

Rutland County Council

Catmose, Oakham, Rutland, LE15 6HP

Telephone 01572 722577

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Members of Rutland County Council District Council are hereby summoned to attend the **236th MEETING OF THE COUNCIL** to be held in the Council Chamber at Catmose, Oakham on **24 January 2022 commencing at 7.00 pm**. The business to be transacted at the meeting is specified in the Agenda set out below.

Prior to the commencement of the meeting, the Chairman will offer the opportunity for those present to join him in prayers.

Recording of Council Meetings: Any member of the public may film, audio-record, take photographs and use social media to report the proceedings of any meeting that is open to the public. A protocol on this facility is available at www.rutland.gov.uk/my-council/have-your-say/

Although social distancing requirements have been lifted there is still limited available seating for members of the public. If you would like to reserve a seat please contact the Governance Team at governance@rutland.gov.uk. Attendees are also asked to wear face coverings when not speaking and to undertake a lateral flow test where possible. The meeting will also be available for listening live on Zoom using the following link: <https://us06web.zoom.us/j/92167725428>

Mark Andrews
Chief Executive

A G E N D A

- 1) **APOLOGIES**
- 2) **CHAIRMAN'S ANNOUNCEMENTS**
- 3) **ANNOUNCEMENTS FROM THE LEADER, MEMBERS OF THE CABINET OR THE HEAD OF PAID SERVICE**
- 4) **DECLARATIONS OF INTEREST**

In accordance with the Regulations, Members are invited to declare any disclosable interests under the Code of Conduct and the nature of those interests in respect of items on this Agenda and/or indicate if Section 106 of the Local Government Finance Act 1992 applies to them.

5) MINUTES OF PREVIOUS MEETING (Pages 5 - 14)

To confirm the Minutes of the 235th meeting of the Rutland County Council District Council held on 13 December 2021.

6) PETITIONS, DEPUTATIONS AND QUESTIONS FROM MEMBERS OF THE PUBLIC

To receive any petitions, deputations or questions received from members of the public in accordance with the provisions of Procedure Rule 28. The total time allowed for this is 30 minutes. Petitions, deputations and questions will be dealt with in the order in which they are received and any which are not considered within the time limit shall receive a written response after the meeting.

7) QUESTIONS FROM MEMBERS OF THE COUNCIL (Pages 15 - 16)

To receive any questions submitted from Members of the Council in accordance with the provisions of Procedure Rules 30 and 30A.

8) REFERRAL OF COMMITTEE DECISIONS TO THE COUNCIL

To determine matters where a decision taken by a Committee has been referred to the Council in accordance with the provisions of Procedure Rule 110.

9) CALL-IN OF DECISIONS FROM CABINET MEETINGS DURING THE PERIOD FROM 13 DECEMBER to 24 JANUARY (INCLUSIVE)

To determine matters where a decision taken by the Cabinet has been referred to Council by the call-in procedure of Scrutiny Panels, as a result of the decision being deemed to be outside the Council's policy framework by the Monitoring Officer or not wholly in accordance with the budget by the Section 151 Officer, in accordance with the provisions of Procedure Rules 206 and 207.

10) REPORT FROM THE CABINET (Pages 17 - 36)

To receive Report No. 20/2022 from the Cabinet on recommendations referred to the Council for determination.

Report No. 178/2021– Children and Young People's Plan 2022-25, and the Children and Young People's Strategy 2022-25.

11) REPORTS FROM COMMITTEES OF THE COUNCIL

1) To receive reports from Committees on matters which require Council approval because the Committee does not have the delegated authority to act on the Council's behalf.

2) To receive reports from Council Committees on any other matters and to receive questions and answers on any of those reports.

12) REPORTS FROM SCRUTINY COMMISSION / SCRUTINY COMMITTEES
(Pages 37 - 38)

To receive reports from the Scrutiny Commission / Scrutiny Committees on any matters and to receive questions and answers on any of those reports.

13) JOINT ARRANGEMENTS AND EXTERNAL ORGANISATIONS

To receive reports about and receive questions and answers on the business of any joint arrangements or external organisations.

14) NOTICES OF MOTION (Pages 39 - 40)

To consider the Notice of Motion submitted by Councillor E Baines and seconded by Councillor A Brown in accordance with Procedure Rule 34.

“That Rutland County Council:

- 1) Recognizes the valuable contributions that the Welland River Trust makes to the County’s objectives in relation to the environment and to wellbeing.
- 2) Requests Cabinet to consider the request for short term financial assistance during this financial year for Welland River Trust, as set out in the attached letter, and if possible make a contribution.”

The Chief Executive has considered the below motion submitted by Councillor A Brown and seconded by Councillor M Jones. With the agreement of the mover and seconder the Chief Executive has referred the motion to the Growth, Infrastructure and Resources Scrutiny Committee for consideration.

“Rutland County Council :

- 1) Notes that new legislation may provide the Council with powers in relation to carbon management controls on the total amount of certain greenhouse gases that can be emitted by sectors covered by the legislation.
- 2) Resolves that if legislation does provide such powers, then the Council would seek:
 - a. That any subsidy directly or indirectly obtained for carbon management affecting the County is retained as carbon credit for the benefit of Rutland’s economy and people and
 - b. that any third-party sale or lease of carbon credit outside Rutland cannot be activated unless Rutland is carbon neutral and where there is a 10% surplus of credit.”
- 3) Agrees that the Council needs to become more proactive in looking after Rutland ‘s environment so that tomorrow’s generations inherit a cleaner, healthier world.”

15) UPDATES TO THE CONSTITUTION (Pages 41 - 92)

To receive Report No. 21/2022 from the Monitoring Officer.

16) APPOINTMENT OF NON-ALIGNED MEMBER TO THE ADULTS AND HEALTH SCRUTINY COMMITTEE

To appoint Councillor P Ainsley as the second non-aligned Member of the Adults and Health Scrutiny Committee.

17) ANY URGENT BUSINESS

To receive items of urgent business which have been previously notified to the person presiding.

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TO: MEMBERS OF THE COUNCIL

Councillor J Dale – Chairman of the Council

Councillor N Begy – Vice-Chairman of the Council

Councillor P Ainsley
Councillor D Blanksby

Councillor A Brown
Councillor P Browne

Councillor W Cross
Councillor S Harvey

Councillor M Jones
Councillor M Oxley

Councillor R Powell
Councillor L Stephenson

Councillor A Walters
Councillor S Webb

Councillor E Baines
Councillor K Bool

Councillor G Brown
Councillor J Burrows

Councillor J Fox
Councillor O Hemsley

Councillor A MacCartney
Councillor K Payne

Councillor I Razzell
Councillor L Toseland

Councillor G Waller
Councillor D Wilby

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THE COUNCIL'S STRATEGIC AIMS

- Delivering sustainable development
- Vibrant Communities
- Protecting the vulnerable
- Customer-focussed services



Rutland County Council

Catmose Oakham Rutland LE15 6HP.

Telephone 01572 722577 Email: Governance@rutland.gov.uk

Minutes of the TWO HUNDRED AND THIRTY FIFTH **MEETING** of the **COUNCIL** held in the Council Chamber, Catmose, Oakham, Rutland, LE15 6HP on Monday, 13th December, 2021 at 7.00 pm

PRESENT:

Councillor J Dale (Chairman)	Councillor P Ainsley
Councillor E Baines	Councillor G Brown
Councillor J Burrows	Councillor W Cross
Councillor J Fox	Councillor S Harvey
Councillor O Hemsley	Councillor M Jones
Councillor A MacCartney	Councillor M Oxley
Councillor K Payne	Councillor R Powell
Councillor I Razzell	Councillor L Stephenson
Councillor L Toseland	Councillor G Waller
Councillor S Webb	Councillor D Wilby

OFFICERS PRESENT:

Mark Andrews	Chief Executive
Marie Rosenthal	Monitoring Officer
Sue Bingham	Interim Corporate Governance Manager
Tom Delaney	Governance Officer

1 APOLOGIES

Apologies for absence were received from Councillors N Begy, A Brown, P Browne, K Bool and A Walters.

2 CHAIRMAN'S ANNOUNCEMENTS

The Chairman informed Members that he or the Vice-Chairman had attended the following events since the last meeting of the Council:

- Armistice Day at the Grounds of Oakham Castle
- Service of Remembrance at All Saints' Church, Oakham
- Visit of HRH The Duke of Gloucester to Rutland Showground
- Mayor of Melton's Christmas Carol Service, at St Mary's Church, Melton

The Chairman informed Members that he had agreed to a request from officers to change the date of Council in February from the 21st to the 28th, this was to allow for the anticipated delay in the Council's final settlement figures from central government and the need to give due weight to the three-week public consultation and the budget scrutiny meetings taking place in January. The Chairman informed Members that the

Leader had also agreed a change of the February Cabinet date from 8th to 15th February.

3 ANNOUNCEMENTS FROM THE LEADER, MEMBERS OF THE CABINET OR THE HEAD OF PAID SERVICE

The Chairman invited Councillor O Hemsley, Leader of the Council, to make his announcements:

- Councillor Hemsley advised Council that Councillor S Harvey had joined Cabinet as the Portfolio Holder for Health, Wellbeing and Adult Care
- Councillor Hemsley expressed his thanks to all of the Council for the hard work undertaken over the past 12 months and highlighted some achievements.
- Councillor Hemsley wished all Members and officers a very Happy Christmas.

The Chairman invited Councillor L Stephenson, Deputy Leader of the Council, to make her announcements:

- Councillor Stephenson updated the Council on the waste survey which was currently out for consultation. 1,081 responses had been received and Councillor Stephenson thanked all for sharing. The consultation was due to close at midnight on 19th December 2021.
- Councillor Stephenson stated that suggestions had been received from residents that more free text was required. Comments from residents were being collated and Councillor Stephenson asked Members to share these with her so residents' views could be heard.

4 DECLARATIONS OF INTEREST

There were no declarations of interest.

5 MINUTES OF PREVIOUS MEETING

Consideration was given the minutes of the meetings held on 8 November 2021.

RESOLVED

That the minutes of the meetings held on 8 November 2021 be **APPROVED**.

6 PETITIONS, DEPUTATIONS AND QUESTIONS FROM MEMBERS OF THE PUBLIC

Susannah Holloway, submitted her question addressed to the Council, as published in the agenda supplement.

The Chairman invited Councillor I Razzell as the relevant Portfolio Holder to respond.

“Prior to the formal consultation period the Mallard Pass Solar Farm promoters (Windel Energy and Canadian Solar) were currently undertaking a “non-statutory” 6-week consultation, which ends on the 16th December. The Council has not yet provided any formal response to the project proposal. Officers are intending to provide a general response at this stage advising that the Council would expect a planning application and its accompanying Environmental Statement.

The Council will also provide comments on the applicants Statement of Community Consultation (SoCC) prior to the formal consultation period taking place in order to ensure that all relevant local communities are consulted and aware of the proposals. In relation to a possible future planning application our position regarding the preparation of a new Local Plan does not prevent the proper consideration of this or any other development proposal. The starting point will be National Planning Policy Guidance contained in the National Planning Policy Framework (NPPF) and National Planning Practice Guidance (PPG) along with the relevant policies contained in the Council's adopted Core Strategy and Site Allocations DPD. All of which will still be relevant to the determination of this National Infrastructure Project".

Keith Busfield, submitted his question addressed to the Council, as published in the agenda supplement.

The Chairman invited Councillor I Razzell as the relevant Portfolio Holder to respond.

"The process for the consideration and determination Nationally Significant Infrastructure Projects such as this provides opportunities at different stages in the process for all those who are interested to make their views known. The process is set out on the Planning Inspectorate's".

<https://infrastructure.planninginspectorate.gov.uk/application-process/participating-in-the-process/>

As I have explained in response to the question raised by Susannah Holloway this scheme is at the first stage of consultation the Council and no doubt local communities will be seeking more detailed information before coming to planning view on the proposal. Mr Busfield you are clearly aware that ultimately the decision on any will be made by a government minister following the consideration and recommendation from the Planning Inspectorate. The Council and local communities do however have a major role to play in this process.

The following supplementary question was asked by Mr Busfield:

"The Planning Inspectorate themselves state that the time to change the plans was at stage one. The scheme was currently at stage one, and this was due to finish on 16th December 2021. What would the Council like to do in terms of responding?".

Councillor Razzell stated that he had been assured by Officers that the point at which they engage is that which was already stated.

Adrian Forsell, submitted his question addressed to the Council, as published in the agenda supplement.

The Chairman invited Councillor I Razzell as the relevant Portfolio Holder to respond.

"As I have already explained the response of the Council at this non -statutory consultation stage is to ensure that:

1. The project promoters provide the essential and important detailed information in relation to the relevant planning considerations – I referred to this in my response to Susannah Holloway
and

2. The project promoters set out their proposals for further community and public consultation and engagement, to ensure that all relevant local communities are consulted and aware of the proposals at each stage of the process.

The Planning Committee of Rutland County Council will, if the scheme is progressed, have ample opportunity at a later stage to consider the details of the proposal, assess the material planning considerations and make the views of the Council as a Local Planning Authority on this project known to the Planning Inspectorate and the appropriate Government Minister”.

The following supplementary question was asked by Mr Forsell:

“What will the Council do in terms of engaging with the public and allowing them to have their views heard?”.

Councillor Razzell stated that as per the Constitution it was the Councillors duty to engage with Constituents and with the Parish Councils. All across the Council were engaged with the process. Councillor Razzell assured that this would continue and urged residents to engage with their respected Councillors.

7 QUESTIONS FROM MEMBERS OF THE COUNCIL

Councillor W Cross presented his question as set out in the agenda supplement.

The Chairman invited the Leader of the Council to respond.

“The report to Council in September regarding the Local Plan stated that withdrawing the Local Plan would mean that there is no longer an emerging policy basis in Rutland for the Quarry Farm allocation of 650 homes. This report also highlighted that this site is identified in South Kesteven’s adopted

Local Plan as an integral part of the comprehensive Stamford North Sustainable Urban Extension (SUE) and that it would contribute to the overall housing need for the sub-regional Strategic Housing Market.

Members will be aware that the South Kesteven Local Plan was adopted on the basis that the 650 homes at Quarry Farm would contribute to South Kesteven’s housing supply. The Council has sought legal advice on this matter and has entered discussions with South Kesteven as to how this situation could be resolved given the requirements placed on both authorities under the duty to co-operate. Those discussions have commenced but given the legal complexity of this situation there is no outcome from these at present, and indeed this situation may take some time to resolve.

In the meantime, it should be noted that the Quarry Farm development could not in any event assist Rutland’s current housing land supply in the absence of a planning permission or a clear indication this is likely and that houses would be deliverable within 5 years”.

Councillor Cross asked a supplementary question regarding the timings on which an agreement had been entered with South Kesteven District Council and the extent to which this had been shared with other Councillors.

In response, the Leader set out that the now withdrawn Local Plan had contained a clear indication that the Council would work with South Kesteven District Council on such a development, the Leader agreed to provide further information outside of the meeting.

8 REFERRAL OF COMMITTEE DECISIONS TO THE COUNCIL

There had been no referral of committee decisions to the Council.

9 CALL-IN OF DECISIONS FROM CABINET MEETINGS DURING THE PERIOD FROM 8 NOVEMBER TO 13 DECEMBER 2021 (INCLUSIVE)

There had been no call-in of decisions from Cabinet meetings.

10 REPORTS FROM THE CABINET

Report No. 183/2021 was received from the Cabinet. Councillor O Hemsley introduced the report which sought to report back to Council on the action taken in response to a Petition presented at the Council meeting on 8 November which was then referred to the Cabinet. The Cabinet considered the Petition at its meeting on 16th November 2021.

Councillor Hemsley advised that the swimming pool site was currently owned by Catmose College but was not fully aware of their intentions as this had not yet been progressed.

It was moved by Councillor Hemsley that Council noted the contents of the report. This was seconded and upon being put to the vote, the motion was unanimously carried.

RESOLVED

That Council:

- 1) **NOTED** the response of Cabinet to the Petition presented to Council on 8 November.

Report No. 184/2021 was received from the Cabinet. Councillor L Stephenson introduced the report which sought to advise Council of an Executive Key decision concerning a Bus Service Improvement Plan for Rutland that had been taken as an urgent item under Procedure Rule 208 of the Council's Constitution. This Rule allowed an urgent decision to be exempt from scrutiny call-in if a decision needed to be implemented as a matter of urgency. Procedure Rule 208 required a report to the next available Council meeting explaining the decision, the reasons for it and why the decision was treated as matter of urgency.

Cabinet considered an urgent report on 26 October 2021 recommending the approval of the Council's draft Bus Service Improvement Plan (BSIP). Councillor Stephenson had emailed all Members ahead of the Cabinet meeting requesting any additional comments or amendments.

Following a statement from Members requesting that they are informed at the beginning of the process moving forward, Councillor Stephenson stated that

information on the Bus Service Improvement Plan had been provided in the weekly roundup and had been mentioned informally when the Bus Back Better initiative was announced by central government before May 2021.

Councillor Stephenson explained to Members that Officers had been continuously asking the Department for Transport for the costs of the plan to be regularly updated. The financial information had still not been received from the Department for Transport.

In response to a question from Members regarding the decision-making process of Cabinet during virtual meetings, the Monitoring Officer confirmed that during the Covid pandemic the Leader had created an Executive Scheme of Delegation that the Cabinet Members could only make decisions in consultation with full Cabinet.

It was moved by Councillor Stephenson that Council noted the contents of the report. This was seconded and upon being put to the vote, the motion was unanimously carried.

RESOLVED

That Council:

- 1) In line with Procedure Rule 208 of the Council's Constitution **NOTED** the urgent decision in relation to a Bus Service Improvement Plan for Rutland taken by the Portfolio Holder for Communities, Environment and Climate Change on 26 October 2021.

11 REPORTS FROM COMMITTEES OF THE COUNCIL

Report No. 162/2021 was received from the Planning and Licensing Committee. Councillor E Baines, Chair of the Committee, presented the report which was to seek approval from Council to adopt the proposed Gambling Act 2005 Statement of Principles.

It was moved by Councillor Baines that Council adopted the proposed Gambling Act 2005 Statement of Principles set out in an Appendix to the report. This was seconded and upon being put to the vote, the motion was unanimously carried.

RESOLVED

That Council:

- 1) **ADOPTED** the proposed Gambling Act 2005 Statement of Principles for Rutland County Council.

Report No. 168/2021 was received from the Audit and Risk Committee. Councillor R Powell, Chair of the Committee, presented the report which was to seek approval from Council to approve the Terms of Reference for a Constitution Review by the Constitution Review Working Group. Councillor Powell thanked all Members for their responses to the recent Member's survey on the current Constitution.

In response to a Member query on the second recommendation of the report, the Monitoring Officer explained that this was for the Audit and Risk Committee and not the Council. Councillor G Waller proposed an amendment to the motion to delete recommendation 2 from the report. This was seconded and unanimously approved.

In response to a question from Members, The Monitoring Officer confirmed that the suggestion to formally constitute the Constitution Review Working Group as a formal body of the Council would be taken forward as part of the review itself.

