



Public Document Pack
Boston Borough Council

**Chief Executive
Rob Barlow**

Municipal Buildings
Boston
Lincolnshire PE21 8QR
Tel: 01205 314200

Tuesday 2 December 2025

Notice of meeting of the Cabinet

Dear Councillor

You are invited to attend a meeting of the Cabinet
on **Wednesday 10th December 2025 at 6.00 pm**
in the Committee Room - Municipal Buildings, West Street, Boston, PE21 8QR

**Rob Barlow
Chief Executive**

Membership:

Leader of the Council:	Councillor Dale Broughton
Deputy Leader:	Councillor Mike Gilbert
Councillors:	John Baxter, Callum Butler, Sandeep Ghosh, Chris Mountain, Claire Rylott, Sarah Sharpe and Helen Staples

Members of the public are welcome to attend the committee meeting as observers except during the consideration of exempt or confidential items.

This meeting may be subject to being recorded.

Agenda

Part I - Preliminaries

A Apologies for Absence

To receive apologies for absence.

B Declarations of Interest

To receive declarations of interests in respect of any item on the agenda.

C Minutes

(Pages 1 - 16)

To sign and confirm the minutes of the following meetings:

- Cabinet – 17th September 2025
- Special Cabinet – 13th November 2025
- Special Cabinet – 26th November 2025

D Questions from Members of the Public

To answer any written questions received from members of the public no later than 5 p.m. two clear working days prior to the meeting – for this meeting the deadline is 5 p.m. on Friday 5th December 2025.

Part II - Agenda Items

1 Recommendations from Overview and Scrutiny (Standing Item)*

2 Recommendations from the Boston Town Area Committee (BTAC) (Standing Item)

3 Quarter 2 25/26 Performance and Risk Report (Pages 17 - 58)

(A report by James Gilbert, Assistant Director – Corporate)

4 Proposed Amendments to the Council's Contract Procedure Rules (Pages 59 - 120)

(A report by John Medler, Assistant Director – Governance & Monitoring Officer)

5 Counter Fraud, Bribery and Corruption Policy (Pages 121 - 138)

(A report by Russell Stone, Director of Finance (S151 Officer))

6 Quarter 2 2025/26 Forecast Outturn (Pages 139 - 158)

(A report by Russell Stone, Director of Finance (S151 Officer))

7 Local Council Tax Support Scheme 2026/27 (Pages 159 - 174)

(A report by Russell Stone, Director of Finance (S151 Officer))

8 Exclusion of Public and Press

To consider resolving - That under Section 100(A)(iv) of the Local Government Act 1972 the public and press be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in Paragraph 3 of Part 1 of Schedule 12A of the Act (as amended).

9 Council / Public Sector Partnership Services Transformation and Service Modernisation Programme (Pages 175 - 204)

(A report by James Gilbert, Assistant Director – Corporate)

10 South and East Lincolnshire Council's Partnership - Contracting of Leisure Facilities with an external operator as agent for service delivery (Pages 205 - 224)

(A report by Andy Fisher, Deputy Chief Executive (Programme Delivery) and Assistant Director – General Fund Assets)

- * In accordance with the Constitution, recommendations of Overview and Scrutiny Committees referred to Cabinet (if any) shall be included at this point in the agenda (unless they have been considered in the context of the Cabinet deliberations on a substantive item on the agenda) within six weeks of the Overview and Scrutiny Committee completing its report / recommendations.

Call-In – any decision taken by the Cabinet concerning an item on this agenda can be ‘called in’ in accordance with the Constitution, within 5 working days of the decision notice being published. It is expected that any decision notices will be published on Friday 12 December 2025. Subject to this publication, the deadline for calling in a decision is **5 p.m. on Friday 19th December 2025**.

Notes:

Please contact Democratic Services (demservices@boston.gov.uk) if you have any queries about the agenda and documents for this meeting.

Council Members who are not able to attend the meeting should notify Democratic Services as soon as possible.

Alternative Versions

Should you wish to have the agenda or report in an alternative format such as larger text, Braille or a specific language, please telephone 01205 314591.

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Boston Borough Council

Minutes of a meeting of the **Cabinet** held in the Committee Room - Municipal Buildings, West Street, Boston, PE21 8QR on Wednesday 17th September 2025 at 6.00 pm.

Present:

Councillor Dale Broughton (Leader), in the Chair.

Councillors Councillor Mike Gilbert (Deputy Leader), John Baxter, Callum Butler, Sandeep Ghosh, Chris Mountain, Sarah Sharpe and Helen Staples.

Officers:

Deputy Chief Executive (Programme Delivery) and Assistant Director - General Fund Assets, Interim Finance Director and S151 Officer, Assistant Director - Regulatory, Assistant Director - Communities and Housing Services, Business Intelligence and Change Manager, Head of Revenues and Benefits, Safer Communities Manager (Operations), Group Manager - Organisational Development and Democratic Services Team Leader.

8 Apologies for Absence

Apologies for absence were received from Councillor Claire Rylott.

9 Declarations of Interest

No declarations of interest were received.

10 Minutes

The minutes of the Cabinet meeting held on 7th May 2025 and the Special Cabinet meeting held on 31st July 2025 were approved as a correct record and signed by the Leader.

11 Questions from Members of the Public

No questions were received.

12 Recommendations from Overview and Scrutiny (Standing Item)*

There were no recommendations.

13 Recommendations from the Boston Town Area Committee (BTAC) (Standing Item)

There were no recommendations.

14 Quarter 1 25/26 Performance and Risk Report

The Leader of the Council, Councillor Dale Broughton, presented a report by the Assistant Director – Corporate and the Assistant Director – Governance & Monitoring Officer which provided Cabinet with an overview of the Council's performance and risk position as at the end of June 2025.

In presenting the report, the Leader highlighted that the quarterly update covered key performance indicators (KPIs), strategic and operational risks, and drew attention to any significant changes requiring Cabinet's consideration. He confirmed that overall performance remained stable, with no major concerns flagged. While the household waste recycling and composting rate continued to fall below the nationally set target, this was recognised as a persistent challenge for Boston and other authorities. However, improvements were anticipated through the introduction of food waste collections and operational changes being led by the Neighbourhoods team.

Cabinet was advised that all risks were being actively managed, with robust mitigations in place. No risks had been identified as critical. A new risk had been added in relation to the BBC server room, following concerns raised by ICT regarding the need for upgrades or potential relocation. Although funding for the project had previously been agreed, the initiative had been paused, and Cabinet may be required to consider whether to revive the project. The Leader concluded by stating that the Council continued to proactively manage both performance and risk.

Members discussed the report and commented as follows:

- Cabinet welcomed the positive trajectory in market performance, noting that Council-run stall occupancy had increased from 68.5% in the previous year's Quarter 1 to 71% in the current quarter. Members acknowledged that this improvement reflected the success of initiatives such as the Boston Makers and Craft Market, held monthly, and the broader diversification of stalls at regular markets.
- Cabinet was informed that recent engagement activity had generated significant interest from prospective traders, with 18 applications received in a two-week period, including interest from outside the district. Social media engagement was reported to be strong, with the Boston Market Facebook page achieving 169,000 views over a 28-day period. New traders included those offering flowers, barista coffee, crystals, and gifts.
- It was noted that the Markets Manager had made a demonstrable impact, with the Boston Makers Market selling out each month and plans in place to continue the initiative into the following year.

The recommendation was moved by Councillor Dale Broughton and seconded by Councillor John Baxter.

Resolved:

That the quarterly performance and risk monitoring information for Q1 of 2025/26 be noted.

15 2025/26 Quarter 1 Finance Update

The Portfolio Holder for Finance and Economic Growth, Councillor Sandeep Ghosh, presented a report by the Interim Director of Finance (S151 Officer) which set out the Council's financial position as at 30 June 2025 and provided a forecast to year-end. The report highlighted a projected revenue overspend of £829,000 for the 2025/26 financial year.

Cabinet was informed that the draft Quarter 1 position forecasted a net revenue deficit of £829,000. The principal cause of the overspend was a shortfall in achieving targeted salary savings, although service managers were actively reviewing forecasts and identifying opportunities to deliver efficiencies.

Councillor Ghosh highlighted that the Council's investment income was performing strongly, with a forecast overachievement of £213,000 against the budget. He also reported that the Council had received £654,000 in government funding to offset Internal Drainage Board (IDB) levy pressures, which had been reflected in the outturn figures.

Cabinet was reminded that the 2025/26 budget included an overall savings and efficiency target of £1.429 million, of which £760,000 (approximately 53%) had been identified to date. If the additional investment income was committed against this target, the outstanding requirement would reduce further.

In respect of treasury management, Councillor Ghosh confirmed that negotiations had successfully concluded to repay the Council's State Street loan early, replacing it with borrowing from the Public Works Loan Board at a lower rate. Full financial details would be reported in the Quarter 2 update.

Turning to the capital programme, Cabinet was advised that proposed amendments totalling £201,000 were presented for approval. Forecast expenditure for the year was £37 million against a revised budget of £38 million, resulting in a projected underspend of £921,000.

Cabinet acknowledged the challenges associated with delivering the required savings and efficiencies, particularly in relation to staffing costs. Members welcomed the proactive approach being taken by service managers to identify further opportunities for savings.

The additional investment income and government support for IDB levies were noted as positive developments that had helped to mitigate the overall financial position. Cabinet also welcomed the early repayment of the State Street loan and the move to more favourable borrowing arrangements.

Appreciation was expressed for the work undertaken by the Finance team in preparing the report and for their continued efforts in managing the Council's financial position.

The recommendations were moved by Councillor Sandeep Ghosh and seconded by Councillor Callum Butler.

Resolved:

- 1. That the forecast revenue position of £0.829m overspend for 2025/26, as detailed in Appendix A – Table 1 within the report, and the need for continuous focus on the savings and efficiency programme be noted; and**
- 2. That the amendments to the Capital Programme, in Appendix B – Table 3 within the report, that require Cabinet approval, to take into account the changes set out within the report, be approved.**

16 Local Council Tax Support Scheme 2026/27 - Consultation

The Portfolio Holder for Finance and Economic Growth, Councillor Sandeep Ghosh, presented a report by the Interim Director of Finance (S151 Officer) which sought Cabinet's approval to consult on options for the 2026/27 Local Council Tax Support Scheme.

Cabinet was informed that since 2013, billing authorities had been required to develop local schemes to support low-income working-age households. The national scheme for pensioners remained unchanged, with councils having no discretion in that area.

Councillor Ghosh explained that the current scheme provided up to 100% support for households with children and up to 85% support for other working-age households. Forecast expenditure for 2025/26 was approximately £4.9 million, with over £2.6 million allocated to working-age claimants. The cost of the scheme was shared between major precepting authorities, with Boston Borough Council meeting around 13% of the total.

Although the scheme had originally been scheduled for review after a full year of operation, the Council's wider financial challenges had necessitated an earlier reassessment. Three options were therefore proposed for consultation:

- Option 1 – Retain the current maximum support levels and identify savings elsewhere.
- Option 2 – Reduce support to 90% for lone parents, 80% for couples with children, and 75% for other households.
- Option 3 – Reduce support to 90% for lone parents, 80% for couples with children, and 70% for other households.

Cabinet was reminded that the purpose of the report was to agree the consultation approach, not to determine the final scheme. A further report would be brought back following the consultation, with final recommendations to be made to Full Council.

Members discussed the report and commented as follows:

- Cabinet acknowledged the importance of the consultation and its potential impact on residents across the borough. Members emphasised the need for wide engagement, including with parish councils, to ensure that all communities had the opportunity to contribute.
- It was noted that the Council faced a difficult balancing act between supporting vulnerable households and maintaining financial sustainability. Members stressed the importance of gathering a broad range of views to inform the final decision.
- Cabinet welcomed the proposal to consult on multiple options and supported efforts to promote the consultation through various channels, including community networks and online platforms.

The recommendations were moved by Councillor Sandeep Ghosh Broughton and seconded by Councillor Mike Gilbert.

Resolved:

1. That the following options be consulted on:

- **Option 1 - Retain the current maximum level of support for Households with Children 100% and Other Households 85% and find savings elsewhere;**
- **Option 2 – Reduce the maximum level of support to 90% to lone parents, 80% to couples with children and 75% for all other households;**
- **Option 3 – Reduce the maximum level of support to 90% to lone parents, 80% to couples with children and 70% for all other households; and**

2. That oversight and approval of the consultation approach be delegated to the Section 151 Officer in consultation with the Portfolio Holder for Finance.

17 Equality, Diversity & Inclusion Strategy

The Leader of the Council, Councillor Dale Broughton, presented a report by the Assistant Director – Corporate which sought approval for a Partnership Equality, Diversity & Inclusion Strategy.

Cabinet was informed that the strategy set out a clear framework to ensure that Council services were fair, accessible and inclusive for all residents and staff. It aligned with the Council's legal duties under the Equality Act 2010 and the Public Sector Equality Duty, and responded to feedback received through the Local Government Association Peer Challenge.

Councillor Broughton explained that the strategy had been developed following consultation with staff, councillors and community partners, including Citizens Advice, SHINE and Lincs Digital. The approach was built around four key objectives: understanding communities, inclusive leadership, accessible services, and a diverse workforce.

The strategy was supported by a high-level action plan and included provision for a two-year fixed-term officer post to oversee delivery. It had been endorsed by the Overview and Scrutiny Committee and supported by scrutiny committees at South Holland and East Lindsey.

Cabinet was advised that governance arrangements would include oversight by an Equalities Board, with regular reporting to the Portfolio Holder and Senior Leadership Team.

Cabinet welcomed the strategy and acknowledged the importance of embedding equality, diversity and inclusion across all areas of Council activity. Members noted the collaborative approach taken in developing the strategy and the value of input from community partners and scrutiny committees.

The inclusion of a dedicated officer role to support implementation was seen as a positive step in ensuring delivery of the action plan and maintaining momentum.

The recommendations were moved by Councillor Dale Broughton and seconded by Councillor Sandeep Ghosh.

Resolved:

- 1. That the Equality, Diversity & Inclusion Strategy and Action Plan, at Appendices A and B within the report be approved; and**
- 2. That a 2-year fixed term officer role to provide expertise and to oversee the implementation of the high-level action plan be contributed to.**

18 South & East Lincolnshire Councils Partnership Body Worn Video (BWV) Policy 2025

The Leader of the Council, Councillor Dale Broughton, presented a report by the Assistant Director – Regulatory which sought Cabinet's approval of the South & East Lincolnshire Councils Partnership Body Worn Video (BWV) Policy 2025.

Cabinet was informed that body worn video cameras were increasingly used by council officers in enforcement roles, both to gather evidence and to deter abuse or aggression. The use of such devices was subject to strict regulation to protect individuals' rights and ensure that any personal data captured was securely managed.

Councillor Broughton explained that the policy had been developed to ensure that BWV was only used by trained staff and only in circumstances where its use was lawful, proportionate, legitimate and necessary. The policy set out clear procedures for the management of video evidence, including storage, retention, reproduction and disposal.

The policy had been considered by the Overview and Scrutiny Committee at its meeting on 17 July 2025 and was supported without amendment. The Committee had welcomed the policy as a further example of effective partnership working.

Cabinet welcomed the policy and acknowledged the importance of ensuring that body worn video was used appropriately and in line with legal and ethical standards. Members noted the safeguards built into the policy and the clarity it provided for officers using BWV in operational settings.

The support of the Overview and Scrutiny Committee was noted, and the policy was recognised as a positive step in enhancing officer safety and public confidence.

The recommendations were moved by Councillor Dale Broughton and seconded by Councillor Sarah Sharpe.

Resolved:

- 1. That the report, policy and any feedback from the Overview and Scrutiny Committee held on 17 July 2025 be noted and the Body Worn Video Policy approved; and**
- 2. That delegated authority be given to the Assistant Director Regulatory / Senior Responsible Officer, in consultation with the Portfolio Holder, to make such amendments to this policy as may from time to time be required in order to (i) reference any links or amended links to other documents as may be required; and (ii) reflect any issues over which the Council has no discretion including, but not limited to, references to any legislative changes and amended guidance. Any material amendments to the policy will be subject to the usual approval process in line with the Constitution.**

19 South and East Lincolnshire Council's Crowdfunding Scheme - Two Year Progress

The Portfolio Holder for Communities, Councillor Helen Staples, presented a report by the Assistant Director - Housing and Communities which provide an overview of the first two years of the South and East Lincolnshire Crowdfunding Scheme.

Cabinet was informed that the scheme, launched in spring 2023, provided an innovative platform for community groups to raise funds for local projects. The model encouraged community involvement from the outset, with projects eligible for up to £5,000 in match funding from the Boston fund, alongside contributions raised through public crowdfunding.

Councillor Staples reported that the scheme had supported 15 projects across the partnership, with a total value of £149,887, of which £77,117 had been contributed by the crowd. This represented a strong return on investment, with £4 raised by the community for every £1 contributed by the Council, exceeding the original target of £3 to £1.

The report highlighted a range of successful projects, including cultural events, improvements to community buildings, and initiatives that increased volunteer opportunities and community engagement. Examples included the Lithuanian Community Group, Pridal House, Taste It Lincolnshire, and the Arts Theatre production.

Members discussed the report and commented as follows:

- Cabinet welcomed the report and praised the scheme's achievements. Members noted the impressive level of community engagement and the financial return generated through public contributions.
- The importance of further promotion was highlighted, with suggestions made to raise awareness at upcoming community events. Officers confirmed that a communications plan was in place to support the next phase of the scheme, and that the Communities and Housing Services team would provide dedicated resource to drive future engagement.
- Cabinet acknowledged the scheme's role in strengthening relationships between the Council and local communities, and recognised its contribution to civic pride and social cohesion.

The recommendation was moved by Councillor Helen Staples and seconded by Councillor Chris Mountain.

Resolved:

That the progress of the South and East Lincolnshire Councils Crowdfunding scheme be noted and that its continuation be supported.

The Meeting ended at 6.26 pm.

Boston Borough Council

Minutes of a Special meeting of the **Cabinet** held in the Committee Room - Municipal Buildings, West Street, Boston, PE21 8QR on Thursday 13th November 2025 at 6.00 pm.

Present:

Councillor Dale Broughton (Leader), in the Chair.

Councillors Mike Gilbert (Deputy Leader), John Baxter, Callum Butler, Sandeep Ghosh, Chris Mountain and Sarah Sharpe.

Officers:

Director of Economic Development, Assistant Director – Culture and Regeneration, Plan for Neighbourhoods Programme Manager and Democratic Services Team Leader.

20 Apologies for Absence

Apologies for absence were received from Councillors Claire Rylott and Helen Staples.

The Leader welcomed Maria Cotton, the new Assistant Director – Culture and Regeneration, to her first Cabinet meeting in Boston, noting that she had started in post earlier that week.

21 Declarations of Interest

No declarations of interest were received.

22 Pride in Place Programme (Boston)

The Deputy Leader of the Council, Councillor Mike Gilbert, presented a report by the Director of Economic Development which outlined the purpose of the Pride in Place Programme that represented a significant opportunity for Boston to secure up to £20 million of investment over the next ten years. This funding would build on the £50 million already received through the Towns Fund and Levelling Up initiatives.

Members noted that the programme was designed to deliver long-term regeneration and community empowerment, with three overarching Government priorities:

- Creating thriving places
- Building stronger communities
- Helping communities take back control

The submission required by 28th November 2025 comprised a ten-year Regeneration Plan and Vision for Boston and a detailed four-year investment profile. The plan had been developed in partnership with the Boston Town Board and informed by extensive community consultation, which had attracted over 1,100 responses.

The introduction highlighted the eight priority themes for Boston, including town centre revitalisation, heritage and culture, community safety, housing, health and wellbeing, education and skills, green spaces, and youth engagement. The first four years would focus on quick wins such as public realm improvements, cultural activation, and safety

hubs, alongside preparatory work for Boston 400 in 2030 and a potential bid for UK Town of Culture status in 2028.

Thanks were extended to officers, members, Town Board representatives, and partners for their work in preparing the submission.

Members expressed strong support for the proposals, recognising the scale of the opportunity to transform Boston through the Pride in Place Programme. The discussion highlighted that the £20 million investment over ten years represented a major commitment from the Government and would build on the success of previous regeneration initiatives, including the Towns Fund and Levelling Up programmes.

The importance of the programme's three core objectives, creating thriving places, building stronger communities, and enabling local people to take back control, was emphasised and members welcomed the alignment of the proposed interventions with these priorities.

The potential to revitalise the town centre was seen as critical, with suggestions that improvements to public realm, shop fronts, and leisure facilities would help attract visitors and encourage more people to live and work in the centre. The cultural quarter and heritage activation proposals were strongly supported, with members noting the opportunity to position Boston as a leading cultural destination and to prepare for the Boston 400 celebrations in 2030. The possibility of bidding for UK Town of Culture status in 2028 was considered an exciting prospect that could raise Boston's national profile.

Community safety was identified as a key priority, with members welcoming plans for dedicated safety hubs and measures to reduce anti-social behaviour. It was noted that while CCTV and infrastructure improvements were important, these needed to be complemented by effective policing and partnership working to deliver meaningful outcomes.

The discussion also covered housing and skills development, with members stressing the need to address non-decent dwellings and improve educational attainment, particularly in areas of high deprivation. The inclusion of youth engagement and community capacity building within the programme was welcomed as a means of fostering long-term resilience and civic pride.

Specific reference was made to the Public Sector Partnership Services (PSPS) Transformation and Service Modernisation Programme, particularly in relation to IT systems and capital expenditure. Members stressed the need to avoid duplication and ensure that Pride in Place funding was used for additional investment rather than replacing existing commitments. Officers confirmed that any projects funded through the programme must be aligned with agreed priorities and approved by the Town Board, and that statutory duties or pre-committed expenditure could not be covered by the funding. It was agreed that further checks would be undertaken to ensure that proposals complement, rather than conflict with, the PSPS transformation work.

Members also discussed the importance of converting vacant retail properties into residential accommodation as part of the wider town centre strategy. This approach was seen as essential to creating a more vibrant and sustainable centre, reducing commercial vacancies, and supporting a 24-hour economy.

In addition, there was recognition that while the programme focused on Boston town centre, opportunities should be explored to invest in the wider Boston area, including neighbourhoods beyond the immediate centre, to ensure that benefits were felt across the community. Members welcomed confirmation that some funding streams could support projects outside the core town centre, subject to alignment with programme priorities.

The importance of clear communication and engagement with residents and businesses was emphasised, both to promote the programme and to encourage participation in shaping future projects. Members noted that the consultation undertaken to date had been extensive and should continue throughout the delivery phase.

Finally, members recognised the ambitious timetable, with submission required by the end of November and delivery commencing in April 2026. Officers confirmed that resources were in place and additional capacity would be secured through the programme, supported by the Town Board and partner organisations.

The recommendations were moved by Councillor Mike Gilbert and seconded by Councillor Sandeep Ghosh.

Resolved:

- 1. That the submission of the ten-year Regeneration Plan and Vision for Boston, attached within Appendix 2, be approved;**
- 2. That the proposed four-year investment plan profile for Boston, as set out at section 3 within the report, be approved;**
- 3. That authority be delegated to the Director of Economic Development to agree any amendments to the final draft Regeneration Plan and Investment Profile during the submission and assessment phase with UK Government, in consultation with the Chair of the Boston Town Board, the Section 151 Officer and the Deputy Leader of the Council; and**
- 4. That authority be delegated to the Council's Section 151 Officer to approve the submission of the Pride in Place Programme information for Boston to UK Government by 28th November 2025.**

The Meeting ended at 6.29 pm.

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Boston Borough Council

Minutes of a Special meeting of the **Cabinet** held in the Committee Room - Municipal Buildings, West Street, Boston, PE21 8QR on Wednesday 26th November 2025 at 6.00 pm.

Present:

Councillor Dale Broughton (Leader), in the Chair.

Councillors Mike Gilbert (Deputy Leader), John Baxter, Callum Butler, Sandeep Ghosh, Chris Mountain, Claire Rylott and Sarah Sharpe.

Officers:

Deputy Chief Executive (Programme Delivery) and Assistant Director - General Fund Assets, Director of Finance, Assistant Director – Corporate and Democratic Services Team Leader.

23 Apologies for Absence

No apologies for absence were received.

24 Declarations of Interest

No declarations of interest were received.

25 Local Government Re-organisation – proposal to Government

The Leader of the Council, Councillor Dale Broughton, presented a report by the Assistant Director – Corporate which set out the Partnership's proposal for Local Government Reorganisation in Greater Lincolnshire, titled *A Greater Lincolnshire for All*. The report explained that the Government had invited councils in Greater Lincolnshire to submit proposals for creating simpler, more sustainable local government structures, with a deadline of 28th November 2025.

The proposal had been developed jointly by Boston Borough Council, East Lindsey District Council and South Holland District Council, following extensive engagement with residents, businesses, parish and town councils, and strategic partners. It aimed to replace the current two-tier system and existing unitary councils with two new unitary authorities, one for Northern Lincolnshire and one for Southern Lincolnshire, covering the whole Greater Lincolnshire area.

The report highlighted that the proposed model would:

- Meet Government criteria for efficiency, resilience and improved service delivery.
- Deliver significant financial benefits, with estimated savings of £220.982m over ten years and a payback period of four years, based on independently developed financial assumptions.
- Improve services and accountability, creating clearer governance and reducing duplication.
- Support devolution, aligning with the Greater Lincolnshire Mayoral Combined County Authority to unlock additional powers and investment.

- Strengthen local representation, through Neighbourhood Area Committees and enhanced roles for parish and town councils.

The proposal was described as ambitious but achievable, building on the success of the South and East Lincolnshire Councils Partnership and the proven shared services model delivered through Public Sector Partnership Services Ltd.

Members held a detailed discussion on the proposal for Local Government Reorganisation. Members acknowledged that the process had involved five months of extensive engagement with residents, parish and town councils, businesses, and strategic partners across Greater Lincolnshire. This engagement was considered more comprehensive than that undertaken for other proposals.

Key points raised during the debate included:

- **Incorporating Residents' Views:** It was confirmed that feedback from residents and stakeholders had shaped the proposal. While not every suggestion could be included, the final document reflected the priorities and concerns raised during the consultation process.
- **Options Appraisal and Scoring Methodology:** Members discussed the options appraisal process and how the scoring was determined. The appraisal compared all known proposals against the Government's published criteria using a weighted scoring system. The Greater Lincolnshire for All proposal achieved the highest score overall, demonstrating its strength in meeting efficiency, sustainability, and service delivery objectives.
- **Transparency and Public Access:** The meeting was live-streamed to ensure openness and allow residents to follow proceedings. Members noted that the full proposal was publicly available and encouraged residents to review the document, which provided clear answers to many of the questions raised during consultation.
- **Strength Compared to Other Proposals:** The Cabinet considered the relative merits of the proposal and agreed that it was the most comprehensive and forward-looking option. It was noted that the consultation undertaken was far superior to that of other councils and that the proposal offered the greatest financial savings and resilience.

Members expressed appreciation for the considerable effort invested by officers and advisors in developing the proposal within challenging timescales. The document was praised for its clarity, evidence base, and alignment with Government criteria. The discussion concluded with unanimous support for the recommendations.

The recommendations were moved by Councillor Dale Broughton and seconded by Councillor Sandeep Ghosh.

Resolved:

- 1. That the proposal for Local Government Re-organisation, in Appendix A, for submission to Government be approved; and**

2. That authority be delegated to the Assistant Director – Corporate, in consultation with the Leader of the Council, to make any changes/additions that might be required between the Cabinet meeting and submission to Government; and to submit the proposal.

The Meeting ended at 6.19 pm.

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Report To:	Cabinet
Date:	10 th December 2025
Subject:	Quarter 2 25/26 Performance and Risk Report
Purpose:	To provide an update on performance and risk as at the end of September 2025
Key Decision:	No
Portfolio Holder:	Councillor Dale Broughton, Leader of the Council
Report Of:	James Gilbert, Assistant Director – Corporate John Medler, Assistant Director – Governance and Monitoring Officer
Report Author:	Suzanne Rolfe, Group Manager – Insights & Transformation
Ward(s) Affected:	All
Exempt Report:	No

Summary

This is the quarterly report covering performance and risk monitoring information for Quarter 2 of 2025/26 (as at the end of September 2025).

Recommendations

That Cabinet notes the quarterly performance and risk monitoring information for Q2 of 2025/26.

Reasons for Recommendations

To monitor delivery of performance and governance objectives and to support future planning and decision making within the Council.

Other Options Considered

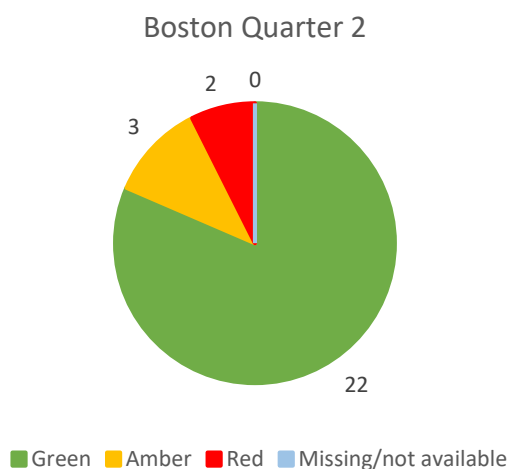
Alternative reporting arrangements.

1. Background

- 1.1 A joint performance management framework was agreed across the South & East Lincolnshire Councils Partnership for 2025/26 to support the delivery of services. Key Performance Indicators (KPIs) have been agreed to capture performance against the strategic priorities of the Partnership and the individual Councils. In addition to the performance, this report also covers the latest strategic risk registers, and high operational risks identified by each department. The risks are reviewed quarterly to maintain a level of awareness and prioritisation of council work.
- 1.2 This report presents the information for Boston Borough Council for Quarter 2 of 2025/26 (as at the end of September 2025).

2. Performance (Appendix A)

- 2.1 In total there are 92 KPIs for Boston Borough Council in 2025/26. These are set out by priority in Appendix A following the adoption of the Sub-regional Strategy.
- 2.2 There are 27 targeted indicators where performance is within the direct control of the Council, with past data or comparisons available on which to base those targets. Indicators were developed to stretch performance in teams. Green indicators are on target, amber indicators are within tolerance and red indicators are off target. One of the waste measures is reported as a target measure in Q2 but will revert to a trend only until Q2 26/27. Commentary is provided in Appendix A for the red indicator.



- 2.3 Shading has been added to the past quarters' data where possible, to show whether it was on target previously, to help provide more visual context for direction of travel. The shading is deliberately more muted for past data to keep the focus on the current performance. Where targets have changed since the previous year, this has been noted in the commentary, otherwise targets are the same.
- 2.4 There are also 65 trend indicators, which show context for policy decisions and resource allocation. The trend indicators have been reviewed to consider if any can become targeted measures if past data is now available. No changes are proposed at this time.
- 2.5 Performance indicators relating to PSPS Revenue and Benefits call volumes, answer rate and call time have been removed from the SLA for 2025/26. Customer contact related calls and answer rate PIs remain.

3. Risk management (Appendix B, C, D)

3.1 The strategic risk register has been reviewed for Q2, as at the end of September 2025.

3.2 Risk training sessions were held with Committee members in September and October. Actions agreed at those sessions include:

- Lead officers will be requested to attend meetings to look at specific risks where they are of particular interest to the Committee; managed via the work programme
- Officers will review mitigations for high risks and report back via quarterly reports
- Risk appetite workshops are planned before the end of the financial year

3.3 A summary of the risks and scores are set out in the table below, with full details in Appendix B, C, D.

In response to recommendations from the recent Internal Audit review of risk management practices, enhancements have been made to this report to improve clarity and focus on key areas of concern

- **Target Status:** Each strategic risk now includes an indication of whether it is currently being managed at its target level. This addition supports better prioritisation by highlighting risks that require further mitigation to reach their desired state.
- **Mitigation Action Tracking:** The summary also incorporates the status of planned mitigation actions, using a RAG (Red, Amber, Green) rating. This provides assurance that actions are progressing as expected and helps identify where further attention may be needed.


These changes aim to strengthen the Council's oversight of strategic risks and ensure alignment with best practice recommendations outlined in the Internal Audit report.


