraph 3.5 of the report of the Director of Neighbourhood and Environmental Services of 7 November 2006.

Membership

10 members of the Council

LICENSING (ACTIVITIES) SUB-COMMITTEE

Delegated

- (a) To determine any application made under the Licensing Act 2003 as defined and detailed in the statement of licensing policy in accordance with guidance issued by the Secretary of State.
- (b) To consider any revocation or refusal of registration of applications for small lotteries.

Membership

3 members of the Licensing Committee

LICENSING (MISCELLANEOUS) SUB-COMMITTEE

Delegated

- (a) To determine any appropriate applications in accordance with other relevant legislation as set out in paragraph (d) of the Committee's Terms of Reference above.
- (b) To determine applications where the number of machines exceeds the number as stated in paragraph 3.2 of the report of the Director of Neighbourhood and Environmental Services submitted to the Licensing Committee on 6 April, 2006.

Membership

5 members of the Committee

Delegations

See Scheme of Delegations to Officers.

PLANNING COMMITTEE - TERMS OF REFERENCE

Advisory

- (a) Matters relating to the council's functions as Planning Authority under the Town & Country Planning Acts, and all other associated legislation relating to planning, development and building control including Structure and Local Plans.

Delegated

- (a) To exercise the functions of the council as Local Planning Authority for the purposes of the control of development including the determination of applications for planning permission and other applications under the Town & Country Planning **legislation**, the Town & Country Planning General Development Orders, and any Orders or Regulations made thereunder and in accordance with the council's planning policies.
- (b) Matters relating to Listed Building Control.
- (c) To deal with applications for grants for repair or maintenance of buildings of architectural or historic interest and matters in connection with the acquisition, restoration and disposal of buildings (excluding terms for the disposal of buildings) or materials for conservation purposes.
- (d) Matters relating to Building Conservation.
- (e) Matters relating to the designation of Conservation Areas.
- (f) Matters relating to the making of Tree Preservation Orders and Statutory Notices served under the Town & Country Planning legislation.
- (g) Matters relating to the planting, maintenance and felling of trees outside highway limits.
- (h) The council's powers and duties under the Hedgerows Regulations 1997
- (i) Matters relating to the reclamation of derelict land.
- (j) To deal with all matters relating to the making of Orders under Sections 45, 51, 51A and 51B of the Town & Country Planning Act 1990 as amended by the Planning and Compensation Act 1991.
- (k) Enforcement, including the service of Statutory Notices and the authorisation of legal proceedings.

- (l) Matters relating to deposited plans under the Health & Safety at Work etc. Act, 1974, the Building Act 1984 and the Building Regulations 1991 (as amended), and any other subordinate legislation.
- (m) This Committee shall have no authority in relation to land transactions.
- (n) Functions relating to public rights of way (Paragraphs 1-34 of Part I of Schedule 1 to the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 as amended.
 - (i) Power to create footpath or bridleway by agreement. Section 25 of the Highways Act 1980
 - (ii) Power to create footpaths and bridleways. Section 26 of the Highways Act 1980
 - (iii) Duty to keep register of information with respect to maps, statements and declarations. Section 31A of the Highways Act 1980
 - (iv) Power to stop up footpaths and bridleways. Section 118 of the Highways Act 1980
 - (v) Power to determine application for public path extinguishment order. Section 118ZA and 118C(2) of the Highways Act 1980
 - (vi) Power to make a rail crossing extinguishment order. Section 118A of the Highways Act 1980
 - (vii) Power to make a special extinguishment order. Section 118B of the Highways Act 1980
 - (viii) Power to divert footpaths and bridleways. Section 119 of the Highways Act 1980
 - (ix) Power to make a public path diversion order. Section 119ZA and 119C(4) of the Highways Act 1980
 - (x) Power to make a rail crossing diversion order. Section 119A of the Highways Act 1980
 - (xi) Power to make a special diversion order. Section 119B of the Highways Act 1980
 - (xii) Power to require applicant for order to enter into agreement. Section 119C(3) of the Highways Act 1980
 - (xiii) Power to make an SSSI diversion order. Section 119D of the Highways Act 1980

(xiv)	Duty to keep register with respect to applications under sections 118ZA, 118C, 119ZA, and 119C of the Highways Act 1980.	Section 121B of the Highways Act 1980
(xv)	Power to decline to determine certain applications.	Section 121C of the Highways Act 1980
(xvi)	Duty to assert and protect the rights of the public to use and enjoyment of highways.	Section 130 of the Highways Act 1980
(xvii)	Duty to serve notice of proposed action in relation to obstruction.	Section 130A of the Highways Act 1980
(xviii)	Power to apply for variation of order under section 130B of the Highways Act 1980	Section 130B(7) of the Highways Act 1980
(xix)	Power to authorise temporary disturbance of surface of footpath or bridleway.	Section 135 of the Highways Act 1980
(xx)	Power temporarily to divert footpath or bridleway.	Section 135A of the Highways Act 1980
(xxi)	Functions relating to the making good of damage and the removal of obstructions.	Section 135B of the Highways Act 1980
(xxii)	Powers relating to the removal of things so deposited on highways as to be a nuisance.	Section 149 of the Highways Act 1980
(xxiii)	Power to extinguish certain public rights of way.	Section 32 of the Acquisition of Land Act 1981.
(xxiv)	Duty to keep definitive map and statement under review.	Section 53 of the Wildlife and Countryside Act 1981
(xxv)	Power to include modifications in other orders.	Section 53A of the Wildlife and Countryside Act 1981
(xxvi)	Duty to keep register of prescribed information with respect to applications under section 52(5) of the Wildlife and Countryside Act 1981	Section 53B of the Wildlife and Countryside Act 1981

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|----------|---|---|
| (xxvii) | Power to prepare map and statement by way of consolidation of definitive map and statement. | Section 57A of the Wildlife and Countryside Act 1981 |
| (xxviii) | Power to designate footpath as cycle track. | Section 3 of the Cycle Tracks Act 1984. |
| (xxix) | Power to extinguish public right of way over land acquired for clearance. | Section 294 of the Housing Act 1981 |
| (xxx) | Power to authorise stopping up or diversion of highway. | Section 247 of the Town and Country Planning Act 1990 |
| (xxx1) | Power to authorise stopping up or diversion of footpath, bridleway or restricted byway . | Section 257 of the Town and Country Planning Act 1990 |
| (xxxii) | Power to extinguish public rights of way over land held for planning purposes. | Section 258 of the Town and Country Planning Act 1990. |
| (xxxiii) | Powers to enter into agreements with respect to means of access. | Section 35 of the Countryside and Rights of Way Act 2000. |
| (xxxiv) | Power to provide access in absence of agreement. | Section 37 of the Countryside and Rights of Way Act 2000. |
- (o) To deal with all matters referred by the Director: Economy and Environment relating to the registration of common land and town/village greens and the exercise of protective powers under the Commons Registration Act 1965, the Commons Registration (New Land) Regulations and the Commons Act 2006 where applicable.
- (p) Matters relating to the creation, stopping up and diversion of highways.

Membership

8 members of the Council

Delegations

The following matters are delegated to officers as shown:-

- (a) Determination of applications for permission, approval or consent, requirements for assessment, issuing of notices and completion or modification of agreements or obligations under the Town and Country Planning Act 1990, the Planning (Listed Buildings and Conservation Areas) Act 1990, the Planning (Hazardous Substances) Act 1990, the Planning and Compensation Act 1991 and the Environment Act 1995, or any subordinate rules, orders or regulations made under that legislation.
- (b) Determination of all matters required to be dealt with as part of the management and administration of the council's development control function and powers, including (but not exclusively):
 - Details submitted pursuant to conditions
 - Matters relating to protected trees
 - Consultation with other bodies on planning matters
 - Enforcement of planning control (see scheme of delegations to Director: Economy and Environment)
 - Appeals
 - Screening opinions under the 1999 Environmental Assessment Regulations.
- (c) Payment of historic building and conversion grants in response to applications fulfilling the relevant criteria, subject to finance being available within the current budget.

Exceptions to the Delegation Scheme

- (a) Applications made by members of the council, senior officers (unit manager level and above), any officer responsible to the Director: Economy and Environment or the spouse or partner of any of the foregoing who resides at the same address, and/or applications relating to any land in which any of the foregoing have an interest.
- (b) Applications vetoed by any member of the council.
- (c) Approvals contrary to policy - i.e. departures and potentially justifiable exceptions.

- (d) Applications which have aroused significant public interest on valid planning grounds or an objection from a statutory consultee, at the discretion of the Director: Economy and Environment or **their** nominated representative.
- (e) Applications subject to a parish council objection on valid planning grounds where the recommendation is to grant permission or applications specifically supported by the parish council where the recommendation is to refuse.
- (f) Applications subject to a request from a member of the public that the matter be referred to the Planning Committee so that they may address the committee.
- (g) Confirmation of tree preservation or other orders or directions which are the subject of an objection.

STANDARDS COMMITTEE - TERMS OF REFERENCE

Advisory

- (a) Advising the Council on the amendment or revision of the Code of Conduct and the appointment or removal of the Independent Person/s.

Delegated

- (a) Promoting and maintaining high standards of conduct by members and co-opted members as defined under section 27 of the Localism Act 2011 ('Act').
- (b) Assisting members and co-opted members to observe the Code of Conduct adopted by the Council pursuant to section 28 of the Act.
- (c) Advising the Council on the amendment or revision of the Code of Conduct and the appointment or removal of the Independent Person/s.
- (d) Monitoring the operation of the Code of Conduct and the 'Arrangements' and making appropriate revisions to the 'Arrangements' as considered necessary.
- (e) Advising, training or arranging to train members, co-opted members and Independent Person/s on matters relating to the Code of Conduct and the Arrangements.
- (f) Granting dispensations to members and co-opted members pursuant to the provisions of section 33 (b), (c) and (e) of the Act and on such other grounds as referred by the Monitoring Officer.
- (g) Dealing with any referrals as considered appropriate by the Monitoring Officer and to receive regular reports from the Monitoring Officer on the discharge of any delegations afforded to that position.
- (h) To consider any complaints relating to an alleged breach of the Code of Conduct in accordance with the 'Arrangements' and to convene, as appropriate, sub-committees ('Assessment Panels') to consider such matters.
- (i) To make determinations in respect of complaints that members and co-opted members of the Council and Parish and Town Councils in the area may have breached the Code of Conduct and to convene, as appropriate, sub-committees ('Hearings Panels') to consider such matters and to impose, or recommend the imposition of, the sanctions detailed in the 'Arrangements'.

- (j) To deal with the grant of exemptions from political restriction in respect of any post holder and give directions on any post to be included in the list of politically restricted posts maintained by the authority.

Membership

5 members of the Council
1 Co-opted non-voting member

All members, save for the 1 co-opted member, are voting members of the committee.

Delegations

See Scheme of Delegations to Officers

AUDIT COMMITTEE - TERMS OF REFERENCE

Delegated

Internal and External Audit

- (a) To approve the audit charter and annual audit plan
- (b) To consider the head of internal audit's annual report and opinion, including -
 - a summary of internal audit activity (actual and proposed);
 - the level of assurance it can give over the Council's control framework; and
 - the performance and effectiveness of internal audit (including compliance with Public Sector Internal Audit Standards, results of the Quality Assurance and Improvement Programme, and relevant external inspections).
- (c) To consider significant issues arising from internal audit reviews carried out and high risk agreed actions not implemented within a reasonable timescale.
- (d) To consider the external auditor's annual letter, relevant reports, and the auditors ISA 260 report on the conclusion of the accounts
- (e) To consider specific reports as agreed with the external auditor.
- (f) To comment on the scope and depth of external audit work and to ensure it gives value for money.
- (g) To be kept informed over the appointment of the Council's external auditor by Public Sector Appointments Limited (PSAA).
- (h) To provide the Audit Committee the opportunity to meet in private with Internal / External Audit without any other officers present at the end of each meeting, if required.
- (i) To support the independence of external audit through consideration of the external auditor's annual assessment of its independence and review of any issues raised by PSAA (if applicable).

Regulatory Framework

- (a) To maintain an overview of the Council's constitution and governance arrangements in respect of contract procedure rules, financial regulations and the shared services programme with North East Lincolnshire Council.
- (b) Consider the effectiveness of the authority's risk management arrangements. Review the risk profile of the organisation and assurances that action is being

taken on risk-related issues, including partnerships with other organisations. This includes:

- Receiving an annual report from the Director of Governance and Communities on the effectiveness of the Council's risk management arrangements (and periodic updates where applicable).
 - Approval of the risk management strategy
- (c) To consider the effectiveness of the Council's anti-fraud and corruption arrangements. This includes:
- Receiving an annual report of the outcome of the Council's anti-fraud and corruption activities (and periodic updates where applicable)
 - Approval of the anti-fraud and corruption strategy and supporting policies such as the whistle-blower's charter **and to receive an annual report on whistleblowing activity within the Council.**
- (d) To review the assessment of fraud risks and potential harm to the Council from fraud and corruption.
- (e) To review **and approve** the Annual Governance Statement and consider whether it properly reflects the risk environment and supporting assurances, taking into account internal audit's opinion on the overall adequacy and effectiveness of the Council's framework of governance, risk management and control.
- (f) To consider the Council's arrangements for corporate governance and agreeing necessary action to ensure compliance with CIPFA / SOLACE governance framework and approval of the Code of Corporate Governance.
- (g) To consider the Council's compliance with its own and other published standards and controls.
- (h) To consider the Council's arrangements to secure value for money and review assurances and assessments on the effectiveness of these arrangements.
- (i) Reviewing and monitoring treasury management arrangements in accordance with the CIPFA Treasury Management Code of Practice.
- (j) To review the governance and assurance arrangements for significant partnerships or collaboration.
- (k) To report to Full Council on a regular basis on the committee's performance in relation to the terms of reference and the effectiveness of the committee in meeting its purpose.

Financial Reporting

- (a) To approve the accounting policies to be used to prepare the accounts.
- (b) To review and/or approve the annual statement of accounts. Specifically, to consider whether the approved accounting policies have been followed and whether there are concerns arising from the financial statements or from the audit that need to be brought to the attention of the Council.
- (c) To consider the auditors ISA 260 report on the conclusion of the accounts.

Membership

5 members of the Council

Delegations

See Scheme of Delegations to Officers

HEALTH AND WELLBEING BOARD – TERMS OF REFERENCE

- (a) To prepare Joint Strategic Needs Assessments (JSNAs) and Joint Health and Wellbeing Strategies (JHWSs), which is a duty of local authorities and clinical commissioning groups (CCGs).
- (b) To encourage integrated working between health and social care commissioners, including providing advice, assistance or other support to encourage arrangements under Section 75 of the National Service Health Act 2006 (i.e., lead commissioning, poor budgets and/or integrated provision) in connection with the provision of health and social care services.
- (c) To encourage close working between commissioners of health-related services and the board itself.
- (d) To encourage close working between commissioners of health-related services (such as housing and many other local government services) and commissioners of health and social care services.
- (e) To consider other health related functions which are linked to the functions detailed above and to the overall objective of improving the health and wellbeing of the citizens of North Lincolnshire.

Membership

1 Voting member of the Council

2 Non-Voting Members of the Council

(Statutory officers/organisations or their representatives)

Delegations

See Scheme of Delegations to Officers

APPOINTMENT AND EMPLOYMENT COMMITTEE – TERMS OF REFERENCE

Delegated

- (a) To consider the appointment of the Chief Officers and the Monitoring Officer, as defined in the Constitution and in accordance with The Local Authorities (Standing Orders) (England) Regulations 2001, as amended.
- (b) To convene an Investigatory and Disciplinary Sub-Committee to consider allegations concerning the Head of Paid Service, Chief Finance Officer or Monitoring Officer (the Statutory Governance Officers).
- (c) To consider the dismissal and suspension of the Statutory Governance Officers as defined above, any suspension to be reviewed at a frequency determined by the Committee.
- (d) Where dismissal of a Statutory Governance Officer is recommended following a hearing by the Investigation and Disciplinary Committee, to appoint an Independent Panel to consider proposals and offer recommendations to Council on the dismissal of the Statutory Governance Officer, such Independent Panel to comprise of **at least** two independent persons who have been appointed under section 28(7) Localism Act 2011.

MEMBERSHIP

5 members of the Council with one place reserved for a member of the Executive.

INVESTIGATORY AND DISCIPLINARY SUB-COMMITTEE

Delegated

- (a) To consider allegations against the Head of Paid Service, Chief Finance Officer or Monitoring Officer (the Statutory Governance Officers) in accordance with Local Authorities (Standing Orders) (England) Regulations 2001, as amended.
- (b) To determine whether an allegation against a Statutory Governance Officer can be dealt with through informal resolution, or whether such allegation requires further investigation or other appropriate action through some other procedure.
- (c) To give informal, unrecorded warnings in situations where it is decided no formal action is required.

- (d) To appoint an Independent Investigator (II) to investigate any disciplinary matter concerning the Statutory Governance Officers, and commission report(s) from the II.
- (e) To hear allegations, consider the **report and** recommendations from the II, consider the views of the Statutory Governance Officer, and determine what action (s) **(if any)** short of dismissal should be imposed **or to make a recommendation for dismissal to full Council.**
- (f) To make recommendations regarding the suspension of a Statutory Governance Officer

MEMBERSHIP

3 Members of the Appointment and Employment Committee

HUMBER AND NORTH YORKSHIRE JOINT HEALTH OVERVIEW AND SCRUTINY COMMITTEE.

1. Terms of Reference

- 1.1 The Humber and North Yorkshire Joint Health Overview and Scrutiny Committee (the JHOSC) is a joint committee appointed under Regulation 30 of the Local Authority (Public Health, Health and Wellbeing Boards and Health Scrutiny) Regulations 2013/218.

The participating authorities are:

- City of York Council
- East Riding of Yorkshire Council
- Hull City Council
- North East Lincolnshire Council
- North Lincolnshire Council
- North Yorkshire Council

The participating authorities authorise the JHOSC to discharge the overview and scrutiny functions related to engagement and statutory consultations on substantial developments or variations to local health, or integrated health and care services.

In rare circumstances, the JHOSC can also undertake other relevant scrutiny work as deemed appropriate.

- 1.2 The JHOSC will comprise three members of each of the above local authorities, nominated by each council on a politically proportionate basis.
- 1.3 The JHOSC will have two standing sub-committees:
- The North Yorkshire and York Scrutiny Sub-Committee (6 members)
 - The Humber Scrutiny Sub-Committee (12 members)

Each Sub-Committee will comprise the members of the relevant Humber and North Yorkshire JHOSC. The sub-committees do not have decision-making powers and will report up to the JHOSC, who retain the responsibility to respond to statutory consultations by the ICS.

- 1.4 The JHOSC may appoint working groups on a particular footprint if thought appropriate. They will also report up to the JHOSC.
- 1.5 The JHOSC may co-opt members from other local authorities on a non-voting basis, if thought appropriate. This is limited to one member per authority. The JHOSC may also co-opt other non-voting individuals, or appoint advisors, arrange discussions with interested parties etc. as deemed necessary.
- 1.6 The JHOSC will be hosted on a rotational basis to be agreed by members. The host authority will provide the Chair, venue, administrative support etc. All meetings will comply with the relevant constitutional arrangements and

practices of the host. Sub-Committees will also act in accordance with these arrangements.

- 1.7 Members will be expected to comply with usual standards of behaviours, as set out in their authority's Code of Conduct and the Nolan Principles.
- 1.8 The JHOSC will operate in accordance with usual scrutiny practices, requesting information and arranging interviews with key figures from the ICS (including the Integrated Care Board and the Integrated care Partnership), Place Based Partnerships, providers, and other interested parties. The JHOSC is likely to consider the following issues when substantial developments and variations are proposed:
 - Access for patients and their families/carers,
 - The views of the public, patients, and their families/carers,
 - The impact of the proposals for patients and their families/carers,
 - The impact of the proposals on the local health economy,
 - The effect on each area's economy, health, and wellbeing,
 - Alignment with each area's Joint Health and Wellbeing Strategy, the Joint Forward Plan, the Integrated Care Strategy and any other document as deemed appropriate.

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NORTH LINCOLNSHIRE COUNCIL

COUNCIL

AMENDMENTS TO ARTICLE 14 OF THE CONSTITUTION AND THE CONTRACT PROCEDURE RULES (CPRs)

1. OBJECT AND KEY POINTS IN THIS REPORT

- 1.1 To seek approval to amendments to the CPRs (Part D Rule 7) and Article 14 of the Constitution following legislative change and local and national developments in procurement practice.
- 1.2 The key points in this report are:
- The mandatory procedures on how procurement should be conducted are set out in the CPRs which form part of the Council's Constitution.
 - CPRs were last substantively updated and approved by Council in January 2021.
 - Amendments to the CPRs are required to ensure that they continue to meet legislative requirements, reflect best practice, guidance and align with the Council's organisational development goals.