It was moved by Councillor Powell that Council approved the contents of the report. This was seconded and upon being put to the vote, the motion was unanimously carried.

RESOLVED

That Council:

- 1) **APPROVED** the Terms of Reference set out in the Report for a Constitution Review by the Constitution Review Working Group.

12 REPORTS FROM SCRUTINY COMMISSION / SCRUTINY COMMITTEES

There were no reports from the Scrutiny Commission or Scrutiny Committees.

13 JOINT ARRANGEMENTS AND EXTERNAL ORGANISATIONS

Councillor K Payne had attended the Hanson Liaison Committee on 1st December 2021 and gave a brief update to Council:

- Kevin Burton from the Environment Agency was in attendance.
- Only 1 noise complaint had been received in the last quarter and was being investigated.
- Emissions were all well below permissible levels.
- An update was given on the Quarry Restoration project which was planned through until 2026 and was still on target. The Liaison Committee would be invited to see some of the works in Spring 2022.
- Hanson Cement had undertaken a thorough review of the fire which occurred in July 2021. It was caused by an electrical fault in the clinker system. As a result of the review temperature monitoring equipment had been installed, thermal imaging was now present, and a fire suppression would be installed during the annual plant shut down in January and February 2022.
- The Environment Agency report was positive, and they had fast tracked Hanson's application for a license to use Hydrogen generated on site by water. Councillor Payne would give an update on the level of reduction after the next Committee meeting.

Councillor O Hemsley attended the monthly Unitary Council's Network meeting and gave a brief update to Council:

- A discussion took place regarding the UASC. 10% of the arrivals were children.
- Rutland had represented 25% of the children in care of the UASC.

Councillor Hemsley attended the Rural Services Network AGM and gave a brief update to Council:

- Attendance had risen from 60+ to 420+ when switched to virtual and also generated savings of £25,000. By taking the decision to continue with virtual meetings.
- Discussions took place around the change in direction of Mr Gove becoming Secretary of State, halting the Planning White Paper, a review of housing numbers, a refresh of the levelling up agenda, Council's not being funded to deliver net zero carbon agenda and a discussion around carbon credits and how this could bring investment into an area.

Councillor Hemsley attended the East Midland's Council meeting and gave a brief update to Council:

- Discussions took place around County deals and the LEP review. The thought was that the work of the LEP would be brought back into accountable bodies i.e., Local Councils. Councillor Hemsley would keep the Council informed.
- Devolution was discussed and more broadly the investment into the rail network.

Councillor Hemsley attended the Local Enterprise Partnership Board meeting and gave a brief update to Council:

- Discussions took place around the future of the LEP's, and the launch of the UK food value and work being undertaken with schools and businesses.

Councillor Hemsley had been in discussions with the Lincolnshire Chamber of Trade regarding a Rutland Chamber of Trade.

Councillor E Baines updated the Council on the Welland Partnership:

- The partnership had an uncertain future due to funding difficulties, the Project Officer had been appointed to a new position and the Chairman had moved to another County.
- A new Chairman had been appointed and an advert for a new Project Officer would be advertised imminently.
- Councillor Baines explained the possibilities of merging with the Nene Partnership but this being larger would have an impact on the interests of the Welland Partnership.
- Councillor Baines advised Members on the figures showing the state of Rutland rivers. 21% of water courses were rated bad, 33% were rated moderate, 43% above moderate and 3% were rated good. The maps did highlight that Rutland was responsible for the poor quality.
- The Gwash Adoptive Management Scheme would be running from 2022 to 2024 which would deal with bio diversity and climate change. This would cost £300,000 but would be funded by Anglian Water.

14 NOTICES OF MOTION

No Notices of Motion had been received.

15 POLITICAL BALANCE AND ALLOCATION OF SEATS TO POLITICAL GROUPS

Report No. 185/2021 was received from the Monitoring Officer. Councillor O Hemsley introduced the report which requested that Council approved the political balance calculation for the Council following several events to change the political makeup of the Council, agreed the number of voting places, and allocated seats to political groups on relevant committees appointed by Council. The report also requested that Council appointed a Chair of the Adults and Health Scrutiny Committee following Councillor S Harvey's appointment to Cabinet.

Councillor M Oxley confirmed that the Independent and Green Group's nomination for the new seat on the Audit and Risk Committee would be Councillor M Jones.

Councillor Hemsley confirmed that the new Members of the Conservative Group to be nominated to the Children's and Young Peoples Scrutiny would be Councillors E Baines and J Fox. The new Member of the Conservative Group to be nominated the Adults and Health Scrutiny would be Councillor K Bool.

In response to a query on the remaining vacant seat on the Adults and Health Scrutiny Committee for a non-aligned Member, the Monitoring Officer advised Members that the seat would be filled at the next meeting of Council.

It was moved by Councillor Hemsley that Council adopted the political balance calculation at Table A of the report, approved the allocation of seats and noted the Political Groups nominations at Appendix A., and appointed Councillor G Waller as the Chair of the Adults and Health Scrutiny Committee the contents of the report. This was seconded and upon being put to the vote, the motion was unanimously carried.

RESOLVED

That Council:

- 1) **ADOPTED** the political balance calculation for the Council at Table A.
- 2) **APPROVED** the allocation of seats to Political Groups, as determined by the political balance, as set out in Appendix A of the report.
- 3) **NOTED** the group's nominations for the Scrutiny and Standing Committees in Appendix A based on the seats allocated, including the nominations confirmed by Group Leaders at the meeting.
- 4) **APPOINTED** Councillor G Waller as Chair of the Adults and Health Scrutiny Committee from among the membership of the Committee.

16 NEW ARMED FORCES COVENANT LEGISLATION

Report No. 186/2021 was received from the Portfolio Holder for Policy, Strategy, Partnerships, Economy and Infrastructure and Councillor I Razzell introduced the report as the Council's Armed Forces Champion. The report outlined the progress of the Armed Forces Covenant legislation as part of the updated Armed Forces Bill, and the plans to ensure appropriate implementation in Rutland. The report referred to 'new legislation' throughout for ease, though it was recognised that this clause was an addition to the existing Armed Forces Bill.

It was moved by Councillor Razzell that Council noted the contents of the report and endorsed the approach. This was seconded and upon being put to the vote, the motion was unanimously carried.

RESOLVED

That Council:

- 1) **NOTED** the implications of the forthcoming amendment to the Armed Forces Bill for Rutland.
- 2) **ENDORSED** the approach used to manage implementation of the new legislative requirements.

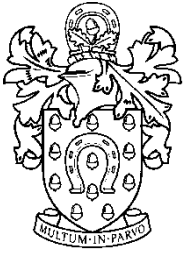
17 ANY URGENT BUSINESS

There were no items of urgent business for consideration.

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The Chairman declared the meeting closed at 8.12 pm.

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MEETING: COUNCIL

MEETING DATE: 24 JANUARY 2021

ITEM 7: QUESTIONS FROM MEMBERS OF THE COUNCIL

DEADLINE FOR QUESTIONS: 4.30PM ON THURSDAY, 20 JANUARY

No.	Name of Member	Question Addressed to:
1	Councillor Andrew Brown	Councillor Lucy Stephenson, Deputy Leader and Portfolio Holder for Communities, Environment and Climate Change

DETAILS

What is Rutland Council's current stance regarding localised Battery Electric Vehicle charging points? I would like some clarity regarding current Regulations, bylaws and health and safety issues concerning installations and the routing of cables across public footpaths. I would also be interested to know if there are grants available towards installation of residential charging points.

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COUNCIL

24 January 2022

CABINET RECOMMENDATIONS TO COUNCIL

Report of the Cabinet

Strategic Aim:	Protecting the vulnerable	
Exempt Information	No	
Cabinet Member(s) Responsible:	Cllr D Wilby, Portfolio Holder for Education and Children's Services	
Contact Officer(s):	Dawn Godfrey, Strategic Director for Children's Services	01572 758358 dgodfrey@rutland.gov.uk
	Marie Rosenthal, Deputy Director for Corporate Governance	01572 758358 dgodfrey@rutland.gov.uk
Ward Councillors	N/A	

DECISION RECOMMENDATIONS

That Council approves the recommendation from Cabinet on the 21st December 2021 to approve the Children and Young People's Plan 2022-25, and Children and the Young People's Strategy 2022-25

1 PURPOSE OF THE REPORT

- 1.1 To present the recommendations of Cabinet referred to Council for determination at its meeting held on the 21st December 2021 relating to the Children and Young People's Plan.

2 BACKGROUND AND MAIN CONSIDERATIONS

- 2.1 The background to the report is outlined in Report No.178/2021 Children and Young People's Plan.

3 CONSULTATION

- 3.1 As outlined in report No.178/2021 Children and Young People's Plan.

4 ALTERNATIVE OPTIONS

- 4.1 There is no alternative option. The Councils Constitution requires submission of the report.

5 FINANCIAL IMPLICATIONS

5.1 As outlined in Report No.178/2021 Children and Young People's Plan.

6 LEGAL AND GOVERNANCE CONSIDERATIONS

6.1 As outlined in Report No.178/2021 Children and Young People's Plan.

7 DATA PROTECTION IMPLICATIONS

7.1 As outlined in Report No.178/2021 Children and Young People's Plan.

8 EQUALITY IMPACT ASSESSMENT

8.1 As outlined in Report No.178/2021 Children and Young People's Plan.

9 COMMUNITY SAFETY IMPLICATIONS

9.1 As outlined in Report No.178/2021 Children and Young People's Plan.

10 HEALTH AND WELLBEING IMPLICATIONS

10.1 As outlined in Report No.178/2021 Children and Young People's Plan.

11 CONCLUSION AND SUMMARY OF REASONS FOR THE RECOMMENDATIONS

11.1 That Council notes the reports and considers the recommendations from Cabinet.

12 BACKGROUND PAPERS

12.1 There are no background papers.

13 APPENDICES

13.1 Report No. 178/2021 Children and Young People's Plan

13.2 Appendix A – Rutland Children and Young People's Strategy 2022-25

13.3 Appendix B - Children and Young People's Plan 2022-25

A Large Print or Braille Version of this Report is available upon request – Contact 01572 722577.

CABINET

21 December 2021

CHILDREN AND YOUNG PEOPLE'S PLAN

Report of the Portfolio Holder for Education and Children's Services

Strategic Aim:	Protecting the vulnerable	
Key Decision: Yes	Forward Plan Reference: FP/191121	
Exempt Information	No	
Cabinet Member(s) Responsible:	Cllr D Wilby, Portfolio Holder for Education and Children's Services	
Contact Officer(s):	Dawn Godfrey, Strategic Director for Children's Services	01572 758358 dgodfrey@rutland.gov.uk
Ward Councillors	N/A	

DECISION RECOMMENDATIONS

That Cabinet:

1. Recommends to Council to approve the Children and Young People's Plan and Strategy 2022-25

1 PURPOSE OF THE REPORT

- 1.1 To share the revised Children and Young People's Plan and Strategy 2022-25 (Appendices A and B), and gain Cabinet approval.
- 1.2 Further to seek Cabinet approval for recommending the Children and Young People's Plan and Strategy 2022-25 to Council.

2 BACKGROUND AND MAIN CONSIDERATIONS

- 2.1 The Children and Young People's Plan and Strategy 2022-25 set out the strategic aims of children's services for the next three years. This strategy has been developed with the Rutland Children and Young People Partnership who, collectively, are responsible for the delivery of key services for children, young people and families in the County. The strategy reflects our shared commitment to further develop our partnership practice, to increase integration of services where it makes sense to do so and to strengthen joint accountability for improving outcomes for local young people.

- 2.2 Our vision remains the same - **For all children and young people in Rutland to be happy, safe and successful. They will be supported and empowered to be the best they can be.**
- 2.3 However our guiding principles in reviewing the plan and strategy have been developed and articulated more clearly to reflect the impact Covid has had on how we are delivering services now and the lives and needs of children and families and wider services.
- 2.4 It is further informed by the financial impact on the Council and the need to be more targeted with our resources.
- 2.5 This is a Partnership Plan and has sign up from all key partners.

3 CONSULTATION

- 3.1 The Children and Young People's plan was informed through a range of workshops and surveys designed to capture the views of staff, partner agencies, residents and families accessing support services.
- 3.2 Co-design sessions began in February 2021 running until the end of July and included three workshops with Children's Services staff, two workshops with our Children and Young Peoples Partnership, a session with all schools and early years settings, a families survey and a week of targeted consultation with residents through the Future Rutland conversation.
- 3.3 Feedback included:
- "I believe that long term planning and investment is vital to help families who need support. Money invested now pays off many-fold over the decades."
 - " work collaboratively with partner agencies to find the best solution and assist in providing it."
 - "The more early help that can be provided, the greater chance of avoiding it escalating to serious safeguarding."
- 3.4 Children and young people shared their views using a series of specially designed surveys, open forums and live discussion events.
- 3.5 A workshop with Children and Young People Scrutiny Committee took place on 24 June 2021 and comments from this session have been incorporated into the strategy.
- 3.6 The information gathered from the above consultation was utilised to inform the aims and objectives outlined within the plan and reflects what matters most to our partners and families in Rutland.

4 ALTERNATIVE OPTIONS

- 4.1 None identified.

5 FINANCIAL IMPLICATIONS

5.1 None identified - the plan is delivered within the children's services budget.

6 LEGAL AND GOVERNANCE CONSIDERATIONS

6.1 The Council is under an obligation to agree a Children and Young People's Plan under the Children and Young People's Plan (England) Regulations 2005.

6.2 As such this is part of the Council's Policy Framework and needs to be agreed by Cabinet and full Council.

7 DATA PROTECTION IMPLICATIONS

7.1 A Data Protection Impact Assessments (DPIA) has not been completed.

8 EQUALITY IMPACT ASSESSMENT

8.1 An Equality Impact Assessment has not been completed as it is not deemed relevant to this report.

9 COMMUNITY SAFETY IMPLICATIONS

9.1 None identified.

10 HEALTH AND WELLBEING IMPLICATIONS

10.1 There are no health and wellbeing implications arising from this report. It is intended that the aims of the Children and Young People's Plan and Strategy 2022-25 will enhance the experience of children and families accessing children's services across the partnership and create the conditions for children to experience safe and successful lives.

11 CONCLUSION AND SUMMARY OF REASONS FOR THE RECOMMENDATIONS

11.1 It is recommended that Cabinet recommends to Council to approve the Children and Young People's Plan and Strategy 2022-25.

12 BACKGROUND PAPERS

12.1 No additional background papers.

13 APPENDICES

13.1 Appendix A – Rutland Children and Young People's Strategy 2022-25

13.2 Appendix B - Children and Young People's Plan 2022-25

A Large Print or Braille Version of this Report is available upon request – Contact 01572 722577.

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Rutland Children and Young People's Strategy

Introduction and Vision

***For all children and young people in Rutland to be happy, safe and successful.
They will be supported and empowered to be the best they can be.***

We are passionate about improving outcomes for children and young people and about narrowing the gaps in outcomes that some experience. We understand that innovation and excellence are possible only through the combined efforts of our committed and skilled children's services' workforce in whatever agency they sit.

This strategy has been developed with the Rutland Children and Young People Partnership who, collectively, are responsible for the delivery of key services for children, young people and families in the County. The strategy reflects our shared commitment to further develop our partnership practice, to increase integration of services where it makes sense to do so and to strengthen joint accountability for improving outcomes for local young people.

This strategy sets out our partnership ambitions over the next three years and the contents have been guided by listening to the views of parents, young people and residents and are based on the things that matter most to you. The Future Rutland Conversation gave us the opportunity to understand what is important for all residents in Rutland, but particularly children, young people and families. Children and young people shared their views using a series of specially designed surveys, open forums and live discussion events and these are the areas that stood out from what you told us:

Feeling safe and secure is important to children and young people.

Children and young people would like more opportunities and services that are based in Rutland, such as access to employment or services such as mental health.

It is important for families that agencies work together, particularly early years, schools and the voluntary sector.

Health, education and having things to do were the most important concerns for their family.

Partners share the understanding that all agencies are experiencing funding pressures and national expectations on services provided for children and families are increasing. We recognise that there is a need to work even more closely together and focus resources increasingly on those most vulnerable to poorer outcomes.

Our Aims

To achieve our vision we have identified four aims which will guide the work of partners over the next three years. Each aim has been identified as a crucial component in creating the conditions for children to experience safe and successful lives. The below table outlines each aim and includes what children and families can expect to see and feel if we are achieving them:

Aim	What this means for you
1. Every child lives in a happy and safe environment.	<ul style="list-style-type: none"> • Families will be helped when they need additional support and guidance at any stage in their child's life. • Children will remain living at home where it is safe for them to do so. • Children will feel safe at home and when in their community.
2. Children who do become looked after, or are leaving our care, are supported to achieve the best emotional, physical and learning outcomes.	<ul style="list-style-type: none"> • Children will be listened to and be involved in decisions about their lives. • Children will feel cared for and are provided with opportunities to grow and achieve. • Young people will be supported to become successful adults.
3. Children experience an aspirational and inclusive education offer in their community.	<ul style="list-style-type: none"> • Early year's settings and schools will create safe and enjoyable learning environments in which all our children can flourish. • Children who become vulnerable in their learning will be supported. • Support will be available for children and young people with identified additional needs. • Young people will have opportunities for training and building life skills.
4. The emotional health and wellbeing of children in Rutland will be promoted.	<ul style="list-style-type: none"> • Children and young people feel confident to seek help when they need to and know the services available to support them in their community. • Young people are able to make healthy choices.

Our Approach

To support us in achieving our aims children's services will adopt the following when delivering services:

Our approach	What this means
1. We will provide the right support as soon as additional needs are identified in order to help promote family wellbeing.	<ul style="list-style-type: none"> • We will work together with our partners to identify, at the earliest opportunity, when a child or family needs additional help and support. • We will promote the support that is available in Rutland for families and make it easy to access our help and advice by being available in communities, online and in person.
2. Create strength through partnerships, working	<ul style="list-style-type: none"> • We will work with other organisations so that there are enough of the right services

collaboratively to provide an integrated offer which supports all children and families.	available to support families, this will include education and health. <ul style="list-style-type: none"> We will share ideas and learning and pool resources. to help deliver the best services possible in Rutland.
3. We help the most vulnerable families receive the support and guidance that they need.	<ul style="list-style-type: none"> Our specialist support will be focused on those families who need support the most.
4. We will strengthen our connection with the voluntary and community sector , recognizing the critical role they play in helping our residents.	<ul style="list-style-type: none"> By working with what is already available we can help families to access a greater range of support in a way that suits them.
5. We will provide services in a way that suits families , recognising one size doesn't fit all - providing access in person and online.	<ul style="list-style-type: none"> We will help families to access services which are available to help them. Families will have a choice in how they access support.
6. We will listen and respond to the views of children and families to shape the support they receive and to improve how we deliver our services, working alongside (collaboratively with) families rather than doing to.	<ul style="list-style-type: none"> We believe that families often know how best to support the needs of their own family.
7. Focus on relationships: We take time to get to know our children and their families, to develop trusting relationships that enable us to find creative solutions together.	<ul style="list-style-type: none"> Caring staff who take the time to get to know you and your family and to work with you in a trusting partnership.