Boston Strategic Risks	Risk score	Direction of travel	Target Status
BBC02: Health	Medium (9)	↔	At Target Score
BBC03: Local economy	Medium (9)	↔	At Target Score
BBC05: Budget	High (16)	↔	At Target Score
BBC06: Civil contingency risks	Medium (8)	↔	At Target Score
BBC07: Infrastructure risks	Medium (8)	↔	At Target Score
BBC08: Capital Programme	Medium (6)	↔	At Target Score


Boston Strategic Risks	Risk score	Direction of travel	Target Status
BBC09: General Fund Assets	Low (4)	↔	At Target Score
BBC10: Cyber Incident	High (15)	↔	At Target Score
BBC11: Technology infrastructure failure	High (10)	↔	At Target Score
BBC12: Implementation of the Environment Act 2021	High (16)	↔	Not at Target
BBC13: Introduction of Extended Producer Responsibility	Low (4)	↔	At Target Score
BBC14: Reduced due to depot lease being secured	Low (3)	↓	At Target Score
BBC15: Waste Collection Round Pressures	Medium (6)	↔	Not at Target
BBC16: Capacity	Medium (6)	↔	At Target Score
BBC17: Third Party Service Delivery	Medium (9)	↔	At Target Score
BBC18: External Communication	Medium (6)	↔	At Target Score
BBC20: Service Delivery	Medium (9)	↔	Not on Target
BBC21: Internal Communications	Medium (6)	↔	At Target Score
BBC22: Net Zero target	Low (4)	↓	At Target Score
BBC24: Health and Safety	Medium (9)	↔	Not on Target
BBC25: Information	Medium (8)	↔	At Target Score
BBC26: Local Plan being considered out of date	Medium (6)	↔	At Target Score
BBC27: Safeguarding	Medium (8)	↔	At Target Score
BBC28: Local Government Reform (LGR) in Greater Lincolnshire	High (15)	↔	At Target Score
BBC29: Inadequate mitigation of infrastructure risks in the BBC server room	Medium (6)	↓	At Target Score


Risk Scoring Matrix						
Impact	Critical		11	10		
	High	9	6; 7; 19; 25; 27		5; 12	
	Medium		4; 8; 18; 21;	2; 3; 14; 15; 17; 20; 23;16;24	29	
	Low		13	26	22	
	Minimal					
		Rare	Unlikely	Possible	Likely	Almost certain
Likelihood						


Risk Score Colour

Minimal Risk 

Low Risk 

Medium Risk 

High Risk 

Critical Risk 

3.4 As set out in the risk policy, we use the 4Ts of risk control:

- Terminate – rarely, we may be able to stop doing the activity altogether and thereby remove the risk altogether
- Tolerate – accept the risk and live with it because it is within our risk appetite and the cost of mitigating action would outweigh the benefits
- Transfer – move all or part of the risk to a third party or through insurance; however, sometimes accountability remains, particularly with a Council, so caution is advised
- Treat - take action to control the likelihood and/or impact and set a target to move the risk to within the risk appetite once the action has been implemented

3.5 The strategic risks for the Partnership have also been reviewed for Quarter 2, as at the end of September 2025.


3.6 A summary of the Partnership risks and scores are set out in the table below, with full details in Appendix C.


SELCP Partnership Risks	Risk score	Direction of travel	Target Status
SELCP-01: Vision	Medium (8)	↔	At Target Score
SELCP-02: Trust	High (12)	↔	At Target Score
SELCP-03: Sovereignty	Medium (9)	↔	At Target Score
SELCP-05: Culture	Medium (6)	↔	At Target Score
SELCP-06: LGR	High (12)	↔	At Target Score
SELCP-07: Funding	High (16)	↔	Not on Target
SELCP-08: Staffing	High (12)	↔	Not on Target


SELCP Partnership Risks	Risk score	Direction of travel	Target Status
SELCP-09: PSPS	Medium (6)	↔	At Target Score


Risk Scoring Matrix						
Impact	Critical					
	High		1		7	
	Medium		5; 9	3	2; 6; 8	
	Low					
	Minimal					
		Rare	Unlikely	Possible	Likely	Almost certain


Risk Score Colour

Minimal Risk 

Low Risk 

Medium Risk 

High Risk 

Critical Risk 

3.7 The fraud risks have also been reviewed for Q2, as at the end of September 2025.

3.8 A summary of the fraud risks and scores are set out in the table below, with full details in Appendix D.

Fraud Risks	Risk score	Direction of travel	Target Status
1: Asset - Equipment	Minimal (1)	↔	At Target Score
3: Assets – Land and Property	Minimal (1)	↔	At Target Score
4: Procurement – Contracts	Medium (6)	↔	At Target Score
5: Procurement – Contract Payments	Medium (8)	↔	At Target Score
6: Council Tax – Credit Refund and Income Fraud	Medium (6)	↔	At Target Score
7: Council Tax Fraud	Low (4)	↔	At Target Score
8: Council Tax Support Scheme	Low (4)	↔	At Target Score
9: National Non-Domestic Rate (NNDR) Fraud	Medium (9)	↔	At Target Score
10: Housing Benefit Fraud	Low (4)	↔	At Target Score

Risk Scoring Matrix					
Critical					
High		5			
Medium		4; 6	9		
Low		7; 8; 10			
Minimal	1; 3				
	Rare	Unlikely	Possible	Likely	Almost certain
	Likelihood				

Risk Score Colour

Minimal Risk

Low Risk

Medium Risk

High Risk

Critical Risk

4. Conclusion

4.1. The performance and governance reporting and review arrangements support the Council to manage its services in an effective and efficient manner.

Implications

South and East Lincolnshire Councils Partnership

A Partnership approach has been agreed for 2025/26.

Corporate Priorities

Whole report. Performance information is set out by priority.

Staffing

No implications specific to this report. KPIs and risks relating to staffing are included in the report.

Workforce Capacity Implications

No implications specific to this report. KPIs and risks relating to workforce capacity are included in the report.

Constitutional and Legal Implications

No implications specific to this report

Data Protection

No implications specific to this report

Financial

No implications specific to this report

Risk Management

Section 3 of the report and Appendix B, C, D.

Stakeholder / Consultation / Timescales

Consultation with SLT

Reputation

No implications specific to this report. Potential reputational risks are included in the report.

Contracts

No implications specific to this report. KPIs and risks relating to contracts and procurement are included in the report.

Crime and Disorder

No implications specific to this report.

Equality and Diversity / Human Rights / Safeguarding

No implications specific to this report.

Health and Wellbeing

No implications specific to this report.

Climate Change and Environmental Implications

No implications specific to this report.

Acronyms

- 2Y: 2 year rolling period
- A&G: Audit & Governance Committee
- B&B: Bed & Breakfast accommodation
- BAU: Business As Usual
- CC: Customer Contact
- DD: Direct Debit
- EAP: Employee Assistance Programme
- KPIs: Key Performance Indicators
- LGR: Local Government Reorganisation
- OFLOG: Office for Local Government
- Q: Quarterly (Q1: April to June; Q2: July to September; Q3: October to December; Q4: January to March)
- NDR: Non-domestic rates (business rates)
- R&B: Revenues & Benefits
- SLA: Service Level Agreement
- SLT: Senior Leadership Team

- YE: Year End (April to March)

Appendices

Appendices are listed below and attached to the back of the report:

Appendix A	Q2 Performance
Appendix B	Q2 BBC Risk Registers
Appendix C	Q2 Partnership Risks
Appendix D	Q2 Fraud Risks

Background Papers

No background papers as defined in Section 100D of the Local Government Act 1972 were used in the production of this report.

Chronological History of this Report

Overview and Scrutiny

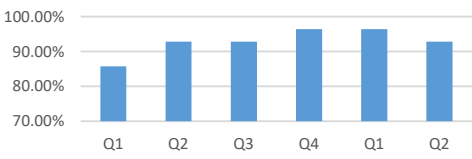
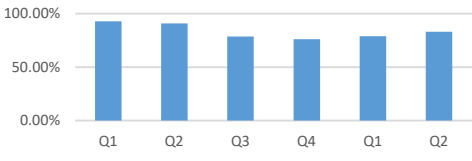
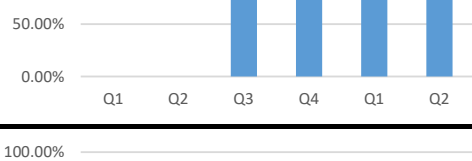


9th December 2025

Report Approval

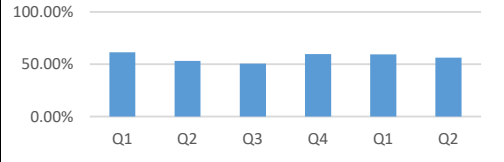
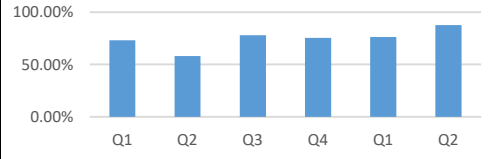

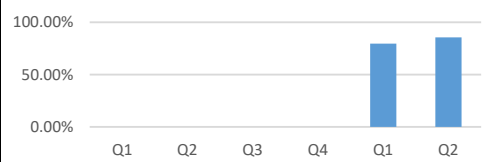
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Approved for publication:	Councillor Dale Broughton, Leader of the Council dale.broughton@boston.gov.uk

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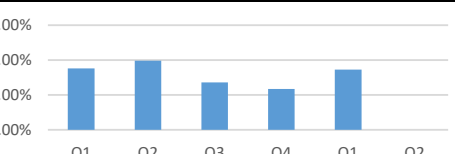
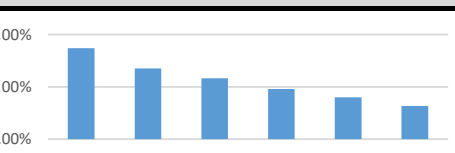
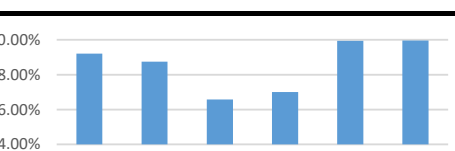
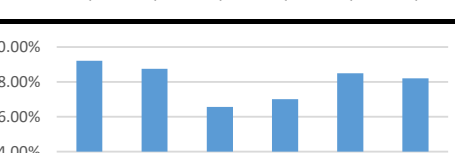
Performance Indicators with Targeted Performance Levels
Growth and Prosperity

PI Name	AD	Q1	Q2	Q3	Q4	Q1	Q2	Target	RAG	
Occupancy Rate at end of Quarter: Industrial Units	Andy Fisher	85.71%	92.86%	92.86%	96.43%	96.43%	92.86%	97.00%		
Commentary	2 units were vacant a 30 September; two new tenants lined up to take occupation in Q3.									
Percentage of major planning applications determined within 13/16 weeks (or agreed extended period)	Phil Norman	92.86%	90.77%	78.57%	76.00%	78.79%	82.93%	65.00%		
Percentage of non-major planning applications determined within 8 weeks (or agreed extended period)	Phil Norman	Not Previously Reported	Not Previously Reported	93.65%	87.93%	86.81%	87.93%	75%		
Percentage of major planning appeals allowed within the last 2 years (rolling period) against number of applications determined	Phil Norman	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	10%		
Percentage of minor & other planning appeals allowed within the last 2 years (rolling period) against number of applications determined (OFLOG)	Phil Norman	0.00%	0.18%	0.00%	0.22%	0.22%	0.43%	10%		

Safe and Resilient Communities

PI Name	AD	Q1	Q2	Q3	Q4	Q1	Q2	Target	RAG	
Percentage of cases opened at homelessness prevention stage (i.e. before they have become homeless)	Emily Spicer	61.29%	53.09%	50.59%	59.76%	59.34%	56.38%	50.00%		
Commentary	Performance is above target and similar to last quarter. 4 applicants withdrew their application before any assessments could take place and four were not eligible for assistance which does bring the average down.									
Percentage of homelessness cases that were opened at homelessness prevention stage that resulted in the customer not becoming homeless	Emily Spicer	73.33%	58.00%	77.97%	75.61%	76.36%	87.76%	50.00%		
Commentary	The total number of households prevented from becoming homeless is above the target.									
Number of families with children placed into Bed & Breakfast (B&B) for more than 6 weeks	Emily Spicer	0	0	0	0	0	0	0		
Commentary	No households with children were in B&B for more than 6 weeks.									
Percentage of decisions issued on an applicant's initial homelessness application within target timescale of 33 working days	Emily Spicer	Not Previously Reported	Not Previously Reported	Not Previously Reported	Not Previously Reported	79.52%	85.54%	75.00%		
Commentary	Performance has improved since last quarter. Recruitment has been completed following the restructure which should result in the target being achieved next quarter.									

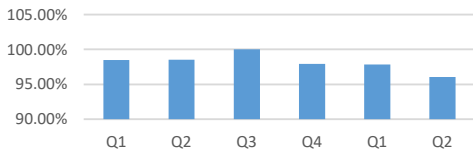
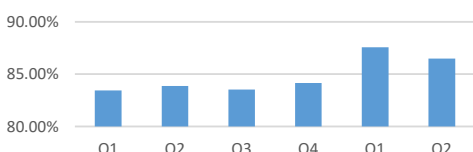
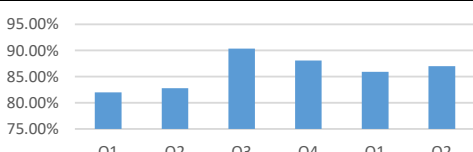
Environment

PI Name	AD	Q1	Q2	Q3	Q4	Q1	Q2	Target	RAG	
Number of homes improved through green home/warm home grants	Christian Allen	Not Previously Reported	Not Previously Reported	Not Previously Reported	Not Previously Reported	No Data Provided	0	0		
Percentage of household waste collected for recycling and composting	Victoria Burgess	35.14%	39.68%	27.26%	23.36%	34.52%		45.00%	Annual Target Only	
Commentary	Q2 contamination is due from LCC in December 2025. Recycling rates for dry recycling and garden waste follow similar patterns over the 4 quateres of any given year, and comparisons should only ever be on a like for like basis and not by comparing different quateres other than to understand seasonal trend i.e. main growing season against when plants are dormant, or the influence of major sporting events.									
Percentage of recycling collected that is unable to be recycled (contamination)	Victoria Burgess	17.36%	13.54%	11.62%	9.56%	8.00%	6.34%	14.00%		
Percentage of waste collections that were successful first time	Victoria Burgess	99.21%	98.75%	96.57%	97.00%	99.94%	99.96%	99.80%		
Percentage of fly-tips collected within 3 working days of being reported	Victoria Burgess	99.21%	98.75%	96.57%	97.00%	98.49%	98.20%	95.00%		

Efficiencies and Efficacies

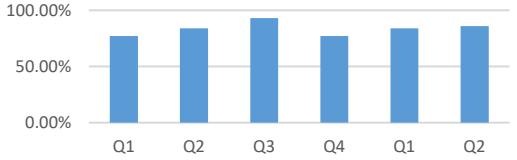
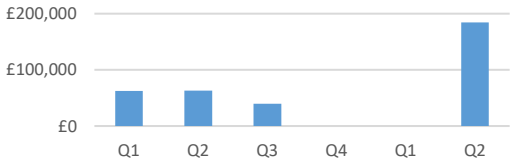
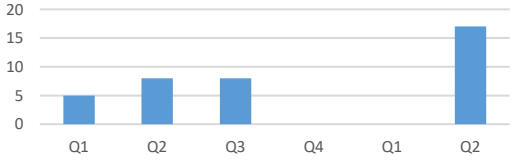
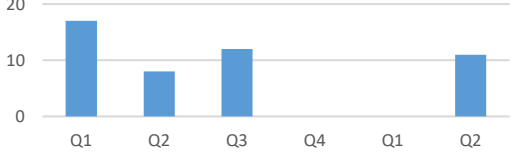
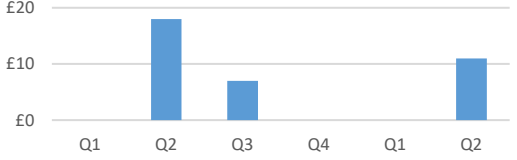
PI Name	AD	Q1	Q2	Q3	Q4	Q1	Q2	Target	RAG	
Occupancy Rate at end of Quarter: Other investment property	Andy Fisher	100.00%	96.55%	96.55%	96.55%	96.43%	100.00%	97.00%		
Commentary	All assets let at end of Q2.									
Percentage of car parking income received against agreed annual budget – cumulative figure to end of successive quarters.	Andy Fisher	104.53%	107.14%	111.53%	104.52%	111.51%	105.40%	100.00%		
Commentary	Income target exceeded in Q2 by £9,860.82 (£254,063.32 income vs base quarter budget of £244,202.5).									
LA Error rate (measured against estimated annual expenditure) (PSPS)	Brendan Arnold	0.04%	0.22%	0.25%	0.27%	0.08%	0.08%	0.42%		
Commentary	It is pleasing to report performance within target.									
Business Rates in-year collection rate	Brendan Arnold	30.86%	55.33%	79.79%	98.83%	28.32%	54.18%	55.00%		
Commentary	The current climate for businesses is challenging, and the reduction in the level of relief this year has impacted collection. A robust programme of recovery is in place. In addition 4 cases totalling £1.1m are being presented for last resort recovery action.									
Council Tax in-year collection rate	Brendan Arnold	26.93%	52.91%	79.12%	93.75%	27.55%	52.67%	52.20%		

Housing Benefit New Claims speed of processing (Year to Date) (PSPS)	Brendan Arnold	30.00	25.00	24.67	25.75	18.00	17.00	25		
Housing Benefit Changes speed of processing (Year to Date) (PSPS)	Brendan Arnold	9.00	11.00	13.33	10.75	15.00	13.50	12		
Commentary	Cumulative year-to-date performance remains within DWP expectations, although it falls marginally short of the local stretch KPI target due to Q1 results. Targeted actions have improved Q2 performance, meeting target, and current projections indicate that the end-of-year stretch target is achievable.									
Housing Benefit Overpayment Recovery rate (PSPS)	Brendan Arnold	152.97%	138.45%	132.21%	127.85%	219.28%	139.18%	85.00%		
Land Charges - Average number of days taken to process Local Authority searches (working days)	Christian Allen	5.20	7.45	6.94	6.93	4.16	5.43	8		
Percentage of corporate complaints responded to within corporately set timescales	John Medler	100.00%	100.00%	88.24%	93.33%	87.50%	86.67%	95.00%		
Commentary	Of the total 25 received which were considered at stage 1, 3 are on hold, 1 was withdrawn; there remain a number outstanding where we are awaiting departments to confirm outcome.									
Percentage of subject requests responded to within statutory timescales	John Medler	60.00%	100.00%	100.00%	100.00%	100.00%	83.33%	95.00%		

Percentage of information requests responded to within statutory timescales	John Medler	98.48%	98.52%	100.00%	97.94%	97.84%	96.07%	95.00%		 <table><caption>Percentage of information requests responded to within statutory timescales</caption><thead><tr><th>Period</th><th>Percentage</th></tr></thead><tbody><tr><td>Q1</td><td>98.48%</td></tr><tr><td>Q2</td><td>98.52%</td></tr><tr><td>Q3</td><td>100.00%</td></tr><tr><td>Q4</td><td>97.94%</td></tr><tr><td>Q1</td><td>97.84%</td></tr><tr><td>Q2</td><td>96.07%</td></tr></tbody></table>	Period	Percentage	Q1	98.48%	Q2	98.52%	Q3	100.00%	Q4	97.94%	Q1	97.84%	Q2	96.07%
Period	Percentage																							
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Q2	98.52%																							
Q3	100.00%																							
Q4	97.94%																							
Q1	97.84%																							
Q2	96.07%																							
Commentary	5 on hold. Of the 7 late, 3 were by 1 day and due to incomplete data being provided to the IG team. 1 was missed due to error by IG team. 3 were late due to operational team unable to supply in time. (staff leave etc)																							
Percentage of contacts resolved at first contact – targeted. (PSPS)	Phil Perry	83.43%	83.88%	83.54%	84.15%	87.58%	86.49%	80.00%		 <table><caption>Percentage of contacts resolved at first contact – targeted. (PSPS)</caption><thead><tr><th>Period</th><th>Percentage</th></tr></thead><tbody><tr><td>Q1</td><td>83.43%</td></tr><tr><td>Q2</td><td>83.88%</td></tr><tr><td>Q3</td><td>83.54%</td></tr><tr><td>Q4</td><td>84.15%</td></tr><tr><td>Q1</td><td>87.58%</td></tr><tr><td>Q2</td><td>86.49%</td></tr></tbody></table>	Period	Percentage	Q1	83.43%	Q2	83.88%	Q3	83.54%	Q4	84.15%	Q1	87.58%	Q2	86.49%
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Q3	83.54%																							
Q4	84.15%																							
Q1	87.58%																							
Q2	86.49%																							
Commentary	Quarterly Target Exceeded by 5.20% Total contacts - 15,748 Cases logged - 11,849 Service Requests - 1,568 Transfer & Message - 2,331 - Council Tax (58.92%), Benefits (9.40%), Housing (7.44%) Levels of chase enquiry remains high at 8.65%, with service answer rate 41.71%, driving up transfer and message enquiries.																							
Average answer rate – Customer Contact (PSPS)	Phil Perry	82.01%	82.77%	90.34%	88.11%	85.94%	87.03%	80.00%		 <table><caption>Average answer rate – Customer Contact (PSPS)</caption><thead><tr><th>Period</th><th>Percentage</th></tr></thead><tbody><tr><td>Q1</td><td>82.01%</td></tr><tr><td>Q2</td><td>82.77%</td></tr><tr><td>Q3</td><td>90.34%</td></tr><tr><td>Q4</td><td>88.11%</td></tr><tr><td>Q1</td><td>85.94%</td></tr><tr><td>Q2</td><td>87.03%</td></tr></tbody></table>	Period	Percentage	Q1	82.01%	Q2	82.77%	Q3	90.34%	Q4	88.11%	Q1	85.94%	Q2	87.03%
Period	Percentage																							
Q1	82.01%																							
Q2	82.77%																							
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Q4	88.11%																							
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Q2	87.03%																							

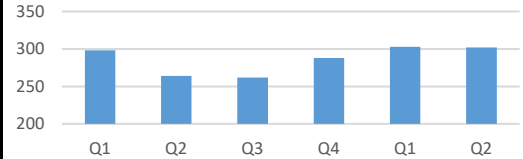
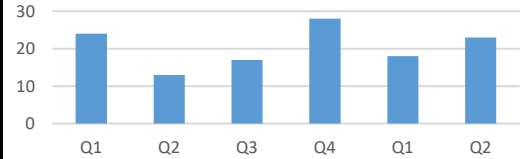
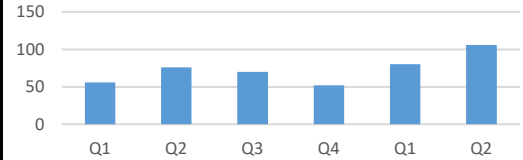
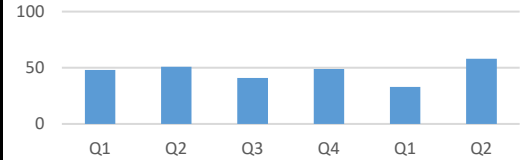
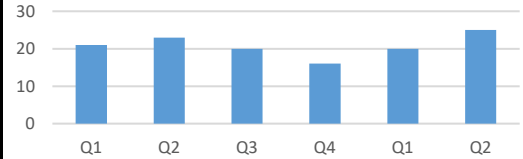
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Performance Indicators with Trend Only Performance Levels
Growth and Prosperity





PI Name	AD	Q1	Q2	Q3	Q4	Q1	Q2	
Building Control market share	Christian Allen	77.00%	84.00%	93.00%	77.00%	84.00%	86.00%	
Commentary	Positive increase in market share from Q4.							
Value of Grants awarded via Grants4growth	Growth	£62,502	£63,168	£39,856	No Data Provided	No Data Provided	£184,386	
Number of Grants awarded via Grants4growth	Growth	5	8	8	No Data Provided	No Data Provided	17	
Number of Businesses assisted via Grants4growth	Growth	17	8	12	No Data Provided	No Data Provided	11	
Number of Business registered via Grants4growth	Growth	No Data Provided	18	7	No Data Provided	No Data Provided	11	

Healthy Lives

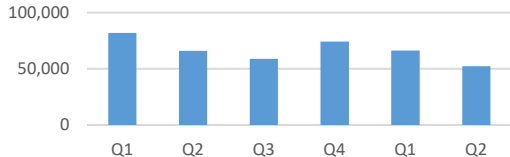
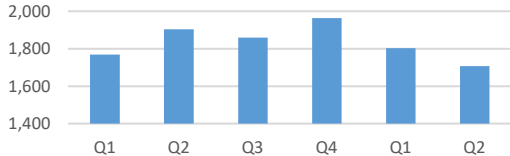
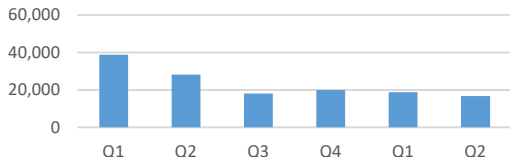
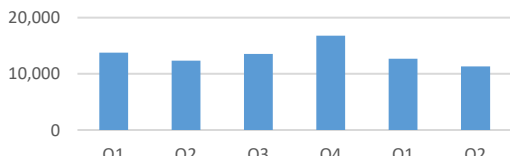
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PI Name	AD	Q1	Q2	Q3	Q4	Q1	Q2															
Number of days to complete a stage 2 DFG	Emily Spicer	298	264	262	288	303	302	 <table><caption>Days to complete a stage 2 DFG</caption><thead><tr><th>Quarter</th><th>Days</th></tr></thead><tbody><tr><td>Q1</td><td>298</td></tr><tr><td>Q2</td><td>264</td></tr><tr><td>Q3</td><td>262</td></tr><tr><td>Q4</td><td>288</td></tr><tr><td>Q1</td><td>303</td></tr><tr><td>Q2</td><td>302</td></tr></tbody></table>	Quarter	Days	Q1	298	Q2	264	Q3	262	Q4	288	Q1	303	Q2	302
Quarter	Days																					
Q1	298																					
Q2	264																					
Q3	262																					
Q4	288																					
Q1	303																					
Q2	302																					
Number of days to complete a stage 3 DFG	Emily Spicer	24	13	17	28	18	23	 <table><caption>Days to complete a stage 3 DFG</caption><thead><tr><th>Quarter</th><th>Days</th></tr></thead><tbody><tr><td>Q1</td><td>24</td></tr><tr><td>Q2</td><td>13</td></tr><tr><td>Q3</td><td>17</td></tr><tr><td>Q4</td><td>28</td></tr><tr><td>Q1</td><td>18</td></tr><tr><td>Q2</td><td>23</td></tr></tbody></table>	Quarter	Days	Q1	24	Q2	13	Q3	17	Q4	28	Q1	18	Q2	23
Quarter	Days																					
Q1	24																					
Q2	13																					
Q3	17																					
Q4	28																					
Q1	18																					
Q2	23																					
Number of days to complete a stage 4 DFG	Emily Spicer	56	76	70	52	80	106	 <table><caption>Days to complete a stage 4 DFG</caption><thead><tr><th>Quarter</th><th>Days</th></tr></thead><tbody><tr><td>Q1</td><td>56</td></tr><tr><td>Q2</td><td>76</td></tr><tr><td>Q3</td><td>70</td></tr><tr><td>Q4</td><td>52</td></tr><tr><td>Q1</td><td>80</td></tr><tr><td>Q2</td><td>106</td></tr></tbody></table>	Quarter	Days	Q1	56	Q2	76	Q3	70	Q4	52	Q1	80	Q2	106
Quarter	Days																					
Q1	56																					
Q2	76																					
Q3	70																					
Q4	52																					
Q1	80																					
Q2	106																					
Number of DFG referrals received	Emily Spicer	48	51	41	49	33	58	 <table><caption>Number of DFG referrals received</caption><thead><tr><th>Quarter</th><th>Referrals</th></tr></thead><tbody><tr><td>Q1</td><td>48</td></tr><tr><td>Q2</td><td>51</td></tr><tr><td>Q3</td><td>41</td></tr><tr><td>Q4</td><td>49</td></tr><tr><td>Q1</td><td>33</td></tr><tr><td>Q2</td><td>58</td></tr></tbody></table>	Quarter	Referrals	Q1	48	Q2	51	Q3	41	Q4	49	Q1	33	Q2	58
Quarter	Referrals																					
Q1	48																					
Q2	51																					
Q3	41																					
Q4	49																					
Q1	33																					
Q2	58																					
Number of DFG grants approved	Emily Spicer	21	23	20	16	20	25	 <table><caption>Number of DFG grants approved</caption><thead><tr><th>Quarter</th><th>Grants</th></tr></thead><tbody><tr><td>Q1</td><td>21</td></tr><tr><td>Q2</td><td>23</td></tr><tr><td>Q3</td><td>20</td></tr><tr><td>Q4</td><td>16</td></tr><tr><td>Q1</td><td>20</td></tr><tr><td>Q2</td><td>25</td></tr></tbody></table>	Quarter	Grants	Q1	21	Q2	23	Q3	20	Q4	16	Q1	20	Q2	25
Quarter	Grants																					
Q1	21																					
Q2	23																					
Q3	20																					
Q4	16																					
Q1	20																					
Q2	25																					

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Number of DFG grants completed	Emily Spicer	Not Previously Reported	Not Previously Reported	Not Previously Reported	Not Previously Reported	14	19	 <table><tr><th>Quarter</th><th>Grants Completed</th></tr><tr><td>Q1</td><td>14</td></tr><tr><td>Q2</td><td>19</td></tr></table>	Quarter	Grants Completed	Q1	14	Q2	19
Quarter	Grants Completed													
Q1	14													
Q2	19													
For a successful prevention outcome at least 32% should be achieved through keeping the household in the home presented from	Emily Spicer	Not Previously Reported	Not Previously Reported	Not Previously Reported	Not Previously Reported	12.00%	9.30%	 <table><tr><th>Quarter</th><th>Percentage</th></tr><tr><td>Q1</td><td>12.00%</td></tr><tr><td>Q2</td><td>9.30%</td></tr></table>	Quarter	Percentage	Q1	12.00%	Q2	9.30%
Quarter	Percentage													
Q1	12.00%													
Q2	9.30%													
Commentary	The Team Leader has already been tasked with supporting the Homelessness Officers to improve the performance where possible. Keeping people in their own home is often reliant on the excluder such as landlord, family or friends being willing to work with the Council to enable the household to remain for at least 6 months. The home also has to be safe and appropriate for continued occupation and cost effective for the Council to assist them to remain compared to securing alternative accommodation or the use of temporary accommodation.													
Percentage of not in priority need decisions should reflect at least the regional average for the East Midlands (32%)	Emily Spicer	Not Previously Reported	Not Previously Reported	Not Previously Reported	Not Previously Reported	50.00%	66.60%	 <table><tr><th>Quarter</th><th>Percentage</th></tr><tr><td>Q1</td><td>50.00%</td></tr><tr><td>Q2</td><td>66.60%</td></tr></table>	Quarter	Percentage	Q1	50.00%	Q2	66.60%
Quarter	Percentage													
Q1	50.00%													
Q2	66.60%													
Commentary	This is significantly higher than the East Midlands average. Cases will be reviewed to check Officers are not setting the priority need threshold too high.													
Percentage of intentional homelessness (IH) decisions should reflect at least the regional average for the East Midlands (5%)	Emily Spicer	Not Previously Reported	Not Previously Reported	Not Previously Reported	Not Previously Reported	0.00%	11.00%	 <table><tr><th>Quarter</th><th>Percentage</th></tr><tr><td>Q1</td><td>0.00%</td></tr><tr><td>Q2</td><td>11.00%</td></tr></table>	Quarter	Percentage	Q1	0.00%	Q2	11.00%
Quarter	Percentage													
Q1	0.00%													
Q2	11.00%													
Commentary	There were nine main duty decisions made and of these one was issued with an intentionally homeless decision. Main duty decisions are only made if the Council hasn't been able to prevent or relieve homelessness.													