2. BACKGROUND INFORMATION

- 2.1 The mandatory procedures governing how the procurement of supplies, services and works should be carried out by officers and elected members are set out in the CPRs, which form an integral part of the Council's constitution.
- 2.2 CPRs were last substantively reviewed and approved by Council in January 2021.
- 2.3 Since the CPRs were last reviewed, there has been legislative change and practice developments at both national and local level, which may be summarised as follows:
- National – Procurement Policy Note 10/21 Threshold and Inclusion of VAT was issued in December 2021 setting new thresholds for the Public Contract Regulations and changes to estimating contract values and VAT.

- Social Value – the inclusion of Social Value in all tender exercises over the value of £100,000.
- Electronic Signature Software – in line with developments in electronic signature software and the move towards electronic contracting and document management, the Council has purchased electronic signature software (DocuSign), including an electronic Common Seal. It is therefore proposed to amend Article 14 of the Constitution to enable documents that are required to be executed by affixing the Council's common seal to include the flexibility to affix an electronic common seal in addition to the current paper common seal. The proposed changes to Article 14 are shown highlighted in Appendix 1.
- Framework Agreement Governance – clarification is required to the relevant governance approvals required for calling off an established Council-Wide Contract, Framework Agreement and Dynamic Purchasing System.
- Exception Requests – clarification is required to confirm when a request is required and when they request should also be a Key Decision.
- Highways and Construction Framework – clarification on internal use of the Council-Wide Contract.

2.4 The following key amendments to the CPRs are proposed to ensure that they continue to reflect best practice and enable the achievement of the council's goals, priorities and outcomes:

- All procurement exercises over the value of £100k must comply with the Social Value Portal National Themes, Outcomes and Measures Framework (CPR 1.2).
- New governance approvals included where the capital budget for the procurement exercise has already been approved by Council. (CPR 1.4.7)
- Reflecting guidance in Procurement Policy Note 10/21 the new procedural threshold and inclusion of VAT when calculating overall value of a procurement exercise have been included and adopted. (CPR 1.5.1)
- Service Areas are to comply with the Highways and Construction and Professional Services requirements table when calling off any works or services under the Highways and Construction Framework or Professional Services Framework. (CPR 1.5.5)
- New simplified table setting out the governance requirements and approvals for procuring a call off contract under a Council-Wide Contract, established Framework Agreement or Dynamic Purchasing System. This is to assist service users to easily identify what is required and by when. (CPR 1.5.5).
- All contracts (unless determined otherwise), including those that are to be executed by the Assistant Director of Governance and Partnerships shall be signed and completed using the Council's electronic signature software

(DocuSign). This is to align practices and procedures to the recently procured Council-Wide electronic signature software contract. (CPR 1.6.5 to 1.6.8)

- The process for supply of works from £100,000 to £4,733,252 (threshold level) may only be used where it has been agreed with the Service Area Lead and the Business Services Framework Manager Lead that the Council-Wide Contract (Highways and Construction Framework) cannot be used.
- Clarification that a Key Decision must be obtained for any request for exception to the CPR's where the request meets the criteria for a Key Decision. (CPR 3.3)
- Clarification to confirm when an exception request form is required and when it is not when undertaking to use a procurement process within a Council-Wide Contract, established Framework or Dynamic Purchasing System. (CPR 3.4)

2.5 These proposed amendments to the CPRs are shown highlighted in Appendix 2.

3 OPTIONS FOR CONSIDERATION

3.1 Option 1: Approve the proposed amendments to the CPRs and Article 14 within the Council's Constitution as detailed in Appendices 1 and 2.

3.2 Option 2: Do not approve the proposed amendments to the CPRs and Article 14 within the Council's Constitution.

4. ANALYSIS OF OPTIONS

4.1 Option 1: The proposed amendments will ensure the CPRs and Article 14 reflect current public procurement policy, legislation and best working practice, following input from relevant legal, professional and technical advisors.

4.2 Option 2: To not approve the proposed amendments to the CPR's and Article 14 would mean that they do not adhere to current public procurement policy, legislation and best working practice.

5. RESOURCE IMPLICATIONS (FINANCIAL, STAFFING, PROPERTY, IT)

5.1 The proposed amendments will help the Council obtain better value for money from its contracting arrangements. Furthermore, a modern and effective procurement framework underpinned by effective CPRs will support the Council's organisational development goals and attainment of wider council objectives as detailed in the Council Plan.

5.2 A council-wide communication message will be issued detailing the changes and specific briefing presentations will be given to staff with procurement responsibilities.

6. OTHER IMPLICATIONS (STATUTORY, ENVIRONMENTAL, DIVERSITY, SECTION 17 - CRIME AND DISORDER, RISK AND OTHER)

6.1 No other relevant implications have been identified arising from this report.

7. OUTCOMES OF INTEGRATED IMPACT ASSESSMENT (IF APPLICABLE) CONSULTATION

7.1 An Integrated Impact Assessment has been completed with no adverse findings identified.

8. OUTCOMES OF CONSULTATION AND CONFLICTS OF INTEREST DECLARED

8.1 Feedback and advice has been sought from relevant legal, professional and technical advisors and key users of CPRs.

8.2 No conflicts of interest have been declared or identified arising from this report.

9. RECOMMENDATIONS

9.1 That Option 1 is approved and the proposed amendments to the CPRs and Article 14 as detailed in this report are approved, adopted, and incorporated into the Constitution.

DIRECTOR: GOVERNANCE AND COMMUNITIES

CHURCH SQUARE HOUSE
SCUNTHORPE
DN15 6NL

Ref: Katy Hague/Nina Torr
Date: 9 May 2022

Background Papers used in the preparation of this report:

Contract Procedure Rules report to Council in January 2021.

B14.01 FINANCIAL MANAGEMENT

The management of the Council's financial affairs will be conducted in accordance with the Financial Regulations set out in Part D of this Constitution.

B14.02 CONTRACTS

Every contract made by the Council will comply with the Contract Procedure Rules set out in Part D of this Constitution.

B14.03 LEGAL PROCEEDINGS

The Assistant Director: Governance and Partnerships is authorised to institute, defend, settle or participate in any legal proceedings in cases where such action is necessary to give effect to decisions of the Council or in any case where that officer considers that that action is necessary to protect the Council's interests.

Where any document is necessary to any legal procedure or any proceedings on behalf of the Council, it will be signed by the Assistant Director: Governance and Partnerships or other person authorised by him/her, unless any enactment otherwise authorises or requires, or the Council has given requisite authority to some other person.

B14.04 THE COMMON SEAL OF THE COUNCIL

The Common Seal of the Council, including an electronic version approved by the Assistant Director: Governance and Partnerships, will be kept in a safe place in the custody of the Assistant Director: Governance and Partnerships. A decision of the Council, or of any part of it, will be sufficient authority for sealing any document necessary to give effect to the decision. The Common Seal, including an electronic version, will be affixed to those documents which in the opinion of the Assistant Director: Governance and Partnerships should be sealed. The affixing of the Common Seal will be attested by the Assistant Director: Governance and Partnerships or any other officer authorised by him in writing.

Part D Rule 7: Contract Procedure Rules

May 2022

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Procurement Frequently Asked Questions

- Do CPRs apply – page 3,4
- Is it a Key Decision – page 6 and process tables on page 8,9
- Do I need an exception – page 26
- Where can I find an exception request form – TopDesk
- Where can I get further guidance? – Procurement “Ask Us” TopDesk
- What is the process for Supplies and Services?
 - Up to £100k – table on page 20, Self-service Checklist on TopDesk
 - £100k-£189k – table on page 21
 - Over £189k – table on page 22

1. Contract Procedure Rules

1.1. Introduction

- 1.1.1. The Local Government Act 1972 section 135 requires the Council to have standing orders setting out for how it will enter into contracts. These Contract Procedure Rules (CPRs) are the framework of mandatory procurement procedures that must be followed by officers and members when entering into contracts on behalf of the Council. They form an integral part of the Council's Constitution.
- 1.1.2. These CPR's govern **ALL** purchases of works, goods, services, and supplies across the whole Council, which must be adhered to by Council officers, duly authorised third persons and members.
- 1.1.3. All Council procurements **MUST** demonstrate: true and fair competition, public accountability, an open, fair, and transparent process, seek to prevent bribery and corruption, whilst ensuring probity. All procurements **MUST** demonstrate a full audit trail.
- 1.1.4. If the Council fails in this duty to adhere to these CPR's and legislative requirements, a potential supplier may have justifiable cause for complaint. The Council may be required to pay compensation if such a complaint were upheld. In addition, a contract or framework agreement may be rendered

ineffective, either in whole or in part, and civil financial penalties may be imposed on the Council. Officers and members also have a personal responsibility to comply with these CPRs. Procurement practices are scrutinised by bidders and government (The Public Procurement Review Service).

1.1.5. These CPRs:

- help the Council obtain value for money so that, in turn, value for money services may be provided to the public;
- ensure the Council complies with the law governing spending of public money and the policy on transparency regarding Council expenditure;
- provide a legal and auditable framework for the Council's procurement activities;
- protect Council officers and members from undue criticism or allegation of wrongdoing; and
- support the delivery of commissioning strategies.

1.2. Compliance and Application

1.2.1. These CPR's DO apply to:

- all contracts for the supply of works, goods, or services (including consultancy) to the Council, regardless of value, including where the spend has been provided by way of a grant to the Council;
- partnership and collaborative arrangements with other public bodies;
- concession contracts;
- development agreements to which the Public Contract Regulations 2015 ("the **Procurement Regulations**") apply;
- in-house providers;
- any acceptance of a "community right to challenge" under the Localism Act 2011;
- and any substantial modification of an existing contract except where the modification has clearly been provided for in the original contract terms or has been approved in writing by the Council's Monitoring Officer.

1.2.2. They do NOT apply to:

- where requirements are sourced and delivered internally;

- academies (unless the Council is leading a procurement which an academy is participating);
 - where a Council acts for another non-regulated body;
 - a contract with a Council-owned company which the Council's Monitoring Officer advises falls outside the scope of procurement in accordance with the Procurement Regulations;
 - contracts for the acquisition or disposal of land and buildings;
 - contracts of employment;
 - where the Council awards a grant to an external organisation;
 - contracts for local bus services, where the de-minimis provisions of the Transport Act 1985 and regulations made under it apply provided that they are awarded in accordance with those regulations and criteria approved by the Council'; and
 - contracts, which the Council's Monitoring Officer, in conjunction with the service area lead advises in writing falls within the provisions of section 91 of the Transport Act 1985.
- 1.2.3. Maintained Schools shall procure or purchase goods, works, suppliers or services in accordance with the Scheme for Financing Schools and the Procurement Regulations (when appropriate).
- 1.2.4. All procurement of services and contracts shall comply with:
- these CPR's;
 - the Council's Finance Manual;
 - the Council Plan;
 - the Council's Social Value Charter;
 - the Social Value Portal National Themes, Outcomes and Measures Framework (where appropriate and upon advice from the Procurement Team);
 - where applicable the Procurement Regulations and UK Legislation;
 - the Best Value Statutory guidance;
 - any Public Procurement Policy Notes (where appropriate and upon advice from Procurement Team and Legal Services); and
 - where applicable the UK Steel Charter.
- 1.2.5. An audit trail for all procurements should be maintained and where they are over the threshold level (identified within paragraph 1.5.1) specific decisions

and verifications must be recorded and be available throughout the procurement and after the contract has been awarded in line with the Procurement Regulations and UK Legislation requirements.

- 1.2.6. No member or officer of the Council acting without proper authority shall enter, either orally or in writing, into any contract in the Council's name.
- 1.2.7. Where a partner organisation acts on behalf of the Council and needs to purchase or assign goods or services, any such assignment must be undertaken in line with these CPR's unless otherwise exempted in writing by the Assistant Director Governance and Partnerships.
- 1.2.8. Where the Council is procuring jointly with North East Lincolnshire Borough Council, this must be done in accordance with the terms of the Joint Procurement Agreement. A Joint Project Initiation Document must be completed and signed by both authorities at the beginning of the procurement exercise.
- 1.2.9. Where the Council is procuring with any other body (such as any other Council or a Clinical Commissioning Group or other health body), then a legally binding agreement must be entered into with that body to secure the actions or contributions of all parties, such terms of the agreement must be approved by the Monitoring Officer.
- 1.2.10. Where there is a conflict between these CPR's and the Procurement Regulations, the Procurement Regulations shall prevail.
- 1.2.11. These CPR's may be reviewed and/or amended:
 - by the Monitoring Officer in accordance with the Council Scheme of Delegation; or
 - by the Monitoring Officer where such amendments are required due to an emergency or as appropriate in accordance with Council Constitution; or
 - at any time, where considered appropriate, in accordance with the Council's Constitution.

1.3. Confidentiality and Conflicts of Interest

- 1.3.1. Subject to the Council's obligations under the Freedom of Information Act 2000, codes of practice and local policy requirements, any information provided by economic operators that is designed as confidential which has been forwarded to the Council by economic operators shall not be disclosed to any other third party or person.

- 1.3.2. The Council shall, when undertaking a procurement, take appropriate measures to effectively prevent, identify and remedy arising in accordance with the Council's Officer's Code of Conduct.
- 1.3.3. A procurement includes:
- preliminary market consultations;
 - developing procurement documentation.
 - deciding on the scope or structure of the procurement;
 - choice of award procedure;
 - selection of tenderers;
 - mini competitions or direct awards through Framework Agreements or Dynamic Purchasing Systems;
 - award of the contract; and
 - contract management.
- 1.3.4. A conflict of interest includes, but is not limited to, where any Council officer or member has:
- a direct or indirect financial, economic, or other personal interest which might be perceived to compromise their impartiality and independence; and
 - accepts or has accepted gifts or hospitality from organisations or suppliers that the Council has dealings with.
- 1.3.5. All members and Council officers are to complete the Council's Conflict of Interest Form prior to starting any procurement exercise.
- 1.3.6. Conflicts of interest must be proactively monitored throughout the procurement process, documented, risk assessed and where a conflict is identified, notified to the Monitoring Officer. Records must be available on request and will form part of the Regulation 84 report for all contracts procured in accordance with the Procurement Regulations.

1.4. Governance Requirements

- 1.4.1. The Council's Constitution requires all officers, to obtain the necessary approvals before commencing a procurement exercise and upon award of a contract.
- 1.4.2. The type of approval will vary depending on the value of the procurement exercise/contract. The table below identifies the governance requirements for all procurement exercise excluding those which are a call off from an

existing Council-Wide Contract, Framework Agreement or DPS (these are set out at paragraph 1.5.5.6). The values stated in the table below are accumulated spend over the lifetime of the contract, including any extensions.

- 1.4.3. A Key Decision is an executive decision that is likely to:
- result in the council incurring expenditure or the making of savings (including the receipt or loss of income) over £350,000.
 - have significant effects on communities living or working in an area comprising of two or more electoral wards or electoral divisions in the area of the local authority.
- 1.4.4. The government has not defined the term 'significant'. Each council is free to make its own arrangements for decisions within the definition of a 'key decision'.
- 1.4.5. Where a procurement exercise or contract is below the value of £350,000 but may have effect on community living as identified in paragraph 1.4.3. above, the Service Area Lead must seek written confirmation from the relevant Director (in conjunction with Democratic Services) as to whether a Key Decision is required.
- 1.4.6. For any procurement exercise or contract, where a Key Decision is required, the Key Decision Notice and Decision should be published and concluded at the earliest opportunity within the process, and in all cases prior to any Contract Notice being published or Invitation to Tender being made available to the market.
- 1.4.7. In accordance with paragraph 1.3 of the Council's Scheme of Delegation to Officers a Director may delegate their powers under these CPRs to another officer, either fully or in part and subject to such limitations as considered reasonable by the Director, providing such delegation is in writing and signed and dated by the Director and a copy of such delegation is supplied to the Service Manager Democracy. It is recommended that before any such delegation takes place, the written advice of the Service Manager: Democracy is obtained.
- 1.4.8. Service Areas are encouraged to contact Democratic Services for any advice and support in relation to the governance requirements set out in these CPRs.

<u>Value (Whole Life including extensions)</u>	<u>Type/level of approval</u>	<u>Action Required Pre- Procurement</u>	<u>Action required Post Award</u>
<p>Below £350,000*</p> <p>*Please also consider paragraphs above regarding Key Decision if applicable</p>	<p>Director approval to commence procurement exercise and award contract within delegations.</p>	<ul style="list-style-type: none"> • Officer Decision Record to commence procurement to be signed by the relevant Director and/or authorised officer and recorded accordingly on a timely basis. • Approval to award may be delegated to another officer at this stage, but such delegation must be included within the Officer Decision Record and a copy provided to the Service Manager: Democracy. 	<ul style="list-style-type: none"> • Officer Decision Record signed by the relevant Director for the award of the contract after a successful procurement exercise. • If approval to award has been delegated by a Director to another officer, then an Officer Decision Record must be completed by that officer and a copy of the written delegation provided to the Service Manager: Democracy. • Any Officer Decision Record that relates to a decision to award a contract that is over £100,000, save those contracts relating to placements for individuals care and support or such other categories of contract that are exempted by the Director: Governance and Communities, must be recorded and published via Democratic Services in accordance with the arrangements specified in the Council's Constitution.
<p>£350,000 - £999,999</p>	<p>Key Decision Notice and Director approval to commence</p>	<ul style="list-style-type: none"> • Key Decision Notice to be signed by the Director: Governance and Communities and published on the council's 	<ul style="list-style-type: none"> • An Officer Decision Record to award must be signed by the Director and recorded and published via Democratic

	<p>procurement exercise and award contract within delegations.</p>	<p>website via Democratic Services for a minimum of 28 days prior to the officer decision to commence the procurement. (General exception and special urgency provisions are available in exceptional circumstances)</p> <ul style="list-style-type: none"> • The Decision to commence procurement is then taken and published any reasonable time after the 28 days. • Officer Decision Record to commence procurement to be signed by relevant Director and/or authorised officer and published on the council’s website via Democratic Services on a timely basis (with any accompanying report, unless the report contains exempt commercially sensitive and related financial information – both should still be sent to Democratic Services). • Once the Officer Decision Record has been published elected members have 2 working days to call-in the decision to be considered by the relevant scrutiny panel (meeting to be held within 5 working days 	<p>Services in accordance with the arrangements specified in the Council’s Constitution, save those contracts relating to placements for individuals care and support or such other categories of contract that are exempted by the Director: Governance and Communities.</p> <ul style="list-style-type: none"> • If approval to award has been delegated by a Director to another officer, then an Officer Decision Record must be completed by that officer and a copy of the written delegation provided to the Service Manager: Democracy.
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		<p>of call in being received). The Decision is implemented after the 2 workings days if not called in.</p> <ul style="list-style-type: none"> Approval to award may be delegated to another officer at this stage, but such delegation must be included within the Officer Decision Record and a copy provided to the Service Manager: Democracy. 	
£1,000,000 plus	<p>Key Decision Notice and Cabinet Member decision to commence procurement exercise.</p> <p>Director decision to award contract with award report to reference cabinet member notification of procurement outcome.</p>	<ul style="list-style-type: none"> Key Decision Notice to be signed by the Director; Governance and Communities and published on the council's website via Democratic Services for a minimum of 28 days prior to the Cabinet Member Decision to commence the procurement. (General exception and special urgency provisions are available in exceptional circumstances) The Decision (by way of Cabinet Member minute) is then taken and published any reasonable time after the 28 days. Cabinet Member report to be published on the Council's website via Democratic Services on a timely 	<ul style="list-style-type: none"> An Officer Decision Record to award must be signed by the Director and recorded and published via Democratic Services in accordance with the arrangements specified in the Council's Constitution, save those contracts relating to placements for individuals care and support or such other categories of contract that are exempted by the Director: Governance and Communities. The Director should inform the relevant Cabinet Member of the outcome of the procurement exercise and the decision to award.