Our Priorities

As a Partnership we will continue to deliver services which support our vision and core aims. However, we have also identified a number of key priorities for Rutland which we will focus on during the first year of our strategy – 2022-2023. These priorities have been chosen because national research, local data on needs and feedback from partners, carers and children and young people has identified a pressing need to focus our energies on these particular areas. By doing so we anticipate that we can make a real difference to the lives of our children and families.

Priority	Why?
1. Transition to adulthood: To support the effective transition of vulnerable young people into adulthood and independent living, ensuring young people feel equipped with the necessary skills to live safe and successful lives.	Young people told us that they want more freedom and independence. Supporting young people with building life skills will play a key role in promoting independence, accessing employment and suitable accommodation thereby being safe and successful.

	National research shows that support for children with complex and additional needs is critical for preventing escalation into higher cost services in adult life.
2. Emotional Health and Wellbeing: To promote emotional resilience and ensure support is in place to recognise and respond early to children and young people; working with our community and specialist services to support local interventions.	Parents and children tell us being able to access support locally is a key concern for them. Children without access to essential support are at higher risk of harm and at risk of falling out of education.
3. Children at risk of harm: Work with our partners to reduce risk at home and in the community.	Tackling risk factors is essential for keeping children safe, this means focusing on aspects such as exploitation, contextual safeguarding, tackling parental conflict etc.
4. Tackling Domestic Abuse: Work with our community to raise awareness of domestic abuse. To improve the services available locally for victims, including child victims, and their families in order to minimise the impact on family life.	Domestic abuse remains prevalent within families who access statutory children's services. The impact of domestic abuse on children has been shown to effect child development and mental wellbeing.
5. Children who become vulnerable in their education, including children with SEND: We will work with partners, providers and families to ensure children receive their education entitlement and put in place additional support when children need it.	Research highlights that children who fall out of education are at a greater risk of harm and poorer life outcomes overall.

To help make it happen

Developing our aims is only the first step. In order to achieve our ambitions and make a real impact it is essential all partner agencies work together to make sure that Rutland stays an amazing place to live, work and grow up, where everyone can lead happy, healthy and fulfilling lives.

To support this we have in place a Children and Young People Partnership Board (CYPPB) which brings together senior leaders from those agencies who work with children and families and includes representatives from Schools, Police, Health, Children's Services, Youth Offending, Local Councillors, Voluntary Community and Faith Groups and, crucially, parent and carer representatives. The board work together to oversee the implementation of our vision and monitor progress against our key priorities and targets.

How will we know we have made a difference?

We will know we have made a difference if:

- Children and families tell us the support they received was timely, reflected their needs and made a difference.
- Our data and key performance indicators shows children and young people are being kept safe and are succeeding.
- Our partnerships are strong and we work together, seen in the support families receive.
- Our services are informed and influenced by children and their families and this can be easily demonstrated.
- Our workforce has trusting relationships with families resulting in successful solutions.

The following table outlines some of the key indicators which are monitored against our aims:

1. Every child lives in a happy and safe environment.

How we measure:

Children and families tell us the support they receive has helped them through;

- QA surveys.
- Annual Survey results.
- Satisfaction rates with services

In addition:

- Number of children looked after.
- Number of child protection plans.
- Placement breakdowns.
- Re-referral rates.
- Children surveys and engagement activity.

2. Children experience an aspirational and inclusive education offer in their community.

How we measure:

- Number of children with identified additional needs, (SEND and with an EHCP) having needs met within their community and a mainstream setting, including a DSP supported place.
- Reduced level of out of county placements as an overall percentage of the SEND and EHCP cohort.
- Number of permanent exclusions.
- Number of children without a school place.
- Number of children in inappropriate alternative provision.
- Attainment and progress measures demonstrate improved outcomes for previously high and low attaining pupils.
- Good level of development (early years) and progress 8 scores.
- Level of out of county Education, Health and Care Plan placements as an overall percentage of the cohort.
- Post 16 destination data of young people leaving statutory education.
- Levels of children and young people who are not in education, employment or training (NEET).

3. Children who do become looked after, or are leaving our care, are supported to achieve the best emotional, physical and learning outcomes.

How we measure

- Children leaving care who become homeless.
- Children leaving care who are not in education, employment or training.
- First time entrants into the criminal justice system.

4. The emotional health and wellbeing of children in Rutland will be promoted.

How we measure:

- The Well Being Offer is well understood across the partnership and by children and families. Number of hits to on-line sites, Kooth, Teen Chat, number of cases in FIM and IAPT or Mentoring. This means young people and parents/carers can make informed decisions and understand what services are available and how to access these.
- All children and young people waiting for a specialist CAMHS service or on discharge from specialist are identified and have an offer of early help, or emotional health and wellbeing support services.
- Partners understand and are effective in identifying the impact of poor emotional health and wellbeing, resulting in earlier intervention and support being offered.
- Strengths and difficulty questionnaire completion rates.

How will we test?

Performance of our services is monitored regularly so that we can be confident the support provided is making a real difference and, where performance indicates further action may be required. This allows us to be responsive to the needs and emerging trends based on real time data and feedback. The process of monitoring performance includes;

- Through our quality assurance programme and monthly performance process, including performance scorecard.
- Monitoring satisfaction rates including complaints and compliments on a monthly basis.
- Levels of engagement and participation of children and families in our services and surveys.

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Rutland Children and Young People

Our vision is for all children and young people in Rutland to be happy, safe and successful. They will be supported and empowered to be the best they can be.



OUR AIMS

1. Every child lives in a happy and safe environment.



2. Children who do become looked after, or are leaving our care, are supported to achieve the best emotional, physical and learning outcomes.



3. Children experience an aspirational and inclusive education offer in their community.



4. The emotional health and wellbeing of children in Rutland will be promoted.



OUR APPROACH

1. We will provide the right support **as soon as** needs are identified in order to help promote family wellbeing.
2. We create strength through our partnerships, **working collaboratively** to provide an **integrated** offer which supports all children and families.
3. We help **the most vulnerable** families receive the support and guidance that they need.
4. We will strengthen our connection with the **voluntary and community sector**, recognising the critical role they play in helping our residents.
5. We will provide services **in a way that suits families**, recognising one size doesn't fit all.
6. We **will listen and respond** to the views of children and families to shape the support they receive and to improve how we deliver our services, work alongside families rather than doing to.
7. The support we provide will be based on **empowerment** and a recognition that families know how best to support the needs of their family.
8. We **focus on relationships** by taking time to get to know our children and their families, to develop trusting relationships that enable us to find creative solutions together.



WE WILL KNOW WE HAVE MADE A DIFFERENCE IF:

Children and families tell us the support they receive is timely, reflecting their needs and made a difference.

Our data shows children and young people are being kept safe and are succeeding.

Our partnerships are strong and we work together, which is seen in the support families receive.

Our services are informed and influenced by children and their families.

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PRIORITY THEMES



1. **Transition to adulthood:** To support the effective transition of vulnerable young people into adulthood and independent living, ensuring young people feel equipped with the necessary skills to live safe and successful lives.
2. **Emotional Health and Wellbeing:** To promote emotional resilience and ensure support is in place to recognise and respond early to children and young people; working with our community and specialist services to support local interventions.
3. **Protecting children at risk of harm:** Work with our partners to reduce risk at home and in the community.
4. **Tackling Domestic Abuse:** Work with our community to raise awareness of domestic abuse. To improve the services available locally for victims, including child victims, and their families in order to minimise the impact on family life.
5. **Children who become vulnerable in their education, including children with SEND:** We will work with partners, providers and families to ensure children receive their education entitlement and, work with other agencies to put in place additional support when children need it.



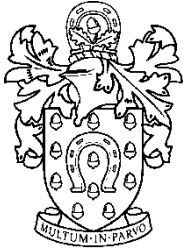


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This document is produced in partnership with the Rutland Children and Young People's Partnership, which includes partners from Rutland Parent, Carer Voice, Healthwatch Rutland, Leicestershire Police, Youth Offending Service, the Ministry of Defence, Leicestershire Partnership NHS Trust, Leicester City, West Leicestershire and East Leicestershire and Rutland Clinical Commissioning Group, Public Health England, education providers and members of the voluntary and community sector.



Rutland County Council

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Scrutiny Commission and Committees: Report to Council

Scrutiny Committee	Adults and Health Scrutiny Committee
Date(s) of Meeting(s)	9 December 2021

Agenda Item	Issues to be highlighted to Council
8. Access to Primary Care for Rutland Residents	<p><u>Issues/Feedback:</u></p> <ul style="list-style-type: none"> It is common knowledge that Lakeside Healthcare in Stamford has performed poorly in its last 2 CQC inspections. Lakeside provides GP services to residents on the Eastern side of Rutland and therefore is a concern of this scrutiny committee. Legally, when requested by the scrutiny committee, representatives of Lakeside have to attend. RCC had requested such attendance, and had given sufficient time for this attendance. Despite the legal position Lakeside refused to attend. <p><u>Recommendations:</u></p> <ol style="list-style-type: none"> The scrutiny committee resolved to write a formal complaint to the CCG, CQC and Lakeside concerning both their refusal to attend and the information we had requested of them which had not been provided. This letter was written on 22 December 2021.
7. Draft Rutland Health and Wellbeing Strategy	<p><u>Issues/Feedback:</u></p> <ul style="list-style-type: none"> This document is a public consultation and whilst the committee welcomed the opportunity to provide feedback as part of this consultation it was felt the committee should have been involved far earlier in the process. Nevertheless a great deal of feedback was given which colleagues from both RCC and the health bodies present noted. <p><u>Recommendations:</u></p> <ol style="list-style-type: none"> 4 Recommendations were made to the Health and Wellbeing Board. These are detailed in the minutes of the meeting.

Agenda Item	Issues to be highlighted to Council
10. AOB	<p data-bbox="560 264 815 297"><u>Issues/Feedback:</u></p> <ul data-bbox="560 338 1474 450" style="list-style-type: none"> <li data-bbox="560 338 1474 450">• Councillor Harvey was thanked for her work as chair of this scrutiny committee. This was her last meeting prior to taking up her new role as portfolio holder for adults and health <p data-bbox="560 488 839 521"><u>Recommendations:</u></p> <ol data-bbox="560 562 671 629" style="list-style-type: none"> <li data-bbox="560 562 671 595">1) N/A <li data-bbox="560 595 592 629">2)



Dear Edward

I am writing to you in your role as Rutland County Council's representative on the Welland Valley Partnership, which has provided you with a good understanding of the works of the Welland Rivers Trust (WRT).

As you are aware, I took over the role of Chair of the WRT in mid-November, Dr Richard Spiers having stood down at short notice, due to a family health issue. He had been engaged in a twin-track strategy over the past 11 months to seek to secure more "free funding" for the trust (presently we have just £15k per annum from the Environment Agency) and, as a fall-back, a merger of the WRT with the soon to be formed Nene Rivers Trust, in Peterborough. I was asked to take on the role of Chair and progress the initiatives commenced by Richard.

I joined the WRT as a trustee in late May and have come to the view that it would be beneficial to all parties, including the members of the Welland Valley Partnership (that the WRT presently administers) that the WRT should seek to continue as an independent, catchment-based trust. We are located in Loddington and work closely with the Game & Wildlife Conservation Trust and support the work of The Allerton Project. We can demonstrate good public engagement and the successful delivery of a number of projects. In the case of the latter it is recognised by all that if we had more resources there is so much more we could deliver! Over the 11 years of its existence however, the WRT has suffered from a chronic lack of working capital. As a consequence the Trust has never been able to develop beyond one Project Manager who has been both the bidder and executor of all the projects secured. (This compares with the three project managers for the Lincolnshire Rivers Trust, covering the Witham.) It has also meant that the management of cash on individual projects, specifically the receipt of grant income, is of great importance to the relations with our sub-contractors and indeed our viability.

Rutland County Council, rightly, recognise in its environmental "Vision" document the special relationship that people in Rutland have with the countryside around them, and that this is something to be celebrated and preserved for current and future generations. I believe that the WRT can greatly assist in this journey to ensure that Rutland will be a place where the natural environment and heritage are cherished and enhanced. The WRT can act as the local partner to deliver projects that support such long-term aims, and thereby meet the huge public desire for action on the climate and biodiversity emergencies. Importantly, in these difficult financial times, we can access grant funding to minimise costs to commissioning

parties. This also has relevance for the change required of farmers to meet the basis funding under SLI and ELMs.

I know that you have had a long-term interest in the maintenance of our water courses in Rutland, long before the formation of the Welland Valley Partnership in 2010. Whilst the Trust have received project work that has entailed payment from the various councils in the catchment, at no time in the existence has any local authority contributed directly to the finances (working capital) of the WRT, which stands in sharp contrast to the Nene and Lincolnshire trusts.

Aside from the direct support that we can provide to our county's environmental vision, public well-being and tourism, we could also better support education in the area of environmental awareness. Since its foundation the WRT has been engaging with schools, Scout groups and local natural interest groups and considers the delivery of educational support core to its objectives. Examples of this work include classroom sessions on river process, hand on practical river dipping session and citizen science programmes on water quality. Going forward, in response to the challenges of the climate and biodiversity issues we seek to increase this output. Historically the delivery of this content has been done ad-hoc through our part time Communities Officer (Supported by the Project Manager where required). The intention is to make the Communities Officer role full-time to support the development of a structured educational programme.

Our financial need is small and our ask from individual bodies is short-term. We seek to raise £60k in year one, and half that amount in year two, thereafter the flow of project work generated should allow a stable financial position to be achieved. The monies will be used to support a second project officer (to support our bidding and execution of projects), additional hours for the Communities Officer, and some limited administrative/ book-keeping support. We have already received modest sums from Openfields and those of the angling clubs in our catchment. It is also my intention to seek support from other Council's. My ask from Rutland County Council would be any sum, you might consider appropriate. I believe that the return the community would obtain from a modest investment will be repaid many times over in the years ahead.

I would be pleased to discuss this proposition with you at any time.

With best regards,

Chair, the Welland Rivers Trust

COUNCIL

24 January 2022

AMENDMENTS TO THE CONSTITUTION

Report of the Monitoring Officer

Strategic Aim:	All	
Exempt Information	No	
Cabinet Member(s) Responsible:	Cllr K Payne, Portfolio Holder for Finance, Governance and Performance, Change and Transformation	
Contact Officer(s):	Marie Rosenthal, Deputy Director for Corporate Governance	mrosenthal@rutland.gov.uk
Ward Councillors	All	

DECISION RECOMMENDATIONS

That Council approves the proposed amendments to the Constitution set out in the Report:

1. Update the Terms of Reference for the Employment and Appeals Committee.
2. Update Part 10 of the Rutland County Council Constitution: Contract Procedure Rules.
3. Designate the Electoral Services Manager as Deputy Electoral Registration Officer.

1 PURPOSE OF THE REPORT

- 1.1 This report sets out several proposed amendments recommended by the Constitution Review Working Group to the Terms of Reference for the Employment and Appeals Committee and Part 10 of the Rutland County Council Constitution: Contract Procedure Rules.
- 1.2 It is also recommended that the role of the Deputy Electoral Registration Officer be reviewed. It is recommended that the designation be updated to the Electoral Services Manager to better reflect operational responsibilities.

2 PROPOSED CHANGES TO THE EMPLOYMENT AND APPEALS COMMITTEE TERMS OF REFERENCE.

- 2.1 At its meeting on the 10 November 2021, following a request from the Employment and Appeals Committee on 7 July 2021, the Constitution Review Working Group noted that the Terms of Reference for the Employment and Appeals Committee are out of date and agreed to recommend the following amendments to Council.

2.2 The remit of the Employment and Appeals Committee is set out in Part 3 of the Constitution with the proposed changes included as follows:

8.1 **Employment**

- a) *To establish panels to appoint Chief Officers and Officers that are part of the Strategic Management Team. Such Panels to consist of three members of the committee plus the relevant Cabinet Member [(s)]. Political balance applies to the panel.*
- b) *To consider employee procedures, including dismissal procedures.*
- c) *To hear, consider and determine appeals against dismissal by employees in line with procedures agreed by the Committee.*
- d) *The constitution of any ~~special human resources~~ [Appeal or Hearing] panels or working parties as may be required from time to time.*
- e) *The discharge of such human resources functions that cannot be delegated under statute to the Cabinet or have not been delegated to officers, as may be delegated by the Council from time to time.*
- f) *To consider and approve HR policies (this requires two thirds voting members present to approve a policy subject to its financial impact not exceeding the [Budget] ~~virement threshold of the Strategic Director for Resources~~. If this cannot be achieved the policy in question will be referred to Full Council for further consideration and determination).*

8.2 **Appeals Panels**

8.2.1 *To hear, consider and determine any other appeals made under a statutory appeals process and/or where no other appeals body has been established for the specific purpose. ~~This will include:~~*

- ~~• Access to Personal Files~~
- ~~• Approved Marriage Premises~~
- ~~• Curriculum Complaints~~
- ~~• Home to School Transport~~
- ~~• Housing Improvement Renovation or Repair Grants~~
- ~~• Discretionary Rate Relief (NDR)~~
- ~~• Children's Social Services Complaints~~

8.2.2 *The panel will consist of three members drawn from the Committee. For this purpose, officers may draw upon members to ensure sufficient members are available to conduct the hearing, and to avoid involving any member who was involved in the original decision which is the subject of the appeal. ~~Panel members should not be a representative of the Ward of the appellant. Panels should consist~~*

~~of three members of the Committee, except for (vii) which should comprise two members of the committee and an independent chair. Political balance applies to any such panel and appropriate training will be provided in relation to the subject matter.~~

~~8.3 — Delegation to Officers~~

~~8.3.1 The Director for Resources is authorised to deal with day-to-day administration of Human Resources matters.~~

2.3 The reasons for the proposed changes are:

2.3.1 Minor changes to 8.1 (a) and to 8.1(d) to better reflect the Employment Processes of the Council.

2.3.2 A minor change to 8.1(f) to ensure that any Policy changes made by the Committee remain within the budget allocated by Council. It should be noted that if the Committee wished to make a change that had a budgetary impact this could still be done through a recommendation to Council.

1.1.1 Amendments to 8.2.1 and 8.2.2 to remove the out-of-date references and to reflect the fact that Councillor involvement in matters is dealt with in the Code of Conduct or through the Councillor seeking advice on bias or predetermination.

3 PROPOSED CHANGES TO THE CONTRACT PROCEDURE RULES

3.1 The Contract Procedure Rules set out the Rules that Officers must follow when instigating contracts and grants with external organisations to ensure that the Council operates within the relevant procurement legislation and guidance.

3.2 Since the last review of the Rules, the UK has left the European Union and consequently the references to EU legislative requirements are no longer valid and have been replaced by the UK Government with UK equivalents. These changes have required several small updates to the Rules to remain compliant with the new UK legislation, guidance, and national processes.

3.3 Rutland County Council's Internal Audit complete an audit each year to establish compliance with the Contract Procedure Rules by Officers. The last audit conducted in early 2021 highlighted several rules where there was potential ambiguity of interpretation and consequently as part of the current review of the Rules this has been addressed.