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Visitor numbers / number of tickets sold, for leisure venues	Phil Perry	82,074	65,934	58,964	74,358	66,421	52,330	 <table><caption>Visitor Numbers Data</caption><thead><tr><th>Quarter</th><th>Visitor Numbers</th></tr></thead><tbody><tr><td>Q1</td><td>82,074</td></tr><tr><td>Q2</td><td>65,934</td></tr><tr><td>Q3</td><td>58,964</td></tr><tr><td>Q4</td><td>74,358</td></tr><tr><td>Q1</td><td>66,421</td></tr><tr><td>Q2</td><td>52,330</td></tr></tbody></table>	Quarter	Visitor Numbers	Q1	82,074	Q2	65,934	Q3	58,964	Q4	74,358	Q1	66,421	Q2	52,330
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Q3	58,964																					
Q4	74,358																					
Q1	66,421																					
Q2	52,330																					
Commentary	GMLC's performance in Q2 is largely due to reduced parking availability during peak times. The closure of areas of the main car park has significantly impacted visitor access, particularly during busy periods, making it more difficult for users to attend regularly. This has coincided with seasonal fluctuations, most notably during August, when attendance typically dips, further contributing to lower usage figures. Additionally, the temporary reliance on a single swimming pool has affected swim lesson participation, as some parents and children have expressed concerns about the deeper water. To help address this, Parkwood has introduced platforms to support younger swimmers, but the combination of limited parking, seasonal trends, and restricted pool access continues to influence overall engagement.																					
Number of gym members	Phil Perry	1,768	1,903	1,860	1,963	1,802	1,707	 <table><caption>Gym Members Data</caption><thead><tr><th>Quarter</th><th>Number of Gym Members</th></tr></thead><tbody><tr><td>Q1</td><td>1,768</td></tr><tr><td>Q2</td><td>1,903</td></tr><tr><td>Q3</td><td>1,860</td></tr><tr><td>Q4</td><td>1,963</td></tr><tr><td>Q1</td><td>1,802</td></tr><tr><td>Q2</td><td>1,707</td></tr></tbody></table>	Quarter	Number of Gym Members	Q1	1,768	Q2	1,903	Q3	1,860	Q4	1,963	Q1	1,802	Q2	1,707
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Number of swims	Phil Perry	38,684	28,123	18,103	19,878	18,722	16,753	 <table><caption>Number of Swims Data</caption><thead><tr><th>Quarter</th><th>Number of Swims</th></tr></thead><tbody><tr><td>Q1</td><td>38,684</td></tr><tr><td>Q2</td><td>28,123</td></tr><tr><td>Q3</td><td>18,103</td></tr><tr><td>Q4</td><td>19,878</td></tr><tr><td>Q1</td><td>18,722</td></tr><tr><td>Q2</td><td>16,753</td></tr></tbody></table>	Quarter	Number of Swims	Q1	38,684	Q2	28,123	Q3	18,103	Q4	19,878	Q1	18,722	Q2	16,753
Quarter	Number of Swims																					
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Q3	18,103																					
Q4	19,878																					
Q1	18,722																					
Q2	16,753																					
Number of swimming lessons	Phil Perry	13,767	12,321	13,538	16,810	12,690	11,296	 <table><caption>Number of Swimming Lessons Data</caption><thead><tr><th>Quarter</th><th>Number of Swimming Lessons</th></tr></thead><tbody><tr><td>Q1</td><td>13,767</td></tr><tr><td>Q2</td><td>12,321</td></tr><tr><td>Q3</td><td>13,538</td></tr><tr><td>Q4</td><td>16,810</td></tr><tr><td>Q1</td><td>12,690</td></tr><tr><td>Q2</td><td>11,296</td></tr></tbody></table>	Quarter	Number of Swimming Lessons	Q1	13,767	Q2	12,321	Q3	13,538	Q4	16,810	Q1	12,690	Q2	11,296
Quarter	Number of Swimming Lessons																					
Q1	13,767																					
Q2	12,321																					
Q3	13,538																					
Q4	16,810																					
Q1	12,690																					
Q2	11,296																					

Safe and Resilient Communities

PI Name	AD	Q1	Q2	Q3	Q4	Q1	Q2															
Food Safety – percentage of rateable food businesses with a rating of 3 (generally satisfactory) or above as a Percentage of the total number of rateable food businesses.	Christian Allen	97.85%	98.00%	96.90%	97.70%	97.15%	97.50%	<table><thead><tr><th>Period</th><th>Percentage</th></tr></thead><tbody><tr><td>Q1</td><td>97.85%</td></tr><tr><td>Q2</td><td>98.00%</td></tr><tr><td>Q3</td><td>96.90%</td></tr><tr><td>Q4</td><td>97.70%</td></tr><tr><td>Q1</td><td>97.15%</td></tr><tr><td>Q2</td><td>97.50%</td></tr></tbody></table>	Period	Percentage	Q1	97.85%	Q2	98.00%	Q3	96.90%	Q4	97.70%	Q1	97.15%	Q2	97.50%
Period	Percentage																					
Q1	97.85%																					
Q2	98.00%																					
Q3	96.90%																					
Q4	97.70%																					
Q1	97.15%																					
Q2	97.50%																					
Number of organisations supported with accessing funding	Emily Spicer	0	2	0	0	0	3	<table><thead><tr><th>Period</th><th>Count</th></tr></thead><tbody><tr><td>Q1</td><td>0</td></tr><tr><td>Q2</td><td>2</td></tr><tr><td>Q3</td><td>0</td></tr><tr><td>Q4</td><td>0</td></tr><tr><td>Q1</td><td>0</td></tr><tr><td>Q2</td><td>3</td></tr></tbody></table>	Period	Count	Q1	0	Q2	2	Q3	0	Q4	0	Q1	0	Q2	3
Period	Count																					
Q1	0																					
Q2	2																					
Q3	0																					
Q4	0																					
Q1	0																					
Q2	3																					
Commentary	Spring Round of Crowdfunding.																					
Number of verified rough sleepers during the month	Emily Spicer	28	31	20	27	35	24	<table><thead><tr><th>Period</th><th>Count</th></tr></thead><tbody><tr><td>Q1</td><td>28</td></tr><tr><td>Q2</td><td>31</td></tr><tr><td>Q3</td><td>20</td></tr><tr><td>Q4</td><td>27</td></tr><tr><td>Q1</td><td>35</td></tr><tr><td>Q2</td><td>24</td></tr></tbody></table>	Period	Count	Q1	28	Q2	31	Q3	20	Q4	27	Q1	35	Q2	24
Period	Count																					
Q1	28																					
Q2	31																					
Q3	20																					
Q4	27																					
Q1	35																					
Q2	24																					
Commentary	The number of people sleeping rough during September is 7 lower than a year ago and 11 lower than the end of June, however the number of people sleeping rough on a single night is 7 higher than a year ago and three higher than the end of June. The end of month figure is a single night snapshot and will fluctuate.																					
Number of properties improved through Council intervention	Emily Spicer	6	3	3	13	15	4	<table><thead><tr><th>Period</th><th>Count</th></tr></thead><tbody><tr><td>Q1</td><td>6</td></tr><tr><td>Q2</td><td>3</td></tr><tr><td>Q3</td><td>3</td></tr><tr><td>Q4</td><td>13</td></tr><tr><td>Q1</td><td>15</td></tr><tr><td>Q2</td><td>4</td></tr></tbody></table>	Period	Count	Q1	6	Q2	3	Q3	3	Q4	13	Q1	15	Q2	4
Period	Count																					
Q1	6																					
Q2	3																					
Q3	3																					
Q4	13																					
Q1	15																					
Q2	4																					
Commentary	Time has been spent assisting with the development of three new policies which will have naturally occupied some of the team's working week.																					

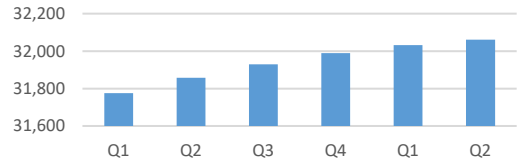
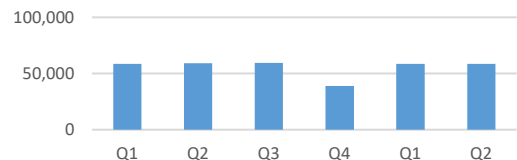
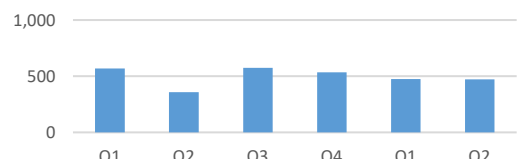
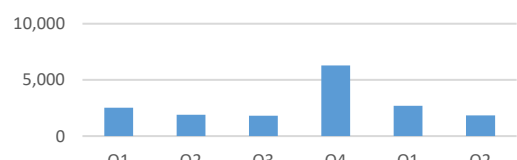
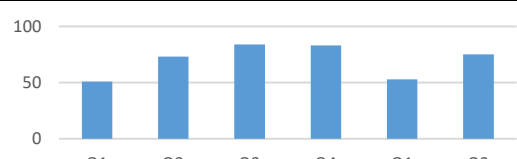
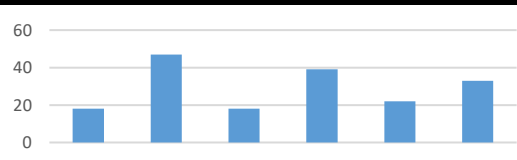
The percentage of main duty decisions made within 5 working days of the end of the relief duty	Emily Spicer	Not Previously Reported	Not Previously Reported	Not Previously Reported	Not Previously Reported	50.00%	55.55%	 <table><tr><th>Quarter</th><th>Percentage</th></tr><tr><td>Q1</td><td>50.00%</td></tr><tr><td>Q2</td><td>55.55%</td></tr></table>	Quarter	Percentage	Q1	50.00%	Q2	55.55%
Quarter	Percentage													
Q1	50.00%													
Q2	55.55%													
Commentary	This performance indicator will be closely monitored with the aim of improving performance but mainly in relation to households who are in temporary accommodation. This is because if officers are not making quick decisions, the length of time in temporary accommodation increases which increases the cost of providing temporary accommodation.													
Number of lets into the private rented sector	Emily Spicer	Not Previously Reported	Not Previously Reported	Not Previously Reported	Not Previously Reported	11	17	 <table><tr><th>Quarter</th><th>Number of lets</th></tr><tr><td>Q1</td><td>11</td></tr><tr><td>Q2</td><td>17</td></tr></table>	Quarter	Number of lets	Q1	11	Q2	17
Quarter	Number of lets													
Q1	11													
Q2	17													
Commentary	Performance has improved since last quarter.													

Environment

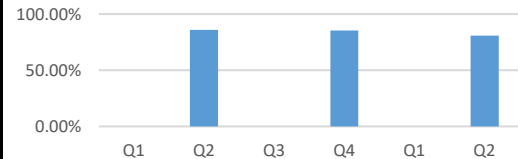
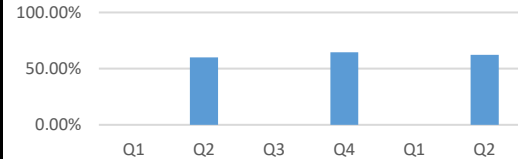
PI Name	AD	Q1	Q2	Q3	Q4	Q1	Q2															
Kingdom Contract: Number of Fixed Penalty Notices (FPNs) Issued - Litter (In quarter)	Christian Allen	284	183	291	250	231	125	<table><caption>Litter FPNs Data</caption><tr><th>Quarter</th><th>Value</th></tr><tr><td>Q1</td><td>284</td></tr><tr><td>Q2</td><td>183</td></tr><tr><td>Q3</td><td>291</td></tr><tr><td>Q4</td><td>250</td></tr><tr><td>Q1</td><td>231</td></tr><tr><td>Q2</td><td>125</td></tr></table>	Quarter	Value	Q1	284	Q2	183	Q3	291	Q4	250	Q1	231	Q2	125
Quarter	Value																					
Q1	284																					
Q2	183																					
Q3	291																					
Q4	250																					
Q1	231																					
Q2	125																					
Kingdom Contract: Number of FPNs Issued - Fly Tipping (In quarter)	Christian Allen	10	16	24	32	16	19	<table><caption>Fly Tipping FPNs Data</caption><tr><th>Quarter</th><th>Value</th></tr><tr><td>Q1</td><td>10</td></tr><tr><td>Q2</td><td>16</td></tr><tr><td>Q3</td><td>24</td></tr><tr><td>Q4</td><td>32</td></tr><tr><td>Q1</td><td>16</td></tr><tr><td>Q2</td><td>19</td></tr></table>	Quarter	Value	Q1	10	Q2	16	Q3	24	Q4	32	Q1	16	Q2	19
Quarter	Value																					
Q1	10																					
Q2	16																					
Q3	24																					
Q4	32																					
Q1	16																					
Q2	19																					
Kingdom Contract: Number of FPNs Issued - Other (e.g. PSPO etc.) (In quarter)	Christian Allen	11	4	10	18	33	27	<table><caption>Other FPNs Data</caption><tr><th>Quarter</th><th>Value</th></tr><tr><td>Q1</td><td>11</td></tr><tr><td>Q2</td><td>4</td></tr><tr><td>Q3</td><td>10</td></tr><tr><td>Q4</td><td>18</td></tr><tr><td>Q1</td><td>33</td></tr><tr><td>Q2</td><td>27</td></tr></table>	Quarter	Value	Q1	11	Q2	4	Q3	10	Q4	18	Q1	33	Q2	27
Quarter	Value																					
Q1	11																					
Q2	4																					
Q3	10																					
Q4	18																					
Q1	33																					
Q2	27																					
Kingdom Contract: Number of prosecutions completed to sentencing. (In quarter)	Christian Allen	29	30	12	15	15	11	<table><caption>Prosecutions Data</caption><tr><th>Quarter</th><th>Value</th></tr><tr><td>Q1</td><td>29</td></tr><tr><td>Q2</td><td>30</td></tr><tr><td>Q3</td><td>12</td></tr><tr><td>Q4</td><td>15</td></tr><tr><td>Q1</td><td>15</td></tr><tr><td>Q2</td><td>11</td></tr></table>	Quarter	Value	Q1	29	Q2	30	Q3	12	Q4	15	Q1	15	Q2	11
Quarter	Value																					
Q1	29																					
Q2	30																					
Q3	12																					
Q4	15																					
Q1	15																					
Q2	11																					
KG of total waste collected per household	Victoria Burgess	110.10	101.80	91.80	85.50	103.00	0.00	<table><caption>Waste Collection Data</caption><tr><th>Quarter</th><th>Value</th></tr><tr><td>Q1</td><td>110.10</td></tr><tr><td>Q2</td><td>101.80</td></tr><tr><td>Q3</td><td>91.80</td></tr><tr><td>Q4</td><td>85.50</td></tr><tr><td>Q1</td><td>103.00</td></tr><tr><td>Q2</td><td>0.00</td></tr></table>	Quarter	Value	Q1	110.10	Q2	101.80	Q3	91.80	Q4	85.50	Q1	103.00	Q2	0.00
Quarter	Value																					
Q1	110.10																					
Q2	101.80																					
Q3	91.80																					
Q4	85.50																					
Q1	103.00																					
Q2	0.00																					
Commentary	Q2 data will be available from LCC in December 2025.																					

Efficiencies and Efficacies

PI Name	AD	Q1	Q2	Q3	Q4	Q1	Q2	
Repairs & Maintenance: Percentage committed spend against budget – cumulative	Andy Fisher	20.13%	61.16%	95.82%	164.33%	31.69%	58.98%	
Commentary	£147,462 spend against £250,000.							
Housing Benefit Caseload	Brendan Arnold	2150	2019	1909	1812	1681	1569	
Council Tax Support Caseload	Brendan Arnold	2777	2838	2907	2951	3009	3051	
Business Rates RV	Brendan Arnold	£55,684,937	£55,782,060	£55,858,896	£55,714,554	£55,783,595	£55,679,773	
Business Rates Hereditaments	Brendan Arnold	2,484	2,485	2,488	2,481	2,496	2,498	

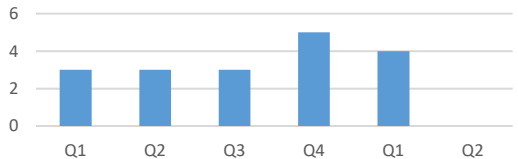
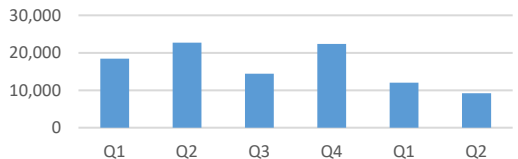
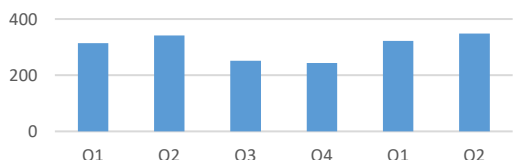
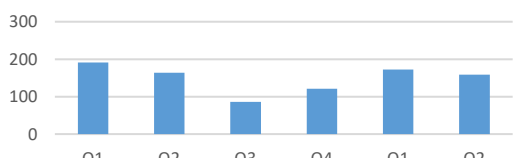
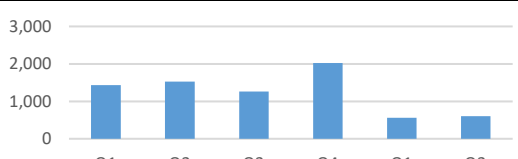
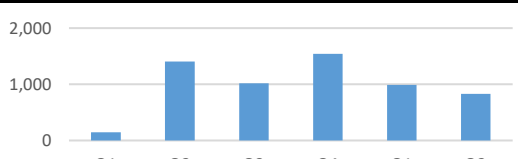
Council Tax Banded Dwellings	Brendan Arnold	31,775	31,858	31,930	31,989	32,032	32,061	
Direct Debit Payments	Brendan Arnold	58,658	59,207	59,404	38,928	58,663	58,572	
CTS New Claims – Number of Decisions Made	Brendan Arnold	568	357	574	535	474	472	
CTS Changes – Number of Decisions Made	Brendan Arnold	2,517	1,894	1,821	6,299	2,686	1,841	
Discretionary Housing Payments (DHP) number of applications	Brendan Arnold	51	73	84	83	53	75	
Discretionary Housing Payments (DHP) number of awards	Brendan Arnold	18	47	18	39	22	33	

Discretionary Housing Payments (DHP) spend against Budget	Brendan Arnold	22.85%	53.46%	63.55%	86.74%	18.67%	47.49%	
Procurement savings / benefits achieved (By the PSPS procurement team) In quarter	Brendan Arnold	£13,925	£35,930	£8,300	£11,500	£72,820	£15,254	
Commentary	Temporary Recruitment - £4,536 - Based on saving from fees paid to a managed service provider as we will now be contracting directly with the agencies. This contract is now in place. Insurance Services - £3,572.71 per annum = £10,718.13 - Estimated saving based on: Current Average Annual Cost (at £95/hour): The average annual time cost over the past 3 years was: £11,304.67 New Estimated Annual Cost (at £65/hour): Assuming the same number of hours is worked, approx. reduction: £7,731.96 Estimated Annual Savings: £3,572.71.							
Digital services take up (services accessed online) (PSPS)	Brendan Arnold	63	103	148	194	495	457	
Website visitors (accessing website information) (PSPS)	Brendan Arnold	133,265	45,494	41,478	72,493	66,518	59,266	
Percentage of Partnership workforce (surveyed collectively) who said 'Yes' when asked if they felt valued at work	James Gilbert	Half Yearly	79.00%	Half Yearly	84.80%	Half Yearly	76.30%	

Commentary	This is a Partnership average. There were approximately 100 fewer completions this period. This may be influenced by seasonal factors, such as annual leave patterns or competing priorities during this time of year. We will explore this further as review directorate level data in more depth. The response for Boston only data is slightly higher than the S&ELCP average at 79.4% and is comparable to the same period last year. The staff poll is designed to be a periodic litmus test of employee sentiment. It is not unusual for figures to ebb and flow between periods, particularly in dynamic organisational environments.							
Percentage of the Partnership workforce (surveyed collectively) who said ‘yes’ they feel there are opportunities in the Partnership to learn and develop their skills and expertise	James Gilbert	Half Yearly	86.00%	Half Yearly	85.50%	Half Yearly	80.90%	
Commentary	This is a Partnership average. The staff poll was conducted before the Mid-Year Review process had begun. As this review includes development planning conversations, its absence during the polling period may have affected responses related to learning and development opportunities. The staff poll is designed to be a periodic litmus test of employee sentiment. It is not unusual for figures to ebb and flow between periods, particularly in dynamic organisational environments.							
Percentage of the Partnership workforce (surveyed collectively) who feel informed about the Partnership and what decisions it is making	James Gilbert	Half Yearly	60.00%	Half Yearly	64.70%	Half Yearly	62.20%	
Commentary	This is a Partnership average. Periods of change often brings uncertainty, and this can impact how informed and valued employees feel. The staff poll is designed to be a periodic litmus test of employee sentiment. It is not unusual for figures to ebb and flow between periods, particularly in dynamic organisational environments. Positive feedback is included from employees in the commentary in relation to the level of communication provided particularly in relation to Local Government Reorganisation.							

Percentage of the Partnership workforce (surveyed collectively) who said 'yes' they feel the Partnership recognises and supports positive mental health in the workplace	James Gilbert	Half Yearly	87.00%	Half Yearly	86.30%	Half Yearly	86.60%	
Commentary	This is a Partnership average. Encouragingly, perceptions of how the Partnership supports positive mental health have remained stable, with a slight increase. The staff poll is designed to be a periodic litmus test of employee sentiment. It is not unusual for figures to ebb and flow between periods, particularly in dynamic organisational environments. The Boston only data is 91.2%.							
Staff Turnover Cumulative	James Gilbert	5.13%	10.22%	13.41%	18.03%	2.34%	6.02%	
Voluntary Staff Turnover	James Gilbert	4.20%	5.70%	3.70%	3.20%	1.85%	3.28%	
Number of working days lost to sickness per Full Time Equivalent (FTE) (Cumulative)	James Gilbert	2.73	5.31	2.43	3.15	2.40	3.68	
Commentary	The lowest quarterly sickness days lost in the last 2 years and a difference of 0.51% compared to the previous quarter. Mental health absence currently makes up nearly 33% of the total absence for Q2.							
External funding – a calculation of external Partnership funding received as a trend – showing quarter by quarter and including a breakdown by Council	James Gilbert	£7,960,404	£17,636,760	£752,541	£39,848	£38,000	£1,827,466	

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Number of late reports not made available to the Democratic Services teams at agenda publication	John Medler	3	3	3	5	4	0	
Call volumes (PSPS)	Phil Perry	18,461	22,705	14,418	22,381	11,985	9,220	
Average Call Duration - Customer Contact (Seconds) (PSPS)	Phil Perry	314	341	251	243	322	348	
Average Speed of Answer - Customer Contact (Seconds) (PSPS)	Phil Perry	191	164	86	121	172	159	
Number of Callbacks (PSPS)	Phil Perry	1,435	1,525	1,266	2,023	563	600	
Number of customers using webchat (PSPS)	Phil Perry	144	1,403	1,019	1,544	991	828	

Customer Contact Centre visits (PSPS)	Phil Perry	4,421	4,185	4,038	5,072	4,916	4,751	
Enquiries via email and social media (PSPS)	Phil Perry	1,442	1,331	1,289	1,166	1,199	1,020	

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Ref	Risk name	Risk description	Lead	Cause/s	Potential impact/consequences	Existing control measures in place	Current risk likelihood	Current risk impact	Current risk score	Treatment (4Ts)	Target risk likelihood	Target risk impact	Target risk score	Changes since last update
BBC02	Health	The risk of long term health issues on local people; the opportunity to work with health partners to address these	AD-CHS	Long term health issues in the local population; Deprivation;Wider determinants of health; Access to services	Poor health outcomes; Increased costs to local health services; Unsustainable health services.	The opportunity to work with health and wider system partners to address long term health issues and deprivation, to raise awareness and promote good health, to support the sustainability of local health services. Close working with LCC Public Health, VCS and wider system partners to ensure appropriate support and treatment measures are carried out.	3	3	Medium (9)	Tolerate	3	3	Medium (9)	
BBC03	Local economy	Risk to local businesses, lack of growth, lack of inward investment and tourism; opportunity to encourage growth and stimulate the local economy	D-ED	Continuing impact of general wider economic impact on businesses and the local economy; Increasing costs, including fuel costs; Lack of buses, particularly in rural areas, and increasing costs of travel	Struggling/failing local businesses; Stagnating local economy; Lack of inward investment; Low skills and aspirations; Low visitor numbers; Future sustainability of the Town Centre - retail, evening economy, housing, heritage, culture, leisure, events, car parking; Community perceptions. Threat to infrastructure, local services and housing	Town Deal and Levelling Up projects; Emergency Planning Team represented on County Wide LRF Group looking at issues of winter pressures / cost of living and industrial action.	3	3	Medium (9)	Tolerate	3	3	Medium (9)	
BBC05	Budget	Risk around the long term balancing of the budget with economic and funding uncertainty	D-F	Reduction of government funding; Reduction in income; Capital expenditure; Impact of Internal Drainage Board (IDB) levy; Inflation; Fuel shortages; Ukraine conflict	Lack of money and lack of certainty going forward; Failure to balance budget in future years	Medium Term Financial Strategy; Budgetary process; Sound level of reserves; Continued close monitoring; Continued lobbying regarding the IDB pressure. Savings and Efficiency Plan developed to support the MTFS	4	4	High (16)	Tolerate	4	4	High (16)	
BBC06	Civil contingency risks	Community risks shared across Lincolnshire, managed in partnership with the Lincolnshire Resilience Forum (LRF) and through S&ELCP	AD-R	Any incident/emergency that requires a response from the council as a category 1 responder under the civil contingencies act	Failure in service delivery; Impact on local people; Reputational damage; Detrimental economic impact on business; inability to support partners during an incident through LRF structures	Community Risk Register monitored by the Lincolnshire Resilience Forum (LRF); Work with partners to assess, monitor, train, plan and exercise to enable effective response to and recovery from an incident. Strategic and Tactical Out of Hours duty rota in place. S&ELCP providing resilience for response and recovery from emergencies/incidents affecting a single council. Strategic Management Group in place to monitor performance and report to LT Governance. Partnership Emergency Plan in place for the Sub-region. Business Continuity Plans in place for all critical services across the S&ELCP. Partnership resilience manager appointed and in place from 1st August	2	4	Medium (8)	Tolerate	2	4	Medium (8)	
BBC07	Infrastructure risks	Risks to infrastructure - roads, rail, waste management, water supply, energy, digital connectivity	D-ED	Lack of investment, upgrade and development into infrastructure, broadband/digital connectivity, highways/public transport; Increased demand on infrastructure from population growth and rapid urbanisation	Impact on health, the economy and businesses; Opportunity to generate employment and boost living standards; Opportunity to encourage inward investment.	Sub-regional focus and briefings; Support with the evolution of ideas and solutions; Scrutiny Committee looking at the theme of highways/public transport.	2	4	Medium (8)	Tolerate	2	4	Medium (8)	
BBC08	Capital Programme	Failure to deliver Major capital schemes within the capital programme	D-PD	Escalating costs Onsite Issues Grant funding withdrawal Non-compliance of grant funding obligations Insufficient Pre-project planning and specs (Brief-Creep) Partners withdrawal	Reputational Damage Financial impact Failure to deliver council objectives Reduced ability to secure future funding	Robust programme and project management; Regular and structured reporting mechanisms; Robust and effective governance (financial and project); Effective working with partners and 3rd Party delivery; Risk transference and mitigation; Requesting extra funding prior to project commencement where required	2	3	Medium (6)	Tolerate	2	3	Medium (6)	
BBC09	General Fund Assets	This risk identifies the need for the council to adhere to all prevailing statutory codes as they relate to council assets and functions	AD-GFA	Escalating costs Onsite Issues Grant funding withdrawal Non-compliance of grant funding obligations	Failure to meet statutory requirements in regard to general fund assets	All assets either have compliance contracts in place or local contractors with the jobs in hand. Database updated and restructure in place, with clear roles and responsibilities. Training takes place on a required basis.	1	4	Low (4)	Tolerate	1	4	Low (4)	
BBC10	Cyber Incident	The risk of the council's ICT infrastructure being severally impact as the result of a cyber incident, both in terms of downtime of systems and loss of data/information.	AD-C	The threat landscape across the UK is continuously increasing and appears on the national risk assessment. The Council need to constantly adapt in its security mitigation and training to ensure they are both prepared from a technical and from a people aspect	Theft of corporate information theft of financial information (eg bank details or payment card details) theft of money disruption to service provision loss of business or contract loss of trust in customers/residents and partners	Defence in depth in the form of firewalls, Mimecast and antivirus is deployed both at the perimeter and the internal Local Area Network. The ICT team play an active part in the East Midlands WARP (Warning, Advice and Reporting Point) which allow us to have early sight of issues being experienced across neighbouring Authorities and Agencies. ICT is also a member of the CISP formed by the National Cyber Security Centre, this allows us early awareness from the central agency responsible for cyber threats across the UK as well as allowing them to monitor our environment to a degree. These mitigations afford ICT awareness of emerging threats. We are about to commission an external validation of our cyber response plan for ICT. We have also recently enabled and implemented further cyber security controls within Mimecast which will ensure further mitigation in this area is in place.	3	5	High (15)	Tolerate	3	5	High (15)	
BBC11	Technology infrastructure failure	The loss of ICT impacting upon the organisation to operate effectively and deliver services to residents.	AD-C	Human error, Power failure, Security, Hardware, Link failure	The Council relies heavily on the ICT infrastructure for normal business operation. Whilst resilience is built into the environment, the loss of a service is always possible. Depending on the service lost, the impact could be severe	The Council has a series of resilience arrangements in place through its service provider, PSPS. Work is continuous to ensure these are fit for purpose across a range of areas. As part of business continuity planning, services are considering in detail how they would continue to operate should an ICT outage occur	2	5	High (10)	Tolerate	2	5	High (10)	
BBC12	Environment Act	The legislation will have an impact on the way that waste services are delivered, and will require operational changes. Changing service delivery requires financial support, and although some New Burdens has been made available information has not been provided to date on the ongoing New Burgdens revenue funding to meet the additional cost of service delivery.	AD-N	The Environment Act 2021 allows the UK to enshrine better environmental protection into law. It provides the Government with powers to set new binding targets, including for air quality, water, biodiversity, and waste reduction. This will change and impact the way environmental services are currently delivered	Failure to comply with legislation Negative effect on climate both locally and globally	A SELCP Waste Improvement Programme Board (WIPB) is established and comprises lead members from Neighbourhoods and PSPS services. The WIPB meets monthly for progress updates. A Programme Manager has been recruited to support the WIPB. Additionally the authorities comprising the Lincolnshire Waste Partnership work together to identify the impact of the Environment Act across the county, and make preparations for changes to service delivery.	4	4	High (16)	Treat	3	3	Medium (9)	
BBC13	Extended Producer Responsibility (EPR)	The UK is undergoing a major overhaul of packaging producer responsibility legislation, which will transform the way local authorities receive funding for household waste collections. This risk covers the changes this legislation will bring which will be positive but also important to ensure we as an organisation are prepared for these changes.	AD-N	Reforms seek to introduce principles of extended producer responsibility (EPR) to the UK's packaging waste management sector and will, primarily, see the cost burden of collecting householders' packaging waste shift from local taxpayers to the producers of packaged products	Funding Gaps Negative Press Budget implications	Officers closely follows all policy and practice changes being implemented by the Government and has responded to relevant consultations. This is also being monitored through the countywide Strategic Officer Working Group. Officers are attending Defra webinars on a regular basis, and taking part in research where relevant. The SLECP Waste Improvement Programme Board is made aware of any updates from Defra.	2	2	Low (4)	Tolerate	2	2	Low (4)	Wording and planned action reviewed and updated.