		<p>basis.</p> <ul style="list-style-type: none"> • 5 clear days after the Cabinet Member report has been published the minutes of the meeting with the Cabinet Member are published and elected members have 2 working days to call-in the decision to be considered by the relevant scrutiny panel (meeting to be held within 5 working days of call in being received). The Decision is implemented after the 2 workings days if not called in. 	
<p>2025 2026 2027 2028</p> <p>£0 - £1,000,000 plus where the Capital budget has already been approved by Council</p>	<p>Director approval to commence procurement exercise and award contract within delegations.</p>	<ul style="list-style-type: none"> • Officer Decision Record to commence procurement to be signed by the relevant Director and/or authorised officer and recorded accordingly on a timely basis. • Approval to award may be delegated to another officer at this stage, but such delegation must be included within the Officer Decision Record and a copy provided to the Service Manager: Democracy. 	<ul style="list-style-type: none"> • Officer Decision Record signed by the relevant Director for the award of the contract after a successful procurement exercise. • If approval to award has been delegated by a Director to another officer, then an Officer Decision Record must be completed by that officer and a copy of the written delegation provided to the Service Manager: Democracy. • Any Officer Decision Record that relates to a decision to award a contract that is over £100,000, save those contracts relating to placements for individuals care

			<p>and support or such other categories of contract that are exempted by the Director: Governance and Communities, must be recorded and published via Democratic Services in accordance with the arrangements specified in the Council's Constitution.</p>
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1.5. Pre-Procurement Requirements

1.5.1. Calculating the Contract Value and Procedural Thresholds

- It is important to ensure that the correct procedure is adopted and where there is a risk of a requirement falling above a threshold, the process for the higher threshold should be applied. Any procurement exercise or contract valued within 10% of the relevant threshold, the Service Area Lead should consider following a tendering process in accordance with the Procurement Regulations.
- The thresholds that apply will be those advised by the Cabinet Office, as detailed below and as may be amended from time to time. The current thresholds set out below are valid from 1 January 2022:

Public Sector Contracting Authorities (excluding Schedule 1 authorities)						
Supplies	Services	Light Touch Regime	Concessions	Works	Utilities (Works)	Utilities (Services)
£213,477	£213,477	£663,540	£5,336,937	£5,336,937	£5,336,937	£426,9655

- In determining which threshold applies, the whole-life costing including the cost of maintenance, spares, upgrades, decommissioning, and disposal inclusive of VAT of the proposed contract or framework agreement must be considered. Any option to extend and potential future modifications to a contract must also be considered as to whether the thresholds would be exceeded with the extension value included, even if the option to extend or the foreseen modifications is not eventually exercised.
- Where the duration of the contract is unknown or uncertain, its total cost over a four-year period should be estimated and the relevant procedure then followed to award the contract. Where requirements include a mix of supplies, services and/ or works elements, advice should be sought from The Procurement Team as to which threshold is applicable and to determine the process to be followed.
- The Council must not Disaggregate or sub-divide like or similar works by procuring multiple smaller or charter contracts to avoid the requirements of these CPRs, the Procurement Regulations or UK Legislation.

- All monetary thresholds referred to in this document include VAT and all applicable taxes and charges.

1.5.2. Planning and Approvals

- Service Area Leads must allow sufficient time to carry out a procurement exercise in order to be compliant with these CPR's and the Procurement Regulations.
- For any procurement exercise or contract that is over the value of the procedural thresholds set out at paragraph 1.5.1 above, Service Area leads are advised to establish a project team based on the complexity and risk. As a minimum it is advised that the following is to be included within the project team:
 - the Services Area Lead responsible for the managing and delivering the procurement exercise and contract;
 - a representative from the Procurement Team;
 - a representative from Legal Services;
 - a representative from Finance;
 - a representative from Business Services where the contract or procurement relates to construction and highways works; and
 - a representative from Human Resources.
- Prior to commencing any procurement exercise the relevant approval should be obtained in accordance with the governance requirements set out at paragraph 1.4 above or paragraph 1.5.5.6 below for a call off under a Council-Wide Contract, Framework Agreement or DPS.
- A timetable, for all procurement exercises, should be established and must consider all mandatory timeframes, set out in paragraph 1 and 2 of these CPR's. It should also cover all pre-procurement planning, which includes everything from governance approval up to award of the contract.
- The Service Area are responsible for the delivery of the procurement exercise, including ensuring contract management once the contract has been awarded.

1.5.3. Pre-Market Consultation

- The Council encourages all Services Areas to consider undertaking Pre-Market Consultation, prior to defining the specification requirements of any procurement exercise where there is a need for:
 - market research; and/or

- benchmarking; and/or
- a new approach to service delivery; and/or
- developing or evolving service delivery need.
- Undertaking Pre-Market consultation can help inform the specification, the evaluation criteria, and conditions of contract to ensure the Council's objectives can be best met by the market.
- In all pre-market consultations, full regard should be had to the principles of equal treatment, transparency, proportionality, and non-discrimination to ensure an effective competition can take place once the procurement has commenced.

1.5.4. Identifying the right procedure and form of contract

It is important to ensure that any procurement exercise is undertaken under the most appropriate procedure for the Council to achieve the best possible outcome to meet its needs. The paragraphs below set out the procedures and contracts that can be used or followed, as appropriate, with advice from the Procurement Team and Legal Services.

1.5.5. Council-wide Contracts and established Frameworks or DPS

Where a Council-Wide Contract exists for supplies, services, or works, it must be used except in the following circumstances where the requirement;

- cannot be obtained through a council-wide contract; or
- cannot be obtained in the required timescale through a council-wide contract;
- or cannot be obtained with the required specification through a council-wide contract.
- The following categories of supplies, services or works are managed on a council-wide basis:
 - Building Works, Accommodation & Facilities Management
 - Civil Engineering & Non-Building Construction Works
 - Cleaning Services
 - Energy, Fuel & Water
 - Financial & Leasing Services
 - ICT Supplies & Services
 - Legal Services
 - Leisure
 - Printing Services
 - Public Health
 - Social or Personal Care services & Placement Activity
 - Training & Development Services

- Transport Services
 - Vehicles & Fleet
 - Waste Disposal & Recycling
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- Where a Service Area are to undertake a procurement exercise using the Council-Wide Highways and Construction Framework or the Professional Services Framework, they must do so in accordance with the Highways and Construction and Professional Services Framework Requirements table which can be found on the Commissioning and Procurement Topdesk page.
 - Advice and approval should be obtained from the Procurement Team should a departure from the use of council contracts be considered.
 - For higher value purchases through a council-wide contract (£5k+) the value for money benefit of wider competition should be considered.
 - Where possible Framework Agreements or Dynamic Purchasing Systems (“DPS”) either established by Central Purchasing Bodies or other contracting authorities (as defined by the Procurement Regulations) must be used.
 - Prior to calling off under any established Framework Agreement or DPS:
 - , advice from the Procurement Team must be sought; and
 - the terms and conditions must also be approved by Legal Services.
 - The governance approvals for calling off any established Framework Agreement or DPS are as follows:

Value (whole life including extensions) down	Type of procedure	Governance approvals required
Below £350,000	by way of mini competition with MEAT criteria applied with either a price/quality split or 100% price	the requirements set out in paragraph 1.4.7 of these CPR's
£350,000 to £999,999	by way of mini competition with MEAT criteria applied with either a price/quality split or 100% price	The requirements set out in paragraph 1.4.7 of these CPR's
£1,000,000 plus	by way of mini competition with MEAT criteria applied with either a price/quality split or 100% price	The requirements set out in paragraph 1.4.7 of these CPR's
Below £350,000	by way of direct award (only where direct award can be undertaken in accordance with the terms and conditions of the established framework or DPS)	<ul style="list-style-type: none"> • Officer Decision Record signed by the relevant Director for the award of the contract. • If approval to award has been delegated by a Director to another officer, then an Officer Decision Record must be completed by that officer and a copy of the written delegation provided to the Service Manager: Democracy. • Any Officer Decision Record that relates to a decision to award a contract that is over £100,000, save those contracts relating to placements for individuals care and support or such other categories of contract that are exempted by the Director: Governance and Communities, must be recorded and published via Democratic Services in accordance with the arrangements

Value (whole life including extensions) down	Type of procedure	Governance approvals required
		specified in the Council's Constitution
£350,000 to £999,999	by way of direct award (only where direct award can be undertaken in accordance with the terms and conditions of the established framework or DPS)	<ul style="list-style-type: none"> • Key Decision Notice to be signed by the Director: Governance and Communities and published on the council's website via Democratic Services for a minimum of 28 days prior to the officer decision to award. (General exception and special urgency provisions are available in exceptional circumstances) • The Decision to award the contract is then taken and published any reasonable time after the 28 days. • Officer Decision Record to award the contract to be signed by relevant Director and/or authorised officer and published on the council's website via Democratic Services on a timely basis (with any accompanying report, unless the report contains exempt commercially sensitive and related financial information – both should still be sent to Democratic Services). • Once the Officer Decision Record has been published elected members have 2 working days to call-in the decision to be considered by the relevant scrutiny panel (meeting to be held within 5 working days of call in being received). The Decision is

Value (whole life including extensions) down	Type of procedure	Governance approvals required
		implemented after the 2 workings days if not called in.
£1,000,000 plus	by way of direct award (only where direct award can be undertaken in accordance with the terms and conditions of the established framework or DPS)	<ul style="list-style-type: none"> • Key Decision Notice to be signed by the Director; Governance and Communities and published on the council’s website via Democratic Services for a minimum of 28 days prior to the Cabinet Member Decision to commence the procurement. (General exception and special urgency provisions are available in exceptional circumstances) • The Decision (by way of Cabinet Member minute) is then taken and published any reasonable time after the 28 days. • Cabinet Member report and minute to be made and published on the Council’s website via Democratic Services on a timely basis. • Once the minutes of the meeting with the Cabinet Member have been published elected members have 2 working days to call-in the decision to be considered by the relevant scrutiny panel (meeting to be held within 5 working days of call in being received). The Decision is implemented after the 2 workings days if not called in.
£0-£1,000,000 plus where the Capital budget has	by way of mini competition with MEAT criteria applied with either	<ul style="list-style-type: none"> • The requirements set out in paragraph 1.4.7 of these CPR’s

Value (whole life including extensions) down	Type of procedure	Governance approvals required
already been approved by Council and the call off procedure is	a price/quality split or 100% price	
£0-£1,000,000 plus where the Capital budget has already been approved by Council	by way of direct award (only where direct award can be undertaken in accordance with the terms and conditions of the established framework or DPS)	<ul style="list-style-type: none"> • Officer Decision Record to award the contract to be signed by relevant Director and/or authorised officer and published on the council's website via Democratic Services on a timely basis (with any accompanying report, unless the report contains exempt commercially sensitive and related financial information – both should still be sent to Democratic Services). • Once the Officer Decision Record has been published elected members have 2 working days to call-in the decision to be considered by the relevant scrutiny panel (meeting to be held within 5 working days of call in being received). The Decision is implemented after the 2 workings days if not called in.

1.5.6. Reserved Contracts

- Certain contracts can be reserved so that the competition is not available to the wider market and is limited to certain types of providers, such as SMEs and Voluntary, Community and Social Enterprises, and/or based on supplier location, in order to allow the Council to further meets its objectives.
- The threshold values for a reserved contract are £122,976 for supplies

and services and £4,733,252 for works, inclusive of VAT. The list of 'qualifying organisations' which can be subject to reserved contracts is prescribed and is predominately made up of health, social care, or education services. Advice must be sought from the Procurement Team where there is an intent to reserve a contract and an exception should be obtained in accordance with paragraph 3 of these CPR's.

1.5.7. Dynamic Purchasing Systems

- A DPS is a completely electronic system which may be established to purchase commonly used supplies, services or works and must operate for a defined duration. It does not guarantee any services to the providers who may be admitted to it.
- Advice from the Procurement Team must be sought should a DPS be established.

1.5.8. Framework Agreements

- A Framework Agreement is a closed list of providers who have been ranked following a tender exercise and can be awarded contracts in line with the framework terms.
- All Framework Agreements must comply with the following:
 - maximum length of 4 years (unless exceptional and approved by the Monitoring Officer in writing)
 - identify all Contracting Authorities that can access the agreement; and
 - provide an estimated value of all potential call-offs by all contracting authorities
- No contractual commitment attaches from the creation of a framework itself, however contracts are formed when requirements are called-off under a purchase order or a call-off contract.
- Any Framework Agreement must be established in accordance with the requirements of these CPRs and/or the Procurement Regulations. Service Areas must not disaggregate purchases to avoid them, and guidance should be sought from the Procurement Team and Legal Services.

1.5.9. Light Touch Regime

- The light-touch regime ("LTR") is a specific set of rules for certain service contracts that tend to be of low interest to potential tenderers. Those service contracts mainly centre around social, health and education services.
- The use of LTR must be undertaken on the advice of The Procurement

Team.

1.5.10. Concession Contracts

- Concession contracts are governed by the Concession Contracts Regulations 2016. They are used where the Council engages a third party to provide a service or works, with or without a fee payable by the Council.
- Consideration for the service is in the form of the concessionaire being given a right to charge for the services being provided.
- Advice from the Procurement Team must be sought before engaging in any procurement exercise relating to a concession contract.

1.5.11. Open, Competitive Dialogue, Negotiated Procedures, and Innovation Partnerships

- The Open procedure should be used for all contracts and procurement exercises where the Service Area can clearly identify its requirements and the requirements can suitably be met by the market.
- The use of Competitive Dialogue can be used for procurement exercises where there are complex service requirements, and the preferred delivery option cannot be determined from preliminary market consultation.
- The Negotiated Procedure can be used in limited circumstances, principally where it is not clear at the outset that the Council cannot adequately specify its requirements as they need to be developed with the market.
- The use of Innovation Partnerships can be for inherently innovative development such as core research or new technical advancement.
- Part two of these CPR's sets out the process for undertaking an Open procurement exercise (except for the supply of Works over £100,000 up to the relevant threshold) and the advice of the Procurement Team and Legal Services should be sought where the Service Area wishes to use any of the other procedures as set out above.

1.5.12. Transfer of Undertaking (Protection of Employment) Regulations 2006 (as amended) (TUPE)

- Careful consideration must be given as to whether TUPE shall apply at commencement of any procurement exercise.
- Where a procurement exercise may involve the TUPE transfer of Council officers, the advice of the Strategic HR Lead and Legal Services must be

obtained prior to the start of the procurement.

- Any procurement exercise involving the TUPE transfer of Council officers must be approved by the relevant Director on the advice of the Director Governance & Communities.
- The application of TUPE should also be considered in respect of staff employed by existing contractor(s) when the Council is looking to re-procure the service currently provided by such contractor(s). Written guidance should be sought from the Legal Services.
- An anonymised table of TUPE information and, where relevant, pension information, must be available for release with the tender documentation, using the TUPE matrix template which is available from the Procurement Team or TOPdesk. Further information can be shared with interested parties on the successful completion of the appropriate non-disclosure agreement.

1.6. Contract Templates, Signing, Extending and Modification

- 1.6.1. In all instances the Council's standard terms and conditions must be used except where:
- a Council Wide Contract is being used;
 - an established Framework Agreement or DPS is being used;
 - any Contract under the value of £25,000; or
 - the relevant Director, in consultation with the Assistant Director Governance and Partnerships, has confirmed it is appropriate for alternative terms and conditions to be used.
- 1.6.2. The Council's standard terms and conditions for contracts with a value of up to £100,000, can be accessed via the Procurement Team portal on TOPdesk. Advice from Legal Services should be sought for:
- contracts over the value of £100,000;
 - Framework Agreements and DPS (where they are not established);
 - IT contracts; and
 - low value contracts, where there is a specific need or bespoke requirement.
- 1.6.3. Pursuant to paragraph 2.6 of the Council's Scheme of Delegation, all Directors are authorised to sign contracts that do not exceed the value of £100,000, provided that:

- the conditions set out in paragraph 2.6 of the Council Scheme of Delegation have been complied with; and
 - it does not require the affixation of the Common Seal.
- 1.6.4. Directors may seek to delegate their authority to sign contracts (as set out at paragraph 1.6.3) provided such delegation is undertaken in writing in accordance with the Council's Constitution, a copy of such delegation is provided to the Service Manager, Democracy and follows the Authorisation of Orders levels set out in the Council's Finance Manual.
- 1.6.5. The Assistant Director Governance and Partnerships is authorised to sign contracts that exceed the value of £100,000 and unless they determine otherwise, such contracts shall be executed by way of deed, under the electronic Common Seal of the Council.
- 1.6.6. The Assistant Director Governance and Partnerships is authorised to affix the electronic Common Seal of the Council to such contracts using the Council's electronic signature software.
- 1.6.7. Where a Contract is required (in accordance with paragraph 1.6.5 and 1.6.6) to be executed by the Assistant Director Governance and Partnerships the Service Area Lead shall complete a Contract Signature Form on the Legal and Democracy TOPdesk Page to arrange for the contract to be signed and completed. FOR THE AVOIDANCE OF DOUBT, the Service Area Lead shall not send the contract directly to the Assistant Director Governance and Partnerships either by email or through the Council's electronic signature software.
- 1.6.8. Contracts that do not need to be executed by the Assistant Director Governance and Partnerships, are to be signed electronically using the Council's electronic signature software. Services Areas are encouraged to contact IT Applications Team to ensure they have appropriate access to the electronic signature software prior to signing or completing any contract.
- 1.6.9. A Contract can be extended provided that:
- the original contract included a specific provision to allow for it to be extended in both duration and value; and
 - it is appropriate to do so given the performance of the contract which has been identified through contract management by the Service Area.
- 1.6.10. Any Contract extension or variation during its term cannot cause:
- the aggregated value of the contract to breach the thresholds set out at paragraph 1.5.1.2, where it was procured as a below threshold:
 - a breach of UK Legislation (such as the Procurement Regulations); and/or
 - the value would exceed what was original advertised by more than 50%.
- 1.6.11. Where the Contract does not include an extension advice should be sought from the

Procurement Team and Legal Services.

- 1.6.12. Under limited circumstances, the Procurement Regulations permit contract modifications during their term (regulation 72) and must be within the scope, or similar to the original specification and contract. Advice must be sought from the Procurement Team and Legal Services in the first instance.
- 1.6.13. Changes to contracts and/or terms and conditions must be authorised by the relevant Director and substantial (i.e., material) changes to contracts and/or terms and conditions must be authorised by the relevant Director following consultation with the Assistant Director Governance and Partnerships.

1.7. Award Letters

- 1.7.1. All contracts let that are valued 10% under the relevant threshold (as identified at paragraph 1.5.1.2 above) are to be awarded on YORtender using the contract details page. There is no specific requirement to issue an additional award notice to the tenderers who were unsuccessful, but this can be done should the Service Area consider it to be appropriate.
- 1.7.2. All contracts let on or over the relevant threshold (as identified at paragraph 1.5.1.2 above):
 - must be awarded on YORtender using the contract details page;
 - all candidates and/or tenderers must be issued with a Pre-Award Letter and Notice via YORtender; and
 - a standstill period must be applied.
- 1.7.3. All Pre-Award Letters and Notices must:
 - be on the Council's standard template; and
 - approved and signed by the Assistant Director Governance and Partnerships.
- 1.7.4. The Assistant Director Governance and Partnerships will not authorise or sign any Pre-Award Letters without first seeing the Decision to Award.
- 1.7.5. Where a request for further feedback or a potential challenge to a Pre-Award Letter is received advice from the Procurement Team and/or Legal Services must be obtained

2. North Lincolnshire Borough Council Procurement Requirements

The Council is required to comply with these CPR's and the Procurement Regulations when undertaking a procurement exercise. All procurement exercises must have a full audit trail, obtain value for money, and achieve efficient delivery of Council Services. The paragraphs below set out the processes, including their minimum requirements for each separate value, to achieve this.

2.1. General Requirements

2.1.1. All procurement exercises are to be compliant with the requirements set out in this part 2 and consideration should also be given to the following with advice from the Procurement Team:

- economic development/environmental/sustainability implications;
- social value
- policy implications;
- risk management; and
- any other service delivery commitments

2.1.2. Advertising of Tenders

- All procurement exercises over the value of £100,000 must be advertised and let using the Council electronic purchasing system YORtender.
- The Procurement Team and/or the Services Area will:
 - publish details of all contracts let over £5,000 via YORtender on the Council's live Contracts Register (e-tendering system)
 - report annually to the relevant Cabinet Member for procurement on all contracts let over £5,000 (via YORtender) in the previous 12 months.
- Service Area Leads must notify the Procurement Team when, they have awarded a procurement exercises or entered into a contract over the value of £20,883, so that the Procurement Team can advertise these on Contracts Finder.
- It is at the discretion of the relevant Director as to whether any procurement exercises/opportunities are advertised using web-based media, such as twitter and the council website. Any advertisement shall:
 - specify the nature and purpose of the contract;
 - outline how to submit a compliant tender;
 - state the last date and time when tenders will be accepted; and
 - comply in all respect with the requirements of UK Legislation.

2.1.3. Compliance

Any tenderer who fails to complete all the documentation and/or comply with the tender instructions and submission requirements set out in the Invitation to Tender may be deemed to be non-compliant and, subject to the discretion of the Council, acting reasonably, have their tender rejected. Advice must be sought from the

Procurement Team and Legal Services prior to rejecting any tender submission.

2.1.4. Late Tender or e-Sourcing Suite Access Errors

- The Council will not accept any late tender, other than where:
 - the tenderer can prove that a system access error has occurred;
 - YORtender have provided a system report confirming that the site was unavailable on the submission deadline; and/or
 - the Crown Commercial Services have provided a report from their Services e-Sourcing Suite system confirming that there was an error at the time of the submission deadline
- Any acceptance of a late tender shall be approved by the relevant Director in consultation with the Procurement Team and Legal Services.

2.1.5. Omissions, Ambiguities, and Inconsistencies

- All clarifications, by the Council or tenderers, must be raised via YORtender. Guidance from the Procurement Team is recommended in all circumstances but mandated where the issue, error, omissions, or inconsistency is linked to price or potentially creates a material change.
- Where there is an omission, ambiguity, or inconsistency in a tender (including an arithmetical error), the Council reserves the right to contact the tenderer in writing via YORtender, setting out the ambiguous or inconsistent part and the alternative interpretations of it.
- The tenderer will be required to clarify within an appropriate time limit, via YORtender, which of the interpretations are correct and submit or complete relevant information or documentation, provided that such requests are made in compliance with the principles of equal treatment and transparency. Clarification is not an opportunity to alter or improve a bid it is only to clarify submissions.