CHANGES RELATING TO EXIT FROM THE EU

3.4 The UK procurement regulations and processes were set within EU legislation. In January 2021, when the UK left the EU, changes were made to the requirements on UK public bodies.

3.5 The UK has adopted the same thresholds for procurements as previously stood under the EU but are now referred to as UK Tender Thresholds.

3.6 The requirement to publish tender opportunities in the Official Journal of the European Union, has now been replaced with a requirement to published in the new UK Find a Tender service. The requirements for when to publish remain the same.

3.7 The Procurement Regulations 2015 remain unaltered.

CHANGES AS A RESULT OF INTERNAL AUDIT RECOMMENDATIONS

3.8 The Internal Audit report: Contract Compliance 2020-21 noted two recommendations for clarification:

3.8.1 Rule 16.5 regarding signing of Call-Off contracts from Frameworks.

3.8.2 The current Rules require all such contracts to be signed by Chief Officer, regardless of value. Internal Audit recommended that instead, signing of such contracts should be made by the relevant officer in line with Financial Procedure Rule limits, if the authorisation to proceed with a Call-Off contract has been properly approved. This rule has therefore amended.

3.8.3 Rule 17.3 regarding the extension of contracts where an extension is provided for in that contract.

3.8.4 Internal Audit recommended that clarification was needed to ensure consistency in approach as the Rule was open to interpretation. The Rule has been reworded to clarify. In addition, Rule 17.4 regarding the extension of contracts where no extension is provided for in the contract has similarly been reworded to clarify.

3.8.5 During the same audit, Internal Audit raised a query regarding how Grants were dealt with and whether there was an explicit process in place. Although this was not a recommendation in the final report, an additional section has been added to the Rules to clarify this and ensure a consistent approach is taken across the organisation.

ADDITIONAL PROPOSED CHANGES TO THE CONTRACT PROCEDURE RULES

3.9 Three further changes are proposed to streamline processes and remove unnecessary steps:

3.9.1 Approval of Exemptions, Award of procurements valued £25,000pa to £49,999pa. Amended to require approval from the relevant Director only and remove additional requirement for approval from the Monitoring Officer and Director of Resources.

3.9.2 Retention of Exemption Approval Forms. Amended to require the Responsible Officer to retain, rather than require the Commissioning Team to store on behalf of other officers. This will ensure exemption approvals are stored with the other paperwork for each contract.

3.9.3 Release of electronic tenders. Amended to allow Welland Procurement Unit to release bids directly to the Responsible Officer for the contract, rather than release them to an officer from the Commissioning Team for them to pass on. This will remove an unnecessary step in the process.

3.10 None of these changes result in any change to the overall responsibility of relevant Officers. Throughout the document references to 'Strategic Management Team (Chief Officer)' have been amended to 'Chief Officer'. This brings the terminology in line with other areas of the Constitution. The definition of Chief Officer is included in Appendix A of the CPRs for clarity.

4 DEPUTY ELECTORAL REGISTRATION OFFICER

- 4.1 The Elections Team are responsible for compiling and maintaining the Registers of Electors. This includes carrying out an annual canvass, carrying out house to house enquires, ensuring the Register is accurate, complete and up to date and maintaining a register of absent voters.
- 4.2 The Council must appoint a senior officer of the Council to be the Electoral Registration Officer (ERO) responsible for these functions and this is usually the Chief Executive, as is the case at Rutland. The statutory duties of the ERO are complex and set out in legislation.
- 4.3 The Deputy ERO is set out in the Officer Scheme of Delegation in Part 3 of the Constitution and historically has been the Strategic Director of Resources. The Chief Executive and Strategic Director for Resources have agreed, subject to Council approval, that the Electoral Services Manager becomes the designated Deputy ERO to recognise their role in the day-to-day delivery of these functions.

5 CONSULTATION (MANDATORY)

- 5.1 The Constitution Review Working Group has been consulted on the amendments to the Employment Appeals Committee Terms of Reference and Contract Procedure Rules. Subsequent minor amendments following their feedback have been made.
- 5.2 The amendments to the Contract Procedure Rules have also been shared with Welland Procurement Unit, who provide RCC's procurement advice, to ensure that the amendments remain within procurement regulations.
- 5.3 The Chief Executive and Strategic Director for Resources have been consulted on the proposed change to the designation of Deputy Electoral Registration Officer.

6 FINANCIAL IMPLICATIONS (MANDATORY)

- 6.1 There are no financial implications of the changes.

7 LEGAL AND GOVERNANCE CONSIDERATIONS

- 7.1 Amendments to the Council's Constitution are the responsibility of Council.
- 7.2 The changes to the Contract Procedure Rules will bring them in line with amended requirements resulting from the UK's exit from the EU. The Rules remain in compliance with procurement regulations.

8 DATA PROTECTION IMPLICATIONS

- 8.1 A Data Protection Impact Assessment (DPIA) has not been completed because there is no data processed as part of the Employment and Appeals Terms of Reference or Contract Procedure Rules.

9 EQUALITY IMPACT ASSESSMENT

- 9.1 An Equality Impact Assessment (EqIA) has not been completed because the amendments to **THE** Employment and Appeals Terms of Reference or Contract

Procedure Rules do not relate to a process or provision which involves people.

10 COMMUNITY SAFETY IMPLICATIONS

10.1 There are no community safety implications arising from the proposed changes.

11 HEALTH AND WELLBEING IMPLICATIONS

11.1 There are no health and wellbeing implications arising from the proposed changes.

12 ORGANISATIONAL IMPLICATIONS

12.1 The amendments to the Rules once approved will be shared with Officers and existing guidance provided to support procurements and contracts will be updated accordingly.

13 CONCLUSION AND SUMMARY OF REASONS FOR THE RECOMMENDATIONS

13.1 The amendments to the Contract Procedure Rules are designed to bring the Rules in line with revised UK regulations, processes, and guidance.

13.2 The amendments are designed to clarify where Internal Audit have identified ambiguity, and to streamline processes where this makes no material change to the responsibilities of relevant Officers.

13.3 The remaining amendments are required to keep the Constitution up to date and reflect working practices.

14 BACKGROUND PAPERS

14.1 There are no additional background papers to this report.

15 APPENDICES

15.1 Appendix A – Table of Proposed Amendments to the Contract Procedure Rules January 2022

15.2 Appendix B - Amended Contract Procedure Rules January 2022 with Tracked Changes

A Large Print or Braille Version of this Report is available upon request – Contact 01572 722577.

Appendix A. Amendments to the Contract Procedure Rules January 2022

The Contract Procedure Rules have been renamed 'Contract and Grant Procedure Rules' to reflect that they apply to grants as well as contract.

Rule	Amended Rule	Reason for amendment
1.3.2	Now includes interim and agency staff	This is an addition for clarity. A new process has been established to ensure that the identification and use of agency and interim staff is appropriately managed.
1.3.5	Amended to show the legislation under which such arrangements are made. The Clauses referred to set out the full definitions.	As, and if, the legislation is amended this Rule will remain up to date.
1.4	<i>Additional Rule:</i> The provision of Grants to external organisations is dealt with separately under Rules 19.1 to 19.8	Rule 19 provides clarity on the giving of grants to external organisations, which was not previously explicitly dealt with in the Rules. This was raised by Internal Audit during the 2020/21 Compliance Audit although was not contained within the final recommendations of that Audit.
1.5	Whilst 1.3.5 and 1.3.6 are not covered by these Rules, these contracts must be approved by the relevant Chief Officer, in consultation with the appropriate Portfolio Holder. The Public-to-Public Contract Exemption Request Form must be used.	Simplified process for approval of exemptions, it is the relevant Director's responsibility and does not require additional approval from the Monitoring Officer or Director Resources as currently set out. This amendment to the approval process is also applied to Rules: 4.2 exemptions; 11.10 procurements valued between £25,000 p.a. and £49,999 p.a.; and 16.3 award of contracts from Frameworks.
2.14.4 & 2.14.5	Additions referring to officers' required actions in undertaking due diligence	This is already referred to under specific Rules but added here for clarity. This is also added under specific types of procurement for further clarity.
4.2	Removal of requirement for Exemptions to be approved by Chief Officer, Monitoring Officer and Director of Resources	The relevant Chief Officer is responsible for contracts within their Directorate, the addition of approvals by the Monitoring Officer and Director of Resources are unnecessary additional steps in the process.
4.3	The original signed version of the Exemption Request Form must be held by the Responsible Officer.	Removal of requirement for the Exemption to be sent to the Commissioning Team. The responsibility for holding the

		procurement and contract paperwork is that of the Responsible Officer. There is no reason for the Exemption Request to be held by the Commissioning Team separately.
4.5 & 4.6	Addition of further requirements for Contracts Register and Contracts Finder publication in line with regulatory requirements	Clarification to ensure compliance with regulations
10.13 & 10.14	Additional of Responsible Officer requirement to undertake due diligence	This is already referred to in the Rules but included for clarity. This amendment is repeated in subsequent sections.
11.1 to 11.3	No amendments to the Rules	Section rearranged for clarity.
11.5	Removal of reference to 'hard copy' and 'fax'	Bids are no longer accepted in these formats.
12.14.4	Standard Suitability Questions (the suitability questions must not be modified, without advice from Welland Procurement).	Removal of requirement for advice from the Commissioning Team, Welland provide our specialist procurement advice. This amendment is repeated in subsequent sections.
12.16	Tenders shall be received via the electronic tendering system, ProContract, where a representative of Welland Procurement will be responsible for unsealing the tenders and releasing to the Responsible Officer, as well as maintaining an independent corporate Tender log.	Removal of the additional step in the process for Welland release to the Commissioning Team, who then forward on to the Responsible Officer. The amendment streamlines the process.
16.1	Addition of what compliance with a Framework includes	Further information for clarity and to ensure Officer compliance with the relevant Terms and Conditions
16.7	The call-off contract may be signed by the relevant Officer in accordance with financial limits if Rule 16.3 has been met.	This amendment is in response to an Internal Audit recommendation to allow contracts to be signed by officers (in line with the financial limits set out in the Financial Procedure Rules), rather than all Framework Contracts having to be signed by a Chief Officer, regardless of their value.
17.3	<i>Reworded Rule:</i> Extension of Contracts where the extension is allowed for within the contract	This amendment is in response to an Internal Audit recommendation. The section has been reworded to clarify authorisation process for extensions in the varying circumstances. The process itself and requirements to approve extensions have not been amended.

17.4	<i>Reworded Rule:</i> Extension of Contracts where the no extension is allowed for within the contract	This section has been reworded to clarify authorisation process for extensions in the varying circumstances. This is in response to Internal Audit queries. The process itself and requirements to approve extensions have not been amended.
19.1 to 19.9	<i>New section:</i> Grants	This is a new section to deal specifically with the process for and approval of awarding Grants to external organisations. This was not dealt with explicitly previously.
Appendix 3	Variable Information updates	To update contact details for internal officers

In addition, throughout the Rules, references to the EU have been replaced with the relevant UK equivalent.

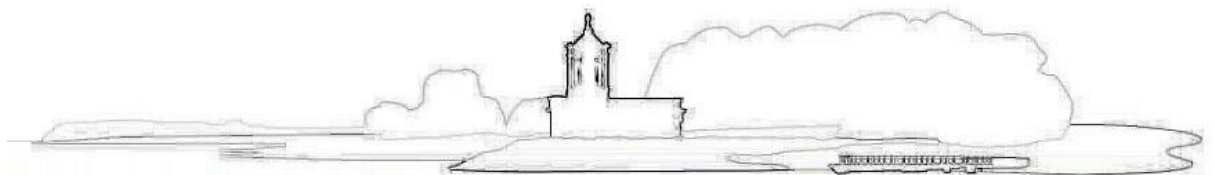
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Rutland County Council

CONTRACTS & GRANTS PROCEDURE RULES

Version and Policy number	New Rules – Version 1.6
Guardian	Deputy Director Corporate Governance
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**RUTLAND COUNTY COUNCIL/ DISTRICT COUNCIL CONSTITUTION PART 10 – CONTRACT
PROCEDURE RULES**

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RUTLAND COUNTY COUNCIL/ DISTRICT COUNCIL CONSTITUTION PART 10 – CONTRACT PROCEDURE RULES

1. Introduction

The purpose of these Contract Procedure Rules is to set out the principles, roles and processes involved in procurement at the Council. All procurements must comply with these rules, the Council's Financial Procedural Rules, Procurement Toolkit, the Officer Scheme of Delegation, English law and European law in force in England and the duty of Best Value.

All procurements must realise value for money through the optimum combination of whole life costs and quality of outcome.

These Rules seek to protect the Council's reputation by minimising the risk of allegations of corruption, dishonesty and failure to meet legal obligations, as such the Rules must be followed in all procurement activities.

These Rules are supported by detailed practical guidance available in the Council's Procurement Toolkit located on the Rutland County Council section of the Welland Procurement Portal <http://wellandprocurement.org.uk/>

- 1.1 All procurement activities must be carried out in a fair, open, transparent, proportionate and non-discriminatory manner.
- 1.2 These Rules apply to contracts or agreements with external organisations where the Council pays for:
 - 1.2.1 Goods and/or Services.
 - 1.2.2 Works of any kind.
 - 1.2.3 Hire, rental or lease of equipment, material and/or plant.
- 1.3 These Rules do not apply in the following circumstances:
 - 1.3.1 The purchase or lease of property, land acquisition, interest in land, transaction in land or disposal. This does not extend to any goods, services or works contracts that may be required to make the land, existing buildings or immoveable property ready for acquisition, disposal or leasing.
 - 1.3.2 Direct employment of permanent or fixed term employees, [or of interim or agency staff.](#) For the avoidance of doubt these Rules do apply to consultancy and employment agency contracts.
 - 1.3.3 Instructing barristers or solicitors provided those costs do not exceed the relevant [EU UK Procurement](#) Threshold.
 - 1.3.4 The lending or borrowing of money by the Council.
 - 1.3.5 Contracts [between Local Authorities as defined by Clause 12 of the Public Contract Regulations 2015 or Clause 17 of the Concession Contracts Regulations 2015. with other public bodies where the parties come together to deliver a public service \(Hamburg – public to public contract\), will be exempt from these Rules where all of the following conditions are met:](#)
 - [It achieve objectives which are common to both parties; and](#)
 - [The co-operation arrangement is solely for the public interest; and](#)
 - [The parties perform less than 20% of the services covered by the arrangement on the open market.](#)
 - 1.3.6 [Where the Council awards a Contract to an entity it controls. \(Teckal – in house award\). This exemption will only apply if all of the following conditions are met:](#)

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- ~~○ The Council exercises a similar control on the entity as it does over its own departments;~~
- ~~○ The entity carries out more than 80% of its activities for the Council;~~
- ~~○ There is no private sector money in the entity.~~

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1.4 [The provision of Grants to external organisations is dealt with separately under Rules 19.1 to 19.8](#)

1.5 Whilst 1.3.5 and 1.3.6 are not covered by these Rules, ~~approval of these types of contract contracts~~ must be ~~supported~~ approved by the relevant ~~member of the Strategic Management Team (Chief Officer), the Monitoring Officer and, in consultation with~~ the appropriate Portfolio Holder, ~~and then approval sought from the Director of Resources.~~ The Public to Public Contract Exemption Request Form must be used.

1.56 When commissioning goods, services, and works through collaborative joint purchasing, where one of the other contracting authorities is acting as procurement lead, the Officer responsible must satisfy themselves that the procurement complies with all relevant directives, legislation and guidance.

2. Roles and Responsibilities

Officers

2.1 Officers are individually responsible for ensuring that they fully understand and comply with all aspects of these Rules, failure to do so may result in disciplinary action.

2.2 The Responsible Officer for the procurement must comply with these Contract Procedure Rules, the Council's Procurement Toolkit and the Financial Procedural Rules. The Officer is also responsible for ensuring that any Agents acting on behalf of the Council do so in compliance with these Rules and should seek written confirmation of their agreement.

2.3 The Officer must have regard to the guidance and template documentation in the Procurement Toolkit located on the Rutland County Council section of the Welland Procurement Portal.

2.4 The Officer must check whether a suitable Corporate Contract or other Publicly Available Contract/ Framework Agreement exists before seeking to let another Contract. Where such a contract does exist, its use should be considered.

2.5 The Officer must complete the relevant corporate forms and keep the records detailed in these Rules.

2.6 Where ~~an EU procedure is required~~ a procurement procedure is regulated by the Public Contract Regulations 2015 or the Concession Contract Regulations 2016, the Officer must contact Welland Procurement at the earliest opportunity before embarking on the procurement.

2.7 The Officer should take legal, financial, and other professional and technical advice.

2.8 The Officer must ensure that they have the correct authorisation to procure and award the contract.

2.9 The Officer must ensure that there is sufficient budget provision agreed and that they have the budget holder's approval, before embarking on the procurement.

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- 2.10 Where any employee of the Council or of a Supplier may be affected by any transfer arrangement (TUPE), the Officer must ensure that the Transfer of Undertaking (Protection of Employment) Regulations 2006 issues are considered and obtain relevant advice.
- 2.11 All contracts with a value at or above £5,000 p.a. must be added to the relevant Directorate's Contract Register to ensure compliance with the Transparency Regulations.
- 2.12 Officers must ensure that the contracts for which they are responsible are effectively managed and monitored to ensure they deliver the requirement as intended and to address any performance issues as soon as possible.
- 2.13 Where an Officer has a potential conflict of interest in a procurement, the Officer must declare this immediately to the relevant Director and Monitoring Officer. The Officer may be required to withdraw from the procurement process. Any Officer who fails to declare such a conflict of interest may be subject to disciplinary proceedings and sanctions and risks being prosecuted under the Bribery Act 2010.
- 2.14 Officers must:
- 2.14.1 Not disclose any confidential and commercially sensitive information to unauthorised persons;
 - 2.14.2 Achieve best value for money and consider opportunities for costs avoidance/waste reduction;
 - 2.14.3 Ensure that all equality issues are addressed (carrying out an equality impact assessment where required).
 - [2.14.4 Keep records as detailed in these Rules.](#)
 - [2.14.5 Carry out due diligence on successful suppliers, both at Contract Award, and for the duration of the Contract.](#)

[Chief Officer \(Strategic Management Team\)](#) ~~(Chief Officer)~~

- 2.15 [Chief Officers](#) ~~The Strategic Management Team~~ must ensure that they and their Officers comply with these Rules at all times.
- 2.16 [Chief Officers](#) ~~The Strategic Management Team~~ must ensure that Value for Money is achieved in all procurements.
- 2.17 [Chief Officers](#) ~~The Strategic Management Team~~ must ensure that they have in place a scheme of delegation that records in writing what action Officers are authorised to take under these Rules.

3. Prevention of Corruption/ Declaration of Interests

Officers

- 3.1 Officers shall behave in a manner consistent with Rule 2 with regards to declaring any potential conflict of interest or the receipt of a gifts/hospitality in line with the Council's Policy.
- 3.2 Officers are required to complete the Evaluator Conflict of Interest Declaration Form for each individual tender valued at or above £50,000 per annum that the Officer is involved with. This must be submitted in advance of the tender closing date to the relevant chair of the Evaluation Panel or the Responsible Officer for the tender.