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BBC14	Depot	This risk identifies the need for additional depot capacity to be identified and secured to deliver the required food waste collection service and meet future housing growth	AD-N	Additional housing developments which means more waste and therefore more resources and vehicles required. Depot at St Johns Road does not currently have sufficient capacity on the operators license for future growth or additional vehicles for food waste	Failure to complete rounds; Budget implications; Failure to increase garden waste and commercial services, failure to provide a food waste collection	Extension to depot has been identified and lease agreed from 1st April 2025.	1	2	Miminal (3)	Treat	1	2	Miminal (3)	Likelihood reduced futher, commentary added
BBC15	Waste Collection Round Pressures	Increased housing growth has led to an increase in the amount of waste presented for collection each week, putting pressure on the service.	AD-N	Housing growth Increased waste from more residents at home	Increase in missed collections Reputational Damage Failure to increase Garden waste and commercial services Staff Absence Budget Implications	Round review will form part of rounds revision as a result of food waste collection. Hire in Vehicles to enable waste collection	3	3	Medium (9)	Treat	2	2	Low (4)	
BBC16	Capacity	Capacity to deliver the work programme for the Partnership/Councils	AD-C	The workload increasing to a point where it becomes unmanageable within existing staff resources.	Delivery of work programme slipping. Staff wellbeing concerns. Disruption to services. Reputation reduced with partners.	Alignment and Delivery Plan in place to help manage the work programme. Services when bringing forward new initiatives to consider the capacity required and the need to bid for capacity if it can't be accommodated within existing resources. Council report templates have a specific section on capacity. Services have been informed they can bid into the transformation reserve for short term capacity if they have a suitable proposal. Resourcing is tracked via the Assistant Director quarterly survey so concerns regarding capacity can be escalated to Leadership Team. Recent audit which linked to Capacity, Aims and Priorities gave 'Adequate Assurance'.	3	3	Medium (6)	Tolerate	3	3	Medium (9)	
BBC17	Third Party service delivery	Risk around resilience and quality of service delivery arrangements with third parties	AD-C	This risk relates to the potential for the failure of of a major supplier of Council services or partners with whom the Council co-delivers/enables provision of services and operations	In the event of a failure, either in resilience or quality, there are likely to be a mix of financial, service delivery and reputational impacts to the Council.	Regular performance reports and monitoring meetings with third parties. Some key partnerships based on open book approach to financial monitoring. Regular contract meetings in place to manage risk. SELCP approach to some contracts provides resilience.	3	3	Medium (9)	Tolerate	3	3	Medium (9)	
BBC18	External Communication	Poor quality external communication with stakeholders, residents and the wider public impacts upon the council's reputation and its ability to effectively deliver services	AD-C	Low frequency of communications No communication from senior leadership team Failure to understand residents needs	Lack of awareness of partnership and councils delivery and plans Failure to gauge residents needs and interests	External communications are quality checked by the Communications Team to ensure that the messaging is effective and relevant to its audience. The team also gather statistics across a range of areas to understand how much interaction is being achieved through social media channels, for example, and adapt messages and channel shift to ensure messages are being heard and well received. Recently we have adopted an engagement charter accross the partnership.	2	3	Medium (6)	Tolerate	2	3	Medium (6)	
BBC20	Service Delivery	The risk to service delivery, impacting residents and partners we work with.	AD-C	Lack of training Lack of leadership No resources/budget Communication failure Poor performance Innefective governance Lack of learning/feedback	Failure to meet needs of residents and partners Negative feedback and press coverage Reputational damage	Staff resources maximised under the Partnership. Working with external partners to deliver shared priorities. HR support on recruitment and retention. Training plans. Values & behaviours work; Annual Delivery Plan, Workforce Development, policies, and procedures.	3	3	Medium (9)	Treat	2	3	Medium (6)	
BBC21	Internal Communications	The risk is that internal colleagues do not fully understand the aims and ambitions of the partnership and the role they play in the partnership's success.	AD-C	Low frequency of communications No communication from senior leadership team Lack of engagement from partners/PSPS Failure to understand staff needs/feedback	Staff do not feel informed Reduction in morale/engagement High turnover Lack of service delivery	Internal communications approach has been reviewed. There isn't a one size fits all approach for the Council/Partnership given the breadth of services provided and this is reflected in the internal communications model. Staff informed levels are monitored through the performance framework on a quarterly basis with the results being considered by scrutiny and Cabinet. Regular all staff bulletins with key information are issued. Regular videos from Senior leadership team to the workforce. Briefings on key corporate topics take place. Regular team meetings between service managers and their officers to cascade information. Monthly service manager meetings. Single Partnership Intranet in place	2	3	Medium (6)	Tolerate	2	3	Medium (6)	
BBC22	Net Zero target	Risk of failure to meet agreed corporate ambition of Net Zero by 2040 with a 45% reduction by 2027	AD-R	Impact on Net Zero target (i.e. carbon emissions) not fully evaluated at outset of all projects and developments and through service delivery objectives. Agreed model to assess the environmental impacts of decisions and projects yet to be established Financial resourcing required to decarbonise some areas may not be available or resources are not targeted effectively	Decisions taken which increase carbon emissions leading to failure to meet Net Zero ambition. Potential reputational risk to authority. Investment is not properly informed to deliver sufficient carbon reduction to meet target	Carbon Reduction Action Plan approved. Partnership Environment Policy approved. Climate Change Strategy approved. MEES project delivered. Decarbonisation feasibility studies completed for Municipal Buildings, Crematorium and Guildhall - funds yet to be secured from Government. 3 year funding round awarded called Warm Homes:Local Grant securing a domestic retrofit programme for 2025 to 2028. LEAD enaergy advice project extended to the BBC area for 25 to 27.	2	2	Low (4)	Tolerate	2	2	Low (4)	Risk has been reviewed and lilehood reduced to target score as all mitigations are now in place and programme of works (including policy reviews) is on track.
BBC24	Health and Safety	Risk of failure to comply with Health and Safety requirements	AD-R	The Council has a clear responsibility to both staff and recipients of services under Health and Safety legislation and needs to effectively manage its responsibilities.	There can be consequences to the organisation's finances and reputation relating to non-compliance of health and safety requirements. There is also the risk of harm to individuals.	The establishment of the S&ELCP has increased the resilience and capability of the 3 partner councils. Resources can be more easily shared across the sub-region and procedures and policies are being harmonised, with assistance from PSPS, to provide a more efficient and effective approach towards H&S compliance. The partner Councils receive specialist Health and Safety advice from Public Sector Partnership Services who support the Partnership Health and Safety Governance Group (chaired by the Assistant Director – Regulatory) and each sovereign council Staff Health and Safety Forum. Both operate under agreed terms of reference and feed into the LT – Governance. LT Governance receive minutes and recommendations for approval from the Governance Group and the staff Forums. Policies and procedures are revised by PSPS, consulted upon through Staff H&S forums before being recieved and approved by the Governance Group and referred to LT Governance for information. Health and Safety is included within Internal Audit's annual audit plan.	3	3	Medium (9)	Treat	2	3	Medium (6)	

Ref	Risk name	Risk description	Lead	Cause/s	Potential impact/consequences	Existing control measures in place	Current risk likelihood	Current risk impact	Current risk score	Treatment (4Ts)	Target risk likelihood	Target risk impact	Target risk score	Changes since last update
BBC25	Information	Risk of failure to comply with Information Governance and Management requirements	AD-G	Increased understanding of the public's right to information means that we have to be fully aware of our legal duties. The increase in data also means we have to be able to manage information more effectively, including reducing the amount of unnecessary data held.	Data protection breaches which can result in significant fines from the Information Commissioner's Office.	All employees receive annual online training in data protection. Arrangements are in place to ensure that the organisation is compliant with the new General Data Protection Regulation (GDPR) requirement, including lead staff attending training. PSPS also have a lead officer overseeing compliance. An experienced Data Protection Officer is in place who monitors training, compliance and development of policy; also, full assessment of any breaches, providing recommendations for continual improvement. There is now additional resilience with two qualified DPOs in place across the Partnership which allows for cover.	2	4	Medium (8)	Tolerate	2	4	Medium (8)	
BBC26	Local Plan	The South East Lincolnshire Local Plan (2019) seeks to support proposals which assist in the delivery of economic prosperity and some jobs in Boston across the Plan period. Risk relates to failure to deliver an updated version of the local plan.	AD-PSI	Failure to adopt in time (stopping/pausing) Out of date evidence base Failure to understand housing need Issues with site selection processes Poor co-operation and engagement Misalignment with development management policies Local plan out of date	Lack of economic growth and inward investment Lack of new jobs and opportunity Failure to attract residents from outside of the district	Monitoring of the Plan policies. Taking of decision on planning applications. Review of the Local Plan where necessary.	3	2	Medium (6)	Tolerate	3	2	Medium (6)	
BBC27	Safeguarding	Risk of failure to deliver safeguarding children, young people and vulnerable adults responsibilities	AD-CHS	The Council has statutory duties in relation to safeguarding. Section 11 of the Children Act requires a regular audit to assess our capacity to respond appropriately and identify improvements needed. The Council also has statutory duties to safeguard individuals and communities in relation to the Care Act 2014, the Mental Capacity Act 2005, Modern Slavery Act 2015 and in relation to Prevent.	In relation to non-compliance there are potentially significant reputational risks to the Council	Lead Officer and Deputies identified, with Portfolio Holders engaged. The Safeguarding Policy and Procedures have been reviewed. The lead officer liaises regularly with other District Councils and external agencies. Team leaders identify relevant actions and staff training in their service plans. Human Resources supports safer recruitment (including DBS checks) and training for officers, volunteers and councillors. An incident reporting mechanism is in place to monitor the Council's responses. Wellbeing Lincs Service has provided a countywide response and support service for vulnerable and clinically vulnerable residents. Safeguarding was a key focus of a report to LCC during the Covid response. The District Councils and County Council continue to meet to collaborate and discuss matters around safeguarding policy and procedures.	2	4	Medium (8)	Tolerate	2	4	Medium (8)	
BBC28	Local Government Reform (LGR) in Greater Lincolnshire	LGR would lead to the creation of new Councils to replace existing Councils	AD-C	English Devolution White Paper	If LGR proceeds, there will be a period of uncertainty for Members, Officers and the community.	Regular staff and member briefings are taking place to share the latest information.	4	3	High (12)	Tolerate	4	3	High (12)	
BBC29	Inadequate mitigation of infrastructure risks in the BBC Server Room	There has been a significant delay in addressing known infrastructure risks associated with the BBC Server Room, including a high fire risk. Despite early identification and funding approval, the project to relocate or upgrade the server room has not progressed due to previous instructions to halt the initiative. The issue has since dropped off key governance agendas and lacked momentum, increasing the likelihood of operational disruption or data loss	AD-C	Despite early identification and funding approval, the project to relocate or upgrade the server room has not progressed due to previous instructions to halt the initiative.	Loss of critical ICT infrastructure and services Disruption to council operations and service delivery Reputational damage Financial loss due to emergency response or data recovery Non-compliance with health and safety obligations	Support from new Administration to continue with the project Confirm and commit to a delivery timeline (targeting Q4) Monitor progress through the Strategic Risk Register	3	2	Medium (6)	Tolerate	3	2	Medium (6)	Reduced in likelihood and impact as project has been agreed to migrate

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Ref	Risk name	Risk description	Lead	Existing control measures in place	Current risk likelihood	Current risk impact	Current risk score	Treatment (4Ts)	Planned action / future mitigation	Action RAG	Target risk likelihood	Target risk impact	Target risk score	Changes since last update
SELCP-01	Vision	A lack of clear and shared vision; the reasons for shared management and sharing of joint services	AD-C	The partnership exploration phase developed this understanding. Engagement with members to ensure the objectives of the business case were clearly understood, through the proposal recommendations, scrutiny process and final Council decisions. Adoption of a Sub-regional Strategy across the Partnership to embed shared vision, objectives and priorities. Quarterly stakeholder board meetings are underway which focus on ensuring the vision of the partnership is clear and aligned. A significant number of services have now aligned workforce through service reviews.	2	4	Medium (8)	Tolerate		N/A	2	4	Medium (8)	
SELCP-02	Trust	A poor relationship or lack of trust between members, leaders or senior staff	CX	Openness, transparency and accessibility for all groups. Building on the existing positive relationships between Members and Officers	3	3	Medium (9)	Tolerate		N/A	3	3	Medium (9)	
SELCP-03	Sovereignty	Concerns around the loss of sovereignty of a council	AD-G	Each Council continues to be governed by its own Constitution which is a key principle of the Memorandum of Agreement between the three Councils.	3	3	Medium (9)	Tolerate		N/A	3	3	Medium (9)	
SELCP-05	Culture	A fundamental difference in the organisational culture of the councils	AD-C	A shared set of values and behaviours are in place across the Partnership and a significant number of services reviews have now taken place creating single teams serving the three Councils in many areas. A job evaluation and pay structure has also been introduced for shared officers	2	3	Medium (6)	Tolerate	Future work taking place around workforce terms and conditions	N/A	2	3	Medium (6)	
SELCP-06	LGR	Local Government Reorganisation (LGR)	CX	The South and East Lincolnshire Councils Partnership is designed to have a positive influence on Local Government Reorganisation in Lincolnshire. The Councils are working together to develop a proposal for Government in response to the invitation to Greater Lincolnshire from the Secretary of State.	4	3	High (12)	Tolerate	Continue to work with other Councils to ensure our Councils and Greater Lincolnshire are well positioned for LGR, regardless of proposal to be implemented.	N/A	4	3	High (12)	
SELCP-07	Funding	Local Government Funding	D-F	Local Government funding challenges are inevitable and evidenced by each partner’s funding gaps. The business case assumes a shared opportunity for efficient services and shared commercial opportunities and provides a significant opportunity to respond to this on-going challenge.	4	4	High (16)	Treat	Delivering on the opportunities identified in the Partnership business case and realising the planned savings; savings tracker reported regularly; review at year-end 31/3/25	3/31/2026	3	3	Medium (9)	
SELCP-08	Staffing	Staff retention and resilience	AD-C	<p>The workforce strategy is aligned across the 3 Councils. A training programme is in place to assist with both personal and professional development and to further develop the talents of individual employees. This programme sits alongside a package of personal support for staff. Managers are encouraged to have regular 'one to ones' with staff to ensure that they are fully supported in their roles. Appraisal process in place. We have launched our own recruitment academy which seeks to recruit and develop apprentices specifically in those services where it is harder to recruit. The new managers development programme has launched, with the first cohort inducted. We also continue to have in place our Future Leaders’ Programme to support colleagues in their career development. Corporate Management Team invest time in mentoring colleagues within the organisation through both of these development programmes.</p> <p>Alignment and Delivery Plan in place to help manage the work programme. Services when bringing forward new initiatives to consider the capacity required and the need to bid for capacity if it can't be accommodated within existing resources. This matter was discussed at a recent internal conference for senior managers, email appears to be the biggest pressure and services are considering how they best manage this. Services have been informed they can bid into the transformation reserve for short term capacity if they have a suitable proposal.</p>	4	3	High (12)	Treat	<p>Encourage Services to consider the transformation/ capacity reserve for short term support where existing service capacity isn't sufficient. Review at year-end 31/03/26.</p> <p>Seek to improve the employee benefits packages by Q2 25/26;</p> <p>Continue to promote opportunities to work in the sector through the SELCP Academy.</p> <p>With LGR now looking likely in Greater Lincolnshire a refresh of the Workforce Development Strategy action plan will take place this year to help ensure colleagues have the skills and confidence required to continue to want to work in Local Government post re-organisation: by 31/3/26</p>	3/31/2026	3	3	Medium (9)	
SELCP-09	PSPS	Relationship with PSPS	AD-C	The Partnership's relationship with PSPS could become strained due to demands being placed on the company to support organisational change. This is mitigated via SLAs being in place setting out the work programme, regular client liaison meetings, PSPS Stakeholder Board being in place to direct the company strategically and a process for Additional Work Requests that manages additional work required by the company. I think its medium but reduced to a low due to the mitigation	2	3	Medium (6)	Tolerate	Continued monitoring and liaison	N/A	2	3	Medium (6)	

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Appendix D

Ref	Risk name	Risk description	Lead	Existing control measures in place	Current risk likelihood	Current risk impact	Current risk score	Treatment (4Ts)	Target risk likelihood	Target risk impact	Target risk score
F-01	Assets - Equipment	Selling asset for less than market value; Collusion between staff and purchaser; Disposal of assets no longer required by the council	AD-GFA	Asset Disposal policy -within constitution; Asset register; Financial Regulations; Anti-Fraud & Corruption Strategy; Staff counter-fraud training; Segregation of duties - includes systems administration,raising and authorising of financial procurements; Internal Audit reviews; Whistleblowing Policy; Register of Gifts& Hospitality & Register of Interests; Counter-fraud page on website detailing how public can report fraud; Counter Fraud section on intranet; Financial Regulations training for all appropriate staff	1	1	Minimal (1)	Tolerate	1	1	Minimal (1)
F-02	Assets- land and Property SHDC	Selling asset for less than market value; Collusion between staff and purchaser - may include provision of insider knowledge (e.g. planning, leases& covenants)	AD-GFA	Asset Management Plan; Asset register; Segregation of duties; Independent valuation or auction; Financial Regulations; Anti-Fraud & Corruption Strategy; Staff counter-fraud training; Internal Audit reviews; Whistleblowing Policy; Register of Gifts & Hospitality/Register of Interests; Credit checks on potential purchasers; Counter-fraud page on website detailing how public can report fraud; Counter Fraud section on intranet	2	2	Low (4)	Tolerate	2	2	Low (4)
F-03	Assets- land and Property ELDC and BBC	Selling asset for less than market value; Collusion between staff and purchaser - may include provision of insider knowledge (e.g. planning, leases & covenants)	AD-GFA	Asset Management Plan; Constitutional Guidance for Asset Disposal; Legal Framework; Scheme of delegation for officers; Asset register; Segregation of duties; Independent valuation or auction; Financial Regulations; Anti-Fraud & Corruption Strategy; Staff counter-fraud training; Internal Audit reviews; Whistleblowing Policy; Register of Gifts& Hospitality/Register of Interests; Credit checks on potential purchasers; Counter-fraud page on website detailing how public can report fraud; Counter Fraud section on intranet	1	1	Minimal (1)	Tolerate	1	1	Minimal (1)
F-04	Procurement - Contracts	Credit/procurement cards; manipulation of accounts; false invoices & claims; BACS fraud - fraudulent change of bank details; mandate fraud; fake details for internet payments	PSPS - Finance	Financial Regulations; Anti-Fraud & Corruption Strategy- last reviewed March 2021, due this March for a review; Whistleblowing Policy Confidential Reporting Code -due in March; Segregation of duties for reconciliation; Reconciliation; Escalation of highvalue invoices; System team audited and logged; PCards- No cash withdrawals and card limits. Following P Card Review updated training issued. Process re-evaluated for checking transactions and receipts; Minor petty cash; Counter fraud training for the staff; Transparency reporting; Financial reporting training for all staff to be rolled out 2024; Segregation of duties within AP; confirmation with company regarding change of bank details; reconciliation; staff training	2	4	Medium (8)	Tolerate	2	4	Medium (8)

Appendix D

Ref	Risk name	Risk description	Lead	Existing control measures in place	Current risk likelihood	Current risk impact	Current risk score	Treatment (4Ts)	Target risk likelihood	Target risk impact	Target risk score
F-05	Procurement - Contract Payments	Bribery of officers or Members involved in contract award; Collusion between officers and contractors involved in tendering; Violation of procedures; Manipulation of accounts; Asset Misappropriation; Fictitious requirement; Bid rigging & cartels; Failure to supply; Failure to supply to contractual standard; Inflating performance information to attract greater payments; Bid suppression; Price fixing; Bid rotation; Fictitious vendor	PSPS - Procurement	NAFN & fraud alerts; Contract procedure rules; Financial Regulations; Contract management; Contract Terms & Conditions; Code of Conduct; Whistleblowing policy; Register of Gifts & Hospitality/Register of Interests; Anti-Fraud & Corruption Strategy; Staff counter-fraud training; Internal Audit reviews; Separation of duties; Etender system - single login provides an audit trail; Contract management training; Transparency Code 2014 and Transparency agenda; CIPFA guidance - Managing the Risk of Procurement Fraud; Minimum quote dependant on value; Valuation methodology; Breach of contract clauses; Instant terminations; Self certificated questionnaires	2	4	Medium (8)	Tolerate	2	4	Medium (8)
F-06	Council Tax - Credit Refund and Income Fraud	Council tax/NNDR/Rents; Suppression of notification of debt to be raised; Improper write-off; Failing to institute recovery proceedings; Switching or transferring arrears; manipulation of credit balances; Payment using false/ fraudulent instrument then re-claim of refund; Employee based; false payment then request for refund	PSPS - Revs/Bens	Up to date Council Financial Regulations; Up to date Council Anti-Fraud & Corruption Strategy; Debit/credit card payments monitoring checking against pay.net system; Review of unusual activity; Refund to original card/bank account where appropriate; Authorisation procedures& levels; Checking against other accounts (Council Tax etc.) to ensure no other money owed to SELCP; Staff counter-fraud training; Audit trail/personal logins; Reconciliations; Budgetary controls; Write off policy; Debt recovery procedures; Supervisory controls; Review of credit balances and suspense items; Internal Audit reviews; Whistleblowing Policy; Counter-fraud page on website detailing how public can report fraud; Counter Fraud details on intranet; Financial Regulations training for all appropriate staff; Follow up payment sources	2	3	Medium (6)	Tolerate	2	3	Medium (6)
F-07	Council Tax Fraud	False applications; failure to notify change in circumstances	PSPS - Revs/Bens	Council Financial Regulations; Council Anti-Fraud & Corruption Strategy; National Fraud Initiative - data matching; Monitoring of council tax base; Application checks; Check electoral register; Information from planning re Developments where full planning not required; Checks on documentary evidence for exemptions; Visual inspection; Internal Audit reviews; Whistleblowing Policy; Separation of duties; Counter-fraud page on website detailing how public can report fraud; Single Person Discount review; Field officers available for investigations; Annual review of long-term empty properties	2	2	Low (4)	Tolerate	2	2	Low (4)

Appendix D

Ref	Risk name	Risk description	Lead	Existing control measures in place	Current risk likelihood	Current risk impact	Current risk score	Treatment (4Ts)	Target risk likelihood	Target risk impact	Target risk score
F-08	Council Tax Support Scheme	False applications; failure to notify change in circumstances	PSPS - Revs/Bens	Most controls are the same as Housing Benefits; Council Anti-Fraud & Corruption Strategy; Council Tax Support policy; Counter-fraud page on website detailing how public can report fraud; Council Financial Regulations; Whistleblowing Policy; Inclusion in National Fraud Initiative (data matching) from October 2016; Closer working - Council Tax and Housing share intelligence and identify potential fraud opportunities (sharing intelligence - informal arrangement); Fraud hotline; Dedicated team for fraud hotline; DWP verification	2	2	Low (4)	Tolerate	2	2	Low (4)
F-09	National Non-Domestic Fraud	Failure to declare occupation; Payment using false bank details; Companies going into liquidation then setting up as new companies; Avoidance of liability through fraudulent claim for discount or exemption; Empty rate avoidance	PSPS - Revs/Bens	Up to date Council Financial Regulations; Up to date Council Anti-Fraud & Corruption Strategy; Ensure liable person identified for each assessment on the list; Information sharing with other Business Units; Inspections of occupied properties; Checking empty properties; Information from Landlords or letting agents; Public complaints- reports to valuation office; Internal Audit reviews; Whistleblowing Policy; Separation of duties; Register of Gifts & Hospitality/Register of Interests; Supporting evidence requested; Counter-fraud page on website detailing how public can report fraud; Use of Analyse Local to monitor threats; Field officers; Undertaking reviews; NFI Matching	3	3	Medium (9)	Tolerate	3	3	Medium (9)
F-10	Housing Benefit Fraud	False applications; False documents; Failing to notify change	PSPS - Revs/Bens	Housing Benefit Anti-Fraud Strategy; Annual participation in National Fraud Initiative; NFI coordinator; HBMS - Government housing benefit matching scheme; Use prosecution, caution & admin penalties; Key controls in the housing benefit application process - prevention & detection; Authorised officer powers- access to employers, landlords, banks & building societies; Council Financial Regulations; Experienced and trained benefits staff; Mandatory benefit counter fraud training; Combined database with revenues; Only accept original documents in support of claims; Subscription to National Anti-Fraud Network; Housing Benefit review; Communications & publicity; Internal Audit reviews; Whistleblowing Policy; Counter-fraud page on website detailing how public can report fraud; Council Tax and Housing teams sharing intelligence to identify potential fraud; Counter Fraud Hotline; Dedicated Team for Counter Fraud; Data matching from DWP; Full case reviews; Customer contact team thoroughly trained; Dedicated intranet page	2	2	Low (4)	Tolerate	2	2	Low (4)

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Report To:	Cabinet
Date:	10 th December 2025
Subject:	Proposed Amendments to the Council's Contract Procedure Rules
Purpose:	To introduce a new updated version of the Contract Procedure Rules
Key Decision:	N/A
Portfolio Holder:	Councillor Sandeep Ghosh, Portfolio Holder for Finance and Economic Growth
Report Of:	John Medler, Assistant Director for Governance & Monitoring Officer
Report Author:	Martin Gibbs, Head of Procurement & Contracts (PSPSL)
Ward(s) Affected:	All
Exempt Report:	No

Summary

The purpose of this report is to present to the Cabinet a revised draft set of Contract Procedure Rules.

The Audit & Governance Committee considered the proposed amendments to the Contract Procedure Rules at its meeting on the 17th November 2025.

Whilst agreement of these constitutional changes is a Council function, decision relating to the award of contracts are Cabinet decisions. Accordingly, the Cabinet is asked to consider and approve the Delegations to Officers (Appendix 2), that set out the authorisation for decision making in relation to the proposed Contract Procedure Rules.

The Cabinet is asked to review the revised set of Contract Procedure Rules and any comments are then to be considered prior to the final draft revised documents being presented to Council for approval.

Recommendations

That Cabinet

1. Recommends the draft revised Contract Procedure Rules, at Appendix 1a to this report, to Full Council for adoption; and
2. Approves the Delegations to Officers that sets out the authorisation for decision making in relation to Contract Procedure Rules at **Appendix 2** to this report. This approval will be subject to a Council decision to amend the Contract Procedure Rules.

Reasons for Recommendations

- To ensure that the Council has robust, up-to-date Contract Procedure Rules that provide clarity to officers, members, and potential suppliers.
- To ensure a clear and consistent approach in the award of contracts and safeguard the public's trust and confidence and promote public accountability and procurement practice.
- To help avoid governance failures in the Council's procurement activity.

Other Options Considered

To do nothing – which would result in the retention of the existing Contract Procedure Rules. This would not be deemed best practice as the Contract Procedure Rules have not been reviewed or updated for 3 years.

1. Report

- 1.1 In accordance with Section 135 of the Local Government Act 1972 every Local Authority must adopt standing orders with respect to the making by them or on behalf of contracts for the supply of goods or materials or for the execution of works.
- 1.2 The basic principles in relation to public procurement require all procurement procedures must:
 - 1.2.1 Ensure all stages of the procurement process are open and clearly documented, allowing stakeholders to understand how decisions are made.
 - 1.2.2 Ensure fairness and equal treatment in allocating public contracts.
 - 1.2.3 Be consistent with the highest standards of integrity.
 - 1.2.4 Achieve best value for public money spent.
 - 1.2.5 Comply with all legal requirements
 - 1.2.6 Support the Council's corporate and departmental aims and aligns with the Council's corporate Procurement Strategy and other relevant policies.

- 1.3 The draft Contract Procedure Rules at **Appendix 1a (Clean Version) and 1b (Tracked Changes)** to this report seek to ensure, as a minimum, the Council meets these basic principles.
- 1.4 The Council's current Contract Procedure Rules were approved by Council in January 2023. Public procurement legislation has changed since then (with the implementation of the Procurement Act 2023 in February 2025).
- 1.5 The intention is to seek adoption of the amended CPR (shown at **Appendix 1a**) and the Delegations to Officers (shown at **Appendix 2**) across the three Councils that make up the South & East Lincolnshire Councils Partnership (SELCP) to ensure continued alignment of the Contract Procedure Rules, as they currently are. The adoption of the proposed Rules ensure the Council has Rules that reflect the current public procurement legislation. The CPRs also set out clarity of the appropriate authority aligned to the value of the contract, and these are reflected in the Delegated Decisions (shown at **Appendix 2**).
- 1.6 The only amendment to **Appendix 2** is aligning values with the proposed CPR thresholds.
- 1.7 The key changes being proposed are explained fully at **Appendix 3** of this report.

Implications

South and East Lincolnshire Councils Partnership

The opportunity to continue to work more collaboratively across the SELCP through the proposed continued alignment of the Rules.

Corporate Priorities

The Contract Procedure Rules are essential components of the Council's governance framework which underpins delivery of its corporate strategy priorities.

Staffing

None

Workforce Capacity Implications

None

Constitutional and Legal Implications

By virtue of Section 135 of the Local Government Act 1972 every Local Authority must adopt standing orders with respect to the making by them, or on their behalf, of contracts for the supply of goods or materials or for the execution of works.

It is imperative that the CPRs are kept under review and reflect current legal requirements.

Data Protection

None

Financial

The financial implications and specifically the procurement thresholds are referenced throughout the draft Contract Procedure Rules, and the Delegations to Officers.

Risk Management

By reviewing the CPRs and updating them to reflect current best practice, the Council can seek to mitigate against the risk of acting unlawfully in respect of its procurement activity.

Stakeholder / Consultation / Timescales

The SELCP Senior Leadership Team have been consulted and approved the proposed CPRs to go through the governance process for review / approval.

The Portfolio Holder for Finance and the Audit and Governance Committee have been consulted regarding the proposed amendments.

Reputation

Improper procurement activity can have a direct impact on the reputation of the Council, officers, and Members. It is important therefore, that the Council adopts up to date, robust CPRs, to mitigate against this potential for adverse reputational impact.

Contracts

None

Crime and Disorder

None

Equality and Diversity / Human Rights / Safeguarding

None

Health and Wellbeing

None

Climate Change and Environment Impact Assessment

Not undertaken

Acronyms

CPR – Contract Procedure Rules

SELCP – South & East Lincolnshire Councils Partnership

Appendices

Appendices are listed below and attached to the back of the report:

Appendix 1a	Proposed Contract Procedure Rules – Clean Version
Appendix 1b	Proposed Contract Procedure Rules – Tracked Changes
Appendix 2	Revised Delegations to Officers
Appendix 3	Key Changes document

Background Papers

No background papers as defined in Section 100D of the Local Government Act 1972 were used in the production of this report.

Chronological History of this Report

Name of Body

Audit & Governance

Date

17th November 2025

Report Approval

Report author:

Martin Gibbs, Head of Procurement & Contracts (PSPSL)
martin.gibbs@pspsl.co.uk

Signed off by:

John Medler, Assistant Director – Governance & Monitoring Officer
john.medler@e-lindsey.gov.uk

Approved for publication:

Councillor Sandeep Ghosh – Portfolio Holder for Finance and Economic Growth
Sandeep.Ghosh@boston.gov.uk

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CONTRACT PROCEDURE RULES

1. INTRODUCTION

- 1.1 These Contract Procedure Rules set out the rules that apply to all Officers, Members and agents acting on behalf of the Council, involved in procurement and contract management. The rules must be read in conjunction with relevant laws, regulations and policies/procedures including the Councils' Financial Procedure Rules.
- 1.2 These Contract Procedure Rules form part of the Council's Constitution
- 1.3 These Rules seek to protect the Council's reputation by minimising the risk of allegations of unfair process, dishonesty, and failure to meet legal obligations. If in doubt and/or if advice on these Rules / associated legislative requirements (such as the Procurement Act 2023) is required, please contact the Procurement & Contracts service.
- 1.4 Should a conflict be found between these Rules and the law, the order of precedence shall be the law and then these Rules.
- 1.5 All values referred to in these Rules are inclusive of VAT, excluding the table at 13.3 where it explicitly notes the exclusive of VAT figures too.
- 1.6 In the case of a breach to these Contract Procedure Rules, the Responsible Officer must inform the Head of Procurement & Contracts as soon as they are aware of the breach, detailing the nature of the breach and any management action taken to address the issues arising from the breach. The Procurement & Contracts service will maintain a record of all such breaches which will be reported to the Senior Leadership Team periodically.

2. BASIC PRINCIPLES

- 2.1 All procurement procedures must
 - 2.1.1 deliver value for money by awarding contracts that have the most advantageous contribution to delivering the Council's objectives,
 - 2.1.2 maximise public benefit
 - 2.1.3 be consistent with the highest standards of integrity,
 - 2.1.4 operate in a transparent manner,
 - 2.1.5 ensure fairness in allocating public contracts including managing conflicts of interest,
 - 2.1.6 comply with all legal requirements including but not limited to the Procurement Act 2023 and the Procurement Regulations 2024.*,
 - 2.1.7 support all relevant Council priorities and policies, including the Medium-Term Financial Plan.

**Where a procurement / contract was started under the Public Contract Regulations 2015, that procurement or contract continues to be governed by those Regulations until the contract expiry date.*

NB: These Rules shall be applied to the contracting activities of any partnership for which the Council is the accountable body unless the Council expressly agrees otherwise (*see the Delegations to Officers for details of Officers who may action this rule*).

- 2.2 Procurements must also have regard to the National Procurement Policy Statement which sets out the national priorities for procurement.

3. RELEVANT CONTRACTS

3.1 All Relevant Contracts must comply with these Contract Procedure Rules. A Relevant Contract is any arrangement made by, or on behalf of, the Council for the carrying out of works, supplies, goods, materials, or services.

3.2 Relevant Contracts do not include:

- 3.2.1 contracts of employment which make an individual a direct employee of the authority,
- 3.2.2 agreements regarding the acquisition, disposal, or transfer of land (to which the Financial Procedure Rules apply),
- 3.2.3 the payment of grants to third parties
- 3.2.4 The lending or borrowing of money by the Council.
- 3.2.5 Contracts between Local Authorities as defined by Schedule 2, Paragraph 2 of the Procurement Act 2023
- 3.2.6 Contracts between Local Authorities as defined by Clause 1 of the Local Authorities (Goods and Services) Act 1970.
- 3.2.7 Section 75 NHS Act 2006 arrangements (although details must be recorded on the Council's Contract Register).

Please note, the Council cannot simply choose to treat a project as a Grant in order to avoid complying with these Contract Procedure Rules. Grants will have different conditions with regards to procurement.

Generally, procurement is required when the Council is acquiring goods, services, or works to meet its own needs, and it retains control over the specification and delivery of those services. A grant is awarded to support an activity that aligns with the Council's objectives but is initiated and delivered by the recipient, who retains a degree of autonomy over the process.

Where there is any clarity required, please contact the Procurement & Contracts service.

4. OFFICER RESPONSIBILITIES

4.1 Responsible Officers

4.1.1 Officers will:

- (a) comply with these Contract Procedure Rules (CPRs),
- (b) comply with the Council's Constitution,
- (c) have the appropriate authorisation to procure, complying with the Delegations to Officers;
- (d) declare both, prior to the commencement of the procurement process and throughout the procurement process / contract, any personal interest / conflict of interest they may have in that process;
- (e) ensure all tenders/quotations are kept confidential;
- (f) ensure a written contract is issued and signed by both parties, or a purchase order is issued before the supply of goods, services or carrying out of works begin;

- (g) where appropriate ensure that the contracts for which they are responsible are effectively managed (ensuring a named Contract Manager is allocated to the relevant contract) and monitored ensuring the contract delivers as intended.
- (h) ensure a review of each contract is carried out at an appropriate stage;
- (i) comply with all legal requirements; and
- (j) ensure contracts with a value over £6,000 are recorded on the Contracts Register as held and maintained by the Procurement and Contracts Service;

Officers must ensure that any agents, consultants, and contractual partners acting on their behalf also comply.

4.1.2 Officers must:

- (a) keep any necessary records (such as a record of decisions made or minutes from any meetings) required by these Contract Procedure Rules,
- (b) take all necessary procurement, legal, financial, and professional advice, taking into account the requirements of these Contract Procedure Rules,
- (c) prior to letting a contract on behalf of the Council, check whether:
 - (i) the Contracts Register lists an appropriate contract in place for the Council, or:
 - (ii) an appropriate national, regional, or other collaborative contract is already in place.