2.1.6. Abnormally low tenders

Where a tender has been received and it is considered by the Service Area to be abnormally low, explanations from tenderers must be sought. The Council may reject the tender where the explanation does not satisfy the concern/s.

2.1.7. Prevention of corruption and the Bribery Act 2010

Requests for quotations and invitation to tenders must inform prospective tenderers of the Council's whistle blowing policy.

All contracts must contain a clause to the effect that the Council will be entitled to cancel the contract and to recover from the contractor the amount of any loss resulting from such cancellation if:

- the contractor, his employees, or agents, shall have offered or given or agreed to give to any persons any gift or consideration of any kind as an inducement or reward in any way relating to the contract or any other contract with the Council; or
- in relation to any contract with the Council, the contractor, his employees, or agents, shall have committed any offence under the Prevention of Corruption Acts 1889 to 1916, Section 117 of the Local Government Act 1972, and the Bribery Act 2010.

2.1.8 Under the Bribery Act 2010 the following offences have particular relevance for the award of public contracts:

- bribing a person to induce or reward them to perform a relevant function improperly;
- requesting, accepting, or receiving a bribe as a reward for performing a relevant function improperly; and
- failing to prevent bribery

2.2. Procurement Process, Timescales and Evaluation

- 2.2.1. The table below sets out the minimum requirements for each tender process depending on its value, once all the pre-procurement requirements set out within part 1 of these CPR's have been considered/undertaken and approval to proceed has been obtained (as set out in paragraph 1.4.1).
- 2.2.2. Advice should be sought from the Procurement Team and Legal Services as indicated in the tables below.

Value (Whole life including extensions)	Process/minimum requirements	Timescales	Evaluation	Publishing and Award
<p>Supplies/Services/ Works</p> <p>Up to £100,000 (this does not include aggregate spend for one-off purchases)</p>	<p>The Self-service guidance which can be found within the Procurement Portal on TOPdesk must be followed</p> <ul style="list-style-type: none"> Typically, securing minimum of 3 written quotations based on a specification is an effective way of demonstrating competition and value for money. You must use YORtender to help you comply with these requirements. Your requests of bidders should be proportionate to the value and complexity of your requirement Treating all potential suppliers equally and fairly is crucial for securing a successful 	<ul style="list-style-type: none"> Sufficient time must be given prior to going out to tender to finalise specification and to obtain relevant approvals as set out at paragraph 1.4.1 above. The request for quote documentation must be advertised for a minimum of 10 calendar days and is to be shared with all potential tenderers (except where approved otherwise by the Budget 	<ul style="list-style-type: none"> The evaluation of requests for quotation or bids should be based on objective, transparent criteria and fully disclosed to bidders in advance of them submitting their bids. The criteria should be either: <ul style="list-style-type: none"> Lowest “compliant” price; compliant meaning ability to meet the specification in full; (requirements are well defined); or Most Economically Advantageous (MEAT) – a mix of price and quality, setting out the % weighting allocated to price/quality and any sub criteria 	<ul style="list-style-type: none"> Decision to award must be obtained in accordance with the relevant section of paragraph 1.4.1 depending on value. All the Council’s expenditure over £500 is published externally and open to audit and public scrutiny. Any spend over £20,883k must be published on Contracts Finder in accordance with paragraph 2.1.2 above. Decision to award to be published using the contract details page on YORtender.

Value (Whole life including extensions)	Process/minimum requirements	Timescales	Evaluation	Publishing and Award
	<p>outcome and minimising the risk of a challenge.</p>	<p>Holder or Director).</p>	<p>used.</p>	
<p>Supplies/Services £100,000 - £213,47 (Threshold Level)*</p> <p>Support and advice from the Procurement Team and Legal Services should be sought throughout this process</p> <p>*Where the spend is within 10% of the relevant threshold (as identified within paragraph 1.5.1 above) and the Procurement Regulations have</p>	<ul style="list-style-type: none"> Adhere to the council governance frameworks for project management and produce a procurement timetable. Indicative contract values to be published as an open advert on YORtender and on Contracts Finder. Tender documentation to be published on YORtender. All tender submissions must be kept confidential, opened by an officer of appropriate seniority, independent and non-conflicted. Only fully complaint 	<ul style="list-style-type: none"> Sufficient time must be given prior to going out to tender to finalise specification and to obtain relevant approvals as set out at paragraph 1.4.1 above. Request for quote or tender documentation must be advertised for a minimum of 10 calendar days but can be increased if 	<p>The evaluation criteria to be set will depend on the level of complexity and need based on the desired outcome. Advice from the Procurement Team should be sought if the Service Area Lead is unsure which criteria is the most suitable.</p> <p>The criteria should be either</p> <ul style="list-style-type: none"> Lowest “compliant” price; compliant meaning ability to meet the specification in full (where requirements are well defined); or Most Economically Advantageous (MEAT) 	<ul style="list-style-type: none"> Decision to award must be obtained and published in accordance with the relevant section of paragraph 1.4.1 depending on value. All the Council’s expenditure over £500 is published externally and open to audit and public scrutiny. Any spend over £20,883k must be published on Contracts Finder in accordance with paragraph 2.1.2

Value (Whole life including extensions)	Process/minimum requirements	Timescales	Evaluation	Publishing and Award
<p>been applied, the publishing and award process for above threshold should be followed and advice from the Procurement Team or Legal Services should be sought</p>	<p>tenders should be accepted</p> <ul style="list-style-type: none"> • No negotiation with the existing or potential providers is permitted • At least two tender responses must be received. • The acceptance of the successful tender is concluded after evaluation 	<p>appropriate.</p> <ul style="list-style-type: none"> • Sufficient time must be given to evaluate all request for quote/tender submissions. 	<p>– a mix of price and quality, setting out the % weighting allocated to price/quality and any sub criteria used.</p> <ul style="list-style-type: none"> • The split should be 60% price and 40% quality with a minimum sub-weighting of 10% allocated to Social Value any variation from 10% to be addressed through pre-procurement governance. • Advice from the Procurement Team should be sought if the split of 60% Price and 40% cost is not considered appropriate and where it is agreed to be changed the change in split and justification for such change must 	<p>above.</p> <ul style="list-style-type: none"> • A notification of award must be advertised on the contracts register via YORtender . • The decision to award must be published using the contract details page on YORtender.

Value (Whole life including extensions)	Process/minimum requirements	Timescales	Evaluation	Publishing and Award
			be included in the pre-procurement Officer Decision report.	

Value (Whole life incl extensions)	Process/minimum requirements	Timescales	Evaluation	Publishing and Award
<p>Supplier/Services Over £213,477, and Works over £5,336,937 (Threshold Levels)</p> <p>Support and advice from the Procurement Team and Legal Services should be sought throughout this process</p>	<ul style="list-style-type: none"> Adhere to the council governance frameworks for project management and produce a procurement timetable. Project managers should ensure that procurement is undertaken in line with the Council's agreed project management framework, as appropriate. Use standard tender documentation, unless agreed otherwise with Procurement Team. <p>A suite of construction framework agreements and construction contracts have been developed to meet the majority of the Council's Works requirements and</p>	<ul style="list-style-type: none"> Sufficient time must be given prior to going out to tender to finalise specification, obtain relevant approvals as set out at 1.4.1 above. Tender documentation must be advertised for a minimum of 35 calendar days but can be decreased in certain circumstances with advice from the Procurement Team. Sufficient time must be given 	<p>The evaluation criteria to be set will depend on level of complexity and need based on the desired outcome. Advice from the Procurement Team should be sought if the Service Area Lead is unsure which criteria is the most suitable.</p> <p>The criteria should be either</p> <ul style="list-style-type: none"> Lowest "compliant" price; compliant meaning ability to meet the specification in full (where requirements are well defined); or Most Economically Advantageous (MEAT) – a mix of price and quality, setting out the % weighting allocated to price/quality and any sub criteria used. The split should be 60% 	<ul style="list-style-type: none"> Contract notice must be published on Find a Tender Services prior to going out to tender. All the Council's expenditure over £500 is published externally and open to audit and public scrutiny. Any spend over £20,883k must be published on Contracts Finder in accordance with paragraph 2.1.2. Decision to award must be obtained and published depending on value in accordance with paragraph 1.4.1. Pre-Award Letters must be sent to all tenderers/candidates using YORtender and a 10-day standstill period must be applied. Post Award Letters must be sent to all tenderers/candidates using YORtender once the 10-day standstill period above has expired.

	<p>should be considered.</p> <ul style="list-style-type: none"> • An open formal tender procedure must be used • Where only one bid is received, advice should be sought from the Procurement Team or Legal Services prior to evaluation. 	<p>to evaluate all request for quote/tender submissions</p>	<p>price and 40% quality with a minimum sub-weighting of 10% allocated to Social Value any variation from 10% to be addressed through pre-procurement governance.</p> <ul style="list-style-type: none"> • Advice from the Procurement Team should be sought if the split of 60% Price and 40% cost is not considered appropriate and where it is agreed to be changed the change in split and justification for such change must be included in the pre-procurement Officer Decision report.. 	<ul style="list-style-type: none"> • If a potential challenge or formal challenge is received support and advice must be obtained from Legal Services and extension of the standstill period considered. • Contract Award Notice must be published on Find a Tender Services.
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Value (Whole life incl extensions)	Process/minimum requirements	Timescales	Evaluation	Publishing and Award
<p>Works £100,000 to £4,733,252</p> <p>This process should only be used when it has been agreed between the Service Area Lead and the Business Services and Framework Management Lead that the Council Wide Contract (Highways and Construction Framework) cannot be used.</p>	<ul style="list-style-type: none"> Adhere to the council governance frameworks for project management and produce a procurement timetable. Restricted process to be followed, except where determined otherwise by the Service Area. Indicative contract values to be published as an open advert on YORtender and on Contracts Finder. Tender documentation to be published on YORtender. All tender submissions must be kept confidential and opened by an officer of appropriate seniority who is independent and non-conflicted. Only fully compliant tenders should be accepted. At least six tender responses must be received. 	<ul style="list-style-type: none"> Sufficient time must be given prior to going out to tender to finalise specification and to obtain relevant approvals as set out at paragraph 1.4.1 above. Tender documentation must be advertised for a minimum of 10 calendar days but can be increased if appropriate <p>Sufficient time must be given to evaluate all request for quote/tender</p>	<p>The evaluation criteria to be set will depend on the level of complexity and need based on the desired outcome and relevant legislation. Advice from the Procurement Team should be sought if the Service Area Lead is unsure which criteria is the most suitable.</p> <p>The criteria should be either</p> <ul style="list-style-type: none"> Lowest “compliant” price; compliant meaning ability to meet the specification in full; or (where requirements are well defined); or Most Economically Advantageous (MEAT) – a mix of price and quality, setting out the % weighting allocated to price/quality and any sub criteria used. The Price quality should be 60% price and 40% quality 	<ul style="list-style-type: none"> Decision to award must be obtained in accordance with the relevant section of paragraph 1.4.1 depending on value. All Council’s expenditure over £500 is published externally and open to audit and public scrutiny. Any spend over £20,883k must be published on Contracts Finder portal in accordance with paragraph 2.1.2 above. A notification of award must be advertised on the contracts register via YORtender. The decision to award must be published using the contract details page on

	<ul style="list-style-type: none"> • The acceptance of the successful tender is concluded after evaluation. • NEC form of contract to be used, except where determined otherwise in accordance with these CPR's. 	<p>submissions</p>	<p>with a minimum sub-weighting of 10% allocated to Social Value any variation from 10% to be addressed through pre-procurement governance.</p> <ul style="list-style-type: none"> • Advice from the Procurement Team should be sought if the split of 60% Price and 40% cost is not considered appropriate and where it is agreed to be changed the change in split and justification for such change must be included in the pre-procurement Officer Decision report 	<p>YORtender.</p>
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Value - all	Process/minimum requirements	Timescales	Evaluation	Publishing and Award
<p>Local Bus Services, Education Transport Bus, and Taxis (including where subsidised)</p> <p>Support and advice from the Procurement Team and Legal Services should be sought throughout this process</p>	<ul style="list-style-type: none"> • Invitations to tender should be made pursuant to section 89-91 of the Transport Act 1985 and all other relevant regulations and legislation. • Minimum subsidy contracts are deemed Concession Contracts and should be procured under the Concession Contracts Regulations 2016. • Invitations to tender should be advertised using the Council’s standard tender documentation which include: <ul style="list-style-type: none"> ○ a statement that the Council are not obligated to accept the cheapest tender. ○ a statement that, provided it is accompanied by a fully compliant bid, a tenderer may propose an alternative approach to meeting the transport requirement set out in the tender. ○ a statement to the effect that when deciding whether to accept a tender the Council has a statutory duty to consider the effect on competition in the local 	<ul style="list-style-type: none"> • Sufficient time must be given prior to going out to tender to finalise specification and to obtain relevant approvals as set out at paragraph 1.4.1 above. • Request for quote or tender documentation must be advertised for a minimum of 35 calendar days which can be decreased upon advice 	<p>Evaluation criteria depends on the level of complexity and need based on the desired outcome and relevant legislation. Procurement Team advice should be sought if the Service Lead is unsure which criteria is the most suitable.</p> <p>The criteria should be</p> <ul style="list-style-type: none"> • Lowest “compliant” price; compliant meaning ability to meet the specification in full; (where requirements are well defined); or • Most Economically Advantageous (MEAT) – a mix 	<ul style="list-style-type: none"> • Contract notice must be published on Find a Tender Services prior to going out to tender. • All Council’s expenditure over £500 is published externally and open to audit and public scrutiny. • Any spend over £20,883k must be published on Contracts Finder in accordance with 2.1.2 above. • decision to award must be obtained in accordance with the relevant section of paragraph 1.4.1 depending on value. • Pre-Award Letters are to be sent to all tenderers/candidates using YORtender and a 10-day standstill period must be applied. • Post Award Letter are to be sent to all tenderers/candidates using YORtender once the 10-day standstill period has expired. • If a potential challenge or formal challenge is received, support and advice must be obtained from Legal Services and extension of

	<p>market, and a combination of economy, efficiency, and effectiveness.</p> <ul style="list-style-type: none"> • Tender documentation to be published on YORtender 	<p>from the Procurement Team.</p>	<p>of price and quality, setting out the % weighting allocated to price/quality and any sub criteria used which shall include as a minimum 10% allocated to Social Value any variation from 10% to be addressed through pre-procurement governance.</p>	<p>the standstill period considered.</p> <ul style="list-style-type: none"> • Contract Award Notice must be published on Find a Tender Services.
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2.3. Tender Documentation

- 2.3.1. For all procurement exercises under the value of £100,000, the Council's standard tender documentation templates are to be used. The templates can be found on the Procurement Team portal on TOPdesk as part of the **Procurement under £100,000 checklist**.
- 2.3.2. For all procurement exercises over the value of £100,000, the Council's standard tender documentation templates are to be used. The templates can be obtained from the Procurement Team via the **Ask Us** portal on TOPdesk.
- 2.3.3. The tender documentation for all procurement exercises, except those under the value of £100,000 or where the Procurement Team advises differently should include:
- the national Standard Supplier Questionnaire ("SSQ") template for services and supplies (which can include additional supplier suitability questions);
 - the Supplier Questionnaire PAS 91 for works contracts;
 - clear instructions for the submission of pricing quotations;
 - a clear written specification;
 - a form of tender including anti-collusion certificate;
 - freedom of information declaration;
 - a pricing schedule;
 - Method statements;
 - insurance limits requirements; and/or
 - the approved terms and conditions

Service Area Leads should obtain advice from the Procurement Team with regards to what documentation is required when appropriate.

- 2.3.4. The Council must accept submissions of the information requested in the SSQ made via the European Single Procurement Documentation ("ESPD") and accept e-certis as a means of proof when certification is requested. It is mandatory for a potential supplier to complete Part 1 and Part 2 of the SSQ, or the ESPD template, for all procurements above the thresholds set out at paragraph 1.5.1.
- 2.3.5. All tender documentation must indicate the Council's obligation to publish commercial and other data provided by tenderers in accordance with Freedom of Information Regulations and the Local Government Transparency Code 2015, as amended.

Financial Requirements

- 2.3.6. Minimum standards of financial standing and financial appraisals are subject to the advice of the Head of Financial Services, but the requirements must not exceed a turnover of twice the whole-life contract value.
- 2.3.7. Minimum standards of financial standing at award stage should be considered

for all procurement exercises and contracts where, the estimated contract value exceeds the thresholds set out at paragraph 1.5.1, any relevant UK legislation and/or where other risk is identified, including where there would be a significant effect on the delivery of Council services in the event of provider default or cessation of supply or service.

- 2.3.8. Where considered appropriate following a financial appraisal of a potential provider against the Council's minimum standards of financial standing, the potential contractor may be required to provide a Parent Company Guarantee ("PCG") or a Performance Bond ("Bond") in a form acceptable to the Council for the duration of the contract (including any extension period). All financial requirements should be published up front, including the possibility of a Bond or PCG. Any such PCG or Bond shall only be required where it is deemed that there is a specific ascertainable risk or where group company financial information forms part of the financial appraisal.

3. Exceptions

- 3.1. These CPR's are to be followed, at all times except in certain circumstances. A Service Area should seek approval from the following should they wish to deviate from these CPR's;
- 3.1.1. The relevant Head of Service if the value of the contract is under £100,000 or
 - 3.1.2. the relevant Director (or authorised officer who has been delegated this authority in accordance with the Council's Constitution) if the value contract is above £100,00 but under £213,477; or
 - 3.1.3. the Director of Governance & Communities following authorisation by the relevant Director (or authorised officer who has been delegated this authority in accordance with the Council's Constitution) if the value of the contract is above £213,477.
- 3.2. All requests for exception must be on the standard template available on TOPdesk.
- 3.3. A Key Decision will be required for any exception request that is likely to:
- result in the council incurring expenditure or the making of savings (including the receipt or loss of income) over £350,000; and/or
 - have significant effects on communities living or working in an area comprising of two or more electoral wards or electoral divisions in the area of the local authority.

and the Key Decision process must be followed as set out in paragraph 1.4 of these CPR's.

3.4. For the avoidance of doubt,

3.4.1. an exception request **does need to be completed**:

- where the value of the contract is below £213,477; and
- where the Service Area are direct awarding a contract under an established Council-Wide contract, Framework Agreement or DPS which does not allow for direct award as a compliant call off procedure;

3.4.2. an exception request **does not need to be completed** where the contract is being procured by way of call off from a Council-Wide Contract, established Framework Agreement or DPS and the Service Area comply with the procedures set out within the Council-Wide Contract, established Framework Agreement or DPS; and

all authorised exceptions should be submitted to the Procurement Team via TopDesk for reporting and monitoring purposes.

3.5. There may be exceptions to the requirements of the CPRs which may be allowed in the following circumstances:

3.5.1. where important urgent repairs are required to maintain and ensure efficient and continuous service delivery due to the breakdown, or other failure, of buildings, plant, appliances, machinery or ICT equipment or software. Where the urgent repair relates to a repairs & maintenance item, and where the value exceeds £5,000, a retrospective request for exception is acceptable;

3.5.2. where renewals, repairs and upgrades to buildings, plant, appliances, machinery, vehicles or ICT equipment or software can only be efficiently carried out and most economically supplied with regards to time, cost, and speed of delivery by the original contractor or supplier (or their successors or other sole specialists);

3.5.3. where urgent alternative arrangements are required to maintain the delivery of critical services due to the failure of an existing service provider or supplier;

3.5.4. where an emergency exists as defined in the Council's Emergency Plan;

3.5.5. when the Council is properly required to adopt other procedures in accordance with the relevant regulations;

3.5.6. works orders placed with utility companies (e.g., For re-routing cables

- or pipework);
 - 3.5.7. where there is only one potential supplier of the required supplies, services or works due to market factors and/or service exigency;
 - 3.5.8. where the contract is reserved so that the competition is not available to the wider market and is; limited to certain types of providers, such as SMEs and Voluntary, Community and Social Enterprises, and/or based on supplier location
 - 3.5.9. where contracts are extended beyond their specified term;
 - 3.5.10. where contract are to be modified during their specified term;
 - 3.5.11. for contracts which the Council's Monitoring Officer advises through authorised exception fall within the scope of regulation 32 of the Procurement Regulations;
 - 3.5.12. for contracts which the Council's Monitoring Officer advises falls within the specific exclusions set out in regulation 10 and regulation 14 of the Procurement Regulations; and
 - 3.5.13. where there are other exceptional circumstances.
- 3.6. Where the Services Area believes one of the above apply and/or the contract or modification is likely to be above the threshold set out at paragraph 1.5 above or is subject to the Procurement Regulations, advice must be sought from the Procurement Team and Legal Services before any exception request is submitted for approval.
- 3.7. In all instances a written request for exception, clearly documenting the reasons (including reference to previous exceptions if applicable and how value for money can be evidenced) must be provided in advance to the approving officer before the exception can be approved. All authorised exceptions should be submitted to the Procurement Team via TopDesk for reporting and monitoring purposes.