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- 3.3 Where an Officer has a potential conflict of interest within a procurement, the Officer must declare this immediately to the relevant ~~Chief Officer~~ ~~Director~~ and Monitoring Officer. The Officer may be required to withdraw from the procurement process. The conflict must be logged on the Officers' Register of Interests. Any Officer who fails to declare such a conflict of interest may be subject to disciplinary proceedings and sanctions and risks being prosecuted under the Bribery Act 2010.

Members

- 3.4 Members will at all times act in a manner consistent with the Code of Conduct.

Contract Provisions

- 3.5 All contracts must contain the right to terminate the contract in the event of a contractor offering any inducement, committing fraud, or committing an offence under the Prevention of Corruption Acts.
- 3.6 All contracts must require contractors to comply with the Council's Corporate Counter Fraud Strategy.

4. Exemptions to these Rules

- 4.1 Where a procurement is valued above the relevant ~~EU~~ ~~UK~~ Procurement Threshold and there is no legislative exemption, the exemptions listed in this Section will not apply.
- 4.2 All exemptions must be ~~supported~~ ~~authorised~~ by the relevant ~~member of the Strategic Management Team (Chief Officer) in the first instance, and authorised by the Director of Resources~~, in consultation with the ~~Monitoring Officer and~~ appropriate Portfolio Holder ~~upon completion of the 'Exemption Request Form'~~, subject to one or more of the following criteria being fulfilled:
- 4.2.1 **Value for Money:** where proprietary or patented goods or services; or the requirement is of such a specialist nature that it can genuinely only be fulfilled by one person or organisation; or the compatibility with existing goods or services is required and/or where those existing goods or services can only be sourced from the same supplier; or there is clear evidence that the procurement exercise will provide no additional value for money.
- 4.2.2 **Genuine emergencies:** critical preventative or remedial work where there is a real and imminent risk to the safety of people or property arising from hitherto unforeseen 'catastrophic' events or incidents, for example fire, bombing, landslide etc.
- 4.2.3 **Urgent Situations not of the Council's own making:** the urgency must have been reasonably unforeseeable (e.g. existing supplier going into liquidation) and genuinely be a case of time is of the essence. Urgency arising from the Council's own making (e.g. lack of planning) shall not justify an exemption. Where this exemption is used, a compliant procurement must be implemented as soon as possible.
- 4.2.4 **Collaborative/Joint Procurement:** where another contracting authority/public body is acting as the 'lead buyer' and provided that the Responsible Officer can demonstrate those arrangements comply with relevant Regulations and best practice.

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- ~~4.2.5 Grants which the Council may receive or make: except where the grant is the form of payment for a contract for services where the Council specifies the output or outcomes to be delivered. The awarding of grants by the Council or on behalf of the Council must be carried out under the principles of openness, fairness, non-discrimination and value for money. Officers cannot choose to treat procurement as a grant in order to avoid conducting a competitive process.~~
- 4.2.56 **Contracts for the execution of either mandatory works or provision of goods or services which must be provided by Statutory Provider** other than the Council. This includes but is not limited to public utility companies and other legal authorities.
- 4.2.67 **Individual Social Care Placements** which are required to be approved via a separate approval process in accordance with Council's Standard Operating Protocol for the Placement of Individuals in Social Care & [SEN Special Educational Needs and Disability Services](#).
- 4.3 The original signed version of the Exemption Request Form must be ~~submitted to a member of~~ [held by](#) the ~~Commissioning Team~~ [Responsible Officer](#).
- 4.4 Officers must keep a record of any Exemption under Rule 4 and the reasons for it, plus the negotiations surrounding the contract award.
- ~~4.5 Where the total value of the contract is £5,000 or more, the resultant contract must be added to the Contract Register to ensure compliance with Transparency Regulations.~~
- ~~4.6 An award notice is required on Contracts Finder for all Contracts with a total value of £25,000 or above.~~
- 5. Income Opportunities**
- 5.1 Officers must seek [legal and financial](#) advice for any contracts which will generate income for the Council, [including to determine if the Concession Contract Regulations 2016 applies](#).
- 6. Legal Involvement**
- 6.1 The formal advice of the Monitoring Officer must be sought prior to award of the following contracts:
- 6.1.1 Where the total contract value including any extension period, exceeds £500,000;
- 6.1.2 Those involving lease arrangements;
- 6.1.3 Those which are complex or involve a recognisable risk;
- 6.1.4 Where it is an extension within its terms to an existing contract that will bring the overall value over £500,000;
- 6.1.5 Where it is a variation to an existing contract with no greater value than the [EU-UK](#) Thresholds;
- 6.1.6 Where invoice payments are made to finance or factoring companies;
- 6.1.7 Those involving the transfer of non-land assets;
- 6.1.8 Those involving TUPE or pension arrangements; and/or
- 6.1.9 Where it is proposed to use the contractor's own contract terms and conditions.

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7. Contract Documentation

- 7.1 All contracts must be in writing.
- 7.2 Where the contract is of a non-complex nature and the provisions in relation to the valuation allow the use of the Council's Short-Form Terms and Conditions for Goods and Services then a purchase order is an acceptable form of contract. This must include a clear description of the quotation, the terms agreed for delivery and a clear specification or description of the subject of the order together with the Short Form Terms & Conditions for Goods and Services.

8. Document Retention and Disposal

- 8.1 Written records by must be kept in accordance with the Council's Document Retention Guidance for Procurement & Contracts, as detailed in the Procurement Toolkit.
- 8.2 Where the contract is valued below £50,000 p.a., the following records must be kept:
- 8.2.1 Authorisation of Award Criteria (where relevant)
 - 8.2.2 Request for Quotation document
 - 8.2.3 Quotations received
 - 8.2.4 A written record of the reason if the lowest price is not accepted
 - 8.2.5 A record of the Award approval
 - 8.2.6 Records of communications with the successful contractor during the procurement process.
- 8.3 Where the contract is valued at or above £50,000 p.a., the following records must be kept:
- 8.3.1 Any pre-tender market research and consultation
 - 8.3.2 Pre-procurement Business Case, plus the relevant ~~member of the Strategic Management Team (Chief Officer)~~ or Cabinet approval
 - 8.3.3 The method for obtaining Tenders
 - 8.3.4 Procurement documents
 - 8.3.5 Tenders submissions received
 - 8.3.6 The Award Criteria in descending order of importance and evaluation methodology
 - 8.3.7 A written record of the evaluation, any tender clarification, bidder interview/presentation stage or post tender negotiation
 - 8.3.8 Contracting decision and the reasons for it
 - 8.3.9 A record of the Award approval
 - 8.3.10 Contract documents
 - 8.3.11 Performance Bonds/Parent Company Guarantee, where required
 - 8.3.12 On-going contract management and supplier performance monitoring mechanisms
 - 8.3.13 Records of communications with the successful contractor during the procurement process
 - 8.3.14 A Regulation 84(1) tender report, for contracts valued at or above the ~~EU-UK~~ Procurement Threshold.

9. Procurements valued under £5,000 p.a.

- 9.1 Where the contract is valued below £5,000 p.a., the Contracts may be placed by direct negotiation with one or more supplier using a Council Purchasing Card (P-Card), in accordance with the Council's Purchasing Card Policy and the Financial Procedural Rules.

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9.2 No contract will be procured under this provision shall be greater in value than £25,000 and/or 5 years over the total life of the contract (whichever is the lesser).

10. Procurements valued between £5,000 p.a. to £24,999 p.a.

10.1 Where the contract is valued between £5,000 and £24,999 p.a., Officers are required to seek at least one written quotation. Value for money remains a primary objective and so Officers may decide to seek more than one quotation to ensure that objective is achieved.

10.2 No contract will be procured under this provision shall be greater in value than £50,000 and/or 5 years over the total life of the contract (whichever is the lesser).

10.3 In the case of works, pre agreed hourly/daily rates are acceptable, provided that the total cumulative value of spend using these rates does not exceed [EU-UK Procurement](#) Thresholds over the full life of the project.

Receiving the Quotation

10.4 Quotations of this value can be submitted via email or via the electronic tendering system ProContract.

10.5 For Quotes received via ProContract, a representative of Welland Procurement will be responsible for unsealing the quotes and releasing them to the Responsible Officer. It shall be the responsibility of the Responsible Officer to record details of all quotes received within the Quotation Register for the relevant Directorate.

10.6 The quotation must be received before any order is processed and must include the following information (where relevant):

- 10.6.1 A description of the goods, services or works to be supplied;
- 10.6.2 When and where they will be supplied;
- 10.6.3 The value of the requirements;
- 10.6.4 Payment terms.

Awarding a Contract

10.7 The contract award must be authorised by the relevant budget holder using Section 2 of the Award Criteria & Award Authorisation Form.

10.8 The Council's Short Form Terms & Conditions for Goods and Services should usually be used unless deemed inappropriate by the budget holder.

10.9 Officers must have a purchase order in line with Financial Procedure Rules.

10.10 The Officer must keep the following records:

- 10.10.1 Request for Quotation Template
- 10.10.2 Quotation received
- 10.10.3 Authorisation of Award Form
- 10.10.4 Records of communications with the successful contractor during the procurement process

10.11 If more than one quotation is sought, all bidders must be notified of the Award decision simultaneously in writing by the Responsible Officer (either via email or via ProContract if used), as to whether or not their bid was successful.

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10.12 Where more than one quotation is received, if an unsuccessful bidder makes a written request to the Council for a further debrief in relation to the contract award decision, the Responsible Officer must provide the appropriate information within 15 calendar days from receipt of the written request. The confidentiality of quotation responses and the identity of other bidders must be preserved at all times, and information about one bidder's response must not be disclosed to another bidder. Under no circumstances must the Responsible Officer provide a verbal debriefing to any bidder as part of the procurement process.

10.13 The Responsible Officer shall undertake due diligence checks on the successful bidder(s) and any organisation relied upon to meet the winning supplier's selection criteria, to evidence their fulfilment of the selection criteria, and that there are no grounds for exclusion.

10.14 The Responsible Officer shall carry out this due diligence at Contract Award and for the duration of the Contract.

11. Procurements valued between £25,000 p.a. and £49,999 p.a.

11.1 Where the contract is valued between £25,000 p.a. and £49,999 p.a. the Responsible Officer must either:

11.1.1 Obtain a quote under one of the Council's corporate contracts;

(a) Officers should refer to section 15 of these Rules (Corporate Contracts)

11.1.2 Place an order with a supplier under a framework agreement;

(a) Where a suitable framework agreement exists, the Officer may use the framework if the Council is mentioned as a potential purchaser under the framework agreement. Officers must follow the call-off procedure set out in the framework agreement (either direct award without competition or a further competition). Welland Procurement can advise Officers on appropriate framework agreements and the correct call-off procedure to use. Officers should refer to paragraph 16 of these Rules (Framework Agreement).

11.1.3 Obtain three (3) written quotes from other suppliers. At least one of the suppliers invited to submit a quotation should be local, where local means in the sub-region or region.

11.1.4 Where fewer than 3 potential suppliers can be identified, no formal request for Exemption is required, provided the Officer keeps a written record of the reason for it and all potential suppliers should be invited to quote. It is accepted that the Officer may receive fewer than 3 quotations even where 3 or more suppliers have been invited to quote.

at least three written quotations must be obtained.

11.2 No contract will be procured under this provision shall be greater in value than £100,000 and/or 5 years over the total life of the contract (whichever is the lesser)

11.3 When a quotation is sought, the Request for Quotation template document must be used. In any case the criteria for selecting the Most Economically Advantageous Quotation must be established before the quotations are invited and be made clear in the procurement documentation.

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~~11.3 The budget holder must either:~~

~~11.3.1 Obtain a quote under one of the Council's corporate contracts;~~

~~(a) Officers should refer to section 15 of these Rules (Corporate Contracts)~~

~~11.3.2 Place an order with a supplier under a framework agreement;~~

~~(a) Where a suitable framework agreement exists the Officer may use the framework if the Council is mentioned as a potential purchaser under the framework agreement. Officers must follow the call-off procedure set out in the framework agreement (either direct award without competition or a further competition). Welland Procurement can advise Officers on appropriate framework agreements and the correct call-off procedure to use. Officers should refer to paragraph 16 of these Rules (Framework Agreement).~~

~~11.3.3 Obtain three (3) written quotes from other relevant suppliers. At least one of the suppliers invited to submit a quotation should be local, where local means in the sub-region or region.~~

~~11.3.4 Where fewer than 3 potential suppliers can be identified, no formal request for Exemption is required, provided the Officer keeps a written record of the reason for it and all potential suppliers should be invited to quote. It is accepted that the Officer may receive fewer than 3 quotations even where 3 or more suppliers have been invited to quote.~~

11.4 If there is clear justification that the contract opportunity is required to be advertised, for example because:

11.4.1 The relevant Officer cannot immediately identify 3 potential suppliers to invite to quote; and/or

11.4.2 The procurement opportunity is either politically sensitive or high profile (as determined by the Responsible Officer)

then it may be advertised on a local portal (including the Council's website). It must be advertised via Welland Procurement on Contracts Finder within 24 hours of the time when it was first advertised.

Receiving the Quotation

11.5 Quotations must be submitted ~~in hard copy~~ to the Responsible Officer, ~~unless you choose to receive quotes~~ via ~~email or~~ the Electronic Tendering System, ProContract, hosted by Welland Procurement. Quotations received by ~~electronic other~~ means ~~(email or fax)~~ must be rejected.

11.6 It shall be the responsibility of the relevant Officer to safeguard all hard copy Quotations received by the Council, until the appointed time for opening. Each Quotation must be:

11.6.1 Suitably recorded so as to subsequently verify the date and precise time it was received;

11.6.2 Adequately protected immediately on receipt, to guard against amendments to its contents;

11.6.3 Recorded in the Quotation Register within the relevant Directorate;

11.6.4 Opened at the same time, once the closing time and date for their submission has expired. Quotations must be opened in the presence of two Officers.

11.7 For Quotes received via ProContract, a representative of Welland Procurement will be responsible for unsealing the quotes and releasing them to the Responsible Officer. It shall be the responsibility of the Responsible Officer to record details of all quotes received within the Quotation Register for the relevant Directorate.

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- 11.8 Evaluation of the quotations received must be carried out using the evaluation criteria identified in the procurement documentation. Clarification questions may be asked where responses would not result in a material change to the bid received.

Awarding a Contract

- 11.9 [The relevant](#) Chief ~~Officers~~ [Officer](#) should select the quotation that offers the best value for money and meets due diligence checks.
- 11.10 The contract award must be authorised by the relevant Chief Officer using Section 2 of the Award Criteria & Award Authorisation Form.
- 11.11 The Council's Short Form Terms & Conditions for Goods and Services must be used unless [approved deemed inappropriate](#) by the [Responsible Officer](#). [The relevant Chief Officer must authorise use of any alternative set of Contract Terms and Conditions.](#)
- 11.12 Officers must have a Purchase Order in line with Financial Procedure Rules.
- 11.13 A Contracts Finder Award Notice must be advertised by Welland Procurement following the award of any Contract or Framework Agreement valued at or above £25,000.
- 11.14 All bidders must be notified of the Award decision simultaneously in writing by the Responsible Officer (either via email or ProContract if used), as to whether or not their bid was successful.
- 11.15 If an unsuccessful bidder makes a written request to the Council for a further debrief in relation to the contract award decision, the Responsible Officer must provide the appropriate information within 15 calendar days from receipt of the written request. The confidentiality of quotation responses and the identity of other bidders must be preserved at all times, and information about one bidder's response must not be disclosed to another bidder. Under no circumstances must the Responsible Officer provide a verbal debriefing to any bidder as part of the procurement process.

Post Award

- 11.14 The Budget Holder must keep the following records:
- 11.14.1 Request for Quotation Template
 - 11.14.2 Quotations received
 - 11.14.3 Authorisation of Award Form
 - 11.14.4 Records of communications with the successful contractor during the procurement process

12. Procurements Valued between £50,000 p.a. and the Current Goods and Services [EU UK](#) Procurement Threshold

- 12.1 Where the contract is valued between £50,000 p.a. and the current goods and services [EU UK](#) Procurement Threshold. [Responsible Officers must procure in line with Rule 12.7. ~~a single stage/Open tender process must be completed. This procurement process means that~~](#) All interested suppliers are eligible to submit a Tender; no pre-qualification of suppliers is permitted.
- 12.2 Contracts of this value must be managed using the Electronic Tendering System hosted by Welland Procurement.

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- 12.3 For Contracts valued above £50,000 p.a. Officer must consider what wider economic, social and environmental benefits ([Social Value](#)) are available to the local community through the Contract being procured.

Prior to obtaining Tenders

- 12.4 Officers must obtain the approval of the relevant ~~member of the Strategic Management Team (Chief Officer)~~ and Cabinet prior to embarking on the procurement.
- 12.5 ~~Where the procurement is valued at or above £50,000 p.a., or relates to a business critical activity,~~ a contract risk register must be drawn up by the Responsible Officer for the tendering, award and management of the contract, ~~using the Council's Contract Risk Assessment Tool.~~
- 12.6 Officers should complete a Pre-procurement Business Case to provide additional clarification to inform the procurement proposal and support the authorisation/approval process, where the nature of the procurement is considered strategic, complex and/or high risk.

How to Invite Tenders

- 12.7 [Responsible](#) Officers must either:
- 12.7.1 Procure the contract requirements through one of the Council's corporate contracts.
- (a) Officers should refer to section 15 of these Rules (Corporate Contracts).
 - (b) If an approved supplier under an existing corporate contracts can ~~supply your~~ [meet the](#) contract requirements, ~~you they must should be~~ instructed them directly.
 - (c) Where ~~they a supplier under a Corporate Contract~~ procures goods, services or works on ~~your behalf the Council's behalf~~ they must follow the tendering procedures detailed in this section.
 - (d) ~~If you~~ [Where Responsible Officers](#) do not wish to procure through a corporate contract ~~you must keep~~ a written record of ~~your the~~ decision must be kept.
- 12.7.2 Place an order with a supplier under a framework agreement.
- (a) Where a suitable framework agreement exists, the Officer may use that framework if the Council is mentioned as a potential purchaser. Officers must follow the call-off procedure set out in the framework agreement (either direct award without competition or a further competition). Welland Procurement can advise Officers on appropriate framework agreements and the correct call-off procedure to use. Officers should refer to paragraph 16 of these Rules (Framework Agreement).
- 12.7.3 Where you need to source your requirements on the open market, a single stage/open tender process must be completed.
- (a) Officers must consider how to achieve the Most Economically Advantageous Tender using the Invitation to Tender template and ensure that there is sufficient detail to enable the submission of competitive offers.
 - (b) Potential bidders must be given sufficient time to prepare and submit their tender, consistent with the urgency and/or complexity of the contract requirements.
 - (c) Where, for whatever reason, additional tender information is not supplied to potential bidders at least 6 days before the fixed time/date for receipt of tenders, the Responsible Officer shall extend the time limit for receipt of tenders so that all potential bidders may be aware of all the information needed to produce their

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Tender. The length of any extension shall be proportionate to the importance of the additional information provided.