Where the Council already has an appropriate contract in place, then this must be used unless it can be established that the contract does not fully meet the Council's specific requirements in this particular case, and this is agreed following consultation with the Procurement & Contracts Service.

Where an appropriate national, regional, or collaborative contract is available, consideration should be given to using this, provided the contract offers value for money.

- (d) ensure that when any employee, either of the Council or of a service provider, may be affected by any transfer arrangement, then any Transfer of Undertaking (Protection of Employment) issues are considered and legal and HR advice from within the Council is obtained prior to proceeding with the procurement exercise.

4.1.3 Failure to comply with any of the provisions of these Contract Procedure Rules, the Council's Constitution or any legal requirements may be brought to the attention of the Monitoring Officer, Head of Internal Audit, or other relevant Officers as appropriate. Depending on the nature of the non-compliance this may result in disciplinary action being taken.

4.1.4 A contract may be let through any framework agreement to which the Council has access. Where the contract to be let is subject to the Procurement Act 2023, or any other relevant UK Legislation, use of such framework agreement shall be subject to compliance with those regulations (*see the Delegations to Officers for details of Officers who may action this rule*).

4.2 Chief Officer/Deputy Chief Officers

4.2.1 Chief Officer/Deputy Chief Officers will:

- (a) ensure their Service complies fully and are familiar with the requirements of these Contract Procedure Rules.
- (b) ensure compliance with English Law and UK legislation and Council policy.
- (c) ensure value for money and optimise risk allocation in all procurement matters.
- (d) ensure compliance with any guidelines issued in respect of these Contract Procedure Rules.
- (e) take immediate action in the event of a breach of the Contract Procedure Rules or any Code of Practice within their directorate or service area.
- (f) ensure that all existing and new contracts anticipated during the forthcoming financial year are clearly itemised in the Budget supporting documentation.
- (g) ensure original contract documents with a total value over £6,000 are forwarded to the Procurement and Contracts Service for safekeeping.
- (h) ensure effective contract management, contract reviews and monitoring during the lifetime of all contracts in their areas.
- (i) seek and act upon advice from the Procurement and Contracts Service where necessary to ensure compliance with these responsibilities.

5. CONFLICTS OF INTEREST

- 5.1 Officers must take all reasonable steps to identify and keep under review any conflicts of interest or potential conflicts of interest. This obligation starts when the need for the procurement is first identified and continues until the termination of the contract.
- 5.2 Officers must take all reasonable steps to ensure that a conflict of interest does not put a supplier at an unfair advantage or disadvantage. If the Officer deems that that advantage or disadvantage cannot be avoided, they must contact the Procurement & Contracts service before progressing further with the procurement.
- 5.3 Where the procurement is valued over the Procurement Act 2023 thresholds a conflicts assessment must be prepared by the Officer in conjunction with the Procurement & Contracts service. The Procurement & Contracts service have a template document for Officers to complete, which includes the provision for details of all conflicts or potential conflicts of interest and any mitigating steps that the Council has taken or will take.
- 5.4 This conflicts assessment must be kept under review and revised as necessary during the procurement and contract term.
- 5.5 Any Officer or Member who fails to declare a conflict of interest may be subject to disciplinary proceedings and risks being prosecuted under the Bribery Act 2010.

6. PRE-MARKET ENGAGEMENT

- 6.1 When Officers are undertaking pre-market engagement, they must ensure it is utilised for the following purposes:
 - 6.1.1 Developing the Council's requirements and approach to the procurement.
 - 6.1.2 Designing a procurement procedure, conditions of participation or award criteria.
 - 6.1.3 Preparing the tender notice and associated tender documents, including the proposed terms and conditions.
 - 6.1.4 Understanding market conditions and identifying potential suppliers.

- 6.1.5 Understanding the resourcing limitations and capacity requirements of suppliers in relation to the procurement process and anticipated timetable.
- 6.2 Suppliers must not be put at an unfair advantage, or disadvantage, when undertaking pre-market engagement. If an Officer deems that a supplier has been put at an unfair advantage, or disadvantage, they must contact the Procurement & Contracts service before progressing further with the procurement.
- 6.3 When engaging with potential suppliers, the Council may use any advice in the planning and conduct of the procurement procedure, provided that it does not have the effect of distorting competition and does not result in a violation of the principles of non-discrimination and transparency.
- 6.4 The Council shall take appropriate measures to ensure that competition is not distorted by the participation of a candidate or tenderer who has provided any advice by ensuring all other candidates and tenderers are provided with all of the information the advising candidate or tenderer has received or given and that all candidates or tenderers are given sufficient time to respond to the tender or quote.
- 6.5 When undertaking any pre-market engagement activities above £60,000, the Officer responsible must seek advice from the Procurement & Contracts Service.

7. EXEMPTIONS

- 7.1 Except where the Procurement Act 2023 thresholds are exceeded, the Cabinet/Executive has the power to waive any requirements within these Contract Procedure Rules for specific projects. An exemption under this Rule 7 allows a contract to be placed by direct negotiation with one or more suppliers rather than in accordance with Rule 13.
- 7.2 These Contract Procedure Rules may be exempted where the circumstances meet any of the following criteria within 7.3. An exemption form must be completed and sent to the Head of Procurement & Contracts in the first instance to allow comments which will assist with the approval or rejection of the exemption.
- 7.3 The Head of Procurement & Contracts will then pass this through to the Section 151 Officer, the Chief Executive, the Portfolio Holder for the relevant area, and the Portfolio Holder for Finance for approval / sign-off. This process must be followed in advance of the award of contract, and in compliance with the criteria set out in the Delegations to Officers. Please see the circumstances for an exemption below:
 - 7.3.1 for works, supplies, or services which are either patented or of such special character that it is not possible to obtain competitive prices.
 - 7.3.2 for supplies purchased or sold in a public market or auction.
 - 7.3.3 with an organisation already engaged by the Council for a similar and related procurement and where there is significant benefit to extending the contract to cover this additional requirement that does not breach legal requirements such as the Procurement Act 2023.
 - 7.3.4 involving such urgency that it is not possible to comply with the Contract Procedure Rules and there is a significant risk to the council of not acting with urgency.
 - 7.3.5 for the purchase of a work of art or museum specimen, or to meet the specific requirements of an arts or cultural event which cannot be procured competitively due to the nature of the requirement.

- 7.3.6 in relation to time-limited grant funding from an external body, where the time limitations will not allow a competitive procurement process to be completed and where the grant conditions allow this.
 - 7.3.7 where relevant legislation not otherwise referred to in these Contract Procedure Rules prevents the usual procurement process from being followed.
 - 7.3.8 goods, works or services contracts may be awarded directly to a legal person where that legal person meets the criteria as set out in Schedule 2, Paragraph 2 of the Procurement Act 2023. (formerly known as "Teckal" companies);
 - 7.3.9 where building development opportunities are available to the Council, and have been proven to be financially viable, and the value is under the Procurement Act 2023 Thresholds for Works (as per Appendix 2 – Procurement Act 2023 Thresholds).
 - 7.3.10 where an existing contract is being re-procured and there are delays to that procurement process which means that the new contract cannot start at the expiry of the existing contract (this exemption cannot be for longer than 6-months and cannot make the contract a “convertible contract” under the Procurement Act 2023 by exceeding the applicable threshold).
- 7.4 Every exemption must be recorded on the Council’s Procurement Exemption Form at Appendix 1 to these Contract Procedure Rules and the form will be recorded on a master register to be maintained by the Procurement & Contracts Service.
- 7.5 Where an exemption is necessary because of an unforeseeable emergency involving immediate risk to persons, property or serious disruption to Council services, the Chief Officer/Deputy Chief Officer may approve the exemption but must prepare a report for the next meeting of the Cabinet/Executive to support the action taken.
- 7.6 The Procurement & Contracts service must monitor the use of all exemptions.

8. RECORDS

- 8.1 The Procurement Act 2023 requires contracting authorities to maintain the following comprehensive records of procurement activities:
- 8.1.1 sufficient documentation to justify decisions at all stages of the procurement process
 - 8.1.2 contract details including value
 - 8.1.3 selection decision
 - 8.1.4 justification for use of the selected procedure
 - 8.1.5 names of bidding organisations, both successful and unsuccessful
 - 8.1.6 reasons for selection
 - 8.1.7 reasons for abandoning a procedure
- 8.1A Most contracts and extensions to contracts will be awarded by Officers making a decision under delegated authority (see Delegations to Officers). All such Officer decisions must be published unless the decision is administrative, minor, or not closely connected to the discharge of an executive function. Some decisions will be subject to Call-in. Where Call-in applies, the winning contractor must be advised that the award of contract is subject to Call-in and will not be confirmed until the Call-in period has expired.
- 8.2 For contracts up to £60,000 the following records must be kept:
- 8.2.1 invitations to quote (where applicable)
 - 8.2.2 all tenders/quotes returned;

- 8.2.3 notification to the successful, and unsuccessful (where applicable) bidders of the outcome of the quotation exercise
 - 8.2.4 the contract;
 - 8.2.5 a written record of:
 - (a) any exemptions and reasons for it; and
 - (b) the reasons if the lowest price is not accepted
- 8.3 For contracts where the total value is greater than £60,000.00 but less than £120,000.00 for works, supplies of goods materials or services, the Procurement and Contracts Service must be made aware of any procurement requirements at the earliest opportunity to assist with this process. Where formal advertising via a Request for Quotation is recommended by these rules, the Council's e-Tendering portal should be used. The following records must be kept:
- 8.3.1 invitations to quote/tender;
 - 8.3.2 all communication with suppliers;
 - 8.3.3 all tenders/quotes returned;
 - 8.3.4 a completed evaluation sheet with scores and comments justifying the score awarded, where a formal process is used;
 - 8.3.5 a decision log, including details of why a bidder has been selected, where an informal process is used;
 - 8.3.6 assessment summaries / feedback to the unsuccessful bidders;
 - 8.3.7 all communications with the successful contractor;
 - 8.3.8 the contract;
 - 8.3.9 a written record of:
 - (a) any exemptions and reasons for it; and
 - (b) the reasons if the lowest price is not accepted
 - 8.3.10 written records of communications with the successful contractor.
- 8.4 Where the total value exceeds £120,000.00 for works, supplies of goods, materials or services, the Officer must record the same details as in Rule 8.3 above and any further records as advised by the Procurement & Contracts Service.
- 8.5 Written records required by this Rule 8 must be kept for six years (twelve years if the contract is under seal) after the final settlement of the contract. All documents which relate to unsuccessful candidates (tender responses, feedback letters etc.) must be kept for 12 months from award of contract provided there is no dispute about the award or where there is a dispute, once the dispute is resolved, 12 months from resolution of the dispute.
- 8.6 Prospective candidates must be notified simultaneously in writing and as soon as possible of any contracting decision. If a candidate requests in writing the reasons for a contracting decision, the officer must give the reasons in writing within 15 days of the request.
- 8.7 The Freedom of Information Act 2000 gives a general right of public access to all types of 'recorded' information held by public authorities, sets out exemptions from that general right, and places a number of obligations on public authorities with regard to the disclosures of information. The Council will, as a general rule, allow public access to recorded information where possible and the contractor shall agree to the Council making any disclosures in accordance with the Act.

9. RISK MANAGEMENT / ASSESSMENT

- 9.1 Officers must create a robust risk assessment as part of the procurement planning process for all contracts valued over £120,000 in conjunction with the Procurement & Contracts service.
- 9.2 The risk assessment must be reviewed and updated regularly during the procurement process and throughout the contract term.
- 9.3 Where key risks are identified at the pre-procurement stage which may lead to a future contract modification, these risks must be stated clearly in the tender notice and in relevant procurement documents.

10. ADVERTISING

The Contracts and Procurement Service will ensure that the minimum advertising requirements in the Procurement Act 2023 and as outlined in Rule 8 are met.

11. FRAMEWORKS

- 11.1 Framework has the same meaning as in the Procurement Act 2023. “..a contract between a Contracting Authority and one or more supplier(s) that provides for the future award of contracts by the authority to the supplier(s).”
- 11.2 Contracts based on Frameworks may be awarded in one of two ways, as follows:
 - 11.2.1 Where the terms of the agreement are sufficiently precise to cover the particular call-off, by applying the terms laid down in the Framework Agreement without re-opening competition (Direct Award), or
 - 11.2.2 Where the terms laid down in the Framework Agreement are not precise or complete enough for the particular call-off, by holding a further competition in accordance with the following procedure (Further Competition):
 - (a) Inviting the organisations within the Framework that are capable of executing the subject of the contract, to submit bids, with an appropriate time limit for responses, considering factors such as the complexity of the subject of the contract,
 - (b) Awarding each contract to the bidding organisation who has submitted the most advantageous tender on the basis of the relevant Award Criteria set out in the Framework.
- 11.3 The term of a Framework must not exceed four years when utilising a Closed Framework, or eight years when utilising an Open Framework, as defined in the Procurement Act 2023.
- 11.4 A contract of any value can be procured through a framework. If the proposed contract value is over £60,000, the Procurement & Contracts service must be consulted before the procurement is started.
- 11.5 A framework is considered a compliant procurement route when:
 - 11.5.1 It has been entered into by the Council in compliance with these Rules, or
 - 11.5.2 Another contracting authority, purchasing consortium or central government organisation has tendered the framework in compliance with the relevant

procurement legislation and the Council is named as a potential user of the arrangement (e.g., ESPO / CCS).

- 11.5.3 When using a framework as per 11.5.2, officers must ensure that all of the necessary documentation is completed. Officers must consult with the Procurement & Contracts service before entering into a call-off contract as per 11.5.2.
- 11.6 Officers must carry out due diligence checks at contract award to evidence fulfilment of any conditions of participation and that there are no grounds for exclusion.
- 11.7 Approval to procure and award must be in compliance with the Delegations to Officers.
- 11.8 Most contracts will then be awarded by Officers making a decision under delegated authority. All such Officer decisions must be published unless the decision is administrative, minor, or not closely connected to the discharge of an executive function. Some decisions will be subject to Call-in. Where Call-in applies the winning contractor must be advised that the award of contract will not be confirmed until the Call-in period has expired.

12. DYNAMIC MARKETS

- 12.1 A dynamic market as defined in the Procurement Act 2023 is an open list of qualified suppliers eligible to participate in future procurements (via Further Competition only). Suppliers can join the dynamic market at any time if they meet the specified conditions, enabling the ability to streamline a procurement process by allowing continuous admission of suppliers.
- 12.2 Officers must ensure that there is no existing Council contract, framework or Dynamic Market available before undertaking an alternative procurement.
- 12.3 Only procurements valued over the relevant UK Procurement threshold may be procured via a Dynamic Market.
- 12.4 A dynamic market is considered a compliant procurement route when:
 - 12.4.1 It has been entered into by the Council in compliance with these Rules, or
 - 12.4.2 Another contracting authority, purchasing consortium or central government has tendered the framework in compliance with the relevant procurement legislation and the Council is named as a potential user of the arrangement (e.g., ESPO / CCS).
- 12.5 Officers must seek advice and support from the Procurement & Contracts service whenever they wish to establish or use a Dynamic Market.

13. PROCUREMENT THRESHOLDS

- 13.1 Officers must establish the total value of the procurement including whole life costs, incorporating any potential extension periods which may be awarded. Where the

Procurement Act 2023 rules apply, Officers must also ascertain the value of a contract in accordance with those rules.

13.2 Contracts must not be artificially under / over-estimated or divided into two or more separate contracts where the effect is to avoid the application of the thresholds below.

13.3 Where the estimated total value is within the values in the table below, the corresponding tendering procedure must be followed. (see the Delegations to Officers for details of Officers who may actions this rule).

Procurement Values (exclusive of VAT)	Procurement Values (inclusive of VAT)	Tendering Procedure
£0 to £6,250	£0 to £7,500	One written quote - this should be a local provider wherever possible. A purchase order must be raised.
£6,250.01 - £12,500	£7,500.01 - £15,000	Two written quotes – one should be a local provider wherever possible. A purchase order must be raised.
£12,500.01 - £50,000	£15,000.01 - £60,000	At least three written quotes shall be sought. Local providers must be given an opportunity to provide a quote, wherever possible. A purchase order must be raised
£50,000 - £100,000	£60,000.01 - £120,000	At least three written quotations shall be sought. A Request for Quotation via the e-Tendering Portal is recommended. The Procurement & Contracts service must be involved. Where a formal Request for Quotation process is not utilised, the Procurement & Contracts service must agree the alternative process (e.g., retrieving quotations from suppliers via email etc.). Local providers must be given an opportunity to provide a quote, wherever possible. A purchase order must be raised.
£100,000.01 up to Procurement Act 2023 thresholds	£120,000.01 up to Procurement Act 2023 thresholds	Open tender via the E-Tendering Portal & a below-threshold notice published on Find a Tender. Social value must be considered as part of the specification / award criteria. A purchase order must be raised
Above Procurement Act 2023 thresholds	Above Procurement Act 2023 thresholds	UK Public Procurement Procedure – via E-Tendering Portal & Find a Tender notice. Social value must be considered as part of the specification / award criteria. A purchase order must be raised

* As per Appendix 2 – Above Procurement Act 2023 thresholds*

13.4 Written quotations must include the following information as a minimum:

13.4.1 Details of the goods, services or works to be supplied;

13.4.2 Where and when the delivery is to take place (where applicable);

13.4.3 The total value of the contract; and

13.4.4 The terms and conditions to apply including the price and payment terms

- 13.5 Officers must provide contractual details to the Procurement & Contracts service for contracts over £6,000 so that the contract can be added to the Council's Contracts Register.
- 13.6 Officers must provide contractual details to the Procurement & Contracts service for contracts £30,000 & above where the Procurement & Contracts service have not been involved in the procurement. This must be provided for within 30 days of contract award to allow a Contract Details Notice to be published.
- 13.7 Officers must contact the Procurement & Contracts service for any procurement requirements £60,000.01 & above. For spend of £60,000 and below, Officers can procure without the need to involve the Procurement & Contracts service, following the procurement thresholds above. Where there are any queries, the Procurement & Contracts service should be contacted to avoid non-compliance.
- 13.8 Where the Procurement Act 2023 thresholds apply, Officers must consult the Procurement & Contracts service to determine the procedure for conducting the procurement exercise.
- 13.9 Where it can be determined that there are insufficient suitably qualified candidates to meet the threshold requirements as per the table above, all suitably qualified candidates must be invited. (see the Delegations to Officers for details of Officers who may action this rule.)
- 13.10 Where services are currently purchased internally, i.e., from within the Council, for internal provision, the requirement to obtain other quotations or tenders does not apply. However, the purchaser may choose to seek alternative quotations/tenders for the purpose of market testing.

14. **EVALUATING TENDERS** *(see the Delegations to Officers for details of Officers who may action this rule):*

- 14.1 In any procurement exercise the successful bid should be the one which:
- 14.1.1 Offers the most advantageous proposal based on the award criteria.
- 14.1.2 Such criteria may include:
- (a) Quality including technical merit, aesthetic and functional characteristics, accessibility, design for all users, social, environmental, and innovative characteristics and trading and its conditions;
 - (b) After-sales service and technical assistance, delivery conditions such as delivery date, delivery process and delivery period or period of completion.
 - (c) Price / Commercial approach
 - (d) Social Value / sustainability commitments

- 14.2 Evaluation must be conducted in accordance with the published criteria. Evaluators must undertake evaluations individually initially followed by moderation to reach an agreed tender score.
- 14.3 All criteria must relate to the subject matter of the contract, must be objectively quantifiable and non-discriminatory.
- 14.4 The procurement documentation must clearly explain the basis of the decision to bidding organisations, making clear how the evaluation criteria specified in the process will be applied, the overall weightings to be attached to each of the high-level criteria, whether the high-level criteria are divided into any sub-criteria and the weightings attached to each of those sub-criteria.

15. INVITATION TO TENDER / REQUEST FOR QUOTATION *(see the Delegations to Officers for details of Officers who may action this rule)*

- 15.1 Invitations to Tender/Requests for Quotation must be issued in accordance with the requirements of these Contract Procedure Rules.
- 15.2 All Invitations to Tender shall include the following:
 - 15.2.1 A specification that describes the Council's requirements in sufficient detail to enable the submission of competitive offers, together with the terms and conditions of contract that will apply.
 - 15.2.2 A requirement for candidates to declare that the tender content, price or any other figure or particulars concerning the tender submitted by the candidate has not been disclosed by the candidate to any other party (except where such disclosure is made in confidence for a necessary purpose).
 - 15.2.3 A requirement for candidates to complete fully and sign all tender documents including a form of tender and certificates relating to canvassing and non-collusion.
 - 15.2.4 Notification that tenders are submitted to the Council on the basis that they are compiled at the candidate's expense.
 - 15.2.5 A description of the award procedure and, unless defined in a prior advertisement, a definition of the award criteria in objective terms and the percentage weighting of each criterion in the evaluation.
 - 15.2.6 The method by which arithmetical errors discovered in the submitted tenders are to be dealt with. In particular, whether the overall price prevails over the rates in the tender or vice versa.
- 15.3 The Invitation to Tender or Requests for Quotation must state that the Council is not bound to accept any tender or quotation.
- 15.4 All candidates invited to tender, or quote must be issued with the same information at the same time and subject to the same conditions. Any supplementary information must be given on the same basis. Where a candidate asks a clarification question regarding the tender or quote, the question and the answer will be provided to all candidates.
- 15.5 Tenders received after the tender deadline date and time or tenders which are not submitted in accordance with these Rules and any criteria set out in the procurement documentation will be disqualified unless otherwise agreed by the Monitoring Officer
- 15.6 If there is an obvious ambiguity or error in the tender and that ambiguity or error appears to have a simple explanation, bidders may be invited to correct their tender response.

Advice must be sought from the Procurement & Contracts service before further action is taken.

- 15.7 Under the Procurement Act 2023, 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. If the bidder is unable to demonstrate that the price offered is not abnormally low, its tender may be disregarded. Advice must be sought from the Procurement & Contracts service during this process.

16. SHORTLISTING

Any shortlisting (i.e., supplier selection or conditions of participation) must have regard to the financial standing, legal capacity, and the technical ability of the candidates to deliver the required goods, services or works.

17. SUBMISSION, RECEIPT AND OPENING OF TENDERS / QUOTATIONS *(see the Delegations to Officers for details of Officers who may action this rule):*

17.1 Tenders

- 17.1.1 Bidding organisations must be given an adequate period in which to prepare and submit a proper quotation or tender, consistent with the complexity of the contract requirements.
- 17.1.2 When advertising a tender for a procurement above the Procurement Act 2023 thresholds, the tenders must be advertised for the minimum number of days as specified in the Procurement Act 2023 legislation.
- 17.1.3 Tender Contents:
Each tender must contain, where relevant:
- (a) An undertaking signed by the tenderer that to the best of their knowledge and belief they have complied with all the relevant provisions of the Health and Safety at Work Act 1974 and regulations made under it or where they have not complied, an explanation of the remedial action they have taken to ensure compliance;
 - (b) A statement that the tenderer will comply with all current relevant British Standard Specification or Code of Practice or equivalent international standards offering guarantees of safety, reliability, and fitness for purpose;
 - (c) A statement by the tenderer that they will not try to obtain or receive by whatever means any information which gives or is intended to give the tenderer or another party any unfair advantage over any other tenderer (including the Council's own workforce) in relation to the tendering for and award of any contract;
 - (d) A statement that the Council shall not be liable for expenses incurred in the preparation of tenders; nor shall the Council be bound to accept the lowest or any tenders submitted; and shall have reserved to them the right to invite fresh tenders should they consider that course desirable.

17.2 Electronic Arrangements

- 17.2.1 Tenders, Request for Quotations, Framework Further Competition bids and Conditions of Participation stages will be received electronically and will be opened by the Procurement & Contracts service on the e-Tendering portal. The system will not allow any quotations to be opened until the allocated return date / time has passed.

17.3 Hard Copy Arrangements

- 17.3.1 In the limited circumstances where a Quotation, Further Competition bid or Tender cannot be received electronically, the Procurement and Contracts Service will consult with the Monitoring Officer to agree a suitable way to receive the Quotation, Further Competition bid or Tender.

18. CLARIFICATION PROCEDURES AND POST TENDER NEGOTIATIONS

- 18.1 Seeking clarification of a tender received whether in writing or by way of a meeting is permitted. However, any such clarification must not involve changes to the basic features of the bidding organisation's submission and all tenderers must be treated equally (*see the Delegations to Officers for details of Officers who may action this rule*).
- 18.2 Post tender negotiation means negotiations with any tenderer after submission of a tender and before the award of the contract with a view to obtaining an adjustment in price, delivery, or content. *Where the value of the Tender is above the threshold in the Procurement Act 2023 advice must be sought from the Procurement & Contracts Service. Where post tender negotiation results in a fundamental change to the specification (or contract terms) the contract must not be awarded but re-tendered (see the Delegations to Officers for details of Officers who may action this rule).*
- 18.3 If post tender negotiations are necessary after a single stage tender or at the final stage of a multiple-stage tender, then such negotiations shall only be undertaken with the tenderer who has previously been identified as submitting the best tender. Tendered rates and prices shall only be adjusted in respect of a corresponding adjustment in the scope or quantity included in the tender documents. Officers appointed by the Chief Officer/Deputy Chief Officer to carry out post tender negotiations should ensure that there are recorded minutes of all negotiation meetings and that both parties agree actions in writing.
- 18.4 Post tender negotiation must only be conducted in accordance with guidance given by the Monitoring Officer and the Procurement & Contracts Service.
- 18.5 The Monitoring Officer and the Procurement & Contracts Service must be consulted and agree:
- 18.5.1 Wherever it is proposed to enter into post tender negotiation;
 - 18.5.2 About whether negotiation is with all tenderers;
 - 18.5.3 To either accept or reject late submissions before opening any of the responses. Late submissions must only be accepted in exceptional circumstances.
- 18.6 Negotiations must be conducted by a team of at least two officers, one of whom must be from a section independent to those leading negotiations (*see the Delegations to Officers for details of Officers who may action this rule*).

19. AWARD OF CONTRACT, AND DEBRIEFING OF ORGANISATIONS

- 19.1 **Award of Contract and Contract Extensions** (*see the Delegations to Officers for details of Officers who may action this rule*):
- 19.1.1 The Council is required to notify successful and unsuccessful bidders of the outcome of a procurement process, in writing, in as timely a fashion as possible.

- 19.1.2 Where a contract was advertised with an extension option and that extension option forms part of the contract, the decision to extend the contract may be made after ensuring that taking up the extension option delivers value for money.
- 19.1.3 Decisions on award of contract and contract extensions must be made in accordance with the Delegations to Officers.
- 19.1.4 For the avoidance of doubt, extensions are not permitted where they are not provided for in the original contract.

19.2 Assessment Summaries

- 19.2.1 Assessment Summaries (detailed feedback) will be sent by the Procurement & Contracts Service, in line with the relevant Officer's evaluation comments.

20. CONTRACT DOCUMENTS

20.1 Format of Contract Documents

- 20.1.1 Every Relevant Contract/must be in writing and must state clearly:
 - (a) what is to be supplied (description and quality)
 - (b) payment provisions (amount and timing and seeking electronic invoices)
 - (c) when the Council will have the right to terminate the contract
 - (d) that the contract is subject to the law as to prevention of corruptionThe Council's standard terms and conditions must be used where possible.
- 20.1.2 In addition, every Relevant Contract for purchases over £30,000.00 for works, supplies of goods, materials or services must also as a minimum state clearly:
 - (a) that the contractor may not assign or sub-contract without prior written consent
 - (b) any insurance and liability requirements
 - (c) health and safety requirements
 - (d) ombudsman requirements
 - (e) data protection requirements if relevant
 - (f) that charter standards are to be met if relevant
 - (g) requirements under all applicable Equality legislation
 - (h) a right of access to relevant documentation and records of the contractor for monitoring and audit purposes, including obligations under the FOI Act 2000 and 2015 Transparency Code
 - (i) requirements under the Counter-Terrorism and Security Act 2015 and Prevent Strategy where applicable
 - (j) obligations under the Public Interest Disclosure Act 1998 including employee whistleblowing.
 - (k) Statement requirements under the Modern Slavery Act 2015.
- 20.1.3 All contracts must be concluded formally in writing before the supply, service or construction work begins, except in exceptional circumstances, and then only with the written consent of the Monitoring Officer. An award letter is insufficient.
- 20.1.4 All contracts must include the following paragraph:

‘The Contractor recognises that the Council is under a duty to act in a manner which is compatible with the Convention rights as defined by Section 1(1) of the Human Rights Act 1998 ('Convention Rights'). This duty includes a positive obligation on the Council to ensure that contractors providing services on the Council's behalf act in a way which is compatible

with the Convention Rights. The Contractor therefore agrees to provide the Services and comply with its other obligations under this contract in a manner which is compatible with the Convention Rights.'

20.1.5 The Officer responsible for securing the signature of the contractor must ensure that the person signing for the contracting party has authority to bind it.

20.2 Contract Signature (*see the Delegations to Officers for details of Officers who may action this rule*):

20.2.1 A contract entered into by or on behalf of the Council must:

- (a) Where the contract is in the form of a deed (see below), be made under the Council's seal and attested as required by the Constitution, or;
- (b) Where the contract is in signed under hand, it must:
 - (i) be signed by at least two officers of the Council authorised as required by the Constitution (see Delegations to Officers), or;

20.2.2 A contract must be in the form of a deed (see below) and sealed where;

- (a) The Council wishes to enforce the contract for more than six years after it ends; or
- (b) The price paid or received under the contract is a nominal price and does not reflect the value of the goods or services; or
- (c) Where there is any doubt about the authority of the person signing for the contracting party.

A contract in the form of a deed must state in the signature pages that the Contractor and the Council are executing the contract as a deed. Where an Officer is unsure whether a Contract should be signed under hand, or sealed, they must contact the Procurement & Contracts service to seek advice.

20.3 Legal Services Review of Tenders and Contracts

20.3.1 To ensure the integrity of the procurement process:

- (a) All proposed Invitations to Tender, where they are not in compliance with the Council's harmonised contract documentation or standard terms and conditions issued by a relevant professional body, will be reviewed by the Procurement and Contracts service.

Where the Procurement and Contracts service are unable to advise, it will be escalated to the Deputy Chief Officer with the recommendation that external legal advice is sought.

21. LIQUIDATED DAMAGES, SERVICE CREDITS, BONDS AND PARENT COMPANY GUARANTEES

21.1 Where a bond or guarantee is required to ensure satisfactory contract performance and/or to protect the Council, the requirement must be notified to bidders in the procurement documentation and must be in place no later than four (4) weeks after contract signature.

21.2 Every formal written contract which exceeds £120,000.00 in value and is for the execution of works shall provide for liquidated damages to be paid by the contractor in case the terms of the contract are not duly performed.

- 21.3 Every formal written contract that includes Key Performance Indicators / Service Level Agreements shall consider reasonable service credits to include within the contract where performance / service standards are not being met.
- 21.4 The Officer must consult the Deputy Chief Officer when a tenderer is a subsidiary of a parent company and the Officer does not think that a parent company guarantee is necessary, and:
 - 21.4.1 The total value exceeds £120,000.00
 - 21.4.2 Award is based on evaluation of the parent company, or
 - 21.4.3 There is some concern about the stability of the supplier.
- 21.5 The officer must consult the Deputy Chief Officer about whether a bond is needed:
 - 21.5.1 Where the total value exceeds £120,000.00.
 - 21.5.2 Where it is proposed to make stage payments or other payments in advance of receiving the whole of the subject matter of the contract, or
 - 21.5.3 There is some concern about the stability of the supplier.

22. PREVENTION OF CORRUPTION

- 22.1 Rules and regulations pertaining to the prevention of corruption are outlined in the Council's Financial Procedure Rules and must be adhered to.
- 22.2 The following clauses must be put in every written Council contract:

‘The Council may terminate this contract and recover all its loss if the Contractor, its employees, or anyone acting on the Contractor’s behalf do any of the following things:

 - 22.2.1 Offer, give, or agree to give anyone any inducement or reward in respect of this or any other Council contract (even if the Contractor does not know what has been done); or
 - 22.2.2 Commit an offence under the Bribery Act 2010 or Section 117(2) of the 1972 Act; or
 - 22.2.3 Commit any fraud in connection with this or any other Council contract whether alone or in conjunction with Council members, contractors, or employees.

Any clause limiting the Contractor’s liability shall not apply to this cause.’

- 22.3 Any suspected irregularity shall be referred to the the Monitoring Officer where necessary. Any examination of contractors’ or tenderers’ books and records as a result of any such suspected irregularity shall be conducted by the Head of Procurement & Contracts. If, in the investigation of any irregularity, the Monitoring Officer considers that disciplinary procedures may need to be invoked, the appropriate Chief Officer/Deputy Chief Officer shall also be notified.

23. DECLARATION OF INTERESTS

Rules and regulations pertaining to the Declaration of Interests are outlined in the Code of Conduct for Employees within the Constitution and must be adhered to.