DEFINITIONS AND GLOSSARY

Academy/Academies	A school that is directly funded by central government and independent of local authority control
Regulation 84	Is Regulation 84 of the Public Contracts Regulations 2015 which sets out the decisions made throughout the procurement process which must be recorded and retained
Budget Holder	The manager with responsibility for the budget concerned and with delegated authority to award the contract
Cabinet Member	Elected member of the Council who is responsible for the Cabinet Portfolio under which the service area sits
Central Purchasing Bodies	A contracting authority (as defined by the Procurement Regulations) providing centralised purchasing activities and ancillary activities
Commissioning Strategy	The document by which the Council's Commissioning and Procurement Team sets out its priorities and objectives, and how it will achieve them
Concessions	A Concession Contract is where the Council grants a Service Provider the right to provide a service and rather than pay the Service Provider for providing the service. The Council transfers the opportunity of the market to the Service Provider, along with the demand risk in relation to the level of the market. Revenue from fees paid by service users is kept by the Service Provider and used to meet the costs incurred in delivering the service and potentially to make a profit
Constitution	The set of legal, administrative, and legislative principles by which the Council is governed, especially in relation to the rights of the people it governs.
Contract	Document setting out various particulars for the provision of supplies, services and works
Contracts Finder	An online database which enables suppliers to search for contract opportunities, across the nation and sectors.
Council Plan	The document by which the Council sets out its priorities

	and objectives, and how it will achieve them
Council	Refers to North Lincolnshire Borough Council unless otherwise specified
CPR	Contract Procedure Rule
Director	Officer who is responsible for a Service Area or grouping of services of the Council
Disaggregate	The splitting down of requirements into lower value packages
ESPD	European Single Procurement Document consists of a self- declaration as preliminary evidence of certification

Finance Manual	
Framework Agreement	An overarching agreement with a supplier where prices, specifications and terms are pre-agreed, but where there is no obligation to purchase. Requirements are “called off” as and when required over a specified timeframe.
Key Decision	Definition available at http://democracy.northlincs.gov.uk/meetings/key-decisions/
Maintained School	Primary and secondary schools funded by central government via the local authority, not charging fees to students
Monitoring Officer	The Monitoring Officer ensures the lawfulness and fairness of Council decision making and serves as the guardian of the Council's Constitution and the decision-making process. Responsibilities include advising the Council on the legality of its decisions, providing guidance to councillors and officers on the Council's Constitution and its powers and assisting the Standards Committee in its role of promoting and maintaining high standards of conduct and probity within the Council.
Risk Management	The identification of potential risks and the arrangement of contingency plans to manage or minimise those risks
Service Area	An area of the Council that is responsible for specific service delivery
Service Area Lead	Means the lead officer responsible for the procurement exercise or contract within the Service Area
SME	Means Small and Medium sized Enterprises and is defined as: Any business with fewer than 250 employees and either an annual turnover below £45m or a total balance sheet less than £40m.
UK Legislation	means any applicable Act of Parliament, subordinate legislation within the meaning of Section 21(1) of the Interpretation Act 1978, exercise of the royal prerogative, enforceable community right within the meaning of Section 2 of the European Communities Act 1972, regulatory policy, guidance or industry code, judgment of a relevant court of law, or directives or requirements
VAT	Value Added Tax
YORtender	Supplier Contract Management System (or equivalent e-tendering system) web portal by which the Council effectively advertises and manages quotations and tenders

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NORTH LINCOLNSHIRE COUNCIL

COUNCIL

COUNCIL PLAN 2022-2025

1. OBJECT AND KEY POINTS IN THIS REPORT

- 1.1 To seek approval of the North Lincolnshire Council Plan 2022-2025.
- 1.2 The Council is requested to adopt Council Plan as part of the Policy Framework.

2. BACKGROUND INFORMATION

- 2.1 The Council Plan 2022-2025 is the key corporate document which sets the strategic direction and outlines the priorities for the Council over the next three years.
- 2.2 The Council's Executive has the responsibility to formulate and set strategy, which is contained in the Council Plan. Council is asked to adopt the Plan and the Executive is charged with its delivery. It is within the scope of the Executive to review and update the Council Plan, over its lifespan as deemed appropriate.
- 2.3 The Council is currently working to a Council Plan covering the period 2018-2021. It was reviewed in 2020; however, to ensure that strategic activity remains focused on priority areas and potential opportunities, a new Council Plan spanning the period 2022-2025 is proposed.
- 2.4 The draft Plan provides a strong framework that guides council activity and investment for the benefit of North Lincolnshire. It identifies future priorities and desired outcomes which are evidence based, including local policy drivers, regional, national, and international contexts, residents' feedback, and key macro and locally based data related to economic, environment, deprivation, and health matters. Much of the evidence base is contained in the recently completed North Lincolnshire Profile 2022.

COUNCIL PLAN 2022-25

- 2.5 To determine the priorities for the new Plan an assessment has been made of the on-going relevance of the priorities and desired outcomes detailed in its predecessor. The outcomes for North Lincolnshire being:

- **SAFE**
- **WELL**
- **PROSPEROUS**
- **CONNECTED**

With the priorities for the Council set out as:

- Keeping people safe and well
- Enabling resilient and flourishing communities
- Enabling economic growth and renewal

2.6 Having analysed and assessed data and information as set out in 2.3 above, it has been determined that both the current outcomes and priorities above remain relevant as the frame around which to build the new Plan. However, it is proposed that a fourth priority be added to explicitly identify how the Council will work to deliver against its intentions:

- Providing value for money for local taxpayers

2.7 Within each priority, a number of areas of focus have been identified. These are designed to help align Council activity on matters of particular significance and to take positive action over the lifespan of the new Plan.

Priority: Keeping people safe and well – to achieve a longer and better quality of life for our residents	
	1. Safeguard and support everyone to live safely and independently within their families and communities
	2. Ensure the care sector is of high quality and care leavers receive the on-going support they need
	3. Reduce health inequalities and promote wellbeing

Priority: Enabling resilient and flourishing communities – to develop greater resilience and community spirit and enable them to identify and meet their ambitions	
	1. Maintain a safe, clean and green local environment
	2. Support our volunteers and create stronger communities with access to a range of leisure, culture and other facilities
	3. Make it easier and safer to travel sustainably

Priority: Enabling economic growth and renewal – there are highly skilled jobs and opportunities for a highly skilled workforce and the local economy supports efforts to reduce carbon emissions	
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	1. Encourage personal ambition through access to high quality education, guidance and opportunities to upskill and gain experience through volunteering
	2. Regenerate town centres and expand the local economy to secure more highly skilled jobs and encourage the business sector to transition to a net-zero carbon position
	3. Work with home builders to develop high quality and environmentally sustainable houses

Priority: Providing value for money for local taxpayers – high quality services are provided for residents and the Council is well-led	
	1. Get it right for our customers, first time
	2. Meet our environmental responsibilities
	3. Maintain our position as a well-managed and well-governed Council and remain financially sustainable

2.8 A series of key indicators under each priority will be used to show how the Council is progressing against the Plan. It is proposed that reporting on these will form part of an annual Council Plan Progress Report overseen by the Executive.

2.9 The draft Council Plan 2022-2025 is included at Appendix One.

3 OPTIONS FOR CONSIDERATION

3.1 For Council to approve and adopt the Council Plan 2022-2025 as part of the Council's policy framework.

4. ANALYSIS OF OPTIONS

4.1 In producing the draft Council Plan 2022-2025 to this point, the following key steps have been taken, which provide assurance that the process has been rigorous, and evidence led:

- A review of the on-going relevance of the aims and objectives of the previous Plan
- The collation and analysis of relevant data and intelligence related to both the macro and micro-environment
- Engagement with residents
- Based on evidence, the identification of key areas of focus to be addressed by the Plan
- Consideration by the Governance Scrutiny Panel

4.2 The Council Plan 2022-2025 sets the strategic direction of the Council over that timeframe and as part of the Council's Policy Framework enables good governance and effective investment planning.

- 4.3 Non-approval of the Plan may result in the pursuit of strategic activity which does not meet, or address, identified and/or arising issues and/or opportunities.
5. **FINANCIAL AND OTHER RESOURCE IMPLICATIONS (e.g. LEGAL, HR, PROPERTY, IT, COMMUNICATIONS etc.)**
- 5.1 Resources associated with the delivery of the aims and intentions of the Council Plan 2022-2025, are reflected in the Council's Medium Term Financial Plan.
6. **OTHER RELEVANT IMPLICATIONS (e.g. CRIME AND DISORDER, EQUALITIES, COUNCIL PLAN, ENVIRONMENTAL, RISK etc.)**
- 6.1 A council-wide approach to assessing and monitoring the implications and risks associated with the Council Plan form part of the Council's strategic risk management activities.
- 6.2 The areas of focus related to sustainability, energy efficiency, carbon reduction and environmental protection contained within the Plan, support the intentions of the Council's Green Futures Strategy.
7. **OUTCOMES OF INTEGRATED IMPACT ASSESSMENT (IF APPLICABLE)**
- 7.1 Stage One assessment has been completed which has concluded that a full IIA is not required in support of the new Council Plan 2022-2025.
8. **OUTCOMES OF CONSULTATION AND CONFLICTS OF INTERESTS DECLARED**
- 8.1 At its meeting of 5th May 2022, the Council's Governance Scrutiny Panel considered the draft Council Pan 2022-2025 and the intent and priorities contained therein. Having reviewed the report and information presented to it, the Panel recommended that Council approves the Council Plan 2022-2025 and that it also be adopted as part of the Council's policy framework.
- 8.2 Ongoing consultation and collaboration with a range of national, regional, place partners and other key stakeholders is integral to the production and delivery of the Council Plan.
- 8.3 An engagement survey with the residents' panel was undertaken which demonstrated agreement on the priorities and areas of focus identified. Additional feedback will be used in developing delivery of action and activity.
- 8.4 There are no conflicts of interests associated with this report.

9. **RECOMMENDATIONS**

- 9.1 For Council to approve and adopt the Council Plan 2022-2025 as part of the Council's policy framework.

DIRECTOR: GOVERNANCE AND COMMUNITIES

Church Square House
SCUNTHORPE
North Lincolnshire
DN15 6NR
Author: James O'Shaughnessy
Date: 6th May 2022

Background Papers:

Council Plan 2018-21
North Lincolnshire Profile 2022
Residents Survey



North Lincolnshire Council
Council Plan
2022-2025

Foreword

Welcome to your Council Plan for 2022-2025 which sets out our ambition for North Lincolnshire and highlights the priorities for the next three years. We are proud of our place, communities and people and are committed to work hard to achieve our ambition for North Lincolnshire to be the best place for our residents.

Throughout the pandemic we saw the absolute best of North Lincolnshire, with individuals, partners, communities, businesses and voluntary groups joining forces with the Council to protect, reassure and support the most vulnerable.

As we look to the future, we will continue to lead by example and promote positive behaviours. Our priorities ensure that people remain at the heart of everything we do and working with our partners, we aim to maximise our impact by enabling and encouraging our residents, communities and businesses to achieve their full potential.



Cllr Rob Waltham MBE
Leader, North Lincolnshire Council



Peter Thorpe
Chief Executive,
North Lincolnshire Council



About North Lincolnshire

North Lincolnshire is a fantastic place and is home to just under 173,000 people, with the population expected to grow by a further 4,000 over the next 20 years.

The area is home to around 39,000 children and young people, who benefit from above average quality early years and school settings.

People can enjoy extensive footpaths, cycleways, open spaces and 66 public gardens and parks, five of which have Green Flag status. There are a wide range of sport, leisure and cultural venues that promote local history and heritage.

Across North Lincolnshire, there are just under 77,000 homes situated across 86 settlements, ranging from the busy urban centre of Scunthorpe to tranquil rural hamlets. The average house price is lower than the national average.

There are around 5,700 active enterprises based in North Lincolnshire and employment levels are good, with 40% of local jobs classed as highly skilled. North Lincolnshire is benefiting from Towns Fund investment which has already delivered improved access to gigabit broadband for many people and businesses.

Life expectancy is improving, and our older population is growing faster than the national average. Over the next 20 years, we expect a 72% rise in the number of residents aged 85 and over. Our older residents that need care and support can expect high quality care provision across both residential and home care.



About Your Council...

We are a public body elected to serve the whole of North Lincolnshire. Currently the Council consists of:

- 43 elected members, representing 17 electoral wards across North Lincolnshire.
- Conservatives 28 seats.
- Labour 14 seats.
- Independent 1 seat.

Elections are next due to be held in May 2023.

The role of North Lincolnshire Council is to work with you and our partners to:

- Lead the place of North Lincolnshire.
- Promote prosperity and wellbeing.
- Prevent harm.
- Protect the most vulnerable.

From social care to education, highways to waste collection and planning to trading standards, the work of the Council touches the lives of everybody, every day.

To achieve better outcomes for the people and place of North Lincolnshire we:

- Directly provide hundreds of essential local services.
- Jointly provide services with our partners.
- Buy support from organisations that have the right skills to provide on our behalf.





Strong Partnerships, Better Outcomes

As a leader of place, the Council works alongside our partners to ensure we achieve our ambition, these include:

- Housing providers, including Ongo, Guinness Homes and Riverside Housing.
- Emergency services, including Humberside Fire & Rescue, Humberside Police and East Midlands Ambulance Service.
- Voluntary and community organisations, town and parish councils, and leisure and sporting organisations.
- Schools and colleges.
- National health services.

The Council is also represented on regional partnerships and boards to promote North Lincolnshire for investment and other opportunities.

Our Values and Culture

We maximise our impact by staying true to our values: Our organisational goals are to be:

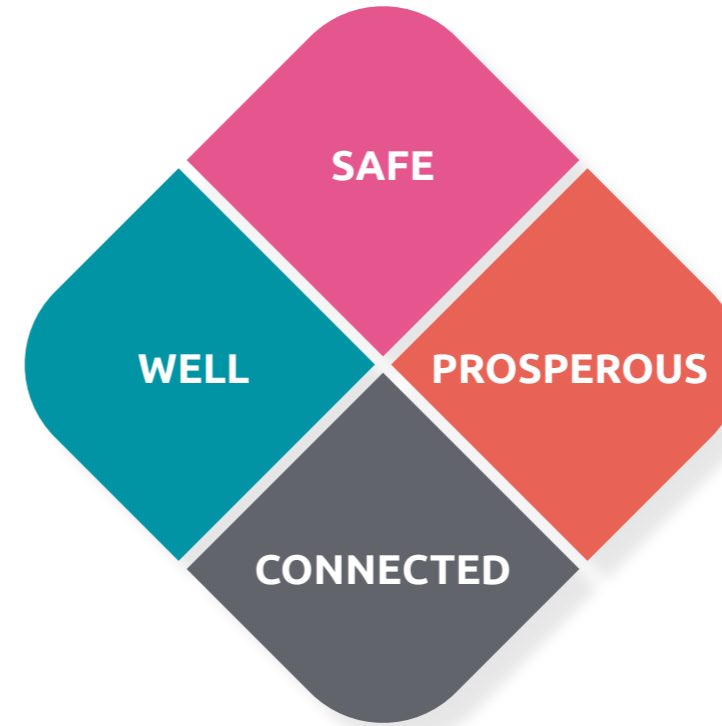
- **Equality of opportunity** so everyone can have a good quality of life.
- Striving for **excellence** and high standards.
- Using our resources wisely and with **integrity**.
- Promoting **self-responsibility** and people having choice and control over their own lives.
- **Progressive** and **enabling** in our approach.
- Financially and environmentally **sustainable**.



Priorities and Outcomes

This Council Plan benefits everyone living, working and visiting North Lincolnshire.

Meeting these priorities will enable the Council and our partners to achieve the outcomes for the people and place of North Lincolnshire.



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Priority	Our Intention
Keeping people safe and well – to achieve a longer and better quality of life for our residents.	<ol style="list-style-type: none"> 1. Safeguard and support everyone to live safely and independently within their families and communities. 2. Ensure the care sector is of high quality and care leavers receive the on-going support they need. 3. Reduce health inequalities and promote wellbeing.
Enabling resilient and flourishing communities – to develop greater resilience and community spirit and enable people to identify and meet their ambitions.	<ol style="list-style-type: none"> 1. Maintain a safe, clean and green local environment. 2. Support our volunteers and create stronger communities with access to a range of leisure, culture and other facilities. 3. Make it easier and safer to travel sustainably.
Enabling economic growth and renewal – to ensure there are highly skilled jobs and opportunities for a highly skilled workforce and the local economy supports efforts to reduce carbon emissions.	<ol style="list-style-type: none"> 1. Encourage personal ambition through access to life-long, high quality education, guidance, training and opportunities to upskill and gain experience through volunteering. 2. Regenerate town centres and expand the local economy to secure more highly skilled jobs and encourage the business sector to transition to a net-zero carbon position. 3. Work with home builders to develop high quality and environmentally sustainable homes.
Providing value for money for local taxpayers – to ensure high quality services are provided for residents and the Council is well-led.	<ol style="list-style-type: none"> 1. Get it right for our customers, first time. 2. Meet our environmental responsibilities. 3. Maintain our position as a well-managed and well-governed council and remain financially sustainable.



Strategies

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The Council Plan provides a strong frame which guides activity across the Council. This is supported and achieved through several key strategies.





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How the Council is Funded

The budget to run the Council in 2022/23 is £170m. Your council tax helps to fund our work to improve outcomes for the people of North Lincolnshire. Council tax provides approximately half of the total cost of the services we provide.

Business rates, government grants and fees for specific activities are also used to fund the work of the Council.

What your council tax is spent on and what we do with it

Council tax figures are based on a Band A property in 2022/23, which equates to an annual Council Tax charge of £1,076 (this excludes the contribution to support local police and fire services). These achievements relate to the year 2021/22.

£596



Safe adults and children

- ▼ Handled over 80,000 calls via the Care Call personal alarm service
- ▼ 91% of people who used adult social care services said that those services made them feel safe and secure
- ▼ 99% stated that local children's services make children feel safer
- ▼ 100% of care leavers aged 17-18 were in suitable accommodation
- ▼ Prevented over 830 potential cases of homelessness

£111



Clean, green and safe places to live

- ▼ Managed 66 parks and gardens, with 5 awarded Green Flag status
- ▼ Responded to 2,495 fly tipping incidents
- ▼ Made over 7.5 million waste and recycling collections, 99.9% completed on time
- ▼ Planted over 92,000 trees with the help of volunteers
- ▼ 98% of the population lived in an area not requiring improvement to air quality
- ▼ The vast majority of food establishments graded good or better for hygiene
- ▼ 98% of street lights requiring repair were fixed in 7 days

£77



Safe and accessible transport

- ▼ Established 'Just Go' service with over 14,000 users
- ▼ Filled over 14,000 potholes
- ▼ During winter 2021/22, gritter lorries were out 58 times, travelling 22,500 miles and using 3,000 tonnes of salt
- ▼ Invested in cycle pathways to promote cycling for leisure and travel

£60



Good health and wellbeing

- Work to reduce the prevalence of adult smoking has had positive results
- During the second lockdown, 400 fitness classes were live streamed to over 5,600 people
- Worked with NHS partners to deliver the Covid-19 vaccination programme, including hosting outreach sessions for hard-to-reach groups
- Health and Wellbeing Activators helped over 1,400 people to keep active
- The 'Walking for Health' scheme attracted over 2,250 participants and organised almost 160 walks

£36



Excellent education, childcare and skills

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- 9 out of 10 of children attended good or outstanding schools
- 94% of children received their first choice of school
- Over 70% of pupils passed both their English and Maths GCSE, and 49% achieved a strong pass, obtaining grade 5 or above.
- North Lincolnshire Youth Hub launched to help young people improve their skills, acquire knowledge and find work.
- Local adult education service received a judgment of Good in its Ofsted inspection report

£35



Leisure and culture

- Provided a comprehensive community wellbeing offer, including leisure centres, library facilities, sports grounds and cultural venues.
- Organised a varied events programme, making the most of community assets such as Normanby Hall Country Park, The Baths Hall and The Plowright Theatre.
- Welcomed 80,000 visits each month to our leisure and culture facilities.
- Helped to attract 3.3 million visitors to North Lincolnshire.
- Delivered over 90,000 books to children through the Imagination Library scheme.