- 12.8 The Council's Open Tender documents must be used. The Responsible Officer must ensure that all relevant procurement documents are finalised before the procurement is advertised.
- 12.9 The evaluation criteria and methodology set out in the procurement documentation must:
- 12.9.1 Be relevant to the subject matter of the goods, services or works to be provided under the contract and proportionate in all circumstances, and
- 12.9.2 Secure an outcome which will provide best value for money for the Council, based on whole life costs.
- 12.10 The tendering procedure will be managed using the Electronic Tendering system hosted by Welland Procurement unless otherwise dictated by the framework.

Advertising

- 12.11 The procurement opportunity must be advertised on Contracts Finder by Welland Procurement.
- 12.12 The procurement may also be advertised on other portals (East Midlands Tenders Portal). Welland Procurement is responsible for managing advertising. In all instances Officers must use the Advertising Template and submit it to Welland Procurement.
- 12.13 If the procurement is likely to be of interest locally, an advert maybe placed on the Council website.
- 12.14 The advertisement shall contain details of the proposed contract and specify a time limit within which interested parties may express an interest in tendering for the contract. The full set of procurement documentation must be made electronically available at the time the tender is advertised:
- 12.14.1 Specification and Service Levels
- 12.14.2 Contract terms and conditions
- 12.14.3 Weighting evaluation criteria and methodology
- 12.14.4 Standard Suitability Questions (the suitability questions must not be modified, unless approval is sought from the Commissioning Team) without advice from Welland Procurement)
- 12.14.5 Form of Tender and Collusive Tendering Certificate.
- 12.15.6 TUPE information where relevant.
- 12.15 If tendering to create a Framework Agreement the advert published must also indicate:
- 12.15.1 That it is a framework agreement which is being tendered
- 12.15.2 The duration of the framework agreement
- 12.15.3 Whether the framework is divided into lots
- 12.15.4 The expected maximum number of contractors to be awarded onto the framework and/or onto each lot
- 12.15.5 The estimated total value of the contracts to be covered by the framework period, including any extension
- 12.15.6 The award criteria for choosing framework contractors and the subsequent criteria for placing call-off orders.

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Receiving the Tenders

- 12.16 Tenders shall be received via the electronic tendering system, ProContract, where a representative of Welland Procurement will be responsible for unsealing the tenders. ~~A member of the Commissioning Team will then be responsible for releasing the tenders and releasing~~ to the Responsible Officer. ~~as well as~~ The Responsible Officer must maintain an independent corporate Tender log.
- 12.17 Tenders received after the fixed closing date and time or Tenders which are not submitted in accordance with these Rules will be disqualified, unless agreed otherwise by the Monitoring Officer.
- 12.18 Tenders must be evaluated in accordance with the advertised weighted evaluation criteria. Clarification questions may be asked as long as the response would not have the effect of materially changing the tender received.
- 12.19 When an abnormally low bid is submitted, the Responsible Officer shall require the bidder to explain in writing the price or costs proposed and may only reject the Tender where the explanation is unsatisfactory. Where it is established that the Tender is low due to breaches of environmental, social or labour law, the Responsible Officer must reject the Tender following consultation with the relevant ~~member of the Strategic Management Team (Chief Officer)~~.

Awarding a Contract

- 12.20 The bidder with the highest evaluation score will be awarded the contract. If this is not the case, the advice of the Welland Procurement must be sought prior to award.
- 12.21 The Responsible Officer shall undertake due diligence checks on the successful bidder(s) and any organisation relied upon to meet the winning supplier's selection criteria, to evidence their fulfilment of the selection criteria, and that there are no grounds for exclusion.
- 12.22 The Responsible Officer' shall carry out this due diligence at Contract Award and for the duration of the Contract.
- ~~Between concluding the evaluation process and before notification of the contract award decision, the Responsible Officer shall undertake due diligence checks on the successful bidders (and any organisation relied upon to meet the winning supplier's selection criteria), to ensure that they hold the required certificates, statements and other evidence for the fulfilment of the selection criteria, and that there exists no grounds for exclusion.~~
- 12.23 The contract award must be authorised by:
- ~~by~~ the relevant ~~member of the Strategic Management Team (Chief Officer)~~ in consultation with the appropriate Portfolio Holder, where Cabinet has granted delegated authority for 'authorisation of ~~award~~award at the time that Cabinet approval to embark on the procurement was granted; or
 - ~~by~~ Cabinet where no such delegated authority has been granted.
- 12.24 ~~The~~ Where Rule 12.22 (a) applies, the contract award must be authorised using the Contract Award Authorisation Form.
- 12.25 All bidders must be notified of the Award decision simultaneously in writing via ProContract by the Responsible Officer whether or not their bid was successful.

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- 12.26 If an unsuccessful bidder makes a written request to the Council for a further debrief in relation to the contract award, the Responsible Officer must provide the appropriate information within 15 calendar days from receipt of the written request. The confidentiality of tender responses and the identity of other bidders must be preserved at all times, and information about one bidder's response must not be disclosed to another bidder. Under no circumstances must the Responsible Officer provide a verbal debriefing to any bidder as part of the procurement process.
- 12.27 The Council's Corporate Contract Terms & Conditions for Goods and Services, must be used to support contracts of this value. An Officer must seek the authorisation of the relevant ~~member of the Strategic Management Team~~ (Chief Officer) in consultation with the Monitoring Officer, in order to alter the terms of the Council's Corporate Contract Terms & Conditions and/or use an alternative industry-specific Terms & Conditions.
- 12.28 The Contract Terms & Conditions must be signed by the relevant ~~member of the Strategic Management Team~~ (Chief Officer). Any contract resulting from such a tender process shall be executed as a standard contract, unless valued at £100,000 p.a. or above where it must be sealed as a Deed unless authority is given by the Monitoring Officer to execute as a contract.

Post Award

- 12.29 The Officer must keep the following records:
- 12.29.1 Any pre-tender market research and consultation
 - 12.29.2 Pre-procurement Cabinet approval (including Pre-procurement Business Case, where completed)
 - 12.29.3 The method of obtaining tenders
 - 12.29.4 Tender documents produced by the Council
 - 12.29.5 Tenders received from bidders. The successful tender should be retained for at least the life of the contract. Unsuccessful tenders should be retained for the first 12 months of the contract
 - 12.29.6 A written record of the evaluation, including any tender clarification, bidder interview/presentation stage or post tender negotiation
 - 12.29.7 Any contracting decision and the reasons for it
 - 12.29.8 A record of the Award approval
 - 12.29.9 A signed copy of the Contract document, which should be retained for the life of the contract and in normal circumstances for 6 years thereafter
 - 12.29.10 Performance Bonds/Parent Company Guarantee, where required
 - 12.29.11 Records of communications to and from bidders during the procurement process
 - 12.29.12 On-going contract management and supplier performance monitoring mechanisms
- 12.30 ~~The resultant contract must be added to the relevant directorate's Contract Register to ensure compliance with Transparency Regulations.~~ The Responsible Officer is responsible for the subsequent storage and safe keeping of the signed contract.
- 12.31 An award notice is required on Contracts Finder, Welland Procurement is responsible for such award notices.
- 12.32 The Responsible Officer must add the Contract to the relevant directorate's Contract Register to ensure compliance with Transparency Regulations.
13. **Procurements for Works Contracts Valued between the Goods and Services ~~EU~~ UK Procurement Threshold and the Works EU UK Procurement Threshold; AND**

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Procurements for Light Touch Contracts Valued between the Goods and Services EU UK Procurement Threshold and the Light Touch EU UK Procurement Threshold

- 13.1 For Works contracts valued between the Goods and Services EU UK Procurement Threshold and the Works EU UK Procurement Threshold, the Officer can choose either a **single stage/open tender process** or a **two stage/restricted tender process**.
- 13.2 For Light Touch contracts valued between the Goods and Services EU UK Procurement Threshold and the Light Touch EU UK Procurement Threshold, the Officer can choose either a **single stage/open tender process** or a **two stage/restricted tender process**.
- 13.3 Officers must seek formal advice from Welland Procurement prior embarking on the procurement and throughout the process.
- 13.4 Officer must consider what wider economic, social and environmental benefits are available to the local community through the Contract being procured.

Prior to obtaining your Tenders

- 13.5 Officers must obtain Cabinet approval (using the Procurement Cabinet Report) prior to embarking on the procurement. If you have not already obtained budgetary approval where the total value of the Contract is at or above £1,000,000 (one million), this will need to be obtained from Council prior to seeking Cabinet approval to embark upon the procurement.
- 13.6 Officers must complete a contract risk register for the tendering, award and management of the contract, using the Council's Contract Risk Assessment Tool.
- 13.7 A Pre-procurement Business Case is required to support the procurement proposal and brief the relevant ~~member of the Strategic Management Team~~ (Chief Officer) and appropriate Portfolio Holder prior to Cabinet. The business case must be presented within sufficient time to enable comments to be taken into consideration and must set out relevant justification for undertaking the procurement.
- 13.8 For contracts valued £250,000 and above, the Council may require the contractor to provide a Performance Bond or a Parent Company Guarantee, or a suitable financial deposit for the due performance of the contract according to the nature of the contract. Performance Bonds are usually required where there is a parent company, the contract value is high and/or there is financial risk to the Council in the opinion of the Responsible Officer and/ or the relevant ~~member of the Strategic Management Team~~ (Chief Officer).

How to Invite Tenders

- 13.9 Officers may choose either a **single stage/Open tender process** or a **two stage/Restricted tender process**, using an electronic tendering system.
 - 13.9.1 Officers should consider how they will get the Most Economically Advantageous Tender using the Invitation to Tender template and ensure that there is sufficient detail to enable the submission of competitive offers.
 - 13.9.2 Potential bidders must be given sufficient time to prepare and submit their tender, consistent with the urgency and/or complexity of the contract requirements.
 - 13.9.3 Where, for whatever reason, additional tender information is not supplied to potential bidders at least 6 days before the fixed time/date for receipt of tenders,

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the Responsible Officer shall extend the time limit for receipt of tenders so that all potential bidders may be aware of all the information needed to produce their Tender. The length of any extension shall be proportionate to the importance of the additional information provided.

- 13.10 Either the Open Tender template or Restricted Tender template must be used. The Officer must ensure that all relevant procurement documents are finalised before the procurement is advertised.
- 13.11 The evaluation criteria and methodology set out in the procurement documentation must:
- 13.11.1 Be relevant to the subject matter of the goods, services or works to be provided under the contract and proportionate in all circumstances, and
 - 13.11.2 Secure an outcome which will provide best value for money for the Council, based on whole life costs.
- ~~13.12 The Officer must ensure that all relevant procurement documents are finalised before the procurement is advertised.~~
- 13.13 The tendering procedure will be managed using an electronic tendering system, the Officer must therefore contact Welland Procurement to access that system.

Advertising

- 13.14 The procurement opportunity must be advertised on Contracts Finder, Welland Procurement is responsible for managing this advertising.
- 13.15 The procurement may also be advertise on other portal (East Midlands Tenders Portal), Welland Procurement is responsible for managing this advertising on your behalf. In all instances Officers must use the Advertising Template and submit it to Welland Procurement Unit.
- 13.16 The advertisement shall contain details of the proposed contract and specify a time limit within which interested parties may express an interest in tendering for the contract. The full set of procurement documentation must be made available electronically at the time that the tender is advertised:
- 13.16.1 Specification and Service Levels
 - 13.16.2 Terms and Conditions of contract
 - 13.16.3 Weighting evaluation criteria and methodology
 - 13.16.4 Standard Suitability Questions (the suitability questions must not be modified unless approval without advice is sought from the Commissioning Team Welland Procurement)
 - 13.16.5 Form of Tender and Collusive Tendering Certificate.
 - 13.16.6 TUPE information where relevant.
- 13.17 If tendering to create a Framework Agreement the advert published must indicate:
- 13.17.1 That it is a framework agreement which is being tendered
 - 13.17.2 The duration of the framework agreement
 - 13.17.3 Whether the framework is divided into lots
 - 13.17.4 The expected maximum number of contractors to be awarded onto the framework and/or onto each lot
 - 13.17.5 The estimated total value of the contracts to be covered by the framework period, including any extension

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- 13.17.6 The award criteria for choosing framework contractors and the subsequent criteria for placing call-off orders.

Receiving the Tenders

- 13.18 Tenders shall be received via the electronic tendering system, ProContract, where a representative of Welland Procurement will be responsible for unsealing the tenders. ~~A member of the Commissioning Team will then be responsible for releasing the tenders and releasing~~ to the Responsible Officer. The Responsible Officer must maintain an independent corporate tender log. ~~as well as maintaining an independent corporate Tender log.~~
- 13.19 Tenders received after the fixed closing date and time or Tenders which are not submitted in accordance with these Rules will be disqualified, unless otherwise agreed by the Monitoring Officer.
- 13.20 Tenders must be evaluated in accordance with the advertised weighted evaluation criteria. Clarification questions may be asked as long as the response would not have the effect of materially changing the tender received.
- 13.21 When an abnormally low bid is submitted, the Responsible Officer shall require the bidder to explain in writing the price or costs proposed and may only reject the Tender where the explanation is unsatisfactory. Where it is established that the Tender is low due to breaches of environmental, social or labour law, the Responsible Officer must reject the Tender following consultation with the relevant ~~member of the Strategic Management Team (Chief Officer).~~

Awarding a Contract

- 13.22 The bidder with the highest evaluation score will be awarded the contract. If this is not the case, the advice of the Welland Procurement must be sought prior to award.
- 13.23 The Responsible Officer shall undertake due diligence checks on the successful bidder(s) and any organisation relied upon to meet the winning supplier's selection criteria, to evidence their fulfilment of the selection criteria, and that there are no grounds for exclusion.
- 13.24 The Responsible Officer' shall carry out this due diligence at Contract Award and for the duration of the Contract.
- ~~13.23 Between concluding the evaluation process and before notification of the contract award decision, the Responsible Officer shall undertake due diligence checks on the successful bidders (and any organisation relied upon to meet the winning supplier's selection criteria), to ensure that they hold the required certificates, statements and other evidence for the fulfilment of the selection criteria, and that there exists no grounds for exclusion.~~
- 13.25 The contract award must be authorised by:
- by the relevant ~~member of the Strategic Management Team (Chief Officer)~~ in consultation with the appropriate Portfolio Holder, where Cabinet has granted delegated authority for 'authorisation of award' award at the time that Cabinet approval to embark on the procurement was granted; or
 - by Cabinet where no such delegated authority has been granted; or
 - by Council where the total value of the Contract is at or above £1,000,000 (one million).

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~~13.25~~13.26 [Where Rule 13.24 \(a\) applies, the contract award must be authorised using the Contract Award Authorisation Form.](#)

13.27 All bidders must be notified of the Award decision simultaneously in writing via ProContract by the Responsible Officer whether or not their bid was successful.

13.~~26~~28 If an unsuccessful bidder makes a written request to the Council for a further debrief in relation to the contract award, the Responsible Officer must provide the appropriate information within 15 calendar days from receipt of the written request. The confidentiality of tender responses and the identity of other bidders must be preserved at all times, and information about one bidder's response must not be disclosed to another bidder. Under no circumstances must the Responsible Officer provide a verbal debriefing to any bidder as part of the procurement process.

13.~~27~~29 The Council's Corporate Contract Terms & Conditions for Goods and Services, must be used to support contracts of this value. An Officer must seek the authorisation of the relevant ~~member of the Strategic Management Team~~ (Chief Officer) in consultation with the Monitoring Officer, in order to alter the terms of the Council's Corporate Contract Terms & Conditions and/or use an alternative industry-specific Terms & Conditions.

13.~~28~~30 The contract terms and conditions must be signed by the Council's Chief Executive. Any contract resulting from such a tender process must be executed as a Deed under seal.

Post Award

13.~~29~~31 The Officer must keep the following records:

- 13.~~29~~31.1 Any pre-tender market research and consultation
- 13.~~29~~31.2 Pre-procurement Cabinet approval (including Pre-procurement Business Case)
- 13.~~29~~31.3 The method of obtaining tenders
- 13.~~29~~31.4 Tender documents produced by the Council
- 13.~~29~~31.5 Tenders received from bidders. The successful tender should be retained for at least the life of the contract. Unsuccessful tenders should be retained for the first 12 months of the contract
- 13.~~29~~31.6 A written record of the evaluation, including any tender clarification, bidder interview/presentation stage or post tender negotiation
- 13.~~29~~31.7 Any contracting decision and the reasons for it
- 13.~~29~~31.8 A record of the Award approval
- 13.~~29~~31.9 A signed copy of the Contract document, which should be retained for the life of the contract and in normal circumstances for 12 years thereafter
- 13.~~29~~31.10 Performance Bonds/Parent Company Guarantee (Contracts valued above £250,000), where required
- 13.~~29~~31.11 Records of communications to and from bidders during the procurement process
- 13.~~29~~31.12 On-going contract management and supplier performance monitoring mechanisms

13.~~30~~32 The Responsible Officer is responsible for the subsequent storage and safe keeping of the signed contract.

13.~~31~~33 An award notice is required on Contracts Finder, Welland Procurement is responsible for such award notices.

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[13.34 The Responsible Officer must add the Contract to the relevant directorate's Contract Register to ensure compliance with Transparency Regulations.](#)

14. Procurements Valued Above the Relevant ~~EU~~ UK Procurement Threshold

14.1 Where the anticipated value of the contract exceeds the relevant ~~EU~~ UK Procurement threshold, the formal advice of Welland Procurement must be sought as early as possible and in any case before any procurement activity takes place.

Prior to obtaining your Tenders

14.2 Officers must obtain Cabinet approval (using the Procurement Cabinet Report) prior to embarking on the procurement. If you have not already obtained budgetary approval where the total value of the Contract is at or above £1,000,000 (one million), this will need to be obtained from Council prior to seeking Cabinet approval to embark upon the procurement.

14.3 Officers must complete a contract risk register for the tendering, award and management of the contract, using the Council's Contract Risk Assessment Tool.

14.4 A Pre-procurement Business Case is required to support the procurement proposal and brief the relevant ~~member of the Strategic Management Team~~ (Chief Officer) and appropriate Portfolio Holder prior to Cabinet. The business case must be presented within sufficient time to enable comments to be taken into consideration and must set out relevant justification for undertaking the procurement.

14.5 For contracts valued £250,000 and above, the Council may require the contractor to provide a Performance Bond or a Parent Company Guarantee, or a suitable financial deposit for the due performance of the contract according to the nature of the contract. Performance Bonds are usually required where there is a parent company, the contract value is high and/or there is financial risk to the Council in the opinion of the Responsible Officer and/ or the relevant ~~member of the Strategic Management Team~~ (Chief Officer).

How to Invite Tenders

14.6 Officers may choose either a **single stage/Open tender process** or a **two stage/Restricted tender process** or a method defined by the Public Contract Regulations 2015, using an electronic tendering system.

14.6.1 Officers should consider how they will get the Most Economically Advantageous Tender using the Invitation to Tender template and ensure that there is sufficient detail to enable the submission of competitive offers.

14.6.2 Potential bidders must be given sufficient time to prepare and submit their tender, consistent with the urgency and/or complexity of the contract requirements.