24. CONTRACT MANAGEMENT / MONITORING

- 24.1 All contracts must have an appointed Contract Manager for the entirety of the contract. The responsible Deputy Chief Officer must ensure a Contract Manager is designated prior to award.
- 24.2 The Contract Manager must monitor the overall performance of the contract in line with the specification, agreed service levels and contract terms.
- 24.3 The Contract Manager must ensure that they undertake contract management meetings with the supplier in line with the agreed timescales as per the contract.
- 24.4 The Officer named in the Contract Register will act as the Contract Manager and will be responsible for ensuring the obligations of these Rules. The Procurement & Contracts service are available to be contacted for any contract management support.

25. CONTRACT MODIFICATIONS

- 25.1 Before modifying a contract, the Procurement & Contracts service must be consulted to ensure the correct modification / variation process is being undertaken.
- 25.2 If the contract is valued above the Procurement Act 2023 threshold, advice from the Procurement & Contracts service must be sought before a modification is made to understand whether the modification is substantial or not, and whether a Contract Change Notice must be published, as per the Procurement Act 2023.
- 25.3 A substantial modification is one which would:
 - 25.3.1 Increase or decrease the term of the contract by more than 10% of the maximum term provided for, or
 - 25.3.2 Materially change the scope of the contracts, or
 - 25.3.3 Materially change the economic value of the contract in favour of the supplier.
- 25.4 A Contract Change Notice would not be required where:
 - 25.4.1 The modification increases or decreases the estimated value of the contract in the case of goods/services by less than 10% or in the case of works by less than 15%, or
 - 25.4.2 The modification increases or decreases the term of the contract by less than 10%.

26. POST CONTRACT MONITORING AND EVALUATION

- 26.1 During the life of the contract the Contract Manager must monitor in respect of:
 - 26.1.1 performance
 - 26.1.2 compliance with specification and contract
 - 26.1.3 cost
 - 26.1.4 any Best Value requirements
 - 26.1.5 user satisfaction and risk management
 - 26.1.6 social value or any other contractual obligations to deliver additional value arising from the contract

- 26.2 Where the total value of the contract exceeds £5,000,000, the Contract Manager must assess performance at least once every 12 months. A Contract Performance Notice must be published – the Procurement & Contracts service can do this providing the relevant Officer provides them with the required information.
- 26.3 If the supplier has breached the contract and the breach results in termination (or partial termination), award of damages, or a settlement agreement between both parties, a Contract Performance Notice must be published within 30 days of the relevant breach.
- 26.4 Where a contract naturally expires or is terminated, a Contract Termination Notice must be published.
- 26.5 Where the Total Value of the contract exceeds £1,000,000.00 the Officer must make a written report evaluating the extent to which the purchasing need and contract objectives were met by the contract. This should be done normally when the contract is completed. Where the contract is to be re-let, a provisional report should also be available early enough to inform the approach to re-letting of the subsequent contract.
- 26.6 For contracts awarded under £120,000, if, at any point during the delivery of the contract, the cost looks likely to exceed £120,000 the Contract Manager must notify the Procurement & Contracts Service who will assess options with the Contract Manager and recommend the best option for that particular project.

27. INTERNAL PROVIDERS

Where an in-house Service is bidding in competition for the provision of goods, works or services, care must be taken to ensure a fair process between the in-house provider Service and external bidding organisations.

28. EXTERNAL BODY GRANT FUNDING

- 28.1 Where a procurement process is funded, in whole or part, by grant funding which has been awarded to the Council by an external funding body, the Procurement & Contracts Service must ensure that any rules or conditions imposed by the funding body are adhered to, in addition to the requirements of these Contract Procedure Rules.
- 28.2 Where there is any conflict between these Contract Procedure Rules and the rules or conditions imposed by the funding body, the stricter requirement should be followed.

29. REVIEW AND AMENDMENT OF CPR

These Contract Procedure Rules shall be reviewed and updated, as necessary.

31. TERMINATION OF CONTRACTS *(see the Delegations to Officers for details of Officers who may action this rule)*

The Delegations to Officers details which Officers may terminate a contract. Any termination must be strictly in accordance with the terms of the contract and subject to consultation with the Monitoring Officer and Section 151 Officer and in some cases with the relevant Portfolio Holder.

CONTRACT PROCEDURE RULES

1. INTRODUCTION

- 1.1 These Contract Procedure Rules set out the rules that apply to all Officers, Members and agents acting on behalf of the Council, involved in procurement and contract management. The rules must be read in conjunction with relevant laws, regulations and policies/procedures including the Councils' Financial Procedure Rules.
- 1.2 These Contract Procedure Rules form part of the Council's Constitution
- 1.3 These Rules seek to protect the Council's reputation by minimising the risk of allegations of unfair process, dishonesty, and failure to meet legal obligations. If in doubt and/or if advice on these Rules / associated legislative requirements (such as the Procurement Act 2023) is required, please contact the Procurement & Contracts service.
- 1.4 Should a conflict be found between these Rules and the law, the order of precedence shall be the law and then these Rules.
- 1.5 All values referred to in these Rules are inclusive of VAT, excluding the table at 13.3 where it explicitly notes the exclusive of VAT figures too.
- 1.6 In the case of a breach to these Contract Procedure Rules, the Responsible Officer must inform the Head of Procurement & Contracts as soon as they are aware of the breach, detailing the nature of the breach and any management action taken to address the issues arising from the breach. The Procurement & Contracts service will maintain a record of all such breaches which will be reported to the Senior Leadership Team periodically.

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2. BASIC PRINCIPLES

- 2.1 All procurement procedures must:
- 2.1.1 realise/deliver value for money by awarding contracts that have the most economically advantageous contribution to delivering the Council's objectives.
- 2.1.2 maximise public benefit
- 2.1.3 be consistent with the highest standards of integrity.
- 2.1.4 operate in a transparent manner.
- 2.1.5 ensure fairness in allocating public contracts including managing conflicts of interest.
- 2.1.6 comply with all legal requirements including but not limited to the Procurement Act 2023 or successor legislation and the Procurement Regulations 2024.*.
- 2.1.7 support all relevant Council priorities and policies, including the Medium-Term Financial Plan.

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**Where a procurement / contract was started under the Public Contract Regulations 2015, that procurement or contract continues to be governed by those Regulations until the contract expiry date.*

NB: These Rules shall be applied to the contracting activities of any partnership for which the Council is the accountable body unless the Council expressly agrees otherwise (see the Delegations to Officers for details of Officers who may action this rule).

2.2 Procurements must also have regard to the National Procurement Policy Statement which sets out the national priorities for procurement,
"written" or "in writing" means any expression consisting of words or figures which can be read, reproduced, and subsequently communicated, including information transmitted and stored by electronic means.

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3. RELEVANT CONTRACTS

—All Relevant Contracts must comply with these Contract Procedure Rules. -A Relevant Contract is any arrangement made by, or on behalf of, the Council for the carrying out of works, supplies, goods, materials, or services. These include arrangements for:

— the supply or disposal of goods or materials;
— the hire, rental or lease of goods or equipment;
— execution of works;

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3.1 the delivery of services, including (but not limited to) those related to:

— the recruitment of staff
— land and property transactions
— financial and consultancy services
— the supply of staff by employment agents, consultants, or any other companies

3.2 Relevant Contracts do not include:

3.2.1 contracts of employment which make an individual a direct employee of the authority.

3.2.2 agreements regarding the acquisition, disposal, or transfer of land (to which the Financial Procedure Rules apply).

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3.2.3 the payment of grants to third parties

3.2.4 The lending or borrowing of money by the Council.

3.2.5 Contracts between Local Authorities as defined by Schedule 2, Paragraph 2 of the Procurement Act 2023

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— Contracts between Local Authorities as defined by Clause 17 of the Concession Contracts Regulations 2016

3.2.6 Contracts between Local Authorities as defined by Clause 1 of the Local Authorities (Goods and Services) Act 1970.

3.2.7 Section 75 NHS Act 2006 arrangements (although details must be recorded on the Council's Contract Register).

Please note, the Council cannot simply choose to treat a project as a Grant in order to avoid complying with these Contract Procedure Rules. Grants will have different conditions with regards to procurement.

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Generally, procurement is required when the Council is acquiring goods, services, or works to meet its own needs, and it retains control over the specification and delivery of those services. A grant is awarded to support an activity that aligns with the Council's objectives but is initiated and delivered by the recipient, who retains a degree of autonomy over the process.

Where there is any clarity required, please contact the Procurement & Contracts service.

NB: While grants are not covered by these Contract Procedure Rules, there are rules on the awarding of grants which do need to be observed. The Council cannot simply choose to treat procurement as a grant in order to avoid conducting a competitive process.

1. BASIC PRINCIPLES

1.1 All procurement procedures must:

- 1.1.1 realise value for money by awarding contracts that have the most economically advantageous contribution to delivering the Council's objectives;
- 1.1.21.1.1 be consistent with the highest standards of integrity;
- 1.1.31.1.1 operate in a transparent manner;
- 1.1.41.1.1 ensure fairness in allocating public contracts including managing conflicts of interest;
- 1.1.51.1.1 **comply with all legal requirements including but not limited to the Procurement Act 2023 or successor legislation;**
- 1.1.61.1.1 support all relevant Council priorities and policies, including the Medium-Term Financial Plan.

NB: These Rules shall be applied to the contracting activities of any partnership for which the Council is the accountable body unless the Council expressly agrees otherwise (see the Delegations to Officers for details of Officers who may action this rule).

1.21.1 "written" or "in writing" means any expression consisting of words or figures which can be read, reproduced, and subsequently communicated, including information transmitted and stored by electronic means.

2.4. OFFICER RESPONSIBILITIES

2.4.1 Responsible Officers

2.4.14.1.1 Officers will make sure that:

- (a) **they** comply with these Contract Procedure Rules (CPRs);
- (b) **they** comply with the Council's Constitution;
- (c) have the appropriate authorisation to procure**they**, complying with the Delegations to Officers;
- (d) **they** declare both, prior to the commencement of the procurement process and throughout the procurement process / contract, any personal interest / conflict of interest**interest** they may have in that process;
- (e) ensure all tenders/quotations are kept confidential;
- (f) ensure a written contract is issued and signed by both parties, or a purchase order is issued before the supply of goods, services or carrying out of works begin;
- (g) Where appropriate identify a Contract Manager with responsibility for ensuring the contract delivers as intended; where appropriate ensure that the contracts for which they are responsible are effectively managed (ensuring a named Contract Manager is allocated to the relevant contract) and monitored ensuring the contract delivers as intended.
- (h) a ensure a review of each contract is carried out at an appropriate stage; **and**
- (i) they comply with all legal requirements; **and**.

- (j) ensure contracts with a value over £56,000 are recorded on the Contracts Register as held and maintained by the Contracts and Procurement and Contracts Service;
(+)

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Officers must ensure that any agents, consultants, and contractual partners acting on their behalf also comply.

2.1.24.1.2 Officers ~~will~~ must:

- (a) keep any necessary records (such as a record of decisions made or minutes from any meetings) required by these Contract Procedure Rules,
- (b) take all necessary procurement, legal, financial, and professional advice, taking into account the requirements of these Contract Procedure Rules,
- (c) prior to letting a contract on behalf of the Council, check whether:
 - (i) the Contracts Register lists an appropriate contract in place for the Council, or:
 - (ii) an appropriate national, regional, or other collaborative contract is already in place.

Where the Council already has an appropriate contract in place, then this must be used unless it can be established that the contract does not fully meet the Council's specific requirements in this particular case, and this is agreed following consultation with the Contracts and Procurement & Contracts Service.

Where an appropriate national, regional, or collaborative contract is available, consideration should be given to using this, provided the contract ~~contract~~ offers value for money.

- (d) ensure that when any employee, either of the Council or of a service provider, may be affected by any transfer arrangement, then any Transfer of Undertaking (Protection of Employment) issues are considered and legal and HR advice from within the Council is obtained prior to proceeding with the procurement exercise.

2.1.34.1.3 Failure to comply with any of the provisions of these Contract Procedure Rules, the Council's Constitution or any legal requirements may be brought to the attention of the Monitoring Officer, Head of Internal Audit, or other relevant Officers as appropriate. Depending on the nature of the non-compliance this may result in disciplinary action being taken.

2.1.44.1.4 A contract may be let through any framework agreement to which the Council has access. Where the contract to be let is subject to the Procurement Act 2023, or any other relevant UK Legislation, use of such framework agreement shall be subject to compliance with those regulations (see the Delegations to Officers for details of Officers who may action this rule).

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2.2.2 Chief Officer/Deputy Chief Officers

2.2.14.2.1 Chief Officer/Deputy Chief Officers will:

- (a) ensure their Services complies fully and are familiar with the requirements of these Contract Procedure Rules;

- ~~(b)(a) ensure contracts with a value over £5,000 are recorded on the Contracts Register as held and maintained by a Contracts and Procurement Service;~~
- ~~(e)(b) ensure compliance with English Law and U.K. legislation and Council policy;~~
- ~~(d)(c) ensure value for money and optimise risk allocation in all procurement matters;~~
- ~~(e)(d) ensure compliance with any guidelines issued in respect of these Contract Procedure Rules;~~
- ~~(f)(e) take immediate action in the event of a breach of the Contract Procedure Rules or any Code of Practice within their directorate or service area;~~
- ~~(g)(f) ensure that all existing and new contracts anticipated during the forthcoming financial year are clearly itemised in the Budget supporting documentation;~~
- ~~(h) make appropriate arrangements for the opening of tenders and their secure retention using secure electronic means;~~
- ~~(i)(g) ensure original contract documents with a total value over £56,000 are forwarded to the Contracts and Procurement and Contracts Service for safekeeping;~~
- ~~(j)(h) ensure effective contract management, contract reviews and monitoring during the lifetime of all contracts in their areas;~~
- ~~(i) seek and act upon advice from the Contracts and Procurement and Contracts Service and Performance team where necessary to ensure compliance with these responsibilities; and~~
- ~~(k)~~

keep records of variations and exemptions of any provision of these Contract Procedure Rules.

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5. CONFLICTS OF INTEREST

- 5.1 Officers must take all reasonable steps to identify and keep under review any conflicts of interest or potential conflicts of interest. This obligation starts when the need for the procurement is first identified and continues until the termination of the contract.
- 5.2 Officers must take all reasonable steps to ensure that a conflict of interest does not put a supplier at an unfair advantage or disadvantage. If the Officer deems that that advantage or disadvantage cannot be avoided, they must contact the Procurement & Contracts service before progressing further with the procurement.
- 5.3 Where the procurement is valued over the Procurement Act 2023 thresholds a conflicts assessment must be prepared by the Officer in conjunction with the Procurement & Contracts service. The Procurement & Contracts service have a template document for Officers to complete, which includes the provision for details of all conflicts or potential conflicts of interest and any mitigating steps that the Council has taken or will take.
- 5.4 This conflicts assessment must be kept under review and revised as necessary during the procurement and contract term.
- 5.5 Any Officer or Member who fails to declare a conflict of interest may be subject to disciplinary proceedings and risks being prosecuted under the Bribery Act 2010.

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6. PRE-MARKET ENGAGEMENT

- 6.1 When Officers are undertaking pre-market engagement, they must ensure it is utilised for the following purposes:
 - 6.1.1 Developing the Council's requirements and approach to the procurement.
 - 6.1.2 Designing a procurement procedure, conditions of participation or award criteria.

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6.1.3 Preparing the tender notice and associated tender documents, including the proposed terms and conditions.

6.1.4 Understanding market conditions and identifying potential suppliers.

6.1.5 Understanding the resourcing limitations and capacity requirements of suppliers in relation to the procurement process and anticipated timetable.

6.2 Suppliers must not be put at an unfair advantage, or disadvantage, when undertaking pre-market engagement. If an Officer deems that a supplier has been put at an unfair advantage, or disadvantage, they must contact the Procurement & Contracts service before progressing further with the procurement.

~~Council may consult potential suppliers, prior to the issue of the Invitation to Tender or Request for Quotation, in general terms about the nature, level and standard of the supply, contract packaging and other relevant matters, provided this does not prejudice any potential organisation (see the Delegations to Officers for details of Officers who may action this rule).~~

6.3 When engaging with potential suppliers, the Council may use any advice in the planning and conduct of the procurement procedure, provided that it does not have the effect of distorting competition and does not result in a violation of the principles of non-discrimination and transparency.

6.4 The eCouncil shall take appropriate measures to ensure that competition is not distorted by the participation of a candidate or tenderer who has provided any advice by ensuring all other candidates and tenderers are provided with all of the information the advising candidate or tenderer has received or given and that all candidates or tenderers are given sufficient time to respond to the tender or quote.

6.5 WhenIn undertaking any market testingpre-market engagement activities above £60,000, the Officer responsible must seek advice from a Contracts and Procurement Service the Procurement & Contracts Service.

2.2.2 Chief Officer/Deputy Chief Officers must keep a register of

- (a) ~~contracts entered into by or on behalf of the Council, and~~
- (b) ~~exemptions recorded under Rule 3 and satisfy themselves that the use of exemptions has been monitored and a record kept by a Contracts and Procurement Service.~~

3.7. EXEMPTIONS

3.47.1 ~~Except where the Procurement Act 2023 thresholds are exceeded applies,~~ the Cabinet/Executive has the power to ~~waive-waive~~ any requirements within these Contract Procedure Rules for specific projects. An exemption under this Rule 37 allows a contract to be placed by direct negotiation with one or more suppliers rather than in accordance with Rule 913.

3.27.2 These Contract Procedure Rules may be exempted where the circumstances meet any of the following criteria within 37.3. An exemption form must be completed and sent to the Head of Procurement & Contracts in the first instance to allow comments which will assist with the approval or rejection of the exemption.

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7.3 The Head of Procurement & Contracts will then pass this through to the Section 151 Officer, ~~for approval prior to consideration by~~ the Chief Executive, ~~and~~ the Portfolio Holder for the relevant area, ~~as well and as~~ the Portfolio Holder for Finance ~~for approval / sign-off~~. This process must be followed in advance of the award of contract, and in compliance with the criteria set out in the Delegations to Officers. Please see the circumstances for an exemption below:

3.3

3.3.17.3.1 for works, supplies, or services which are either patented or of such special character that it is not possible to obtain competitive prices;

3.3.27.3.2 for supplies purchased or sold in a public market or auction;

7.3.3 with an organisation already engaged by the Council for a similar and related procurement and where there is significant benefit to extending the contract to cover this additional requirement that does not breach legal requirements such as the Procurement Act 2023.

3.3.3

3.3.47.3.4 involving such urgency that it is not possible to comply with the Contract Procedure Rules and there is a significant risk to the council of not acting with urgency;

3.3.57.3.5 for the purchase of a work of art or museum specimen, or to meet the specific requirements of an arts or cultural event which cannot be procured competitively due to the nature of the requirement;

3.3.67.3.6 in relation to time-limited grant funding from an external body, where the time limitations will not allow a competitive procurement process to be completed and where the grant conditions allow this;

3.3.77.3.7 where relevant legislation not otherwise referred to in these Contract Procedure Rules prevents the usual procurement process from being followed;

3.3.87.3.8 goods, works or services contracts may be awarded directly to a legal person where that legal person meets the criteria as set out in Schedule 2, Paragraph 2 of the Procurement Act 2023. (formerly known as "Teckal" companies);

7.3.9 where building development opportunities are available to the Council, and have been proven to be financially viable, and the value is under the Procurement Act 2023 Thresholds for Works (as per Appendix 2 – Procurement Act 2023 Thresholds..

3.3.97.3.10 where an existing contract is being re-procured and there are delays to that procurement process which means that the new contract cannot start at the expiry of the existing contract (this exemption cannot be for longer than 6-months and cannot make the contract a "convertible contract" under the Procurement Act 2023 by exceeding the applicable threshold).

3.4 In addition to approval by a Contracts and Procurement Service:

3.4.1 ~~the Monitoring Officer must be consulted where purchases are to be made using standing arrangements with another local authority, government department, health authority, primary care trust or statutory undertaker.~~

3.4.2 ~~The Monitoring Officer must be consulted where the contract is an extension to an existing contract and a change of supplier would cause:~~

- ~~(a) Disproportionate technical difficulties~~
- ~~(b) Diseconomies~~
- ~~(c) Significant disruption to the delivery of Council services.~~

3.57.4 Every ~~variation~~ exemption must be recorded on the Council's Procurement Exemption Form at Appendix 1 to these Contract Procedure Rules and the form will be recorded on

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a master register to be maintained by thea Contracts and Procurement & Contracts Service.

3.67.5 Where an exemption a variation/exemption is necessary because of an unforeseeable emergency involving immediate risk to persons, property or serious disruption to Council services, the Chief Officer/Deputy Chief Officer may approve the exemption but must prepare a report for the next meeting of the Cabinet/Executive to support the action taken.

3.7 ~~Where grant conditions require expenditure to be incurred within a financial year, and notification of grant is received so late as to prevent compliance with Rule 9, an exemption may be approved by the Chief Executive on receipt of a report from the relevant service where the Section 151 Officer and Monitoring Officer have been consulted.~~

3.87.6 ~~A Contracts and Procurement Service~~ The Procurement & Contracts service must monitor the use of all exemptions.

4.1. RELEVANT CONTRACTS

4.1.1.1 ~~All Relevant Contracts must comply with these Contract Procedure Rules. A Relevant Contract is any arrangement made by, or on behalf of, the Council for the carrying out of works, supplies, goods, materials, or services. These include arrangements for:~~

- 4.1.11.1.1 ~~the supply or disposal of goods or materials;~~
- 4.1.21.1.1 ~~the hire, rental or lease of goods or equipment;~~
- 4.1.31.1.1 ~~execution of works;~~
- 4.1.41.1.1 ~~the delivery of services, including (but not limited to) those related to:~~
 - ~~(a) the recruitment of staff~~
 - ~~(b)(a) land and property transactions~~
 - ~~(c)(a) financial and consultancy services~~
 - ~~(d)(a) the supply of staff by employment agents, consultants, or any other companies~~

4.2.1.1 ~~Relevant Contracts do not include:~~

- 4.2.11.1.1 ~~contracts of employment which make an individual a direct employee of the authority;~~
- 4.2.21.1.1 ~~agreements regarding the acquisition, disposal, or transfer of land (to which the Financial Procedure Rules apply);~~
- 4.2.31.1.1 ~~the payment of grants to third parties~~
- 4.2.41.1.1 ~~The lending or borrowing of money by the Council.~~
- 4.2.51.1.1 ~~Contracts between Local Authorities as defined by Schedule 2, Paragraph 2 of the Procurement Act 2023~~
- 4.2.61.1.1 ~~Contracts between Local Authorities as defined by Clause 17 of the Concession Contracts Regulations 2016~~
- 4.2.71.1.1 ~~Contracts between Local Authorities as defined by Clause 1 of the Local Authorities (Goods and Services) Act 1970.~~
- 4.2.81.1.1 ~~Section 75 NHS Act 2006 arrangements (although details must be recorded on the Council's Contract Register).~~

~~NB: While grants are not covered by these Contract Procedure Rules, there are rules on the awarding of grants which do need to be observed. The Council cannot simply choose to treat procurement as a grant in order to avoid conducting a competitive process.~~

5.8. RECORDS

~~5.48.1~~ The Procurement Act 2023 requires contracting authorities to maintain the following comprehensive records of procurement activities:

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- ~~5.1.48.1.1~~ sufficient documentation to justify decisions at all stages of the procurement process
- ~~5.1.28.1.2~~ contract details including value
- ~~5.1.38.1.3~~ selection decision
- ~~5.1.48.1.4~~ justification for use of the selected procedure
- ~~5.1.58.1.5~~ names of bidding organisations, both successful and unsuccessful
- ~~5.1.68.1.6~~ reasons for selection
- ~~5.1.78.1.7~~ reasons for abandoning a procedure

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~~58.1A~~ Most contracts and extensions to contracts will be awarded by Officers making a decision under delegated authority (see Delegations to Officers). All such Officer decisions must be published unless the decision is administrative, minor, or not closely connected to the discharge of an executive function. Some decisions will be subject to Call-in. Where Call-in applies, the winning contractor must be advised that the award of contract is subject to Call-in and will not be confirmed until the Call-in period has expired.

~~5.28.2~~ For contracts up to £~~460,000~~ the following records must be kept:

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- ~~5.2.48.2.1~~ invitations to quote (where applicable)
- ~~5.2.2~~ ~~all quotes returned~~
- ~~5.2.38.2.2~~ all tenders/quotes returned;
- ~~5.2.48.2.3~~ notification to the successful, and unsuccessful (where applicable) bidders of the outcome of the quotation exercise
- ~~5.2.58.2.4~~ the contract;
- ~~5.2.68.2.5~~ a written record of:
 - (a) any exemptions and reasons for it; and
 - (b) the reasons if the lowest price is not accepted

~~5.3~~

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~~5.48.3~~ For contracts where the total value is greater than £60,000.00 but less than £120,000.00 for works, supplies of goods materials or services, A the Contracts and Procurement and Contracts Service should ~~must~~ be made aware of any procurement requirements at the earliest opportunity to assist with this process. Where formal advertising via a Request for Quotation is required recommended by these rules, the Council's e-Tendering portal should be used. competitive procurement processes must be advertised on the Council's e-Tendering portal. Where the total value is The following records must be kept: greater than £40,000.00 but less than £85,000.00 for works, supplies of goods materials or services, the following records must be kept:

- ~~5.4.18.3.1~~ invitations to quote/tender;
- ~~5.4.28.3.2~~ all communication with suppliers;
- ~~5.4.38.3.3~~ all tenders/quotes returned;
- ~~8.3.4~~ a completed evaluation sheet with scores and comments justifying the score awarded, where a formal process is used;

8.3.5 a decision log, including details of why a bidder has been selected, where an informal process is used;

5.4.4 a completed evaluation sheet with scores and comments justifying the score awarded;

5.4.58.3.6 feedback assessment summaries letters-/ feedback to the unsuccessful bidders;

5.4.68.3.7 all communications with the successful contractor;

5.4.78.3.8 the contract;

5.4.88.3.9 a written record of:

(a) any exemptions and reasons for it; and

(b) the reasons if the lowest price is not accepted

5.4.98.3.10 written records of communications with the successful contractor.

5.5 For contracts up to £40,000 records should be kept following the principles as above but the actual record kept should be proportionate to the value of the contract.

5.68.4 Where the total value exceeds £85120,000.00 for works, supplies of goods, materials or services, the Officer must record the same details as in Rule 58.3 above and any further records as advised by a Contracts and Procurement Service the Procurement & Contracts Service.

5.78.5 Written records required by this Rule 58 must be kept for six years (twelve years if the contract is under seal) after the final settlement of the contract. All documents which relate to unsuccessful candidates (tender responses, feedback letters etc.) must be kept for 12 months from award of contract provided there is no dispute about the award or where there is a dispute, once the dispute is resolved, 12 months from resolution of the dispute.

5.88.6 Prospective candidates must be notified simultaneously in writing and as soon as possible of any contracting decision. If a candidate requests in writing the reasons for a contracting decision, the officer must give the reasons in writing within 15 days of the request.

8.7 The Freedom of Information Act 2000 gives a general right of public access to all types of 'recorded' information held by public authorities, sets out exemptions from that general right, and places a number of obligations on public authorities with regard to the disclosures of information. The Council will, as a general rule, allow public access to recorded information where possible and the contractor shall agree to the Council making any disclosures in accordance with the Act.

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6-9. RISK MANAGEMENT / ASSESSMENT

Officers must consider any risks in the procurement process including the skills and capacity within the Council to manage the procurement process. Where any risk assessment identifies a need for further specialist advice that specialist advice must be procured in accordance with these rules.

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9.1 Officers must create a robust risk assessment as part of the procurement planning process for all contracts valued over £120,000 in conjunction with the Procurement & Contracts service.

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9.2 The risk assessment must be reviewed and updated regularly during the procurement process and throughout the contract term.

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~~6.19.3~~ Where key risks are identified at the pre-procurement stage which may lead to a future contract modification, these risks must be stated clearly in the tender notice and in relevant procurement documents.

7.10. ADVERTISING

The Contracts and Procurement Service will ensure that the minimum advertising requirements in the Procurement Act 2023 and as outlined in Rule 98 are met.

8.11. FRAMEWORKS AGREEMENTS

8.1 Framework has the same meaning as in the Procurement Act 2023. "...a contract between a Contracting Authority and one or more supplier(s) that provides for the future award of contracts by the authority to the supplier(s)."s Agreements (see the Delegations to Officers for details of Officers who may action this rule):

11.1

~~Contracts based on Frameworks may be awarded in one of two ways, as follows:~~

~~where the terms of the agreement are sufficiently precise to cover the particular call-off, by applying the terms laid down in the Framework Agreement without re-opening competition, or~~

~~where the terms laid down in the Framework Agreement are not precise or complete enough for the particular call-off, by holding a further competition in accordance with the following procedure:~~

~~inviting the organisations within the Framework Agreement, that are capable of executing the subject of the contract, to submit bids, with an appropriate time limit for responses, taking into account factors such as the complexity of the subject of the contract,~~

~~awarding each contract to the bidding organisation who has submitted the most economically advantageous tender on the basis of the relevant Award Criteria set out in the Framework Agreement.~~

11.2 Contracts based on Frameworks may be awarded in one of two ways, as follows:

11.2.1 Where the terms of the agreement are sufficiently precise to cover the particular call-off, by applying the terms laid down in the Framework Agreement without re-opening competition (Direct Award), or

11.2.2 Where the terms laid down in the Framework Agreement are not precise or complete enough for the particular call-off, by holding a further competition in accordance with the following procedure (Further Competition):

(a) Inviting the organisations within the Framework that are capable of executing the subject of the contract, to submit bids, with an appropriate time limit for responses, considering factors such as the complexity of the subject of the contract,

(b) Awarding each contract to the bidding organisation who has submitted the most advantageous tender on the basis of the relevant Award Criteria set out in the Framework.

11.3 The term of a Framework must not exceed four years when utilising a Closed Framework, or eight years when utilising an Open Framework, as defined in the Procurement Act 2023.

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11.4 A contract of any value can be procured through a framework. If the proposed contract value is over £60,000, the Procurement & Contracts service must be consulted before the procurement is started.

11.5 A framework is considered a compliant procurement route when:

11.5.1 It has been entered into by the Council in compliance with these Rules, or

11.5.2 Another contracting authority, purchasing consortium or central government organisation has tendered the framework in compliance with the relevant procurement legislation and the Council is named as a potential user of the arrangement (e.g., ESPO / CCS).

11.5.3 When using a framework as per 11.5.2, officers must ensure that all of the necessary documentation is completed. Officers must consult with the Procurement & Contracts service before entering into a call-off contract as per 11.5.2.

11.6 Officers must carry out due diligence checks at contract award to evidence fulfilment of any conditions of participation and that there are no grounds for exclusion.

11.7 ~~Where a Framework Agreement is used and the arrangements under that Agreement Framework include further competition, the~~ Approval to procure and award must be in compliance with the ~~Delegations to Officers.~~

11.8 Most contracts will then be awarded by Officers making a decision under delegated authority. All such Officer decisions must be published unless the decision is administrative, minor, or not closely connected to the discharge of an executive function. Some decisions will be subject to Call-in. Where Call-in applies the winning contractor must be advised that the award of contract will not be confirmed until the Call-in period has expired.

12. DYNAMIC MARKETS

12.1 A dynamic market as defined in the Procurement Act 2023 is an open list of qualified suppliers eligible to participate in future procurements (via Further Competition only). Suppliers can join the dynamic market at any time if they meet the specified conditions, enabling the ability to streamline a procurement process by allowing continuous admission of suppliers.

12.2 Officers must ensure that there is no existing Council contract, framework or Dynamic Market available before undertaking an alternative procurement.

12.3 Only procurements valued over the relevant UK Procurement threshold may be procured via a Dynamic Market.

12.4 A dynamic market is considered a compliant procurement route when:

12.4.1 It has been entered into by the Council in compliance with these Rules, or

12.4.2 Another contracting authority, purchasing consortium or central government has tendered the framework in compliance with the relevant procurement legislation and the Council is named as a potential user of the arrangement (e.g., ESPO / CCS).

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12.5 Officers must seek advice and support from the Procurement & Contracts service whenever they wish to establish or use a Dynamic Market.
details which Officers may seek, receive, and evaluate quotations/tenders.

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8.1.1 Framework has the same meaning as in the Procurement Act 2023: "...a contract between a contracting authority and one or more suppliers that provides for the future award of contracts by the authority to the supplier(s)."

8.1.2 The term of a Framework Agreement must not exceed four years, when utilising a Closed Framework, or eight years when utilising an Open Framework, as defined in the Procurement Act 2023.

8.1.31.1.1 Contracts based on Frameworks may be awarded in one of two ways, as follows:

(a) where the terms of the agreement are sufficiently precise to cover the particular call off, by applying the terms laid down in the Framework Agreement without re-opening competition, or

(b)(a) where the terms laid down in the Framework Agreement are not precise or complete enough for the particular call off, by holding a further competition in accordance with the following procedure:

(i) inviting the organisations within the Framework Agreement, that are capable of executing the subject of the contract, to submit bids, with an appropriate time limit for responses, taking into account factors such as the complexity of the subject of the contract;

(ii)(i) awarding each contract to the bidding organisation who has submitted the most economically advantageous tender on the basis of the relevant Award Criteria set out in the Framework Agreement.