£35



Thriving Communities (Customer Access, Taxation and Benefits)

- Awarded £400,000 in community grants to support local initiatives
- Promoted the Volunteer Hub to signpost volunteers to organisations needing help
- 97% of households received superfast or better broadband coverage
- £82m of Business Rates and £94m of Council Tax collected
- Responded to around 85,000 calls. 100% of Contact Centre customers said their query was resolved first time
- Held 196 Council meetings, with 143 members of the public taking part

£16



Growing business, skills and children

- Made 17,000 contacts with local businesses to promote local prosperity
- Saw a 33% reduction in people claiming unemployment benefit
- Over 700 jobseekers and 40 businesses attended the North Lincolnshire Jobs Expo
- Applied for funding to transform the local economy and environment, receiving £10.7m from the Future High Street Fund, £20.9m from the Towns Fund and £1.3m from the UK Community Renewal Fund

£11



Quality housing

- Enabled the completion of 352 homes
- Made 218 planning approvals for domestic residences, with 87% of household planning applications determined within the target of 8 weeks
- 42 private sector homes made free from hazards
- Supported over 150 households to improve the energy efficiency of their homes
- Launched a new 'scores on the doors' style accreditation scheme for landlords in order to protect renters

£67



Capital Financing

- Supported the development of 25 apartments to enable more people with dementia to live independently with their families.
- Developed Community Hubs in Crowle, Brigg and Ashby, with Epworth Hub on the way. This will bring the total number to 8.
- Delivered 5 units of accommodation for rough sleepers, with a further 4 to follow.
- Created a new northern junction for the M181 and invested £5m to resurface the A15 between the Humber Bridge and Barnetby Top.

£32



Inflation



Keeping on Track

To achieve the outcomes we want for the people and place of North Lincolnshire, the Council regularly analyses data and information and consults with residents to ensure we make good decisions and can identify emerging priorities and new opportunities. We also review and report on our progress and achievements. Some recent achievements include:

- 100% of adult care provided by the Council is rated good or outstanding.
- 9 out of 10 schools are rated by Ofsted as good or outstanding.
- 100% of contact centre customers said they had their issue resolved first time.
- Adult education and community learning was rated good in the most recent Ofsted inspection.
- Increased the number of our parks and green spaces that have the internationally recognised Green Flag Award to five.

- We rank 4th nationally for satisfaction with ease of access to community transport.
- Woodlands Memorial Gardens and Kingsway Gardens were awarded the judges' distinction for excellence by the Royal Horticultural Society.
- Awarded the highest national Gold Standard in the Defence Employer Recognition Scheme regarding the Council's commitment to the Armed Forces Covenant.
- Due to the recent full digitisation of the Local Land Charges Service, 99.5% of land registry searches are now completed within 10 days.
- Installation of energy efficiency upgrades at Waters' Edge Visitors Centre has reduced the energy costs and the carbon footprint of the facility.
- Launched 'Live Well North Lincolnshire', a one-stop service for residents to stay informed and connected to community organisations, support, and activities to improve health and wellbeing.

Work in Progress

Over the next three years, the Council has plans to invest £100m in North Lincolnshire. Future developments include:

- Scunthorpe town centre works including the urban park and the Enterprise and Innovation Hub.
- Improving the environment – planting one tree for every person in North Lincolnshire.
- Continued roll-out of full-fibre broadband.
- Electric vehicle charging points installed in council owned car parks.
- Cameras installed in fly-tipping hotspots.
- Developments on the Humber (Able Marine Energy Park and Humber Freeport)



A Listening Council

The Council encourages and welcomes feedback from residents on where improvements could be made. Some recent examples include:

You Said	We Did
There should be more options for people with dementia to live with their families for longer.	Supported the development of 25 two-bed apartments to enable more people with dementia to live independently with their families.
There is often litter in lay-bys on local roads.	Installed 75 new extra-capacity bins in lay-bys that will be emptied at least once a week.
I want to be reassured that my rented home is well-maintained.	Launching a new 'scores on the doors' style accreditation scheme for landlords.
It is difficult to get around more rural parts of North Lincolnshire by public transport.	Launched JustGo North Lincs, an on-demand bus service operating in areas where there are no existing regular bus services.
Fly tipping is a problem in my area.	Introduced a new way of collecting waste in parts of Scunthorpe.
Can I receive my Council Tax Bill on-line?	Council Tax e-billing introduced for 2022-2023.
The Council needs to do more about anti-social behaviour.	Implemented a Public Space Protection Order.



Playing your Part

We welcome the contribution you make and encourage more people to get involved by:

- Providing feedback to the Council on the matters that most concern you and completing the Council's Community Survey.
- Joining the Council's Residents Panel.
- Getting involved in your community or considering volunteering.
- Using our on-line services.
- Taking care of yourselves and others.
- Protecting and taking pride in your environment.
- Registering to vote in elections.



How you can get involved and find out more



www.northlincs.gov.uk



North Lincolnshire Council



NORTH LINCOLNSHIRE COUNCIL

COUNCIL

PERIODIC ELECTORAL REVIEW – FINAL RECOMMENDATIONS OF THE LOCAL GOVERNMENT BOUNDARY COMMISSION FOR ENGLAND

1. OBJECT AND KEY POINTS IN THIS REPORT

- 1.1 To update and inform Council of the final recommendations of the Local Government Boundary Commission for England (LGBCE) for new electoral arrangements for North Lincolnshire Council.
- 1.2 The final recommendations come into effect from and form the basis of the council's next scheduled elections in May 2023 following an Order made, laid before, and approved by parliament by this Autumn, when it will then become law.

2. BACKGROUND INFORMATION

- 2.1 Council has received reports at previous meetings -
 - (i) confirming that the LGBCE in phase1 of the electoral review concluded that the appropriate council size continue to be 43 councillors for North Lincolnshire, and
 - (ii) in phase2 of the review, on the LGBCE's initial draft recommendations for warding arrangements in terms of numbers, names, boundaries and the number of councillors to be elected in each ward in North Lincolnshire.
- 2.2 The Council approved and made submissions to the LGBCE as part of both phases of the electoral review and also approved a response/representation to initial draft recommendations for electoral arrangements at its meeting on 14 December 2021. The LGBCE had consulted residents, key stakeholder groups and organisations, town and parish councils and North Lincolnshire Council on the initial draft recommendations. It then analysed all responses/representations received and reached conclusions on its final recommendations publishing them on 1 March 2022. The LGBCE's final recommendations are attached as an appendix.

3. OPTIONS FOR CONSIDERATION

- 3.1 The LGBCE' final recommendations for electoral arrangements in North Lincolnshire amend some of its initial draft recommendations following the consultation period and state that as well as its residents being represented by 43 councillors, the same as current arrangements, North Lincolnshire should have 19 wards, two more than there are now, and boundaries of six existing wards should change. There will be seven three-councillor wards, ten two-councillor wards and two single-councillor wards across the borough. The LGBCE's report on its final recommendations is attached as an appendix and its tables and maps on pages 9 to 19 detail the final recommendations for each area of North Lincolnshire.
- 3.2 As previously stated, the final recommendations come into effect from and form the basis of the council's next scheduled elections in May 2023 following an Order made, laid before, and approved by parliament by this Autumn, when it will then become law.
- 3.3 The final recommendations for new wards and amending boundaries of existing wards will therefore require work to commence in due course on reviewing current arrangements for polling districts and places within those wards.
- 3.4 There are no other proposed options, and the council will be required by the expected parliamentary approved Order and subsequent law to implement the LGBCE's final recommendations.

4. ANALYSIS OF OPTIONS

- 4.1 The Council is required to receive the LGBCE's final recommendations.
- 4.2 The LGBCE consider that its final recommendations will provide for good electoral equality while reflecting community identities and interests where such evidence was received during consultation. They will also provide equality of representation and provide effective and convenient local government, so reflecting the three statutory criteria of the Local Democracy, Economic Development and Constriction Act 2009.
- 4.3 Any proposed changes to polling districts and places within new wards and those where boundaries have been changed will be submitted to and require the approval of Council prior to implementation for the North Lincolnshire Council elections in May 2023.

5. FINANCIAL AND OTHER RESOURCE IMPLICATIONS (e.g. LEGAL, HR, PROPERTY, IT, COMMUNICATIONS etc.)

- 5.1 There are no direct resource implications associated with consideration of this report.

6. **OTHER RELEVANT IMPLICATIONS (e.g. CRIME AND DISORDER, EQUALITIES, COUNCIL PLAN, ENVIRONMENTAL, RISK etc.)**

6.1 There are no other relevant implications.

7. **OUTCOMES OF INTEGRATED IMPACT ASSESSMENT (IF APPLICABLE)**

7.1 An Integrated Impact Assessment is not required for this report.

8. **OUTCOMES OF CONSULTATION AND CONFLICTS OF INTERESTS DECLARED**

8.1 No conflicts of interest have been identified or declared.

8.2 The LGBCE has been responsible for leading on all public consultation aspects of the electoral review process.

8.3 Council will be consulted on, and its approval sought before any proposed changes to polling districts and places are implemented for the new wards and where boundaries have been recommended to change by the LGBCE.

9. **RECOMMENDATIONS**

9.1 (i) That Council receives the LGBCE's final recommendations for electoral arrangements in North Lincolnshire as detailed in its document attached as an appendix; and

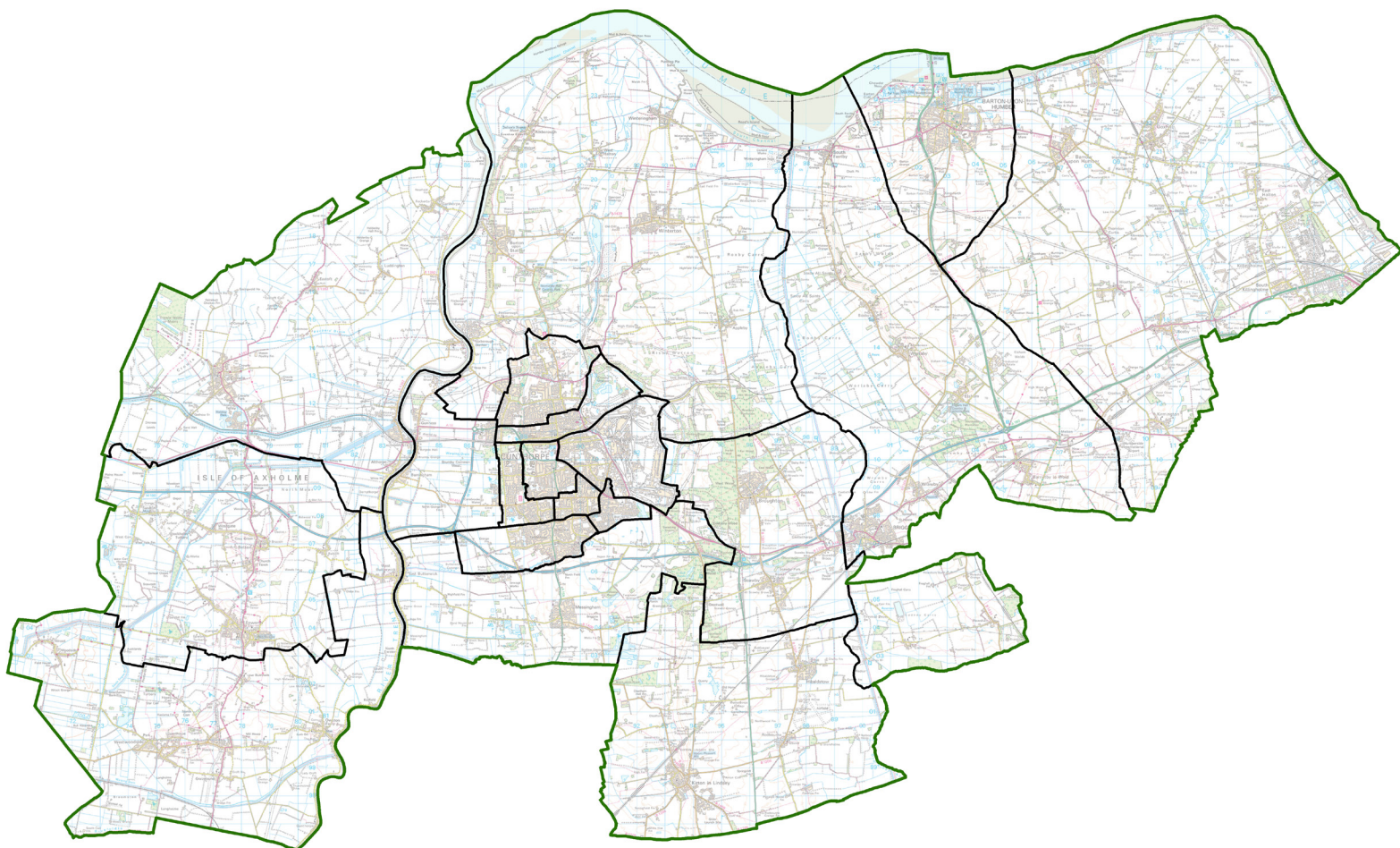
(ii) that the commencement of a review of Polling Districts and Places as appropriate for new wards and where boundaries have been recommended to change by the LGBCE be approved.

DIRECTOR: GOVERNANCE AND COMMUNITIES

Church Square House
30-40 Church Square
SCUNTHORPE
North Lincolnshire
DN15 6NL
Author: R A Mell
Date: 27 April 2022

Background Papers used in the preparation of this report:
LGBCE Electoral Reviews Technical Guidance April 2014.

Reports to full Council 25 January, 25 February, 26 July 2021, 14 December 2021.
LGBCE Final Recommendations on New Electoral Arrangements for North
Lincolnshire Council.



New electoral arrangements for North Lincolnshire Council Final Recommendations

March 2022

Translations and other formats:

To get this report in another language or in a large-print or Braille version, please contact the Local Government Boundary Commission for England at:

Tel: 0330 500 1525

Email: reviews@lgbce.org.uk

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A note on our mapping:

The maps shown in this report are for illustrative purposes only. Whilst best efforts have been made by our staff to ensure that the maps included in this report are representative of the boundaries described by the text, there may be slight variations between these maps and the large PDF map that accompanies this report, or the digital mapping supplied on our consultation portal. This is due to the way in which the final mapped products are produced. The reader should therefore refer to either the large PDF supplied with this report or the digital mapping for the true likeness of the boundaries intended. The boundaries as shown on either the large PDF map or the digital mapping should always appear identical.

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Introduction

Who we are and what we do

1 The Local Government Boundary Commission for England (LGBCE) is an independent body set up by Parliament.¹ We are not part of government or any political party. We are accountable to Parliament through a committee of MPs chaired by the Speaker of the House of Commons. Our main role is to carry out electoral reviews of local authorities throughout England.

2 The members of the Commission are:

- Professor Colin Mellors OBE (Chair)
- Andrew Scallan CBE (Deputy Chair)
- Susan Johnson OBE
- Peter Maddison QPM
- Amanda Nobbs OBE
- Steve Robinson
- Jolyon Jackson CBE (Chief Executive)

What is an electoral review?

3 An electoral review examines and proposes new electoral arrangements for a local authority. A local authority's electoral arrangements decide:

- How many councillors are needed.
- How many wards or electoral divisions there should be, where their boundaries are and what they should be called.
- How many councillors should represent each ward or division.

4 When carrying out an electoral review the Commission has three main considerations:

- Improving electoral equality by equalising the number of electors that each councillor represents.
- Ensuring that the recommendations reflect community identity.
- Providing arrangements that support effective and convenient local government.

5 Our task is to strike the best balance between these three considerations when making our recommendations.

¹ Under the Local Democracy, Economic Development and Construction Act 2009.

6 More detail regarding the powers that we have, as well as the further guidance and information about electoral reviews and review process in general, can be found on our website at www.lgbce.org.uk

Why North Lincolnshire?

7 We are conducting a review of North Lincolnshire Council ('the Council') as its last review was carried out in 2001 and we are required to review the electoral arrangements of every council in England 'from time to time'.² Additionally, some councillors currently represent many more or fewer electors than others. We describe this as 'electoral inequality'. Our aim is to create 'electoral equality', where the number of electors per councillor is as even as possible, ideally within 10% of being exactly equal

8 This electoral review is being carried out to ensure that:

- The wards in North Lincolnshire are in the best possible places to help the Council carry out its responsibilities effectively.
- The number of electors represented by each councillor is approximately the same across the district.

Our proposals for North Lincolnshire

9 North Lincolnshire should be represented by 43 councillors, the same number as there are now.

10 North Lincolnshire should have 19 wards, two more than there are now.

11 The boundaries of all but 11 wards should change.

12 We have now finalised our recommendations for electoral arrangements for North Lincolnshire.

How will the recommendations affect you?

13 The recommendations will determine how many councillors will serve on the Council. They will also decide which ward you vote in, which other communities are in that ward, and, in some cases, which parish council ward you vote in. Your ward name may also change.

14 Our recommendations cannot affect the external boundaries of the district or result in changes to postcodes. They do not take into account parliamentary constituency boundaries. The recommendations will not have an effect on local

² Local Democracy, Economic Development & Construction Act 2009 paragraph 56(1).

taxes, house prices, or car and house insurance premiums and we are not able to take into account any representations which are based on these issues.

Review timetable

15 We wrote to the Council to ask its views on the appropriate number of councillors for North Lincolnshire. We then held two periods of consultation with the public on warding patterns for the district. The submissions received during consultation have informed our final recommendations.

16 The review was conducted as follows:

Stage starts	Description
16 March 2021	Number of councillors decided
18 May 2021	Start of consultation seeking views on new wards
26 July 2021	End of consultation; we began analysing submissions and forming draft recommendations
5 October 2021	Publication of draft recommendations; start of second consultation
13 December 2021	End of consultation; we began analysing submissions and forming final recommendations
1 March 2022	Publication of final recommendations

Analysis and final recommendations

17 Legislation³ states that our recommendations should not be based only on how many electors⁴ there are now, but also on how many there are likely to be in the five years after the publication of our final recommendations. We must also try to recommend strong, clearly identifiable boundaries for our wards.

18 In reality, we are unlikely to be able to create wards with exactly the same number of electors in each; we have to be flexible. However, we try to keep the number of electors represented by each councillor as close to the average for the council as possible.

19 We work out the average number of electors per councillor for each individual local authority by dividing the electorate by the number of councillors, as shown on the table below.

	2021	2027
Electorate of North Lincolnshire	129,632	136,802
Number of councillors	43	43
Average number of electors per councillor	3,015	3,181

20 When the number of electors per councillor in a ward is within 10% of the average for the authority, we refer to the ward as having 'good electoral equality'. Sixteen of our proposed wards for North Lincolnshire will have good electoral equality by 2027, with two wards, Burringham & Gunness and Ridge, having 11% more and 11% fewer electors than the district average by 2027, respectively.

Submissions received

21 See Appendix C for details of the submissions received. All submissions may be viewed on our website at www.lgbce.org.uk

Electorate figures

22 The Council submitted electorate forecasts for 2027, a period five years on from the scheduled publication of our final recommendations in 2022. These forecasts were broken down to polling district level and predicted an increase in the electorate of around 6% by 2027.

23 In response to the draft recommendations, we received some comments about the levels of development in the north area of Scunthorpe. We have looked at the

³ Schedule 2 to the Local Democracy, Economic Development and Construction Act 2009.

⁴ Electors refers to the number of people registered to vote, not the whole adult population.

information provided, but believe the developments mentioned are reflected in the forecast figures or otherwise fall beyond the five-year forecast period that the legislation tells us to consider. We therefore remain satisfied that the information provided by the Council is the best available at the present time. We have used these figures to produce our final recommendations.

Number of councillors

24 North Lincolnshire Council currently has 43 councillors. The Council, the Labour Group on the Council ('Labour Group') and a local resident all expressed support for the retention of the existing council size. Having looked at the evidence provided, we concluded that keeping this number the same will ensure the Council can carry out its roles and responsibilities effectively.

25 We therefore invited proposals for new patterns of wards that would be represented by 43 councillors.

26 In response to our warding patterns and draft recommendations consultations, we received a number of general comments about the number of councillors. However, no significant new evidence was provided to persuade us to move away from a council size of 43. We have therefore used this number as the basis of the final recommendations.

Ward boundaries consultation

27 We received 51 submissions in response to our consultation on ward boundaries. These included district-wide proposals from the Council and the Labour Group. The remainder of the submissions provided localised comments for warding arrangements in particular areas of the district.

28 The Council's scheme provided a mixed pattern of two- and three-councillor wards, with four wards having variances over 10% from the average by 2027. The submission stated that the Council did not wish to have single-councillor wards, but did not provide compelling reasoning. The Labour Group provided a mixed pattern of single-, two- and three-member wards with two wards over 10%. We noted that there were a number of areas of agreement between the proposals.

29 We noted the comments from the Council about single-councillor wards, but we were not of the view that the representation provided strong evidence against the inclusion of single-councillor wards. We therefore considered all options as part of the draft recommendations, when seeking to balance the statutory criteria.

30 Our draft recommendations also took into account local evidence that we received, which provided further evidence of community links and locally recognised

boundaries. In some areas we considered that the proposals did not provide for the best balance between our statutory criteria and so we identified alternative boundaries.

31 As a result of the unprecedented circumstances related to the outbreak of Covid-19, we were unable to conduct a visit to the area to look at the various different proposals on the ground. However, we were able to conduct a detailed, virtual tour of North Lincolnshire. This helped us to decide between the different boundaries proposed.

32 Our draft recommendations were for 10 three-councillor wards, six two-councillor wards and one single-councillor ward. We considered that our draft recommendations provided for good electoral equality while reflecting community identities and interests where we received such evidence during consultation.