14.6.3 Where, for whatever reason, additional tender information is not supplied to potential bidders at least 6 days before the fixed time/date for receipt of tenders, the Responsible Officer shall extend the time limit for receipt of tenders so that all potential bidders may be aware of all the information needed to produce their Tender. The length of any extension shall be proportionate to the importance of the additional information provided.

14.7 Welland Procurement will provide appropriate Tender template documentation, based on the relevant procurement procedure being used. The Officer must ensure that the Government's mandatory 'Standard Selection Questionnaire' is used. The Questionnaire should be used in

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the single stage/Open tender process to test that suppliers can meet the minimum levels of suitability; or in the a two stage/Restricted tender process to pre-qualify suppliers based on their financial standing and technical or professional capability, prior to be invited to tender.

- 14.8 The evaluation criteria and methodology set out in the procurement documentation must:
- 14.8.1 Be relevant to the subject matter of the goods, services or works to be provided under the contract and proportionate in all circumstances, and
 - 14.8.2 Secure an outcome which will provide best value for money for the Council, based on whole life costs.
- 14.9 The Officer must ensure that all relevant procurement documents are finalised before the procurement is advertised.
- 14.10 Contracts of this value must be managed using the Electronic Tendering System hosted by Welland Procurement.

Advertising

- 14.11 The procurement opportunity must be advertised through ~~the Official Journal of the European Union~~ (~~OJEU~~UK's [Find a Tender Service \(FTS\)](#)) and Contracts Finder, Welland Procurement is responsible for managing this advertising.
- 14.12 The procurement may also be advertise on other portal (East Midlands Tenders Portal), Welland Procurement is also responsible for managing this advertising. In all instances Officers must use the Advertising Template and submit it to Welland Procurement.
- 14.13 Welland Procurement shall ensure that required national advertising through Contracts Finder and East Midlands Tenders Portal does not take place before the ~~OJEU~~ [Find a Tender Service \(FTS\)](#) Opportunity Notice is published. ~~OJEU~~ [The FTS](#) Notice shall be published on Contracts Finder within 24 hours of it [first](#) appearing in ~~OJEU~~ [FTS](#).
- 14.14 The advertisement shall contain details of the proposed contract and specify a time limit within which interested parties may express an interest in tendering for the contract. The full set of procurement documentation must be made available electronically at the time that the tender is advertised:
- 14.14.1 Specification and Service Levels
 - 14.14.2 Terms and Conditions of contract
 - 14.14.3 Weighting evaluation criteria and methodology
 - 14.14.4 The Government's Standard Selection Questionnaire (this mandatory Questionnaire must not be modified, although additional 'contract specific questions' may be asked).
 - 14.14.5 Form of Tender and Collusive Tendering Certificate
 - [14.14.6 TUPE information where relevant](#)
- 14.15 If tendering to create a Framework Agreement the advert published must indicate:
- 14.15.1 That it is a framework agreement which is being tendered
 - 14.15.2 The duration of the framework agreement
 - 14.15.3 Whether the framework is divided into lots
 - 14.15.4 The expected maximum number of contractors to be awarded onto the framework and/or onto each lot
 - 14.15.5 The estimated total value of the contracts to be covered by the framework period, including any extension

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- 14.15.6 The award criteria for choosing framework contractors and the subsequent criteria for placing call-off orders.

Receiving the Tenders

- 14.16 Tenders shall be received via the electronic tendering system, ProContract, where a representative of Welland Procurement will be responsible for unsealing the tenders. ~~A member of the Commissioning Team will then be responsible for releasing the tenders and releasing~~ and releasing to the Responsible Officer. The Responsible Officer must maintain an independent corporate Tender log, ~~as well as maintaining an independent corporate Tender log.~~
- 14.17 Tenders received after the fixed closing date and time or Tenders which are not submitted in accordance with these Rules will be disqualified, unless otherwise agreed by the Monitoring Officer.
- 14.18 Tenders must be evaluated in accordance with the advertised weighted evaluation criteria. Clarification questions may be asked as long as the response would not have the effect of materially changing the tender received.
- 14.19 When an abnormally low bid is submitted, the Responsible Officer shall require the bidder to explain in writing the price or costs proposed and may only reject the Tender where the explanation is unsatisfactory. Where it is established that the Tender is low due to breaches of environmental, social or labour law, the Responsible Officer must reject the Tender following consultation with the relevant ~~member of the Strategic Management Team (Chief Officer).~~

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Awarding a Contract

14.20 The bidder with the highest evaluation score will be awarded the contract. If this is not the case, the advice of the Welland Procurement must be sought prior to award.

14.21 The Responsible Officer shall undertake due diligence checks on the successful bidder(s) and any organisation relied upon to meet the winning supplier's selection criteria, to evidence their fulfilment of the selection criteria, and that there are no grounds for exclusion.

14.22 The Responsible Officer' shall carry out this due diligence at Contract Award and for the duration of the Contract.

~~Between concluding the evaluation process and before notification of the contract award decision, the Responsible Officer shall undertake due diligence checks on the successful bidders (and any organisation relied upon to meet the winning supplier's selection criteria), to ensure that they hold the required certificates, statements and other evidence for the fulfilment of the selection criteria, and that there exists no grounds for exclusion.~~

14.23 The contract award must be authorised:

- a) by the relevant ~~member of the Strategic Management Team~~ (Chief Officer) in consultation with the appropriate Portfolio Holder, where Cabinet has granted delegated authority for 'authorisation of award' at the time that Cabinet approval to embark on the procurement was granted; or
- b) by Cabinet where no such delegated authority has been granted; or
- c) by Council where the total value of the Contract is at or above £1,000,000 (one million).

~~14.23~~ 14.24 Where Rule 14.22 (a) applies, the contract award must be authorised using the Contract Award Authorisation Form.

14.25 All bidders must be notified of the Award decision simultaneously in writing via ProContract by the Responsible Officer whether or not their bid was successful. The content of the 'Intention to Award' letter (standstill notice) shall take a specific format to be compliant with the ~~EU procurement procedures~~ Public Contract Regulations 2015 and reduce the risk of legal challenge, so Welland Procurement must be involved in drafting and/or reviewing these letters before they are issued to all bidders.

~~14.24~~ 26 A minimum of 10 calendar day mandatory standstill period must be allowed after announcing the intention to award, to provide unsuccessful Bidders the opportunity within that period to challenge the award decision before the contract is formally awarded. ~~This standstill period must be extended to 15 calendar days if this notification is sent other than by electronic means (i.e. post).~~

~~14.25~~ 27 The standstill period is expected to end at midnight on the end of the 10th/15th calendar day, after the day on which the notice was transmitted, provided that this day falls on a working day. If this day falls on a weekend, then the standstill period will end midnight on the next available working day. After which a 'Confirmation of Award' letter may be issued to all bidders.

~~14.26~~ 28 If an unsuccessful bidder makes a written request to the Council for a further debrief in relation to the contract award, the Responsible Officer must provide the appropriate information within 15 calendar days from receipt of the written request. The confidentiality of tender responses and the identity of other bidders must be preserved at all times, and information about one bidder's response must not be disclosed to another bidder. Under no

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circumstances must the Responsible Officer provide a verbal debriefing to any bidder as part of the procurement process.

14.2729 The Council's Corporate Contract Terms & Conditions for Goods and Services, must be used to support contracts of this value. An Officer must seek the authorisation of the relevant ~~member of the Strategic Management Team~~ (Chief Officer) in consultation with the Monitoring Officer, in order to alter the terms of the Council's Corporate Contract Terms & Conditions and/or use an alternative industry-specific Terms & Conditions.

14.2830 Any contract resulting from such a tender process must be executed as a Deed.

Regulation 84(1) tender report

14.2931 Where the total Contract value is at or above the relevant ~~EU~~ [UK Procurement](#) threshold, Welland Procurement will produce a Regulation 84(1) tender report to meet the Council's legal obligations under the Public Contract Regulations 2015. This provides details of the tender and the evaluation process, including justification for decisions taken during the procurement process and the final award recommendation.

Post Award

14.3032 The Officer must keep the following records:

- 14.3032.1 Any pre-tender market research and consultation
- 14.3032.2 Pre-procurement Cabinet approval (including Pre-procurement Business Case)
- 14.3032.3 The method of obtaining tenders
- 14.3032.4 Tender documents produced by the Council
- 14.3032.5 Tenders received from bidders. The successful tender should be retained for at least the life of the contract. Unsuccessful tenders should be retained for the first 12 months of the contract
- 14.3032.6 A written record of the evaluation, including any tender clarification, bidder interview/presentation stage or post tender negotiation
- 14.3032.7 Any contracting decision and the reasons for it
- 14.3032.8 A record of the Award approval
- 14.3032.9 A signed copy of the Contract document, which should be retained for the life of the contract and in normal circumstances for 12 years thereafter
- 14.3032.10 Performance Bonds/Parent Company Guarantee (Contracts valued above £250,000), where required
- 14.3032.11 Records of communications to and from bidders during the procurement process
- 14.3032.12 On-going contract management and supplier performance monitoring mechanisms
- 14.3032.13 Regulation 84(1) tender report.

14.31 The Officer is responsible for the subsequent storage and safe keeping of the signed contract.

14.3233 An ~~OJEU~~ [FTS](#) Contract Award Notice shall be published by Welland Procurement, in addition to the Contracts Finder Award Notice. The ~~OJEU~~ [FTS](#) Contract Award Notice must be published within a reasonable time (no later than 90 calendar days after the award date).

14.3334 Where the award notice is published via the [OJEU Find a Tender Service](#), Welland Procurement shall not publish the award notice on Contracts Finder ~~before the time when~~ until after it is entitled to publish the notice at a national level first appears on FTS.

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14.3435 The publication of information in the OJEU award notice must adhere to the requirements of the Public Contract Regulation 2015 – such information shall include the:

- 14.3435.1 Name of the Contractor,
- 14.3435.2 Date on which the contract was entered into, and
- 14.3435.3 Value of the contract

14.36 The Responsible Officer must add the Contract to the relevant directorate’s Contract Register to ensure compliance with Transparency Regulations.

15. Procuring via one of the Council’s Corporate Contracts

15.1 The Council has entered into a number of partnership arrangements for either:

- 15.1.1 Direct delivery of internal services (e.g. payroll)
- 15.1.2 Direct delivery of its services to the public (e.g. the refuse collection service)
- 15.1.3 Centralised procurement of other bought in services (e.g. agency staff etc.).

15.2 Where the requirement can be satisfied from an existing Corporate Contract then the call-off Order will be considered consistent with these Rules, so long as the call-off procedures defined within the individual contract are followed.

15.3 Failure to use an existing corporate contracts may result in the Council being in breach of the contract, which may incur financial penalties for the Council.

16. Procuring via a Framework Agreement or Dynamic Purchasing System (DPS)

16.1 A contract of any value can be procured via a framework agreement or DPS. Compliance with these Rules and relevant national and EU law is achieved through compliance with the framework agreement/DPS terms and conditions. This will involve:

- 16.1.1 reviewing relevant Framework/DPS guidance document(s)
- 16.1.2 reviewing the correct process for call off (which may be through further competition or direct award)
- 16.1.3 following the stated call off process, as laid out in the Framework/DPS documentation

16.2 For the avoidance of doubt, a framework agreement or DPS is considered a compliant procurement route where:

- 16.2.1 It has been entered into by the Council in compliance with these Rules; or
- 16.2.2 Another contracting authority, purchasing consortium or Central Government has tendered the framework agreement or DPS in compliance with national and EU procurement law and the Council is named as a potential user of the arrangement.

16.3 The Responsible Officer shall undertake due diligence checks on the successful bidder(s) and any organisation relied upon to meet the winning supplier’s selection criteria, to evidence their fulfilment of the selection criteria, and that there are no grounds for exclusion.

16.4 The Responsible Officer’ shall carry out this due diligence at Contract Award and for the duration of the Contract

16.5 Where the value of the Call-off Contract is below the relevant EU UK Procurement Threshold, the contract award must be authorised by the relevant member of the Strategic Management

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~~Team (Chief Officer)~~ in consultation with the relevant Head of Service, [using the Framework Access and Call-off Award Form](#).

16.64 Where the value of the call-off Contract is above the relevant [EU UK Procurement](#) Threshold, the contract award must be authorised by Cabinet.

16.75 The call-off contract ~~must~~[may](#) be signed by the relevant ~~member of the Strategic Management Team (Chief Officer)~~; [in accordance with financial limits provided that Rule 16.3 has been met](#).

16.86 Officers must not make any substantive changes to the call-off terms and conditions of the framework agreement or DPS.

16.97 Where the call-off contract is valued over £25,000 an award notice is required [to be published](#) on Contracts Finder, Welland Procurement is responsible for [publishing](#) such award notices.

[16.10 Where the Council is using an external framework, and the total value of the contract is £5,000 or above, the Responsible Officer must add the Contract to the relevant directorate's Contract Register to ensure compliance with Transparency Regulations.](#)

[16.11—Where the Council has set up a framework, only the framework needs to be recorded on the register. It is not necessary to record the individual call-offs from the framework.](#)

[16.12 The Officer is responsible for the subsequent storage and safe keeping of the signed contract.](#)

17. Contract Management

17.1 Contract Manager

17.1.1 All contracts must have a named Contract Manager for the entirety of the contract.

17.1.2 During the life of the contract, the Contract Manager must monitor the overall performance of the contract in line with the specification, agreed service levels and contract terms.

17.2 Variation

17.2.1 In any case where a variation to an existing contract means that the value of a contract would exceed the relevant [EU UK Procurement](#) Threshold, or where there is any material change to the contract, the contract must be treated as a new procurement under these Rules.

17.2.2 A material change is one which:

- (a) Would have allowed the admission of other Bidders or the acceptance of another tender; or
- (b) Extends the scope of the contract considerably to include goods, services or works not initially covered by the original Specification; or
- (c) Changes the economic balance in favour of the contractor in a manner not provided for in the procurement documents;
- (d) For clarity, a change will be deemed immaterial if the value of the modification is both below the relevant [EU UK procurement](#) Threshold *and* below 10% of the original contract value for goods and services (or 15% for works contracts).

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- 17.2.3 A Corporate Contract or Framework Agreement must not be varied beyond its original contractual terms and specification, unless the contract documents specifically include a contract variation provision, which clearly states the scope and nature of a possible variation.
- 17.2.4 This Rule will not apply to the variation of an Individual Placement Agreement (IPA), which shall be processed as an Exemption under Rule 4, unless the total contract value of the IPA exceeds the ~~EU~~ UK threshold for the Light Touch Regime, in which case these Rules on Contract Variation shall apply.
- 17.2.5 Contract variations must be approved by the relevant ~~member of the Strategic Management Team~~ (Chief Officer) in the first instance, in consultation with the Monitoring Officer and appropriate Portfolio Holder.
- 17.2.6 Cabinet must agree to the variation where the increase in the total value of the contract brought about by the variation exceeds £100,000 p.a.
- 17.2.7 Prior to any variation being agreed the Responsible Officer must ensure that sufficient additional budget provision has been approved by the budget holder.
- 17.3 Extension of Contracts where the extension is allowed for within the contract
- 17.3.1 ~~A contract should~~ This Rule will not apply to the extension of an Individual Placement Agreement (IPA), which will be ~~extended beyond its initial term~~ processed as an Exemption under Rule 4, unless the total contract value of the IPA is in excess of the UK threshold for the Light Touch Regime, in which case these Rules on Contract Extension shall apply.
- 17.3.2 ~~Where a contract documents extension is specifically allow for an extension period or there is a compelling business reason allowed for within the Contract: approval of that extension can be made by the relevant Responsible Officer in line with the financial limits, prior to the extension being invoked and the decision recorded in writing.~~
- 17.3.23 A Framework Agreement shall only be extended if the contract documents allow this and the original framework term together with an extension does not exceed four (4) years except in exceptional circumstances.
- ~~17.3.3 This Rule will not apply to the extension of an Individual Placement Agreement (IPA), which will be processed as an Exemption under Rule 4, unless the total contract value of the IPA is in excess of the EU threshold for the Light Touch Regime, in which case these Rules on Contract Extension shall apply~~
- 17.4 Extension of Contracts where the no extension is allowed for within the contract
- 17.34.1 Where a business need has been identified which means that a contract is required to be extended beyond the term permissible in the original contract documents, ~~advice must be sought from:~~ the Monitoring Responsible Officer, ~~whenever such an requesting the extension is proposed.~~

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~~17.3.5~~ The Officer must be satisfied that an extension would achieve value for money and be reasonable in all circumstances. ~~The Officer must record the reasons for reaching these conclusions in writing, and detail this within the Extension Request Form.~~

~~17.3.64.2~~ Where ~~Rule 17.4.1 applies, advice must be sought from the contract Monitoring Officer and, where the Contract~~ is subject to the ~~EU Public Contract Regulations, and the OJEU Notice and/or contract documentation did not state that the contract may be extended, advice must be sought from~~ 2015, from Welland Procurement ~~on how to proceed.~~

~~17.4.3.7~~ If an Officer wishes to extend a Contract where the value of the extension is below £50,000 p.a., and provided that Rules ~~17.3.4.1~~ and ~~17.3.54.2~~ have been complied with, then the permission of the budget holder is required.

~~17.3.87~~ If an Officer wishes to extend a Contract where the value of the extension is above £50,000 p.a., and provided that Rules ~~17.3.4.1~~ and ~~17.3.54.2~~ have been complied with, permission must be sought from the relevant ~~member of the Strategic Management Team (Chief Officer)~~ in the first instance, and authorisation from the Director of Resources, in consultation with the Monitoring Officer and appropriate Portfolio Holder.

~~17.3.98~~ Contracts with a total contract value above £500,000, can only be extended with the authorisation of Cabinet.

~~17.3.109~~ Contracts with a total contract value at or above £1,000,000, can only be extended with the authorisation of Council.

17.4 Termination

17.4.1 A contract valued below £100,000 p.a. must not be terminated unless:

- (a) Advice has been obtained from the Monitoring Officer; and
- (b) ~~Approval~~ Written approval has been obtained by the relevant ~~member of the Strategic Management Team (Chief Officer)~~ in consultation with the relevant Portfolio Holder, using the Exemption & Contract Management Form (Section B – Termination).

17.4.2 A contract valued at or above £100,000 p.a. can only be terminated where written approval has been obtained from the Monitoring Officer and authorisation from the Cabinet has been obtained.

17.5 Assigning Contracts

17.5.1 A contract valued below £100,000 p.a. must not be assigned unless:

- (a) Advice has been obtained from the Monitoring Officer; and
- (b) ~~Approval~~ Written approval has been obtained by the relevant ~~member of the Strategic Management Team (Chief Officer)~~ in consultation with the relevant Portfolio Holder, using the Exemption & Contract Management Form (Section B – Assignment).

17.5.2 A contract valued at or above £100,000 p.a. can only be assigned where written approval has been obtained from the Monitoring Officer and Section 151 Officer and

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authorisation from the relevant ~~member of the Strategic Management Team~~ (Chief Officer).

17.5.3 A Contract should not be assigned unless the contract document specifically includes a provision allowing for Assignment of the Contract.