Where a Framework Agreement is used and the arrangements under that Agreement Framework include further competition, the Delegations to Officers details which Officers may seek, receive, and evaluate quotations/tenders.

8.1.4 Most contracts will then be awarded by Officers making a decision under delegated authority. All such Officer decisions must be published unless the decision is administrative, minor, or not closely connected to the discharge of an executive function. Some decisions will be subject to Call-in. Where Call-in applies the winning contractor must be advised that the award of contract will not be confirmed until the Call-in period has expired.

13. COMPETITION REQUIREMENTS / ASSETS FOR DISPOSAL PROCUREMENT THRESHOLDS

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13.1 Officers must establish the total value of the procurement including whole life costs, incorporating any potential extension periods which may be awarded. Where the Procurement Act 2023 rules apply, Officers must also ascertain the value of a contract in accordance with those rules.

13.2 Contracts must not be artificially under / over-estimated or divided into two or more separate contracts where the effect is to avoid the application of the thresholds below.

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13.3 Where the estimated total value is within the values in the table below, the corresponding tendering procedure must be followed. (see the Delegations to Officers for details of Officers who may actions this rule).

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9.1 Competition Requirements

- 9.1.1 Chief Officers/Deputy Chief Officers must establish the total value of the procurement including whole life costs and incorporating any potential extension periods which may be awarded. Where the Procurement Act 2023 rules apply, Chief Officers/Deputy Chief Officers must also ascertain the value of a contract in accordance with those rules.
- 9.1.2 Contracts must not be artificially under or over-estimated or divided into two or more separate contracts where the effect is to avoid the application of Contract Procedure Rules, or the Procurement Act 2023.
- 9.1.3 Where the estimated total value for a purchase or concession is within the values in the first and second columns of the table below, the tendering procedure in the third column must be followed (see the *Delegations to Officers for details of Officers who may action this rule*).

Procurement Values (exclusive of VAT)	Works and Concessions Supply of Goods, Materials and Services Procurement Values (inclusive of VAT)	Tendering Procedure
£0 to £6,250	£0 to £57,0500 £0 to £5,000	One <u>written</u> quote - this should be a local provider wherever possible. A purchase order must be raised.
£6,250.01 - £12,500	£5,001 - £10,000 £7,500.01 - £15,000£5,001 - £10,000	Two written quotes – one should be a local provider wherever possible. A purchase order must be raised.
£12,500.01 - £50,000	£15,000.01 - £60,000£10,001 to £40,000 £10,001 to £40,000	At least three written quotes shall be sought and two must be received . Local providers must be given an opportunity to provide a quote, wherever possible. A purchase order must be raised
£50,000.01 - £100,000	£40,001 to £85,000£60,000.01 - £120,000 £40,001 to £85,000	At least five three written quotations shall be sought. A via a Request for Quotation via the e-Tendering Portal is recommended. The Procurement & Contracts service must be involved. Where a formal Request for Quotation process is not utilised, the Procurement & Contracts service must agree the alternative process (e.g., retrieving quotations from suppliers via email etc.). Local providers must be given an opportunity to provide a quote, wherever possible. A purchase order must be raised.
£100,000.01 up to Procurement Act 2023 thresholds	£85,001 up to Procurement Act 2023 thresholds*£120,000.01 up to Procurement Act 2023 thresholds £85,001 up to Procurement Act 2023 thresholds*	Open tender —via the E-Tendering Portal & a below-threshold notice published on Find a Tender. A social value clause must be built into the specification and contract. (Public Service (Social Value) Act 2012Social value) must be considered as part of the specification / award criteria. A purchase order must be raised
Above Procurement Act 2023 thresholds	Above Procurement Act 2023 thresholds*Above Procurement Act 2023 thresholds* Above Procurement Act 2023 thresholds*	UK Public Procurement Procedure – via E-Tendering Portal & Find a Tender notice. <u>Social value must be considered as part of the specification / award criteria.</u> Local social value clause must be built into the specification of the

**contract. (Public Service (Social Value) Act 2012).
A purchase order must be raised**

* As per Appendix 2 – Above Procurement Act 2023 thresholds*

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13.4 Written quotations must include the following information as a minimum;

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13.4.1 Details of the goods, services or works to be supplied;

13.4.2 Where and when the delivery is to take place (where applicable);

13.4.3 The total value of the contract; and

13.4.4 The terms and conditions to apply including the price and payment terms

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13.5 Officers must provide contractual details to the Procurement & Contracts service for contracts over £6,000 so that the contract can be added to the Council's Contracts Register.

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13.6 Officers must provide contractual details to the Procurement & Contracts service for contracts £30,000 & above where the Procurement & Contracts service have not been involved in the procurement. This must be provided for within 30 days of contract award to allow a Contract Details Notice to be published.

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13.7 Officers must contact the Procurement & Contracts service for any procurement requirements £60,000.01 & above. For spend of £60,000 and below, Officers can procure without the need to involve the Procurement & Contracts service, following the procurement thresholds above. Where there are any queries, the Procurement & Contracts service should be contacted to avoid non-compliance.

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13.8 Where the Procurement Act 2023 thresholds apply, Officers must consult the Procurement & Contracts service to determine the procedure for conducting the procurement exercise.

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13.9 Where it can be determined that there are insufficient suitably qualified candidates to meet the threshold requirements as per the table above, all suitably qualified candidates must be invited. (see the Delegations to Officers for details of Officers who may action this rule.)

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13.10 Where services are currently purchased internally, i.e., from within the Council, for internal provision, the requirement to obtain other quotations or tenders does not apply. However, the purchaser may choose to seek alternative quotations/tenders for the purpose of market testing.

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9.1.4 Where it can be demonstrated that there are insufficient suitably qualified candidates to meet the competition requirements, all suitably qualified candidates must be invited (see the Delegations to Officers for details of Officers who may action this rule).

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9.1.5 Where services are currently purchased internally, i.e., from within the Council, for internal provision, the requirement to obtain other quotations or tenders does not apply. However, the purchaser may choose to seek alternative quotations/tenders for the purpose of market testing.

Where the Procurement Act 2023 thresholds apply, the procuring Officer shall consult a Contracts and Procurement Service to determine the procedure for conducting the procurement exercise.

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9.1.6

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~~9.2 — Assets for Disposal (see the Delegations to Officers for details of Officers who may action this rule):~~

~~9.2.1 — Assets for disposal must be dealt with in accordance with the Council's Financial Procedure Rules.~~

~~9.2.2 — Assets for disposal must be sent to Public Sale except where better value for money is likely to be obtained by inviting quotations and tenders. In the latter event, the method for disposal of surplus or obsolete stocks/stores or assets other than land must be determined as follows:~~

Commented [MG1]: I have removed Asset Disposal section as agreed - it is covered within Finance Procedure Rules at each Council - although each differing slightly.

Total Value	Procedure
Where the cost of disposal is likely to outweigh the value of the asset for disposal	By (in order of preference) 1. gifting to a local organisation if they can make use of the asset; 2. disposal for recycling; or 3. disposal by the most environmentally friendly option possible.
Up to £10,000	Two written quotations or public sale
£10,000.01 and above	At least three written quotations or public sale, or an invitation to tender

10. PRE-TENDER MARKET TESTING AND CONSULTATION

~~10.1 — The Council may consult potential suppliers, prior to the issue of the Invitation to Tender or Request for Quotation, in general terms about the nature, level and standard of the supply, contract packaging and other relevant matters, provided this does not prejudice any potential organisation (see the Delegations to Officers for details of Officers who may action this rule).~~

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~~10.2 — When engaging with potential suppliers, the Council may use any advice in the planning and conduct of the procurement procedure, provided that it does not have the effect of distorting competition and does not result in a violation of the principles of non-discrimination and transparency.~~

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~~10.3 — The council shall take appropriate measures to ensure that competition is not distorted by the participation of a candidate or tenderer who has provided any advice by ensuring all other candidates and tenderers are provided with all of the information the advising candidate or tenderer has received or given and that all candidates or tenderers are given sufficient time to respond to the tender or quote.~~

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~~10.4 — In undertaking any market testing activities, the Officer responsible must seek advice from a Contracts and Procurement Service.~~

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~~14. EVALUATION CRITERIA AND STANDARDSEVALUATING TENDERS (see the Delegations to Officers for details of Officers who may action this rule);~~

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~~The evaluation of bids must be conducted in accordance with the evaluation criteria set out in the procurement documents provided to bidding organisations, and in line with any guidance given by a Contracts and Procurement Service.~~

~~The arithmetic in compliant tenders must be checked. If arithmetical errors are found they should be notified to the tenderer, who should be requested to confirm or withdraw their tender. Alternatively, if the rates in the tender, rather than the overall price, were stated within the Invitation to Tender as being~~

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dominant, an amended tender price may be requested to accord with the rates given by the tenderer.

Deputy Chief Officers must ensure that submitted tender prices are compared with any pre-tender estimates and that any discrepancies are examined and resolved satisfactorily.

11. _____

14.1 In any procurement exercise the successful bid should be the one which:

14.1.1 Offers the most advantageous proposal based on the award criteria.

14.1.2 Such criteria may include:

- (a) Quality including technical merit, aesthetic and functional characteristics, accessibility, design for all users, social, environmental, and innovative characteristics and trading and its conditions;
- (b) After-sales service and technical assistance, delivery conditions such as delivery date, delivery process and delivery period or period of completion.
- (c) Price / Commercial approach
- (d) Social Value / sustainability commitments

14.2 Evaluation must be conducted in accordance with the published criteria. Evaluators must undertake evaluations individually initially followed by moderation to reach an agreed tender score.

14.3 All criteria must relate to the subject matter of the contract, must be objectively quantifiable and non-discriminatory.

14.4 The procurement documentation must clearly explain the basis of the decision to bidding organisations, making clear how the evaluation criteria specified in the process will be applied, the overall weightings to be attached to each of the high-level criteria, whether the high-level criteria are divided into any sub-criteria and the weightings attached to each of those sub-criteria.

11.1 Evaluation Criteria

11.1.1 In any procurement exercise the successful bid should be the one which:

- (a) offers the lowest price where payment is to be made by the Council, or offers the highest price if payment is to be received, or;
- (b) offers the most advantageous balance between quality and price.
In the latter case, the Council will use criteria such as qualitative, environmental and/or social aspects, linked to the subject matter of the contract to determine that an offer is the most advantageous. Such criteria may include:
 - (i) quality, including technical merit, aesthetic and functional characteristics, accessibility, design for all users, social, environmental, and innovative characteristics and trading and its conditions;
 - (ii) organisation, qualification, and experience of staff assigned to performing the contract, where the quality of the staff assigned can

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- have a significant impact on the level of performance of the contract;
or
(iii) ~~after sales service and technical assistance, delivery conditions such as delivery date, delivery process and delivery period or period of completion.~~

- ~~11.1.2 Issues that are important to the Council in terms of meeting its corporate objectives can be used to evaluate bids. The criteria can include, for example sustainability considerations, support for the local economy, or the use of sub-contractors. The bidding organisations' approaches to continuous improvement and setting targets for service improvement or future savings could also be included. All criteria must relate to the subject matter of the contract, be in line with the Council's corporate objectives and must be objectively quantifiable and non-discriminatory.~~
- ~~11.1.3 The procurement documentation should clearly explain the basis of the decision to bidding organisations, making clear how the evaluation criteria specified in the process will be applied, the overall weightings to be attached to each of the high-level criteria, how the high-level criteria are divided into any sub-criteria and the weightings attached to each of those sub-criteria.~~
- ~~11.1.4 The evaluation criteria must not include:~~
- ~~(a) Non-commercial considerations~~
 - ~~(b) Matters which discriminate against suppliers who are signatories to the Government Procurement Agreement.~~

~~11.2 Standards~~

- ~~11.2.1 Relevant British and International standards which apply to the subject matter of the contract, and which are necessary to properly describe the required quality must be included within the contract.~~
- ~~11.2.2 Officers should refer to the Procurement and Contracts Service if they have any queries or require further guidance.~~

~~42.15. INVITATION TO TENDER / REQUEST FOR QUOTATION~~ (see the *Delegations to Officers for details of Officers who may action this rule*)

~~42.15.1~~ Invitations to Tender/Requests for Quotation must be issued in accordance with the requirements of these Contract Procedure Rules.

~~12.2~~ The Invitation to Tender shall state that no tender will be considered unless it is received by the date and time stipulated in the Invitation to Tender, subject to 15.5.3. No tender delivered in contravention of this **Rule 12** shall be considered.

~~42.315.2~~ All Invitations to Tender shall include the following:

- ~~42.3.115.2.1~~ A specification that describes the Council's requirements in sufficient detail to enable the submission of competitive offers, together with the terms and conditions of contract that will apply.
- ~~42.3.215.2.2~~ A requirement for candidates to declare that the tender content, price or any other figure or particulars concerning the tender submitted by the candidate has not been disclosed by the candidate to any other party (except where such disclosure is made in confidence for a necessary purpose).
- ~~42.3.315.2.3~~ A requirement for candidates to complete fully and sign all tender documents including a form of tender and certificates relating to canvassing and non-collusion.
- ~~42.3.415.2.4~~ Notification that tenders are submitted to the Council on the basis that they are compiled at the candidate's expense.

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~~12.3.5~~15.2.5 A description of the award procedure and, unless defined in a prior advertisement, a definition of the award criteria in objective terms and the percentage weighting of each criterion in the evaluation.

~~12.3.6~~15.2.6 The method by which arithmetical errors discovered in the submitted tenders are to be dealt with. In particular, whether the overall price prevails over the rates in the tender or vice versa.

~~12.4~~15.3 The Invitation to Tender or Requests for Quotation must state that the Council is not bound to accept any tender or quotation.

15.4 All candidates invited to tender, or quote must be issued with the same information at the same time and subject to the same conditions. Any supplementary information must be given on the same basis. Where a candidate asks a clarification question regarding the tender or quote, the question and the answer will be provided to all candidates.

15.5 ~~Tenders received after the tender deadline date and time or tenders which are not submitted in accordance with these Rules and any criteria set out in the procurement documentation will be disqualified unless otherwise agreed by the Monitoring Officer~~

15.6 ~~If there is an obvious ambiguity or error in the tender and that ambiguity or error appears to have a simple explanation, bidders may be invited to correct their tender response. Advice must be sought from the Procurement & Contracts service before further action is taken.~~
~~12.5~~

12.6 Under the Procurement Act 2023, the Council is required to request an explanation of the price or costs proposed in a tender where that price or those

15.7 costs appear to be **abnormally low** in relation to the requirement. ~~If the bidder is unable to demonstrate that the price offered is not abnormally low, its tender may be disregarded. Advice must be sought from the Procurement & Contracts service during this process.~~

~~12.7 Advice should be sought from the Contracts & Procurement Service during this investigation process to ensure that the requirements of the Procurement Act 2023 are complied with.~~

13.16. SHORTLISTING

Any shortlisting (i.e., supplier selection or conditions of participation) must have regard to the ~~economic and~~ financial standing, legal capacity, and the technical ~~and professional~~ ability of the candidates to deliver the required goods, services or works.

14.17. SUBMISSION, RECEIPT AND OPENING OF TENDERS / QUOTATIONS (see the Delegations to Officers for details of Officers who may action this rule):

14.17.1 Tenders

17.1.1 Bidding organisations must be given an adequate period in which to prepare and submit a proper quotation or tender, consistent with the complexity of the contract requirements.

~~14.1.1~~17.1.2 When advertising a tender for a procurement above the Procurement Act 2023 thresholds, the tenders must be advertised for the minimum number of days as specified in the Procurement Act 2023 legislation.

~~14.1.2~~17.1.3 Tender Contents:
Each tender must contain, where relevant:

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- (a) An undertaking signed by the tenderer that to the best of their knowledge and belief they have complied with all the relevant provisions of the Health and Safety at Work Act 1974 and regulations made under it or where they have not complied, an explanation of the remedial action they have taken to ensure compliance;
- (b) A statement that the tenderer will comply with all current relevant British Standard Specification or Code of Practice or equivalent international standards offering guarantees of safety, reliability, and fitness for purpose;
- (c) ~~A~~ A-statement by the tenderer that they will not try to obtain or receive by whatever means any information which gives or is intended to give the tenderer or another party any unfair advantage over any other tenderer (including the Council's own workforce) in relation to the tendering for and award of any contract;
- (d) A statement that the Council shall not be liable for expenses incurred in the preparation of tenders; nor shall the Council be bound to accept the lowest or any tenders submitted; and shall have reserved to them the right to invite fresh tenders should they consider that course desirable.

44.217.2 Electronic Arrangements

~~44.2.1~~44.2.1~~7.2.1~~ Tenders, ~~Quotations~~Request for Quotations, Framework Further Competition bids and Conditions of Participation stages will be received electronically and will be opened by ~~a Contracts and Procurement Service~~the Procurement & Contracts service on the e-Tendering portal. The system will not allow any quotations to be opened until the allocated return date / time has passed. ~~(See the Delegations to Officers for details of Officers who may action this rule).~~

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44.317.3 Hard Copy Arrangements

~~44.3.1~~44.3.1~~7.3.1~~ In the limited circumstances where a Quotation, Further Competition bid or Tender cannot be received electronically, ~~thea Contracts and Procurement and~~Contracts Service will consult with the Monitoring Officer to agree a suitable way to receive the Quotation, Further Competition bid or Tender.

45.18. CLARIFICATION PROCEDURES AND POST TENDER NEGOTIATIONS

~~45.1~~45.1~~8.1~~ Seeking clarification of a tender received whether in writing or by way of a meeting is permitted. However, any such clarification must not involve changes to the basic features of the bidding organisation's submission and all tenderers must be treated equally (*see the Delegations to Officers for details of Officers who may action this rule*).

~~45.2~~45.2~~18.2~~ Post tender negotiation means negotiations with any tenderer after submission of a tender and before the award of the contract with a view to obtaining an adjustment in price, delivery, or content. *Where the value of the Tender is above the threshold in the Procurement Act 2023 advice must be sought from a* ~~Contracts and Procurement~~the Procurement & Contracts Service. Where post tender negotiation results in a fundamental change to the specification (or contract terms) the contract must not be awarded but re-tendered (*see the Delegations to Officers for details of Officers who may action this rule*).

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~~45.3~~45.3~~18.3~~ If post tender negotiations are necessary after a single stage tender or at ~~the~~ final stage of a multiple-stage tender, then such negotiations shall only be undertaken with the tenderer who has previously been identified as submitting the best tender. Tendered rates and prices shall only be adjusted in respect of a corresponding adjustment in the scope or quantity included in the tender documents. Officers appointed by the Chief

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Officer/Deputy Chief Officer to carry out post tender negotiations should ensure that there are recorded minutes of all negotiation meetings and that both parties agree actions in writing.

~~45.4~~18.4 Post tender negotiation must only be conducted in accordance with guidance given by the Monitoring Officer and ~~a Contracts and Procurement Service~~the Procurement & Contracts Service.

~~45.5~~18.5 The Monitoring Officer and ~~a Contracts and Procurement Service~~the Procurement & Contracts Service must be consulted and agree:

~~45.5.1~~18.5.1 Wherever it is proposed to enter into post tender negotiation;

~~45.5.2~~18.5.2 About whether negotiation is with all tenderers;

~~45.5.3~~18.5.3 To either accept or reject late submissions before opening any of the responses. Late submissions must only be accepted in exceptional circumstances.

~~45.6~~18.6 Negotiations must be conducted by a team of at least two officers, one of whom must be from a section independent to those leading negotiations (*see the Delegations to Officers for details of Officers who may action this rule*).

~~46.19.~~ **EVALUATION, AWARD OF CONTRACT, AND DEBRIEFING OF ORGANISATIONS**

~~46.1~~ **Evaluation** (*see the Delegations to Officers for details of Officers who may action this rule*):

~~46.1.11.1.1~~ The evaluation of bids must be conducted in accordance with the evaluation criteria set out in the procurement documents provided to bidding organisations, and in line with any guidance given by a Contracts and Procurement Service.

~~46.1.21.1.1~~ The arithmetic in compliant tenders must be checked. If arithmetical errors are found they should be notified to the tenderer, who should be requested to confirm or withdraw their tender. Alternatively, if the rates in the tender, rather than the overall price, were stated within the Invitation to Tender as being dominant, an amended tender price may be requested to accord with the rates given by the tenderer.

~~46.1.31.1.1~~ Deputy Chief Officers must ensure that submitted tender prices are compared with any pre-tender estimates and that any discrepancies are examined and resolved satisfactorily.

~~46.2~~19.1 **Award of Contract and Contract Extensions** (*see the Delegations to Officers for details of Officers who may action this rule*):

19.1.1 The Council is required to notify successful and unsuccessful bidders of the outcome of a procurement process, in writing, in as timely a fashion as possible.

19.1.2 Where a contract was advertised with an extension option and that extension option forms part of the contract, the decision to extend the contract may be made after ensuring that taking up the extension option delivers value for money.

~~46.2.2~~
19.1.3 Decisions on award of contract and contract extensions must be made in accordance with the Delegations to Officers.

19.1.4 *For the avoidance of doubt, extensions are not permitted where they are not provided for in the original contract.*

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~~16.2.3~~

~~16.3~~19.2 **Debriefing**Assessment Summaries

~~16.3.1~~19.2.1 The ~~debriefing of organisations will~~Assessment Summaries (detailed feedback) will be sent by ~~the Contracts and P~~Procurement & Contracts Service, in line with the relevant Officer's evaluation comments.

17.20. **CONTRACT DOCUMENTS**

17.420.1 **Format of Contract Documents**

17.4.120.1.1 Every Relevant Contract/must be in writing and must state clearly:

- (a) what is to be supplied (description and quality)
 - (b) payment provisions (amount and timing and seeking electronic invoices)
 - (c) when the Council will have the right to terminate the contract
 - (d) that the contract is subject to the law as to prevention of corruption
- The Council's standard terms and conditions must be used where possible.

17.4.220.1.2 In addition, every Relevant Contract for purchases over £~~25~~30,000.00 for works, supplies of goods, materials or services must also as a minimum state clearly:

- (a) that the contractor may not assign or sub-contract without prior written consent
- (b) any insurance and liability requirements
- (c) health and safety requirements
- (d) ombudsman requirements
- (e) data protection requirements if relevant
- (f) that charter standards are to be met if relevant

(g) —requirements under the Equalities Act 2010

~~(h)(g)~~ obligations under the Care Act 2014 in safeguarding adults and childrenall applicable Equality legislation

~~(h)~~(h) a right of access to relevant documentation and records of the contractor for monitoring and audit purposes, including obligations under the FOI Act 2000 and 2015 Transparency Code

~~(j)(i)~~ requirements under the Counter-Terrorism and Security Act 2015 and Prevent Strategy where applicable

~~(k)(i)~~ obligations under the Public Interest Disclosure Act 1998 including employee whistleblowing.

~~(k)~~(k) Statement requirements under the Modern Slavery Act 2015.

17.4.320.1.3 All contracts must be concluded formally in writing before the supply, service or construction work begins, except in exceptional circumstances, and then only with the written consent of the Monitoring Officer. An award letter is insufficient.

17.4.420.1.4 All contracts must include the following paragraph:

'The Contractor recognises that the Council is under a duty to act in a manner which is compatible with the Convention rights as defined by Section 1(1) of the Human Rights Act 1998 ('Convention Rights'). This duty includes a positive obligation on the Council to ensure that contractors providing services on the Council's behalf act in a way which is compatible with the Convention Rights. The Contractor therefore agrees to provide the Services and comply with its other obligations under this contract in a manner which is compatible with the Convention Rights.'

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~~17.1.5~~20.1.5 The Officer responsible for securing the signature of the contractor must ensure that the person signing for the contracting party has authority to bind it.

~~17.2.2~~20.2 **Contract Signature** (see the Delegations to Officers for details of Officers who may action this rule):

~~17.2.1~~20.2.1 A contract entered into by or on behalf of the Council must:

- (a) Where the contract is in the form of a deed (see below), be made under the Council's seal and attested as required by the Constitution, or:
- (b) Where the contract is in signed under hand, it must be the form of an agreement, either:
 - (i) be signed by at least two officers of the Council authorised as required by the Constitution (see Delegations to Officers), or:
 - (ii) be formalised by the sending of an award letter and the subsequent issuing of a purchase order.

20.2.2 A contract must be in the form of a deed (see below) and sealed where;

~~17.2.2~~

- (a) The Council wishes to enforce the contract for more than six years after it ends; or
- (b) The price paid or received under the contract is a nominal price and does not reflect the value of the goods or services; or
- (c) Where there is any doubt about the authority of the person signing for the contracting party.

A contract in the form of a deed must state in the signature pages that the Contractor and the Council are executing the contract as a deed. Where an Officer is unsure whether a Contract should be signed under hand, or sealed, they must contact the Procurement & Contracts service to seek advice.

~~17.3~~20.3 **Legal Services Review of Tenders and Contracts**

~~17.3.1~~20.3.1 To ensure the integrity of the procurement process:

- (a) All proposed Invitations to Tender, where they are not in compliance with the Council's harmonised contract documentation or standard terms and conditions issued by a relevant professional body, will be reviewed by the Deputy Chief Officer, Procurement and Contracts service.
- (a) Any proposed Invitations to Tender which are subject to the Procurement Act 2023, or which are deemed to be of high risk, must be reviewed by the Deputy Chief Officer.
- (b) Any proposed contract where there is any deviation from the contract terms included in the invitation to tender must be reviewed by the Deputy Chief Officer. Where the Procurement and Contracts service are unable to advise, it will be escalated to the Deputy Chief Officer with the recommendation that external legal advice is sought.

~~18.21.~~ **LIQUIDATED DAMAGES, SERVICE CREDITS, BONDS AND PARENT COMPANY GUARANTEES**

21.1 Where a bond or guarantee is required to ensure satisfactory contract performance and/or to protect the Council, the requirement must be notified to bidders in the procurement documentation and must be in place no later than four (4) weeks after contract signature.

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21.2 Every formal written contract which exceeds £12085,000.00 in value ~~or amount~~ and is for the execution of works shall provide for liquidated damages to be paid by the contractor in case the terms of the contract are not duly performed.

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~~48.421.3~~ Every formal written contract that includes Key Performance Indicators / Service Level Agreements shall consider reasonable service credits to include within the contract where performance / service standards are not being met.

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~~48.221.4~~ The Officer must consult the Deputy Chief Officer when a tenderer is a subsidiary of a parent company and the ~~O~~fficer does not think that a parent company guarantee~~er~~ is necessary, and:

~~48.2.421.4.1~~ The total value exceeds £~~85,000.00-120,000.00~~

~~48.2.221.4.2~~ Award is based on evaluation of the parent company, or

~~48.2.321.4.3~~ There is some concern about the stability of the ~~tenderers~~supplier.

~~48.321.5~~ The officer must consult the Deputy Chief Officer about whether a bond is needed:

~~48.3.421.5.1~~ Where the total value exceeds £~~85120,000.00~~.

21.5.2 Where it is proposed to make stage payments or other payments in advance of receiving the whole of the subject matter of the ~~contract~~contract, or-

~~48.3.221.5.3~~ There is some concern about the stability of the supplier.

49.22. PREVENTION OF CORRUPTION

~~49.422.1~~ Rules and regulations pertaining to the prevention of corruption are outlined in the Council's Financial Procedure Rules and must be adhered to.

~~49.222.2~~ The following clauses must be put in every written Council contract:

'The Council may terminate this contract and recover all its loss if the Contractor, its employees, or anyone acting on the Contractor's behalf do any of the following things:

~~49.2.422.2.1~~ Offer, give, or agree to give anyone any inducement or reward in respect of this or any other Council contract (even if the Contractor does not know what has been done); or

~~49.2.222.2.2~~ Commit an offence under the Bribery Act 2010 or Section 117(2) of the 1972 Act; or

~~49.2.322.2.3~~ Commit any fraud in connection with this or any other Council contract whether alone or in conjunction with Council members, contractors, or employees.

Any clause limiting the Contractor's liability shall not apply to this cause.'

~~49.322.3~~ Any suspected irregularity shall be referred to the ~~Audit Manager who shall notify~~ the Monitoring Officer where necessary. Any examination of contractors' or tenderers' books and records as a result of any such suspected irregularity shall be conducted by the ~~Audit Manager. Head of Procurement & Contracts.~~ If, in the investigation of any irregularity, the Monitoring Officer considers that disciplinary procedures may need to be invoked, the appropriate Chief Officer/Deputy Chief Officer shall also be notified.

20.23. DECLARATION OF INTERESTS

Rules and regulations pertaining to the Declaration of Interests are outlined in the Code of Conduct for Employees within the Constitution and must be adhered to.

24-24. **CONTRACT MANAGEMENT / MONITORING**

24.1 All contracts must have an appointed Contract Manager for the entirety of the contract. The responsible Deputy Chief Officer must ensure a Contract Manager is designated prior to award.

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

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24.3 The Contract Manager must ensure that they undertake contract management meetings with the supplier in line with the agreed timescales as per the contract.

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24.4 The Officer named in the Contract Register will act as the Contract Manager and will be responsible for ensuring the obligations of these Rules. The Procurement & Contracts service are available to be contacted for any contract management support.

25. **CONTRACT MODIFICATIONS**

25.1 Before modifying a contract, the Procurement & Contracts service must be consulted to ensure the correct modification / variation process is being undertaken.

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25.2 If the contract is valued above the Procurement Act 2023 threshold, advice from the Procurement & Contracts service must be sought before a modification is made to understand whether the modification is substantial or not, and whether a Contract Change Notice must be published, as per the Procurement Act 2023.

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25.3 A substantial modification is one which would:

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25.3.1 Increase or decrease the term of the contract by more than 10% of the maximum term provided for, or

25.3.2 Materially change the scope of the contracts, or

25.3.3 Materially change the economic value of the contract in favour of the supplier.

25.4 A Contract Change Notice would not be required where:

25.4.1 The modification increases or decreases the estimated value of the contract in the case of goods/services by less than 10% or in the case of works by less than 15%, or

25.4.2 The modification increases or decreases the term of the contract by less than 10%.

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22-26. **POST CONTRACT MONITORING AND EVALUATION**

22-126.1 During the life of the contract the Contract Manager must monitor in respect of:

22-126.1.1 performance

22-126.1.2 compliance with specification and contract

22-126.1.3 cost

22-126.1.4 any Best Value requirements

~~22.1.5~~ 26.1.5 user satisfaction and risk management

26.1.6 social value or any other contractual obligations to deliver additional value arising from the contract

26.2 Where the total value of the contract exceeds £5,000,000, the Contract Manager must assess performance at least once every 12 months. A Contract Performance Notice must be published – the Procurement & Contracts service can do this providing the relevant Officer provides them with the required information.

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26.3 If the supplier has breached the contract and the breach results in termination (or partial termination), award of damages, or a settlement agreement between both parties, a Contract Performance Notice must be published within 30 days of the relevant breach.

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26.4 Where a contract naturally expires or is terminated, a Contract Termination Notice must be published.
~~22.1.6~~

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~~22.2~~ 26.5 Where the Total Value of the contract exceeds ~~£85,000.00~~ £1,000,000.00 the Officer must make a written report evaluating the extent to which the purchasing need and contract objectives were met by the contract. This should be done normally when the contract is completed. Where the contract is to be re-let, a provisional report should also be available early enough to inform the approach to re-letting of the subsequent contract.

26.6 For contracts awarded under £120,000, if, at any point during the delivery of the contract, the cost looks likely to exceed £120,000 the Contract Manager must notify the Procurement & Contracts Service who will assess options with the Contract Manager and recommend the best option for that particular project.

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~~For contracts awarded under £85,000, if, at any point during the delivery of the contract, the cost looks likely to exceed £85,000 the Contract Manager must notify a Contracts and Procurement Service. A Contracts and Procurement Service and the Contract Manager will consider the following options: Where the amount by which the total contract value exceeds £85,000 is significant and~~

~~the contract allows termination, terminate the existing contract, and retender.~~

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~~22.3~~

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~~Where the amount by which the total contract value exceeds £85,000 is not significant, allow the contract to run to its natural conclusion;~~

~~Where the amount by which the total contract value exceeds £85,000 is significant and the contract allows termination, terminate the existing contract, and retender.~~

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~~Where the amount by which the total contract value exceeds £85,000 is significant and the contract does not allow termination, or continuing with the contract represents value for money, allow the contract to run to its natural conclusion~~

23.27. INTERNAL PROVIDERS

Where an in-house Service is bidding in competition for the provision of goods, works or services, care must be taken to ensure a fair process between the in-house provider Service and external bidding organisations.

24.28. EXTERNAL BODY GRANT FUNDING

24.28.1 Where a procurement process is funded, in whole or part, by grant funding which has been awarded to the Council by an external funding body, ~~a Contracts and Procurement Service~~ **the Procurement & Contracts Service** must ensure that any rules or conditions imposed by the funding body are adhered to, in addition to the requirements of these Contract Procedure Rules.

24.28.2 Where there is any conflict between these Contract Procedure Rules and the rules or conditions imposed by the funding body, the stricter requirement should be followed.