Draft recommendations consultation

33 We received 60 submissions during consultation on our draft recommendations. These included district-wide comments from the Council and North Lincolnshire Council Labour Group ('Labour Group'). The majority of the other submissions focused on specific areas, particularly our proposals in Axholme; Burton upon Stather & Winterton, Crosby & Park and Town; Ashby and Kingsway with Lincoln Gardens; and Ridge.

34 We note the comments from Kirton in Lindsey Town Council about the impact of a Community Governance Review on the town council. However, Community Governance Reviews are the responsibility of the local authority.

35 Our final recommendations are based on the draft recommendations, subject to some minor modifications to the wards in Axholme, Burton upon Stather & Winterton, Crosby & Park, Ridge and Town.

Final recommendations

36 Our final recommendations are for seven three-councillor wards, 10 two-councillor wards and two single-councillor wards. We consider that our final recommendations will provide for good electoral equality while reflecting community identities and interests where we received such evidence during consultation.

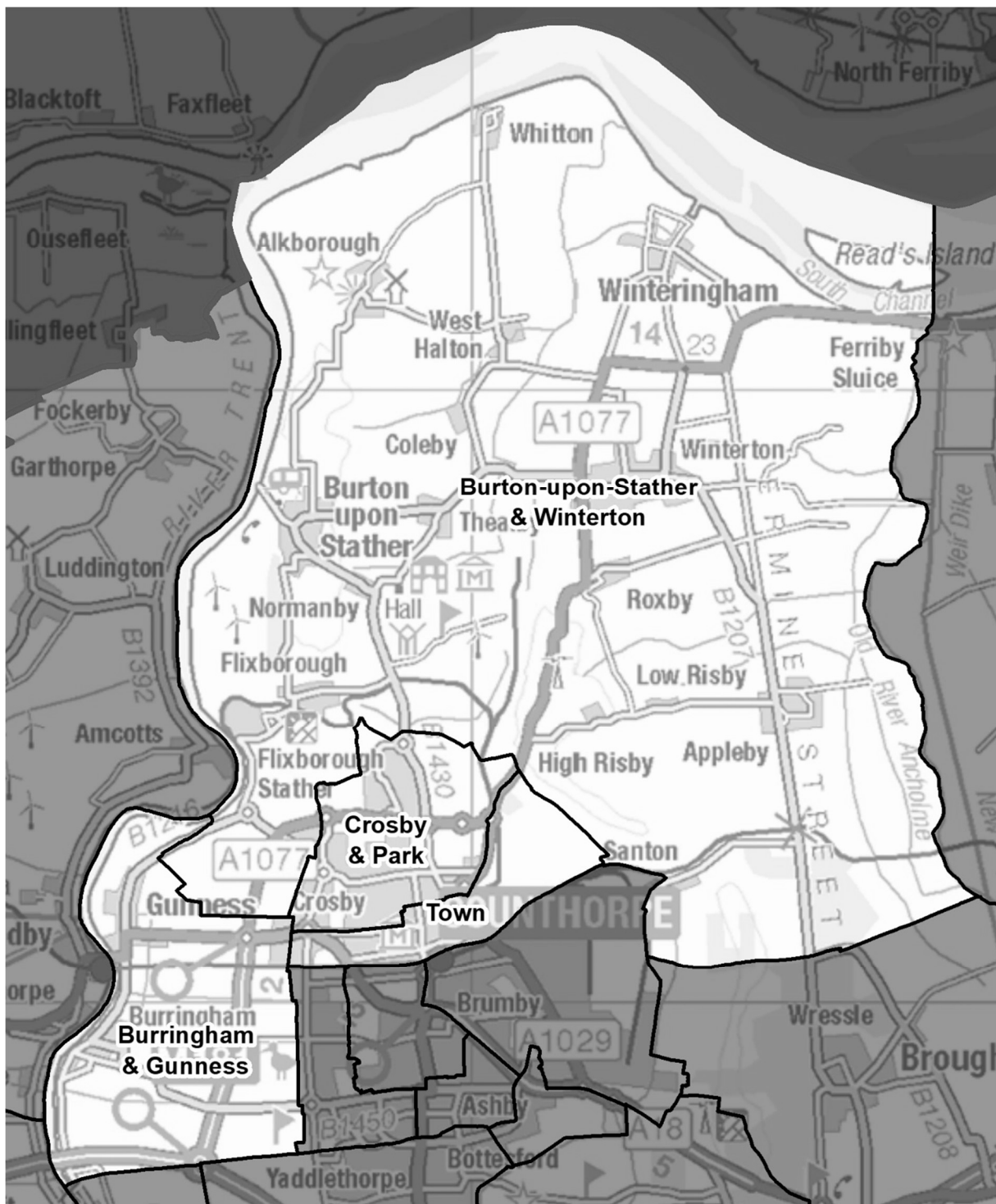
37 The tables and maps on pages 9–19 detail our final recommendations for each area of North Lincolnshire. They detail how the proposed warding arrangements reflect the three statutory⁵ criteria of:

⁵ Local Democracy, Economic Development and Construction Act 2009.

- Equality of representation.
- Reflecting community interests and identities.
- Providing for effective and convenient local government.

38 A summary of our proposed new wards is set out in the table starting on page 27 and on the large map accompanying this report.

North Scunthorpe and rural area



Ward name	Number of councillors	Variance 2027
Burringham & Gunness	1	11%
Burton upon Stather & Winterton	3	10%
Crosby & Park	3	5%
Town	2	-4%

Burton upon Stather & Winterton, Crosby & Park and Town

39 In response to the draft recommendations, we received a mixture of support and objections for these wards. While the Council expressed support, they argued that Crosby & Park ward should be renamed Crosby, Park & Skippingdale to reflect the inclusion of the Skippingdale Estate in the ward. Burton upon Stather Parish Council expressed support for our proposed arrangement, particularly the retention of three councillors for its ward. Flixborough Parish Council put forward a general comment about remaining viable as a parish.

40 The Labour Group, Scunthorpe Charter Trustees, Councillors Ali, O'Sullivan and Yeadon and a number of residents objected to the proposals in this area. Comments included a rejection of the argument that the draft recommendations 'unite' the Skippingdale Estate in a single ward. Respondents argued that the parished area of the Skippingdale Estate is separated by Luneberg Way from urban unparished Scunthorpe to the east, adding that the areas are different developments. The submissions also objected to the fact that the inclusion of Skippingdale Estate necessitated the existing boundary between Crosby & Park and Town wards to be changed to secure electoral equality. They argued that our proposed boundary moves away from the identifiable boundary of Berkeley Street and requires a number of residential streets to be split, which does not reflect community links.

41 A number of respondents also argued that the draft proposals for Crosby & Park and Town wards created wards with relatively poor electoral equality at 8%, and that development in Scunthorpe area was likely to worsen electoral equality in the town wards to over 10%. They stated that this level of under-representation would be detrimental in one of the more deprived areas of the district.

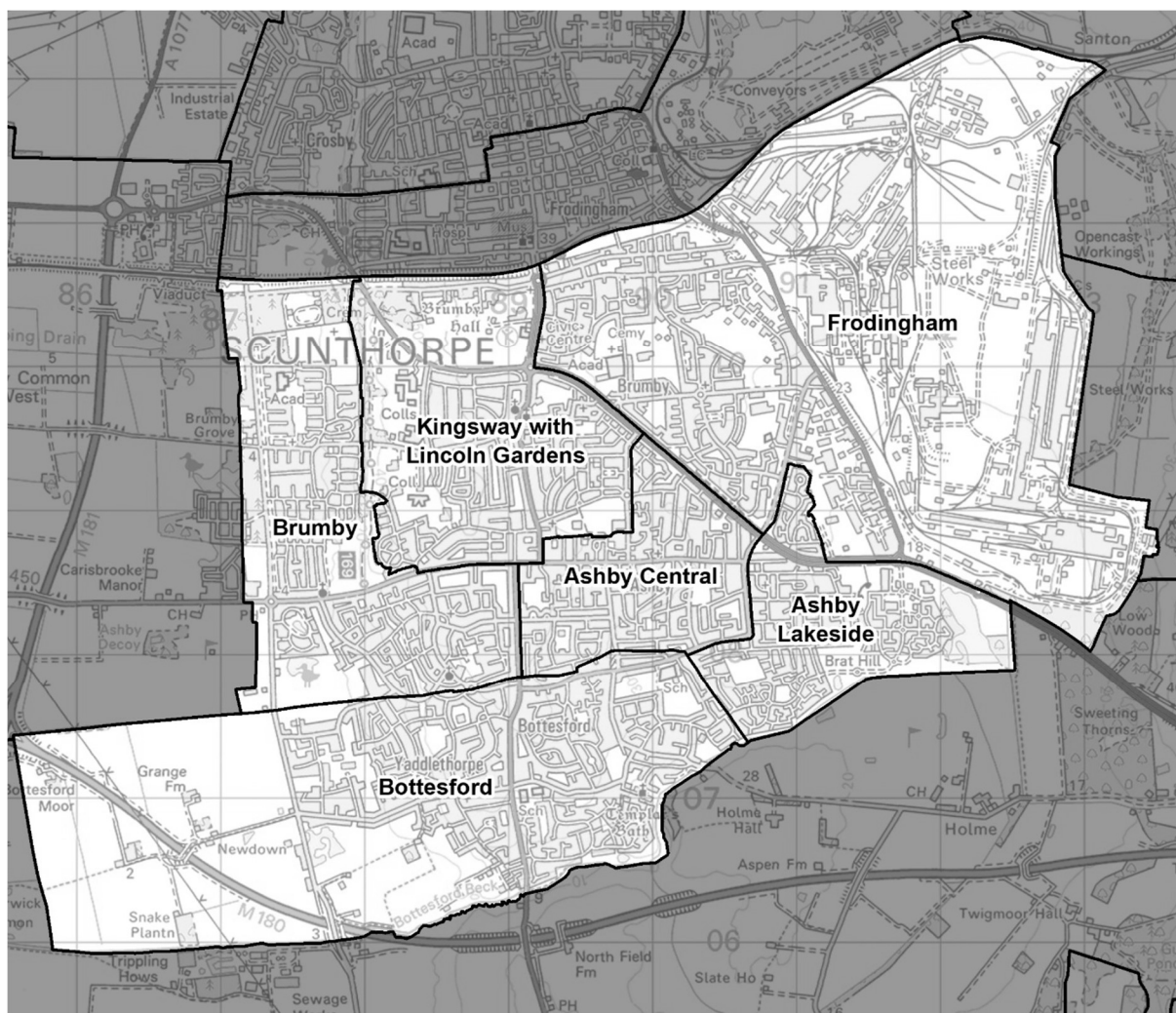
42 We have given careful consideration to the evidence received. We note the support for the draft proposals, but also the significant objections. As stated, the draft proposals sought to unite an area, but the evidence in response suggests that this has not been the case. In addition, we acknowledge the argument that bringing in the Skippingdale area has weakened the boundary between Crosby & Park and Town wards.

43 Therefore, on balance, we are persuaded to move away from the draft recommendations. We propose retaining the Skippingdale area of Flixborough parish in our Burton upon Stather & Winterton ward. While this worsens electoral equality there from 2% fewer electors than the district average by 2027 to 10% more, it does avoid the need to divide Flixborough parish. In addition, such an arrangement enables us to revert to the existing ward boundary between Crosby & Park and Town wards, while also improving electoral equality in those wards to 5% more and 4% fewer than the district average by 2027.

Burringham & Gunness

44 In response to the draft recommendations, we received general support for this ward from the Council, the Labour Group, Scunthorpe Charter Trustees, Ashby Parkland Parish Council and a number of residents. We received no other significant comments and are therefore confirming Burringham & Gunness ward as final.

South Scunthorpe



Ward name	Number of councillors	Variance 2027
Ashby Central	2	-3%
Ashby Lakeside	2	-7%
Bottesford	3	-3%
Brumby	3	-7%
Frodingham	2	-4%
Kingsway with Lincoln Gardens	2	4%

Ashby Central, Ashby Lakeside, Brumby, Frodingham and Kingsway with Lincoln Gardens

45 In response to the draft recommendations, the Council expressed support for the Ashby Central, Brumby and Kingsway with Lincoln Gardens wards. However, the Council requested that the Grange Farm area is transferred from Ashby Lakeside ward to Frodingham ward. We also received significant support for the draft recommendations in this area from the Labour Group, Scunthorpe Charter Trustees, Councillor Rayner and a number of residents. There was explicit support for

including the Grange Farm area in Ashby Lakeside ward, with some respondents rejecting any suggestion that it is moved to Frodingham ward. A resident questioned why New Brumby and Old Brumby are not included in Brumby ward.

46 We have given careful consideration to the evidence received, noting the support for many of our draft proposals for this area. We note the comment from a resident about Brumby ward. However, our draft Brumby ward reflects the existing ward of the same name, the retention of which was locally proposed. With support for this ward and no other objections, we do not propose changes to it.

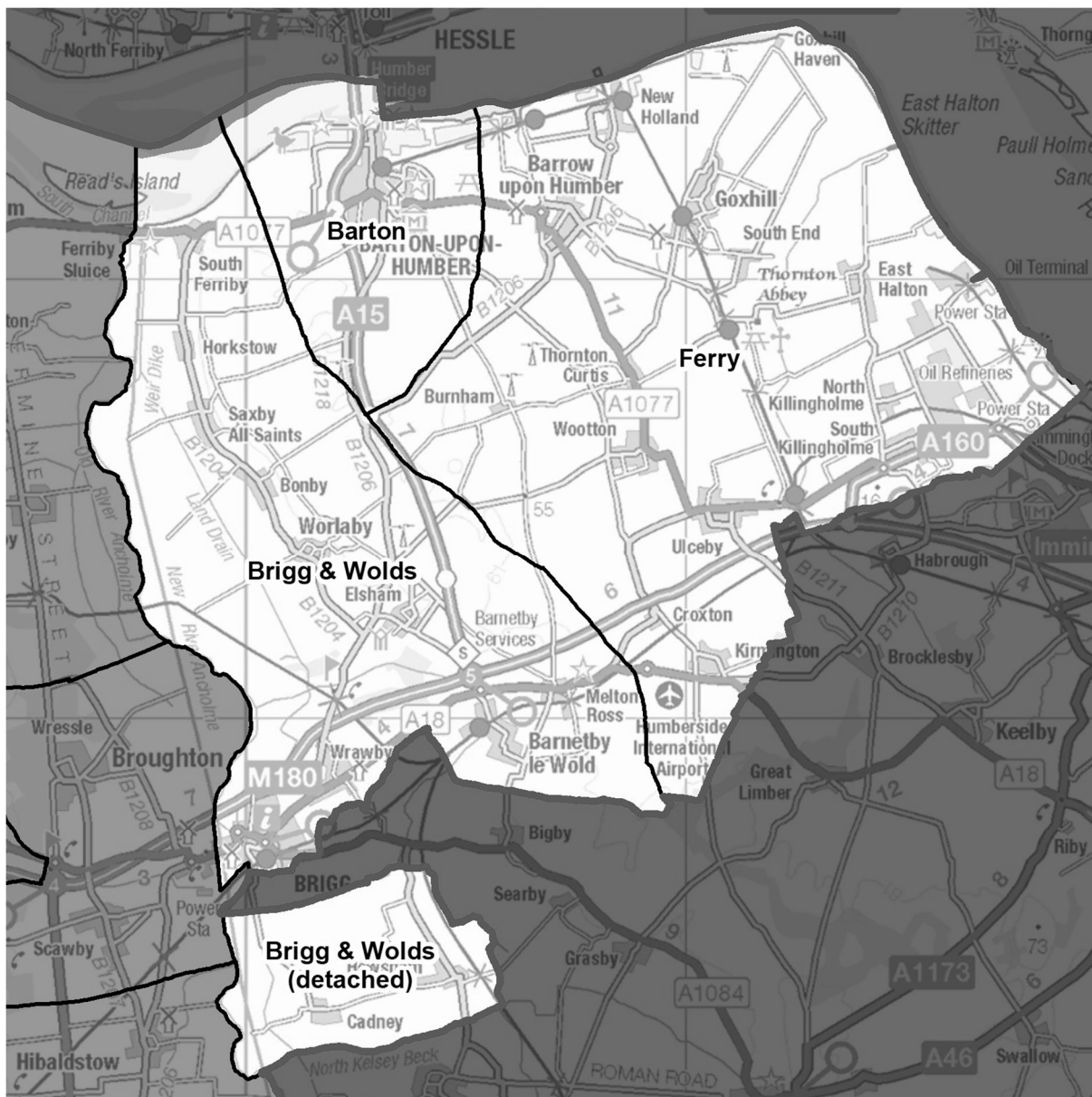
47 We acknowledge the Council's objection to the inclusion of the Grange Farm area in Ashby Lakeside ward, but also note the significant support for this proposal. As discussed in our draft recommendation report, transferring this area to Frodingham ward would worsen electoral equality in Ashby Lakeside to 16% fewer electors than the district average by 2027. Given the support for our proposed Ashby Lakeside and Frodingham wards and the poor level of electoral equality that would result from transferring the Grange Farm area, we are confirming our draft recommendation for these two wards as final. Given the support for the other wards in the area, we are also confirming these wards as final.

Bottesford

48 In response to the draft recommendations, we received general support for this ward. However, a number of respondents objected to the proposed ward name of Bottesford & Yaddlethorpe. Respondents argued that Bottesford is a longstanding name for the area that reflects the town and parish of that name and that adding 'Yaddlethorpe', while ignoring other parts of the area, did not make sense.

49 We have given careful consideration to the evidence received, noting the support for the Bottesford & Yaddlethorpe ward, but objections to its name. We note that the Council expressed support for the name, but we acknowledge the concerns of the objectors and accept that the inclusion of 'Yaddlethorpe' in the name does not provide clarity. Therefore, while we are confirming the boundaries of our draft proposals here as final, we are reverting to the Bottesford name.

East North Lincolnshire



Ward name	Number of councillors	Variance 2027
Barton	3	3%
Brigg & Wolds	3	8%
Ferry	3	-3%

Barton and Ferry

50 In response to the draft recommendations, the Council and Labour Group expressed support for the Barton and Ferry wards. Ulceby Road Safety Group stated that Ferry ward is too large and should be divided, but did not provide any suggestion for how to divide it. We received no other significant comments.

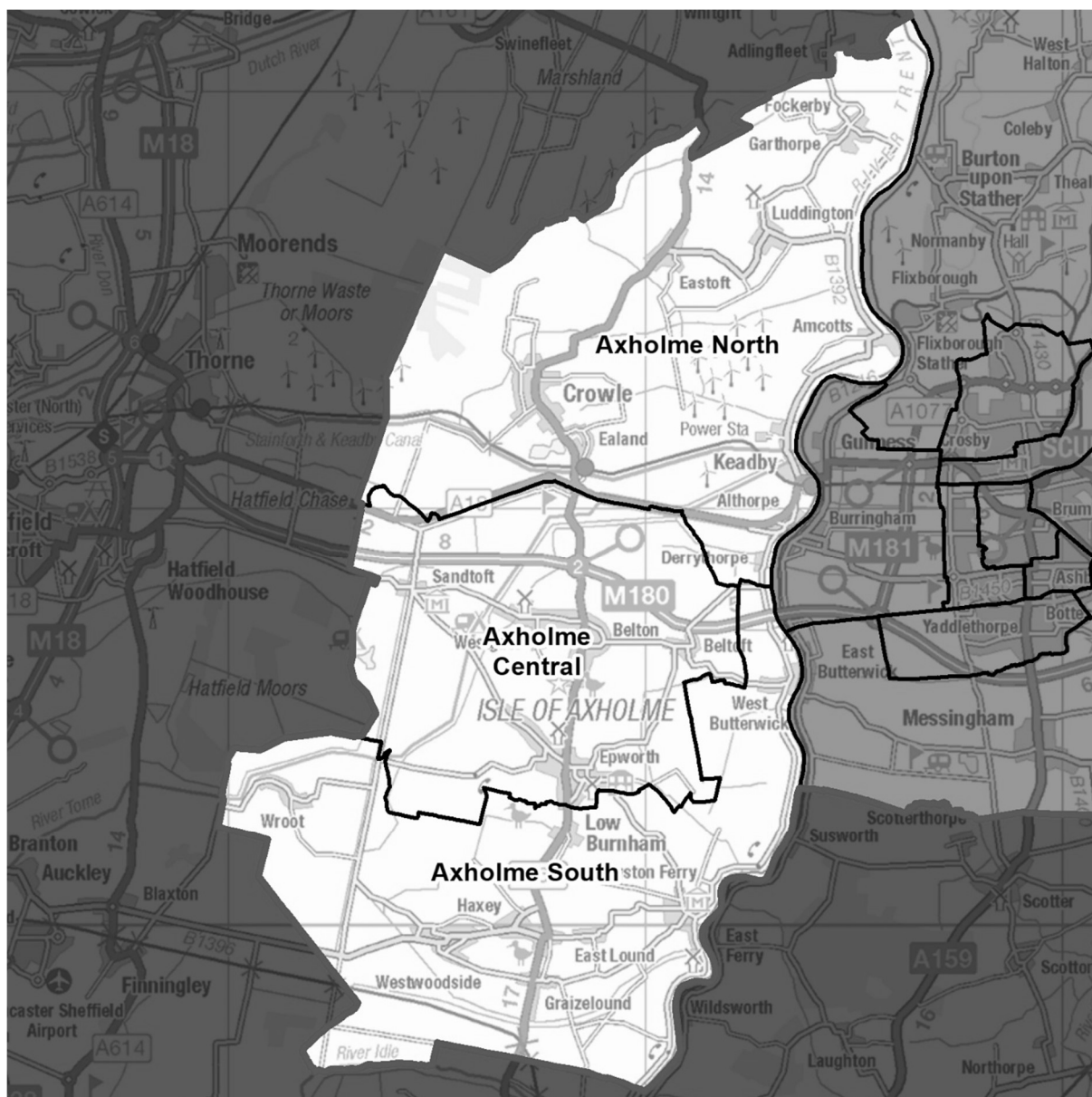
51 We have given careful consideration to the evidence received. We note the comment from Ulceby Road Safety Group, but it is not clear how Ferry ward should be divided or what benefit this would give. The proposed ward comprises whole parishes and secures good electoral equality. In addition, there was support for this ward. We are therefore confirming Barton and Ferry wards as final.