17.6 Novation of Existing Contract

17.6.1 The novation of a contract valued below £100,000 p.a. to a new contractor or other Contracting Authority, must not take place unless:

- (a) Advice has been obtained from the Monitoring Officer; and
- (b) ~~Approval~~ Written approval has been obtained by the relevant ~~member of the Strategic Management Team~~ (Chief Officer) in consultation with the relevant Portfolio Holder, using the Exemption & Contract Management Form (Section B – Novation).

17.6.2 A contract valued at or above £100,000 p.a. can only be novated where written approval has been obtained from the Monitoring Officer and Section 151 Officer and authorisation from the relevant ~~member of the Strategic Management Team~~ (Chief Officer).

17.6.3 A Contract should not be novated unless the contract document specifically includes a provision allowing for Novation of the Contract.

17.7 Nominated Sub-Contractor and Suppliers

17.7.1 Where a sub-contractor or supplier is nominated by the Council to a main contractor, the provisions of these Rules shall have effect.

18 **Other Matters to Consider**

18.1 Abnormally Low Bids

18.1.1 Under the Public Contract Regulations 2015, the Council is required to request an explanation of the price or costs proposed in a tender where that price or those costs appear to be abnormally low in relation to the requirement.

18.1.2 Advice should be sought from Welland Procurement during this process to ensure that the requirements of the Public Contract Regulations 2015 are adequately complied with.

18.2 GDPR Requirements

18.2.1 The General Data Protection Regulations impose greater obligations on the Council to protect an individual's personal data.

18.2.2 Officers conducting a procurement should ensure that the GDPR screening questions set out in the Pre-procurement Business Case template are used; or where this template is not required Officers should seek advice from the Data Protection Officer if this is considered necessary.

18.2.3 Should any of the GDPR screening questions be answered positively, further advice must be sought from Welland Procurement and/or the Council's Data Protection Officer before any further action is taken.

18.3 Sealing a Contract

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18.3.1 A contract must be executed as a Deed under seal where:

- (a) The Council wishes to enforce the contract for up to twelve years following its expiry; or
 - (b) The price paid or received under the contract is a nominal price and does not reflect the value of the goods, services or works; or
 - (c) There is any doubt about the authority of the person signing for the other contracting party; or
 - (d) A Bond is established on behalf of the Supplier(s) or their guarantor(s); or
 - (e) Required by the Parties to the agreement; or
 - ~~(f) It is a Grant Agreement; or~~
 - ~~(g)(f)~~ Any contract with a value £100,000 p.a. and above.
- and the Monitoring Officer has not authorised execution as a contract.

18.3.2 Where contracts are completed by each side adding their common seal, the affixing must be attested by or on behalf of the relevant ~~member of the Strategic Management Team~~ (Chief Officer).

19 Grants

19.1 Theses Rules apply specifically to Grants made by the Council to external organisations as a contribution to their running costs and/or for the delivery of a project.

19.2 The awarding of grants to external organisations by the Council or on behalf of the Council must be carried out under the principles of openness, fairness, non-discrimination and value for money.

19.3 Grants must only be awarded as a contribution to service or project costs. Any grant in the form of payment for a contract for services where the Council specifies the output or outcomes to be delivered must be treated as a contract and procured accordingly. Officers cannot choose to treat procurement as a grant in order to avoid conducting a competitive process.

19.4 Award and sign-off of Grants

19.4.1 Where the grant is valued below £49,999 p.a., the grant may be awarded by Responsible Officer.

19.4.2 Where the grant is valued over between £50,000 p.a., the grant should be awarded by the relevant Chief Officer in consultation with the Portfolio Holder.

19.5 In all instances where a Grant is made, the Responsible Officer must keep a written record detailing:

- Why a Grant is being used, and why the award does not constitute a contract;
- How the organisation(s) awarded the grant were chosen;
- The justification for the level of Grant, including any negotiation undertaken with the organisation being awarded;
- The process of monitoring the grant to ensure that it is spent within the Grant Conditions.

19.6 A Grant must be made in writing.

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- 19.6.1 For Grants valued under £10,000 p.a., this can be in the form of a letter, clearly stating the value of the grant, the purpose of the grant, the period, any Terms and Conditions to be met, and reporting requirements.
- 19.6.2 The Council’s standard Grant Agreement must be used for any Grants made over the value of £10,000 p.a, unless deemed inappropriate by the Responsible Officer. For those over the value of £50,000 p.a., the relevant Chief Officer must authorise use of any alternative Grant Agreement used. In all cases any alternate Agreement used must clearly set out all of the areas covered by the Council’s standard Grant Agreement.
- 19.7 The Grant Agreement should be signed by the relevant budget holder according to financial limits.
- 19.8 Where the Council receives a Grant and is subsequently awarding that Grant to external organisations, the Responsible Officer must ensure that any organisation receiving any part of that Grant is required to undertake all requirements of the Grant, in order that the Council is able to meet their obligations under the original Terms and Conditions.
- 19.9 All grants must be monitored to ensure they are being used for the purpose which they were awarded for.

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Appendix 1: Quick Reference Guide to Contract Procedure Rules

There are several key principles running through the Contract Procedure Rules. The first is that Value for Money must be evidenced in every procurement process. The second is that there must be a budget in place before money is spent (of however much); if no budget exists then one must be sought before any procurement activity begins.

Section of Contract Procedure Rules	Thresholds	Authorisation of Award Criteria	Authorisation of Award	Limits
9	<£5,000 p.a.	Budget Holder	Budget Holder	Maximum value of contract over the period £25,000 and/or contract should be no longer than 5 years in total.
10	£5,000 p.a. to £24,999 p.a.	Budget Holder (paragraph 10.1)	Budget Holder (paragraph 10.6)	Up to a total of £50,000 over the life of the contract and no more than 5 years in total.
11	£25,000 p.a. to £49,999 p.a.	Budget Holder (paragraph 11.2)	Chief Officer in consultation with Portfolio Holder (paragraphs 11.10)	Up to a total of £100,000 over the life of the contract and no more than 5 years in total.
12	£50,000 p.a. to EU UK Procurement Threshold for Goods & Services	Chief Officer and Cabinet (paragraph 12.4)	Chief Officer and Portfolio Holder if delegated at award stage; <u>or</u> Cabinet if no such delegation (paragraph 12.22)	Up to a total of the EU UK Procurement Threshold.
13 and 14	EU UK Procurement Thresholds and above	Cabinet (paragraph 13.5 and 14.2) Council (above £1million)	Chief Officer and Portfolio Holder if delegated at award stage; <u>or</u> Cabinet if no such delegation; <u>or</u> Council (above £1million) (paragraph 13.24 and 14.22)	Within Finance Procedure Rules

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Appendix 2: Definitions

Assign/Assignment	Transfer of a contractual benefit by one person (the assignor i.e. supplier) to another party (the assignee i.e. sub-contractor). The assignor remains liable for the original obligation in its contract with the obligor (purchaser), unless there is an agreement in their contract to the contrary.
Award Criteria	The criteria stated in the Quotation/Tender documentation , by which the successful Bidder is to be selected.
Award Notice	A notice published on EU Procurement the Find a Tender Service and/or Contracts Finder which provides details of the winning bidder and the final value of the contract. Award notices are required for all procurements valued over £25,000.
Award Procedure	The procedure for awarding a Corporate Contract.
Best Value	Is the duty on the Council to secure continuous improvement in the way in which its functions are exercised, having regard to a combination of economy, efficiency and effectiveness.
Bidder	Any person/organisation who asks for or is invited to submit a Quotation/Tender.
Call Off	A specific requirement which can be met under the terms of a Framework Agreement/DPS and which is issued under the terms of the Framework Agreement/DPS to form a contract.
Chief Officer	A member of the Strategic Management Team: Directors and Deputy Directors
Collaborative Joint Purchasing	Combining selected Products/Services purchases together with like-minded organisations, to negotiate with suppliers for mutual benefit.
Contract	Is a binding agreement between two or more parties for performing, or refraining from performing, some specified act(s) in exchange for lawful consideration.
Contracting Authority	Has the definition contained within the Public Contract Regulations 2015. It means the State, regional or local authorities, bodies governed by public law or associations formed by one or more such authorities or one or more such bodies governed by public law, and includes central

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	government authorities, but does not include Her Majesty in her private capacity
Contract Extension	An extension to the duration of the Contract beyond the initial term, but not including any alteration to the scope of the Contract.
Contract Management	Is the process of managing contract creation, execution and analysis to maximise operational and financial performance of an organisation, all while reducing financial risk.
Contract Manager	The officer responsible for the budget and the management of the contract, including the performance management and ensuring compliance with its terms and conditions.
Contract term	Is the length of the contract including the initial term and any extension periods proposed.
Contract Terms and Conditions	The contractual terms and conditions used by the Council for the procurement of goods, services or works.
Contract Value	is the total value over the whole potential life of the contract; <i>Example:</i> if the annual contract value is £20,000 x 5 years (3yr fixed + extension of 1yr + 1yr) = <u>£100,000.</u>
Contract Variation	Is an alteration to the scope, term or any other part of a Contract. The limitations of the Public Contract Regulations 2015 should be borne in mind when varying a contract.
Corporate Counter Fraud Strategy	The Council's arrangements to exercise its duty to protect the public money that it controls from loss due to dishonesty. It also has a duty to provide assurance to the people of Rutland; to its employees and to other stakeholders that it is taking this responsibility seriously.
Corporate Contract	A contract that has already been let by the Council.
Council	Rutland County Council District Council.
Director of Resources	The Director responsible for the Resources Directorate.
Document Retention Guidance for Procurement & Contracts	The Council's guidance on the appropriate length of time documents relating to tenders, quotations and contracts need to be retained either in hard copy or electronically.
Dynamic Purchasing System (DPS)	A completely electronic system of limited duration which is established by the Council to purchase commonly used goods, services or works; and is open throughout its

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	duration for the admission of contractors who satisfy selection criteria specified by the Council and who submit an Indicative Tender to the Council, or body operating the system on its behalf, and who comply with the specification.
Electronic Tendering System	A system hosted by Welland Procurement that enables the Council and providers to conduct the key activities of the procurement lifecycle over the Internet.
Exemption	Approval given by the relevant member of the Strategic Management Team (Chief Officer) or the Cabinet of the Council as appropriate to exempt an Officer or Officers from adhering to these Contract Procedure Rules.
Evaluation	The process of assessing received tenders or quotations against the published criteria to identify the winning bidder, i.e. the bidder with the highest evaluation score.
Financial Procedural Rules	The Financial Regulations outlining the Officer's responsibilities for financial matters.
Framework Agreement	A formal tendered arrangement which sets out the terms and conditions under which specific purchases (call-offs) can be made from the successful Bidders, in unpredicted quantities at different times throughout the term of the Framework Agreement.
FTS	The UK's e-notification service Find a Tender.
FTS Notice	Notice posted on the Find a Tender Service including a PIN, a Contract Notice or Award Notice.
Goods Contract	A Contract let by public authorities for the supply of tangible assets including electricity, gas, heat, water, off-the-shelf software and the hire of plant without driver.
Initial Term	The initial period of a contract which may be subsequently extended.
Invitation to Tender	Means the document(s) containing the specification, proposed terms and conditions and other appropriate information, as issued to the Tenderers to solicit formal Tenders.
Irregular Tender	A Tender that does not fully comply with the instructions set out in the Invitation to Tender document.
Life Cycle Costs	means all or part of the following costs over the life-cycle of a goods, service or works, to the extent that they are relevant:

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- (i) Costs of acquisition,
- (ii) Costs of use i.e. use of energy and other resources,
- (iii) Maintenance costs,
- (vi) End of life costs i.e. disposal or recycling costs.

Light Touch Regime	Refers to those social and other specific services covered by Part 2: Chapter 3 - Section 7 and the CPV Codes detailed in Schedule 3 of the Public Contract Regulations 2015.
Members	Democratically elected representatives that represent the interests of the people of Rutland at a local, regional and national level.
Monitoring Officer	The Officer appointed by the Council under Section 5 of the Local Government and Housing Act 1989.
Most Economically Advantageous Quotation/Tender	This evaluation criteria is the best combination of price and quality, based on whole life costs, qualitative, environmental and/or social aspects linked to the subject matter of the contract.
Novation	The substitution of a new contract for one already existing. The new contract may be between the same parties or it may involve the introduction of a new party. A novation also takes place when the original parties continue their obligation to one another, but a new agreement is substituted for an old one.
Officer	The Officer responsible for undertaking a purchase.
Parent Company Guarantee	A contract which binds the parent of a subsidiary company as follows – if the subsidiary company fails to do what it has promised under a contract with the Council, they can require the parent company to do so instead.
Performance Bond	An insurance policy: if the contractor does not do what it has promised under a contract with the Council, the Council can claim from the bondsman the sum of money specified in the Bond (often 10% of the contract value). A Bond is intended to protect the Council against a level of cost arising from the contractor's failure.
Portfolio Holder	The Council Member whose responsibilities include the area of activity covered by the contract.
Procurement Exercise	Any process by which goods, services and/or works are to be procured, including but not limited to Request for Quotations and Formal Tender Processes following the requirements of an Open or Restricted Tender, or some other method defined by the Public Contract Regulations 2015 . For the purpose of these Rules a Contract for a

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Concession shall be treated as a Procurement Exercise.

Procurement Regulations	Regulations which are given force of law in the UK through the Public Contract Regulations 2015 as amended and any successor regulations which specify in detail the procedures by which public authorities shall undertake their procurement.
Procurement Toolkit	Guide for commissioners of services giving advice on how to procure goods, services, and works in accordance with the Council's constitution and procurement legislation.
Publicly Available Contract	A contract that has been let by another Contracting Authority or a public purchasing consortium such as Crown Commercial Service, ESPO etc and which is available for use by the Council. The Council must have been named specifically or generally within the procurement documentation in order to enable access.
Public Contract Regulations 2015	These Regulations implement the EU Public Contract Directive 2014 into UK law, and reflect the principles of the EU Treaty of Rome.
Quotation	An offer to sell goods, services and/or works at a stated price under specified conditions. Written Quotations must be sought in accordance with these Rules.
Quotation Register	A register kept by each Directorate to provide an audit trail for the receipt and opening of all Quotations.
Regulated Procurement Procedures	The procedure required by the UK for awarding contracts where the value exceeds the UK Procurement Thresholds (see Appendix 3).
Responsible Officer	The officer responsible for the budget and acting as the procurement lead during the procurement process.
Rules	The individual rules which together make up Rutland County Council's Contract Procedure Rules, as may be amended from time to time.
Scheme of Delegation	Part 3 and 8 of the Council's Constitution which sets out how the executive and non-executive functions of the Council are delegated to the various decision making bodies and officers of the Council.
Section 151 Officer	The officer appointed under section 151 of the Local Government Act 1972 which requires every local authority to appoint a suitably qualified officer responsible for the proper administration of its affairs.

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Selection Questionnaire (above UK threshold)	Means the set of standard selection questions referred to in PPN 08/16, which complies with the Crown Commercial Service guidance relating to Selection Questionnaires.
Service Contract	Contract let by public authorities for services as defined in The Treaty of Rome which is for anything other than, civil engineering and building works and works concession contracts.
Social Value Act	The Public Services (Social Value) Act 2012 requires those tendering any Service over the EUUK Thresholds to consider the economic, social and environmental well-being of the relevant area (normally the County of Rutland) and to apply this to the procurement process. The Council's social value commitment widens the scope of this requirement to goods, services and works above the Council's tender threshold (£50,000 p.a.).
Specification	An exact statement of the particular needs to be satisfied, or essential characteristics that a customer requires (in a good, material, method, process, service, system, or work) and which a bidder must deliver.
Strategic Management Team (Chief Officer)	Chief Executive, Directors and Deputy Directors.
Suitability Questionnaire (below UK threshold)	Suitability questions which relates to the subject matter of the procurement and are proportionate, and which are required by the Council for assessing the Tenderers suitability, capability, legal status or financial standing. Regulation 111(6) – Public Contract Regulations 2015.
Tender	A formal offer from a Tenderer, which is capable of acceptance by the Council, which is a response to an Invitation to Tender. It shall include all documents comprising the submission including pricing, technical specification and method statements, as well as information about the Tenderer. The term 'Tender' also includes an E-Tender, except where the context implies otherwise.
Tenderer(s)/Bidder(s)	The person or persons invited to participate in a procurement exercise.
Tender Register	A Register kept by the Governance team to provide an audit trail for the receipt and opening of all non-electronic Tenders.
Terminate	To end a contractual arrangement.
TUPE	Refers to the Transfer of Undertaking (Protection of

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Employment) Regulations 2006. These regulations ensure the protection of employees when, for example, a business is taken over by another organisation. TUPE regulations ensure that the rights of employees are transferred along with the business.

UK Thresholds

The contract value at which the UK Regulations must be applied. See Appendix 3 for guidance.

Value for Money

Is not necessarily the lowest price, it combines goods or services that fully meet the needs with the level of quality required, delivered at the time needed and at an appropriate price.

Welland Procurement

Welland Procurement is a shared procurement service hosted by Melton Borough Council. Welland Procurement issues guidance and offers assistance on procurement matters to all participating councils.

Whole life costs

The total cost of ownership over the whole length of the contract and sometimes beyond.

Works Contract

Contract let by public authorities for civil engineering and building works and works concession contracts.

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Appendix 3: Variable Information

The following information is subject to change during the currency of these Contract Procedure Rules and may be updated as changes occur by the relevant Member of the Strategic Management Team.

Procurement Guidance & Documentation

The Council's Procurement Toolkit together with a suite of procurement documents, templates and forms are available on the Rutland County Council section of the Welland Procurement Portal <http://wellandprocurement.org.uk/>.

UK Thresholds - Valid from: 1st January ~~2020~~ 2022 until 31st December 20221, the ~~EU~~ UK Thresholds are:

Goods and Services: ~~£189,330;~~ £177,897

Works: ~~£4,733,252;~~ £4,447,447;

Light Touch Regime: ~~£663,540-~~ £552,950.

Strategic Management Team (Chief Officers)

Please refer to Part 7 of the Constitution for details of Strategic Management Team (Chief Officers) Structure. ~~(Click link):~~

<https://rutlandcounty.moderngov.co.uk/ieListDocuments.aspx?CId=349&MIId=1735&info=1&MD=Constitution>

Commissioning Team

In the first instance please contact ~~the~~ Louise Gallagher, Commissioning Manager ~~relevant to your Directorate;~~ or Karen Kibblewhite, Head of Commissioning.

~~➤ Commissioning Manager (Places and Resources): Louise Gallagher Ext. 8492~~

~~➤ Commissioning Manager (People): Toni Bawden Ext. 0996~~

Welland Procurement

In the first instance please contact the Head of Welland Procurement

- Head of Welland Procurement: Amy Myers (amyers@melton.gov.uk; 07342 062 861)
- Procurement Strategy Manager: Paul Large (plarge@melton.gov.uk; 07769 918574)
- Senior Procurement Officer: Paul Williams (pawilliams@melton.gov.uk; 07887 894811)
- Senior Procurement Officer: Tina Rippingale (trippingale@melton.gov.uk; 07342 062594)
- Procurement Officer: Richard Moon (rmoon@melton.gov.uk; 07896 856842)