Brigg & Wolds

52 In response to the draft recommendations, we received a mixture of support and objections. The Council expressed support for this ward. The Labour Group and a number of residents expressed concern about the inclusion of Cadney parish in Brigg & Wolds ward. Some respondents stated that Cadney has better links to towns in Ridge ward or towns outside the district. Other submissions connected their objection to the fact that the draft recommendations rejected consideration of a two-member Ridge ward (discussed below) on the basis that our proposals for Cadney parish would worsen electoral equality in Ridge ward to 11%. One respondent expressed support for the inclusion of Cadney parish in Brigg & Wolds, arguing that it has much closer links there.

53 We have given careful consideration to the evidence received. We are not persuaded by the argument that Cadney has better links to towns in Ridge ward and remain of the view it is best served in Brigg & Wolds ward. As discussed in the Messingham and Ridge section (below), we are now proposing a two-councillor Ridge ward with a variance of 11% fewer, which should allay concerns about simply placing Cadney parish in Ridge ward to justify that ward. We are therefore confirming our draft recommendation for Brigg & Wolds ward as final.

West North Lincolnshire



Ward name	Number of councillors	Variance 2027
Axholme Central	2	-3%
Axholme North	2	6%
Axholme South	2	-5%

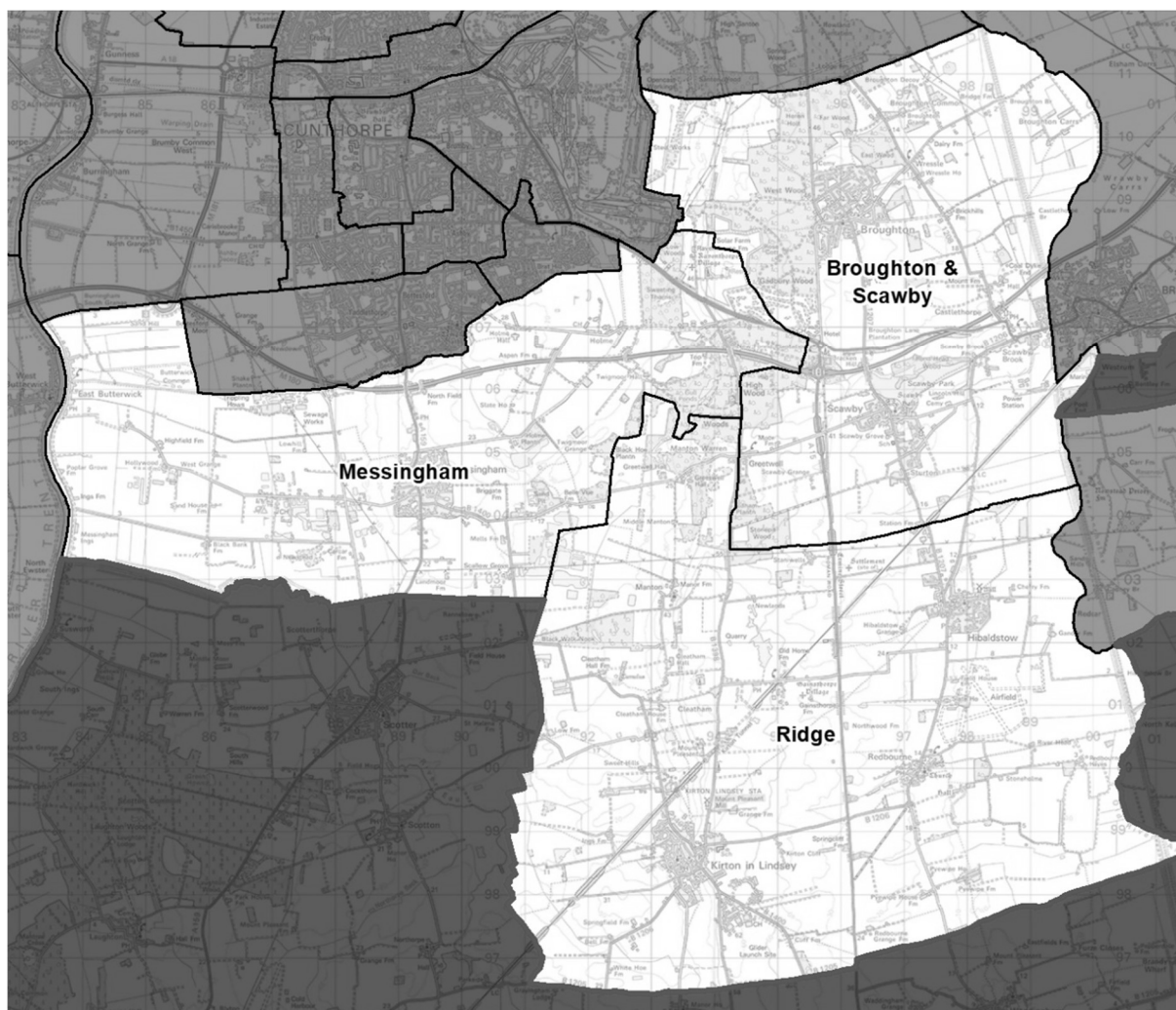
Axholme Central, Axholme North and Axholme South

54 In response to the draft recommendations, we received a mixture of support and objections to our proposals. The Council, Haxey Parish Council and a resident expressed general support for the proposed wards. A resident stated that Axholme South ward should be named 'Haxey & District'.

55 The Labour Group, Scunthorpe Charter Trustees and around 13 local residents objected to our proposal to move away from the existing arrangement of three two-councillor wards to two three-councillor wards. Respondents put forward a range of objections, including an argument that the M180 effectively divides the area north to south and that while Belton parish straddles the motorway, the town itself lies to the south and has links into other parishes to the south including Epworth. Respondents argued that Belton does not have any significant links to Crowle & Ealand parish, which itself is a focus for parishes to the north. Respondents also stated that the small improvements achieved by the move to two three-member wards do not justify wards that do not reflect communities as well as the existing wards. Finally, submissions pointed out the area to the north is served by a different school to the area to the south.

56 We have given careful consideration to the evidence received, acknowledging the support for our draft recommendations. However, we also note the persuasive argument that our draft proposals created wards that join areas with limited links. We are persuaded to return to the existing three two-councillor wards, with an Axholme North ward focused around Crowle & Ealand parish, an Axholme Central ward focused around Belton and Epworth parishes, and an Axholme South ward focused around Haxey. These wards secure good electoral quality, with the wards forecast to have 3% fewer, 6% more and 5% fewer electors than the district average by 2027, respectively.

South North Lincolnshire



Ward name	Number of councillors	Variance 2027
Broughton & Scawby	2	1%
Messingham	1	5%
Ridge	2	-11%

Broughton & Scawby

57 In response to the draft recommendations, we received some general support for this ward from the Council, the Labour Group and Scunthorpe Charter Trustees. We received no other significant comments. We are therefore confirming our draft recommendations for a two-councillor Broughton & Scawby ward as final.

Messingham and Ridge

58 In response to the draft recommendations, the Council expressed support for our draft recommendations for a three-councillor Ridge ward. However, we also received a number of objections. The Labour Group objected to the Ridge ward name, but also requested further consideration is given to a single-councillor

Messingham ward, comprising East Butterwick and Messingham parishes. Scunthorpe Charter Trustees and a number of residents also requested that further consideration is given to a single-councillor Messingham ward. They restated earlier arguments that Messingham would dominate a three-councillor Ridge ward and cited its proximity and direct links into Scunthorpe. Respondents also argued that the creation of a single-councillor Messingham ward and two-councillor Ridge ward should not be ruled out because of the worse levels of electoral equality that would result in the Ridge ward, because of the inclusion of Cadney parish in Brigg & Wolds ward (discussed above).

59 We have given careful consideration to the evidence received, noting some support for the draft recommendations. However, we are of the view that we have received good evidence for creating a single-member Messingham ward, comprising East Butterwick and Messingham parishes. We note that the parishes have good links between each other, as well as into Scunthorpe. As stated in the draft recommendation report, this option would leave the remaining area as a two-member ward. Given our view that Cadney parish should remain in the Brigg & Wolds ward (discussed above), this ward would have 11% fewer electors than the district average. However, we consider this can be justified since our proposals for Brigg & Wolds and Messingham wards better reflect communities.

60 We are therefore proposing a single-councillor Messingham and two-councillor Ridge ward. These would have 5% more and 11% fewer electors than the district average by 2027. We note the Labour Group's objection to the 'Ridge' name, but without evidence or alternative suggestion, we are retaining this name.

Conclusions

61 The table below provides a summary as to the impact of our final recommendations on electoral equality in North Lincolnshire, referencing the 2021 and 2027 electorate figures against the proposed number of councillors and wards. A full list of wards, names and their corresponding electoral variances can be found at Appendix A to the back of this report. An outline map of the wards is provided at Appendix B.

Summary of electoral arrangements

	Final recommendations	
	2021	2027
Number of councillors	43	43
Number of electoral wards	19	19
Average number of electors per councillor	3,015	3,181
Number of wards with a variance more than 10% from the average	1	2
Number of wards with a variance more than 20% from the average	0	0

Final recommendations

North Lincolnshire Council should be made up of 43 councillors serving 19 wards representing two single-councillor wards, 10 two-councillor wards and seven three-councillor wards. The details and names are shown in Appendix A and illustrated on the large maps accompanying this report.

Mapping

Sheet 1, Map 1 shows the proposed wards for North Lincolnshire Council. You can also view our final recommendations for North Lincolnshire Council on our interactive maps at www.consultation.lgbce.org.uk

What happens next?

62 We have now completed our review of North Lincolnshire Council. The recommendations must now be approved by Parliament. A draft Order – the legal document which brings into force our recommendations – will be laid in Parliament. Subject to parliamentary scrutiny, the new electoral arrangements will come into force at the local elections in 2023.

Equalities

63 The Commission has looked at how it carries out reviews under the guidelines set out in Section 149 of the Equality Act 2010. It has made best endeavours to ensure that people with protected characteristics can participate in the review process and is sufficiently satisfied that no adverse equality impacts will arise as a result of the outcome of the review.

Appendices

Appendix A

Final recommendations for North Lincolnshire Council

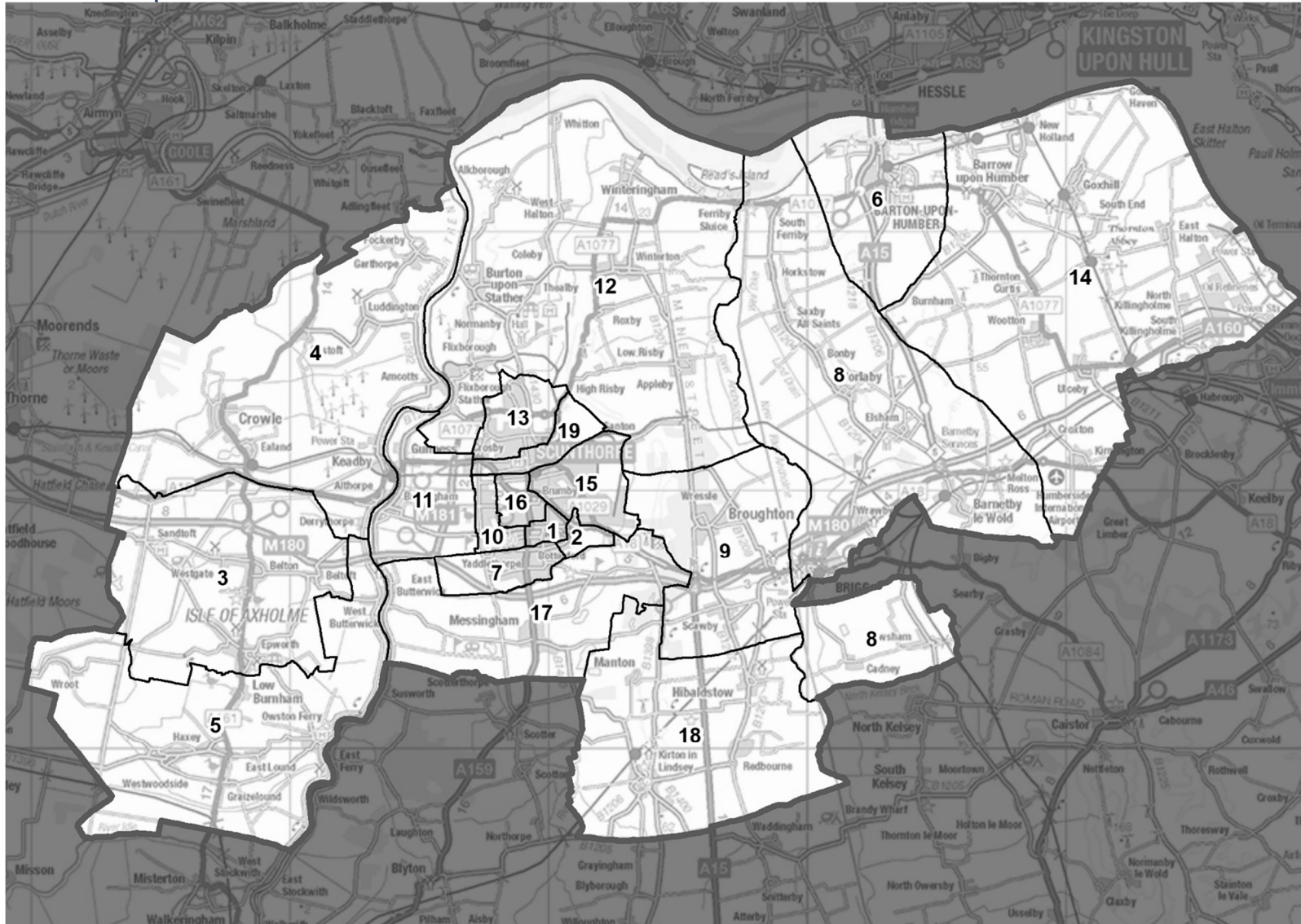
	Ward name	Number of councillors	Electorate (2021)	Number of electors per councillor	Variance from average %	Electorate (2027)	Number of electors per councillor	Variance from average %
1	Ashby Central	2	5,998	2,999	-1%	6,180	3,090	-3%
2	Ashby Lakeside	2	5,518	2,759	-8%	5,934	2,967	-7%
3	Axholme Central	2	6,043	3,022	0%	6,159	3,080	-3%
4	Axholme North	2	6,470	3,235	7%	6,724	3,362	6%
5	Axholme South	2	5,901	2,951	-2%	6,028	3,014	-5%
6	Barton	3	9,311	3,104	3%	9,817	3,272	3%
7	Bottesford	3	8,913	2,971	-1%	9,225	3,075	-3%
8	Brigg & Wolds	3	9,508	3,169	5%	10,316	3,439	8%
9	Broughton & Scawby	2	6,176	3,088	2%	6,406	3,203	1%
10	Brumby	3	8,393	2,798	-7%	8,916	2,972	-7%
11	Burringham & Gunness	1	3,015	3,015	0%	3,545	3,545	11%

Ward name	Number of councillors	Electorate (2021)	Number of electors per councillor	Variance from average %	Electorate (2027)	Number of electors per councillor	Variance from average %
12 Burton upon Stather & Winterton	3	9,725	3,242	8%	10,460	3,487	10%
13 Crosby & Park	3	9,352	3,117	3%	9,990	3,330	5%
14 Ferry	3	9,018	3,006	0%	9,276	3,092	-3%
15 Frodingham	2	5,782	2,891	-4%	6,123	3,062	-4%
16 Kingsway with Lincoln Gardens	2	6,405	3,203	6%	6,617	3,309	4%
17 Messingham	1	3,215	3,215	7%	3,329	3,329	5%
18 Ridge	2	4,936	2,468	-18%	5,633	2,817	-11%
19 Town	2	5,953	2,977	-1%	6,124	3,062	-4%
Totals	43	129,632	-	-	136,802	-	-
Averages	-	-	3,015	-	-	3,181	-

Source: Electorate figures are based on information provided by North Lincolnshire Council.

Note: The 'variance from average' column shows by how far, in percentage terms, the number of electors per councillor in each electoral ward varies from the average for the district. The minus symbol (-) denotes a lower than average number of electors. Figures have been rounded to the nearest whole number.

Appendix B Outline map



Number	Ward name
1	Ashby Central
2	Ashby Lakeside
3	Axholme Central
4	Axholme North
5	Axholme South
6	Barton
7	Bottesford
8	Brigg & Wolds
9	Broughton & Scawby
10	Brumby
11	Burringham & Gunness
12	Burton upon Stather & Winterton
13	Crosby & Park
14	Ferry
15	Frodingham
16	Kingsway with Lincoln Gardens
17	Messingham
18	Ridge
19	Town

A more detailed version of this map can be seen on the large map accompanying this report, or on our website: www.lgbce.org.uk/all-reviews/yorkshire-and-the-humber/north-lincolnshire/north-lincolnshire

Appendix C

Submissions received

All submissions received can also be viewed on our website at:

www.lgbce.org.uk/all-reviews/yorkshire-and-the-humber/north-lincolnshire/north-lincolnshire

Local Authority

- North Lincolnshire Council

Political Groups

- North Lincolnshire Council Labour Group

Councillors

- Councillor C. O'Sullivan (North Lincolnshire Council)
- Councillor H. Rayner (North Lincolnshire Council)
- Councillors L. Yeadon & M. Ali (North Lincolnshire Council)

Local Organisations

- Scunthorpe Charter Trustees
- Ulceby Road Safety Group

Parish and Town Councils

- Ashby Parkland Parish Council
- Burton upon Stather Parish Council
- Flixborough Parish Council
- Haxey Parish Council
- Kirton in Lindsey Town Council

Local Residents

- 48 Local residents

Appendix D

Glossary and abbreviations

Council size	The number of councillors elected to serve on a council
Electoral Change Order (or Order)	A legal document which implements changes to the electoral arrangements of a local authority
Division	A specific area of a county, defined for electoral, administrative and representational purposes. Eligible electors can vote in whichever division they are registered for the candidate or candidates they wish to represent them on the county council
Electoral inequality	Where there is a difference between the number of electors represented by a councillor and the average for the local authority.
Electorate	People in the authority who are registered to vote in elections. We only take account of electors registered specifically for local elections during our reviews.
Number of electors per councillor	The total number of electors in a local authority divided by the number of councillors
Over-represented	Where there are fewer electors per councillor in a ward or division than the average
Parish	A specific and defined area of land within a single local authority enclosed within a parish boundary. There are over 10,000 parishes in England, which provide the first tier of representation to their local residents

Parish council	A body elected by electors in the parish which serves and represents the area defined by the parish boundaries. See also 'Town council'
Parish (or town) council electoral arrangements	The total number of councillors on any one parish or town council; the number, names and boundaries of parish wards; and the number of councillors for each ward
Parish ward	A particular area of a parish, defined for electoral, administrative and representational purposes. Eligible electors can vote in whichever parish ward they live for candidate or candidates they wish to represent them on the parish council
Town council	A parish council which has been given ceremonial 'town' status. More information on achieving such status can be found at www.nalc.gov.uk
Under-represented	Where there are more electors per councillor in a ward or division than the average
Variance (or electoral variance)	How far the number of electors per councillor in a ward or division varies in percentage terms from the average
Ward	A specific area of a district or borough, defined for electoral, administrative and representational purposes. Eligible electors can vote in whichever ward they are registered for the candidate or candidates they wish to represent them on the district or borough council

The Local Government Boundary Commission for England (LGBCE) was set up by Parliament, independent of Government and political parties. It is directly accountable to Parliament through a committee chaired by the Speaker of the House of Commons. It is responsible for conducting boundary, electoral and structural reviews of local government.

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