25. APPOINTMENT OF CONSULTANTS

25.1 ~~The engagement of consultant architects, engineers and surveyors or other professional consultants including Counsel shall be subject to completion of a formal letter, contract of appointment or brief.~~

25.2 ~~Consultants shall be required to provide evidence of and maintain professional indemnity policies to the satisfaction of the relevant Deputy Chief Officer for the periods specified in the respective agreement.~~

25.3 ~~Consultants shall be selected, and commissions awarded in accordance with the values and procedures recorded in the table in Rule 9.1.3 above for services.~~

25.4 ~~Records of consultancy appointments shall be maintained in accordance with Rule 5.~~

Commented [MG2]: Suggest removing? Other elements of the CPRs cover all of these points already?

26.29. REVIEW AND AMENDMENT OF CPR

These Contract Procedure Rules shall be reviewed and updated, as necessary.

27.31. TERMINATION OF CONTRACTS *(see the Delegations to Officers for details of Officers who may action this rule)*

The Delegations to Officers details which Officers may terminate a contract. Any termination must be strictly in accordance with the terms of the contract and subject to consultation with the Monitoring Officer and Section 151 Officer and in some cases with the relevant Portfolio Holder.

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Amended Delegations to Officers in relation to Contracts

(Amended delegations approved by Cabinet/Executive.

Amended CPRs approved by full Council)

Abbreviation	Meaning
CX	Chief Executive
DCX	Deputy Chief Executive / Director
AD	Assistant Director
SM	Service Manager
MO	Monitoring Officer

Officer(s)	Subject	Delegation From	Power
CX, DCXs and ADs following consultation with the MO or S151 Officer	Contracts - contracting activities of any partnership for which the Council is the accountable body	Cabinet/Executive	(Note to Contract Procedure Rule 1) Authority to agree that Contract Procedure Rules do not apply to contracting activities of any partnership for which the Council is the accountable body
CX, DCXs, ADs and SMs subject to consultation with the appropriate portfolio holder (consultation is not required for (i) routine contracts (e.g. routine ongoing or annual maintenance contracts, routine purchasing of goods and equipment; routine servicing of vehicles etc); (ii) contracts for 1-off schemes where the scheme has been formally approved and where sufficient money has been allocated within the budget for the contract; and (iii) indirect services such as legal services or consultants for schemes which have been formally approved and where sufficient money has been allocated within the budget for the contract as such contracts are not closely connected	Contracts – letting (awarding) of contracts through framework agreement	Cabinet/Executive	(Contract Procedure Rules 2.1.4 and 11) Authority to let (award) a contract through any framework agreement to which the Council has access where considered expedient by a CO or a DCO subject to the scheme falling within the approved budget which includes the approved 5-year capital programme. (A decision notice must be published for each award of contract unless administrative or minor or not closely connected to discharge of function.) (The signing of contracts is dealt with separately below.)

to the discharge of the function.)			
Approval by the CX, S151 Officer and the Portfolio Holder for finance in advance of the award of contract	Contracts - variation or waiver (exemption) of Contract Procedure Rules	Cabinet/Executive	(Contract Procedure Rule 7.3) Authority to vary or waive any Contract Procedure Rules subject to complying with all relevant requirements of Rule 9, and subject to the scheme falling within the approved budget which includes the approved 5-year capital programme.
CX, DCXs, ADs, SMs and any other officer with the written approval of the CX/DCXs/ADs/SM (any sub-delegations lasting more than 6 months must be reported to the MO)	Contracts - pre tender market testing and consultation	Cabinet/Executive	(Contract Procedure Rule 6) Authority to consult potential suppliers prior to issue of the Invitation to Tender or Request for Quotation subject to the scheme falling within the approved budget which includes the approved 5-year capital programme
CX, DCXs, ADs, SMs and any other officer with the written approval of the CX/DCXs/ADs/SM (any sub-delegations lasting more than 6 months must be reported to the MO)	Contracts – all values – seeking, receiving, and evaluating quotations/tenders for contracts for works, goods materials, and services, and hiring of consultants	Cabinet/Executive	(Contract Procedure Rules 10, 13, 14, 15, 17, and 19) Authority to request and receive tenders and quotations, and to evaluate tenders and quotations subject to compliance with the Contract Procedure Rules (as amended by any authorised variation or waiver) and subject to the scheme falling within the approved budget which includes the approved 5-year capital programme. (The awarding and the signing of contracts are dealt with separately.)

CX, DCXs, ADs and SMs following consultation with the relevant portfolio holder (consultation is not required for (i) routine contracts (e.g. routine ongoing or annual maintenance contracts, routine purchasing of goods and equipment; routine servicing of vehicles etc); (ii) contracts for 1-off schemes where the scheme has been formally approved and where sufficient money has been allocated within the budget for the contract; and (iii) indirect services such as legal services or consultants for schemes which have been formally approved and where sufficient money has been allocated within the budget for the contract as such contracts are not closely connected to the discharge of the function.)	Contracts - awarding of contracts	Cabinet/Executive	(Contract Procedure Rules 8.1A,19.1) Authority to award contracts subject to compliance with the Contract Procedure Rules (as amended by any authorised variation) and subject to the scheme falling within the approved budget which includes the approved 5-year capital programme (Decision notices must be published for each award of contract unless administrative or minor or not closely connected with discharge of function.) (The signing of contracts is dealt with separately.)
CX, DCXs and ADs SMs – up to £120,000	Contracts – signing of contracts which are <u>not under seal</u>	Cabinet/Executive	(Contract Procedure Rule 20.2) Authority to sign contracts which are not under seal, and which come within the jurisdiction of the officer concerned. (Contracts under seal must be signed only by officers who have specific authority to do so – set out in the Council's Constitution
Officers of the Contracts team	Contracts - Authorised Officer of relevant team opening tenders (electronically)	Cabinet/Executive	(Contract Procedure Rules 17.2) Officers appointed as "Authorised Officer of relevant team"
CX, DCXs, ADs, SMs and any other officer	Clarification of an invitation to tender	Cabinet/Executive	(Contract Procedure Rule

with the written approval of the CX/DCXs/ADs/SM (Any sub-delegations lasting more than 6 months must be reported to the MO)			18.1) Authority to provide clarification of an Invitation to tender
CX, DCXs, ADs, and SMs	Post tender negotiations	Cabinet/Executive	(Contract Procedure Rules 18.2 to 18.6) (at least 2 officers are required – see rule 18.6) Authority to undertake post tender negotiations
CX, DCXs, ADs and SMs In consultation with the relevant portfolio holder (consultation is not required for termination of low value or minor contracts (£15,000 or less))	Authority to terminate contracts	Cabinet/Executive	(Contract Procedure Rule 31) Authority to terminate contracts subject to consultation with the MO and S151 Officer

Revised Contract Procedure Rules (CPR) – Key Changes

Appendix 3

Current rule	New rule	Reason for change
No current comparable rule	<p>1 – Introduction</p> <p>This introduction includes “All thresholds referred to in these Rules are inclusive of VAT.”</p>	<p>To provide a basic introductory section detailing what these rules are and the purpose behind them.</p> <p>Made it clear that all values are inclusive of VAT throughout aligning with Procurement legislation.</p>
CPR Rule 4 - Relevant Contracts	<p>CPR Rule 3 – Relevant Contracts</p> <p>Added “Please note, the Council cannot simply choose to treat a project as a Grant in order to avoid complying with these Contract Procedure Rules. Grants will have different conditions with regards to procurement.</p> <p>Generally, procurement is required when the Council is acquiring goods, services, or works to meet its own needs, and it retains control over the specification and delivery of those services. A grant is awarded to support an activity that aligns with the Council’s objectives but is initiated and delivered by the recipient, who retains a degree of autonomy over the process.</p> <p>Where there is any clarity required, please contact the Procurement & Contracts service.”</p>	<p>To provide a brief explanation regarding a Grant versus a procurement requirement.</p>
No current comparable rule	5 – Conflicts of Interest	To provide details of what Officers must do with regards to procurement projects and conflicts of interest.
No current comparable rule	6 – Pre-Market Engagement	To provide details of what Officers can do with regards to engaging with suppliers prior to a procurement process.

Revised Contract Procedure Rules (CPR) – Key Changes

Appendix 3

CPR Rule 3 – Exemptions/Variations	<p>CPR Rule 7 – Exemptions</p> <p>Added an additional circumstance for an exemption (7.3.10):</p> <p>“where an existing contract is being re-procured and there are delays to that procurement process which means that the new contract cannot start at the expiry of the existing contract (this exemption cannot be for longer than 6-months and cannot make the contract a “convertible contract” under the Procurement Act 2023 by exceeding the applicable threshold).”</p>	To enable a compliant approach where unexpected delays occur as part of a procurement process whereby officers can extend the existing contract for a period no longer than 6 months.
CPR Rule 8 – Framework Agreements	<p>CPR Rule 11 – Frameworks</p> <p>In line with the new Procurement Act 2023, outlined the two framework options (Open and Closed).</p>	To ensure officers comply with the new legislation when setting up frameworks.
No current comparable rule	CPR Rule 12 – Dynamic Markets	To provide details of Dynamic Markets (a type of framework) should there be a need to utilise.
<p>CPR Rule 9 – Competition Requirements / Assets for Disposal</p> <p>£0 - £5,000 – One written quote -this should be a local provider wherever possible. A Purchase Order must be raised</p> <p>£5,001 - £10,000 – Two written quotes – one should be a local provider wherever possible. A Purchase Order must be raised</p> <p>£10,001 - £40,000 – At least three written quotes shall be sought and two must be received. Local providers must be given an opportunity to provide a quote, wherever possible. A purchase order must be raised</p> <p>£40,001 - £85,000 – At least five written quotations shall be sought via a Request for Quotation via the e-Tendering Portal.</p>	<p>CPR Rule 13 – Procurement Thresholds</p> <p>£0 - £6,250 – One written quote – this should be a local provider wherever possible. A Purchase Order must be raised.</p> <p>£6,250.01 - £12,500 - Two written quotes – one should be a local provider wherever possible. A Purchase Order must be raised</p> <p>£12,500.01 - £50,000 – At least three written quotes shall be sought. Local providers must be given an opportunity to provide a quote, wherever possible. A purchase order must be raised</p> <p>£50,000.01 - £100,000 – At least three written quotations shall be sought. A request for quotation via the e-Tendering portal is</p>	<p>Increase in thresholds is reflective of current figures being exclusive of VAT and proposed figures being inclusive of VAT.</p> <p>Slight increase in addition to this is to align with inflationary increases.</p> <p>Change to what was “at least five written quotations” to allow more flexibility to go out for a simpler quotation process where it is deemed appropriate. This is to enhance local supplier usage as they often don’t want</p>

Revised Contract Procedure Rules (CPR) – Key Changes

Appendix 3

<p>Local providers must be given an opportunity to provide a quote, wherever possible. A purchase order must be raised.</p> <p>£85,000 up to Procurement Act 2023 thresholds – Open tender via e-Tendering portal. A social value clause must be built into the specification and contract. (Public Service (Social Value) Act 2012). A purchase order must be raised.</p>	<p>recommended. The Procurement & Contracts service must be involved. Where a formal Request for Quotation process is not utilised, the Procurement & Contracts service must agree the alternative process (e.g., retrieving quotations from suppliers via email etc.). Local providers must be given an opportunity to provide a quote, wherever possible. A purchase order must be raised.</p> <p>£100,000.01 up to Procurement Act 2023 thresholds – Open tender via the e-Tendering portal & a below-threshold tender notice published on Find a Tender. Social value must be considered as part of the specification / award criteria. A purchase order must be raised.</p>	<p>to go through the effort of a formal procurement process.</p>
<p>CPR Rule 9 - Competition Requirements / Assets for Disposal</p> <p>9.2 Assets for Disposal</p>	<p>Removing Assets for Disposal section</p>	<p>Covered within Finance Procedure Rules which is considered to be the appropriate place.</p>
<p>CPR Rule 21 – Contract Management / Monitoring</p>	<p>CPR Rule 24 – Addition</p> <p>The Contract Manager must monitor the overall performance of the contract in line with the specification, agreed service levels and contract terms.</p> <p>The Contract Manager must ensure that they undertake contract management meetings with the supplier in line with the agreed timescales as per the contract.</p> <p>The Officer named in the Contract Register will act as the Contract Manager and will be responsible for ensuring the obligations of these Rules. The Procurement & Contracts service are available to be contacted for any contract management support.</p>	<p>To put more importance and emphasis on contract management and what officers are required to do as part of this.</p>

Revised Contract Procedure Rules (CPR) – Key Changes

Appendix 3

No current comparable rule	CPR Rule 25 – Contract Modifications	To ensure a clear process regarding contract changes/variations.
CPR Rule 22 – Post Contract Monitoring and Evaluation	<p>CPR Rule 26 – Post Contract Monitoring and Evaluation - Addition</p> <p>Where the total value of the contract exceeds £5,000,000, the Contract Manager must assess performance at least once every 12 months. A Contract Performance Notice must be published – the Procurement & Contracts service can do this providing the relevant Officer provides them with the required information.</p> <p>If the supplier has breached the contract and the breach results in termination (or partial termination), award of damages, or a settlement agreement between both parties, a Contract Performance Notice must be published within 30 days of the relevant breach.</p> <p>Where a contract naturally expires or is terminated, a Contract Termination Notice must be published.</p>	To align with Procurement Act 2023.



Report To:	Cabinet
Date:	10 th December 2025
Subject:	Counter Fraud, Bribery and Corruption Policy
Purpose:	To update the Counter Fraud, Bribery and Corruption Policy for the Council and align the document so the Policy is the same across the Partnership.
Key Decision:	N/A
Portfolio Holder:	Councillor Ghosh – Portfolio Holder for Finance and Economic Development
Report Of:	John Medler – Assistant Director, Governance
Report Author:	Rebecca James – Policy & Scrutiny Officer
Ward(s) Affected:	None
Exempt Report:	No

Summary

The Council has a duty to prevent fraud and corruption, whether it is attempted by someone outside or within the Council. For this purpose, the Counter Fraud, Bribery and Corruption Policy captures the approach and procedures to prevent and deal with fraud, bribery and corruption. This report seeks approval and adoption of a revised and updated Policy with the intention being to align this for the Councils within the S&ELCP.

Recommendations

1. That the Counter Fraud, Bribery and Corruption Policy (Attached at Appendix 1) be approved; and
2. That authority be delegated to the S151 Officer, to review and make minor amendments to the Policy to reflect changes in legislation, statutory guidance or contact details, following consultation with the portfolio holder.

Reasons for Recommendations

By seeking to prevent fraud and encouraging the reporting of potential corruption, the Council can better safeguard the public funds that it administers.

Other Options Considered

Not having a Counter Fraud, Bribery and Corruption Policy - rejected as the Council has statutory obligations to have measures in place to tackle fraud.

1. Background

- 1.1 As part of its governance arrangements Boston Borough Council must ensure that an effective Policy for Counter Fraud, Bribery and Corruption is in place. The Policy was due a review and update, and as part of this, the intention is to align the Policy across the Partnership, so staff are working to the same arrangements.
- 1.2 The Council has a zero-tolerance approach to fraud, corruption, theft, and bribery, recognising the significant risks these pose, both to the Council, as well as the adverse impact on public services.
- 1.3 The draft Counter Fraud, Bribery and Corruption Policy was presented to Boston Borough Council's Audit & Governance Committee on 17 November 2025. The Committee reviewed the Policy and confirmed its support for the recommendations set out in this report.

2. Report

- 2.1 The proposed Policy, attached at **Appendix 1** has been developed using the CIFAS five principles to "fight fraud." and CIPFA guidance. CIFAS is a not-for-profit organisation fighting fraud across the public sector. Their Fighting Fraud Locally Strategy [FFCL - Strategy for the 2020s.pdf](#) outlines five principles/ pillars. These are detailed in the graphic below.



- 2.2 The document includes policy aims, the approach to tackling fraud, bribery and corruption and section on key roles and responsibilities to enable the Policy to be fully implemented and embedded across the Council and Partnership. It also details the Council's Fraud Response Plan.

3. Conclusion

- 3.1. It is recommended that the draft Policy is approved and adopted to ensure that Council's Policy remains fit for purpose and compliant with the law and best practice.

Implications

South and East Lincolnshire Councils Partnership

None

Corporate Priorities

Efficiency and Effectiveness – accelerating the alignment of service provision and policies where it makes sense to do so.

Staffing

None

Workforce Capacity Implications

None

Constitutional and Legal Implications

The Accounts and Audit Regulations 2015 state that the Council must have measures in place "to enable the prevention and detection of inaccuracies and fraud." The Section 151 Officer is required to ensure on behalf of the authority that these measures are in place.

More recently the Economic Crime & Corporate Transparency Act 2023, created a new corporate criminal offence "Failure to prevent fraud". Under the offence, an organisation may be criminally liable where an employee, agent, subsidiary undertaking, or other "associated person," commits a fraud intending to benefit the organisation and the organisation did not have reasonable fraud prevention procedures in place.

The updated Policy is designed to strengthen the council's governance framework and compliance with statutory requirements and mitigate legal and financial risks by setting out clear and robust measures for fraud prevention, detection, and investigation.

Data Protection

None

Financial

There are no direct financial costs associated with this report. The maintenance of an appropriate - Counter Fraud, Bribery and Corruption policy should support the safeguarding of public funds and reduce potential financial loss to the Council.

Risk Management

The maintenance of robust anti-fraud policy policies is designed to reduce the levels of financial and reputational risk to the Council.

Stakeholder / Consultation / Timescales

Internal Audit and Counter Fraud Team at LCC, PSPS Benefits Team, Monitoring Officer, S151 Officer, Portfolio Holder, Senior Leadership Team, Audit and Governance.

Reputation

The maintenance of robust anti-fraud policy is designed to reduce the levels of financial and reputational risk to the Council.

Contracts

None

Crime and Disorder

None

Equality and Diversity / Human Rights / Safeguarding

None

Health and Wellbeing

None

Climate Change and Environmental Implications

None

Acronyms

CIPFA – Chartered Institute of Public Finance and Accountancy

Appendices

Appendices are listed below and attached to the back of the report:

Appendix 1	Draft Counter Fraud, Bribery and Corruption Policy
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Background Papers

CIFAS Fighting Fraud Locally Strategy [FFCL - Strategy for the 2020s.pdf](#)

CIPFA [Code of Practice on Managing the Risk of Fraud and Corruption | CIPFA](#)

Chronological History of this Report

Name of Body

Date

Audit & Governance

November 2025

Report Approval

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South & East Lincolnshire Councils Partnership



COUNTER FRAUD, BRIBERY AND CORRUPTION POLICY

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INTRODUCTION

Boston Borough Council is committed to conducting its affairs with the highest standards of probity, honesty, integrity, and accountability. The Council adopts a zero-tolerance approach to fraud, corruption, theft, and bribery, recognising the significant risks these pose to the achievement of its aims and objectives, as well as the adverse impact on public services.

This Policy outlines clear responsibilities for officers, members, and partners, and is regularly reviewed to ensure it remains effective and up to date with legislative and regulatory changes.

DEFINITIONS

Fraud

The Fraud Act 2006 (Section 1) provides that a person is guilty of fraud if they commit fraud by false representation; fraud by failing to disclose information; and fraud by abuse of position. These offences are each detailed below:

Fraud by False Representation (Section 2):

- Definition: Dishonestly makes a false representation and intends by making the representation to make a gain for himself or another or to cause loss to another or to expose another to a risk of loss.
- Key Elements: Dishonesty, knowing the representation is or might be untrue or misleading, and intending to gain or cause loss

Fraud by Failing to Disclose Information (Section 3):

- Definition: Dishonestly fails to disclose to another person information when there is a legal duty to do so, with the intent by failing to disclose such information to make a gain for himself or another or to cause loss to another or to expose another to a risk of loss.
- Key Elements: Dishonesty, legal duty to disclose, and intending to gain or cause loss

Fraud by Abuse of Position (Section 4)

- Definition: Occupies a position with an expectation to safeguard or not to act against the financial interests of another and dishonestly abuses that position intending to make a gain for himself or another or to cause a loss to another or expose another to a risk of loss.
- Key Elements: Dishonesty, abuse of a position where there is an expectation to safeguard another's financial interests and intending to gain or cause loss.

In all three cases, the fraudulent act is characterised by dishonesty with the intention of making personal gain or causing loss to another.

Key elements of fraud can include:

- criminal deception
- forgery
- blackmail
- corruption
- conspiracy
- the covering up of material facts and collusion

By using a deception, a fraudster can:

- obtain an advantage
- avoid an obligation
- cause loss to another party

Failure to prevent fraud

Section 199 of the Economic Crime and Corporate Transparency Act 2023 introduced significant reforms in corporate criminal liability. This section established a new offence where a “large” organisation can be held criminally liable if an associated person (such as an employee, agent, or subsidiary) commits fraud intending to benefit the organisation or its clients. The offence places a statutory responsibility on relevant organisations to prevent employees from committing fraud and came into force on 1 September 2025.

A “large organisation” is defined by meeting at least two out of three specified criteria, similar to the definition used in the Companies Act 2006. These criteria are:

- Turnover: More than £36 million
- Balance sheet total: More than £18 million
- Number of employees: More than 250

Key points include:

- Definition of Associated Persons: This includes employees, agents, subsidiaries, or anyone performing services for the organisation, like suppliers, distributors, or consultants.
- Scope of Liability: An organisation can be liable if it benefits directly or indirectly from the fraudulent act. This includes frauds benefiting a group company or a client, provided the associated person performs services on behalf of the organisation.
- Defences: Organisations can defend themselves by proving they had reasonable fraud prevention procedures in place or that it was unreasonable to expect such procedures given the circumstances.

Bribery

The Bribery Act 2010 criminalises four distinct types of conduct (offences):

- bribing another person
- soliciting or accepting a bribe

- bribing a foreign public official, and
- (for a business only) failing to prevent bribery

Common to each of these offences are:

- a financial or other advantage is given, promised or requested, and
 - there is improper performance of a function or activity
- Bribery is a form of corruption.

Corruption

Corruption means purposely doing an act which the law forbids as tending to corrupt. Any improper and unauthorised gift, payment or other inducement that is given in connection with the recipient's office or duties will likely be deemed to be corrupt.

The Bribery Act 2010 makes it possible for senior officers to be convicted where they are deemed to have given their consent or tacit approval in giving or receiving a bribe. It also created the corporate offence of 'Failing to prevent bribery on behalf of a commercial organisation' (corporate liability). The Act requires organisations to have 'adequate procedures in place to prevent bribery.' This policy, plus our code of conduct and whistleblowing policy are designed to meet that requirement.

Theft

There are a range of offences defined under the Theft Act 1968. Under Section 1, a person is guilty of theft if they dishonestly appropriate property belonging to another with the intention of permanently depriving the other of it.

PURPOSE

The purpose of this policy is to set out the Council's commitment to preventing, detecting, and responding to fraud, corruption, theft, and bribery. It provides clear guidance to elected Members, employees, contractors, partner organisations, and the public on the Council's expectations and the responsibilities of all parties in upholding these standards.

SCOPE

This policy applies to:

- All Council employees and councillors.
- Partners, suppliers, contractors, and consultants.
- Residents and members of the public interacting with the Council.

AIMS

To:

- reduce fraud, corruption, and losses within the Council to an absolute minimum and maintain that level,
- protect our valuable resources by ensuring they are not lost through fraud, bribery, corruption or theft but are used for improved services to Lincolnshire residents,
- promote our counter fraud culture which:
 - highlights our zero tolerance of fraud, corruption, and theft,
 - defines roles and responsibilities,
 - actively engages everyone – the public, councillors, staff, managers, and policy makers,
- proactively deter, prevent, and detect fraud, corruption, theft, and loss,
- investigate suspected or detected fraud, corruption, and theft,
- apply appropriate sanctions and recover all losses,
- provide recommendations to inform policy, system, and control improvements. This will reduce our exposure to fraudulent activity.

RESPONSIBILITIES

Clear roles and responsibilities are defined to ensure effective implementation and oversight of this Policy.

Chief Executive

- To be ultimately accountable for the effectiveness of the council's arrangements for countering fraud and corruption.
- To ensure the council promotes a culture that will not tolerate fraud or corruption.

Section 151 Officer

- To develop and maintain a Counter Fraud, Corruption and Bribery Policy in order to minimise the risk of fraud or financial irregularities occurring.
- To advise senior leaders of their responsibilities under the Policy.
- To ensure that a zero tolerance to fraud is applied.
- To ensure the council maintains adequate and effective internal control arrangements to prevent and detect fraud.
- To ensure that the council takes part in national counter-fraud measures, such as the National Fraud Initiative.

Monitoring Officer

- To advise Councillors and officers on ethical issues, standards, and powers to ensure that the Council operates within the law and statutory codes of practice.

Corporate Management Team

- To notify the Section 151 Officer immediately of any suspected fraud, bribery, corruption or theft, irregularity, improper use or misappropriation of the authority's property or resources.
- Take all necessary steps to prevent further loss and to secure records and documentation against removal or alteration.
- To ensure that potential irregularities remain confidential and to determine what action should be taken as a result of an investigation.
- To take immediate action to minimise the risk of any or further loss arising from actual or suspected fraud or financial irregularity.
- To follow the council's Disciplinary Procedures against any member of staff where the outcome of an investigation indicates improper behaviours.

Internal Audit

- To ensure that action is taken to improve controls and reduce the risk of fraud.

External Audit

- Subject to the concept of materiality, provide reasonable assurance that the financial statements are free from material misstatement, whether caused by fraud or other irregularity.

Audit & Governance Committee

- To review the assessment of fraud risks and potential harm to Boston Borough Council arising from fraud and corruption.
- To monitor the effectiveness of our financial regulations, procurement policy and procedures and other strategies for counter fraud and anti-bribery, whistleblowing and anti-money laundering.

All Council Officers

- To undertake their duties with honesty and integrity and lead by example in ensuring legislation and internal requirements are met.
- To ensure they and their staff do not implement any financial system or procedures that would compromise the council's financial controls, without written agreement by the Section 151 Officer.
- To ensure recruitment is conducted in accordance with the council's recruitment policy to ensure steps are taken to stop people with a history of dishonest behaviour being employed in positions of trust by the council.
- To complete relevant Fraud Prevention, Anti-bribery and Money Laundering training.

APPROACH

Boston Borough Council adopts a proactive and robust approach to counter fraud, bribery, corruption, and theft, recognising the significant risks these pose to public services and the achievement of the Council's objectives. The Council's approach is underpinned by the principles set out in the national 'Local Government Fraud Strategy – Fighting Fraud and Corruption Locally,' which provides a framework for effective prevention, detection, and response [FFCL - Strategy for the 2020s.pdf](#):



The Council will fulfil its responsibility to minimize fraud, corruption, theft, and bribery through a strategic approach consistent with that outlined in the 'Local Government Fraud Strategy - Fighting Fraud and Corruption Locally,' the principles of which are the five key pillars of activity. The Pillars are outlined in the graphic above. The approach we will take towards these pillars of activity are as follows:

- We will continuously assess those areas most vulnerable to the risk of fraud in conjunction with our Risk Management arrangements and risk based Internal Audit reviews.
- We will maintain robust whistleblowing procedures which support those who come forward to report suspected fraud.
- All reports will be treated seriously and acted upon. We will not, however, tolerate malicious allegations.

- We will strengthen measures to prevent fraud – the Corporate Management Team will work with managers and policy makers to ensure new and existing systems and policy initiatives are adequately fraud proofed.
- We will promote and develop a strong counter fraud culture, raise awareness, and communicate activity on our counter fraud work.
- We will ensure our governance procedures identify responsibilities for decision making and rules of procedure and ensures the highest standards of conduct are practiced by staff, managers, directors, and those we do business with.
- We will carry out due diligence when appointing staff, carrying out relevant checks on references and qualifications and providing appropriate training.
- Through the Corporate Risk Management framework and risk based Internal Audit reviews we will identify potentially vulnerable areas.
- We will make greater use of data and analytical software to prevent and detect fraudulent activity. We will look for opportunities to share data and fraud intelligence to increase our capability to uncover potential and actual fraud.
- Our systems are designed to meet key control objectives and minimise the opportunity for fraud. We will continue to review systems and make sure appropriate internal controls are in place and adhered to and implement improvements.
- A crucial element of our response to tackling fraud is recovering any monies lost through fraud – this is an important part of our approach and will be rigorously pursued, where possible.
- We will apply realistic and effective sanctions for individuals or organisations where an investigation reveals fraudulent activity. This will include legal action, criminal and/or disciplinary action, where appropriate.
- We will investigate any fraud detected through the planned proactive work; cases of suspected fraud referred from internal or external stakeholders or received via the whistle blowing arrangements.
- We will review any cases of fraud we deal with and learn lessons to help minimise future instances of fraud.

Managers are responsible for making sure that all staff are familiar with the content of this policy. Under this Policy, it is the role of the Section 151 Officer to review the council procedures, incidents, and actions for handling allegations from whistle blowers, and Counter fraud corruption and bribery policy.

Communication plans and training are especially important in highlighting awareness, and the Senior Leadership Team and Managers have a key role to play in making sure this happens.

FRAUD RESPONSE PLAN

Reporting concerns of Fraud, Corruption and Bribery

We have a zero tolerance to all forms of fraud, corruption, bribery and theft. This means we will apply the toughest sanctions where fraud is proven – disciplinary and criminal.

Anyone who has a concern that a potential incident of fraud, corruption or bribery has arisen should always attempt to raise these concerns at the earliest opportunity. The Council acknowledges that this can be difficult and challenging to do in some cases and the Whistleblowing Policy has been established to provide those raising concerns with a safe avenue with which to do so. It also offers sources of advice and guidance that they may turn to. The Whistleblowing Policy can be found here. **(Link to be added once approved.)**

The Council has specific arrangements around dealing with Benefit Fraud. Details can be found by following this link: [Benefit Fraud - Boston Borough Council](#)

What to do if you suspect fraud

Immediately report your suspicions to the following:

- Section 151 Officer (or Monitoring Officer if the S151 is involved)

Alternatively, you may also want to report your concerns using the whistleblowing facility:

- whistleblowing@lincolnshire.gov.uk
- whistleblowing hotline: 0800 0853716
- confidential PO Box: Lincolnshire County Council, PO Box 640, Lincoln, LN1 1WF

Additionally, advice is available for staff via the Counter Fraud Advice Line. This is provided to the Council by LCC as part of their support package and the number can be found on the staff intranet.

Do:

- record your suspicions – write down what you have found, seen, and heard
- keep any evidence you have in a safe place until you can pass it to Counter Fraud Team, unless you risk alerting the suspect
- tell us who you are – we will want to talk to you as you may know more than you realise
- keep calm

Do not:

- delay - report the matter quickly
- approach or accuse individuals directly. You may alert them, and evidence may be destroyed
- tell anybody else – you do not know who may be involved
- investigate yourself – you may spoil the evidence and prevent a criminal prosecution

Safeguards

Harassment, bullying or victimisation

If you have raised your concerns in good faith, we will take action to prevent you from reprisal.

Confidentiality

If you feel it is necessary, we will try to protect your identity. This will not be possible if the investigation leads to criminal action.

Anonymous referrals

We do not encourage these as it affects our ability to investigate. However, we will always look into any case of suspected fraud.

Malicious referrals

If we find that your referral is malicious or has been made for personal gain, we will take action against you under our disciplinary policy or relevant agreement if you work for one of our partners.

How we will proceed

All suspected fraud must be reported using the process outlined above. The appropriate officer will assess the initial information and decide how to proceed. This will include the option to appoint an external investigator.

Potential outcomes

Criminal prosecution

The Section 151 Officer will authorise any referral to the police for investigation.

Disciplinary action

At the end of any investigation, a report will be requested, with recommendations based on the evidence gathered. If a disciplinary hearing is formed and fraud is proven, this could result in summary dismissal.

If an investigation concludes that there is no evidence of fraud, corruption, or bribery then there will be no case to answer.

Recovery through civil or criminal proceedings

We will seek to recover all losses subject to legal advice and where it is cost effective to do so. We will recover any loss caused by an employee through salary, pension, or insurance.

Weaknesses in the system of controls

Where appropriate, we will produce an action plan for the service area to:

- address any system or management weaknesses
- reduce the risk of fraud and error in the future

GOVERNANCE

This policy is to be reviewed at least every three years.

The Council's S151 Officer is authorised to make amendments to the Policy to ensure the Policy remains up to date and to reflect changes to CIPFA guidance and recommendations.

Version Control			
Issue No	Author	Issue date	Reason For Issue
1.0	Assistant Director – Governance & Monitoring Officer	TBC	Full update, plus alignment to a single Policy across the S&ELCP

Approval		
Issue	Approval Authority	Approval Date
1.0	Cabinet	TBC



Report To:	Cabinet
Date:	10 th December 2025
Subject:	Quarter 2 2025/26 Forecast Outturn
Purpose:	To present the 2025/26 Quarter 2 position for the period ending 30 September 2025.
Key Decision:	No
Portfolio Holder:	Councillor Sandeep Ghosh, Portfolio Holder for Finance and Economic Growth
Report Of:	Russell Stone, Director of Finance (S151 Officer)
Report Author:	Nicole Hayes, Head of Finance Delivery - BBC (PSPSL)
Ward(s) Affected:	No
Exempt Report:	No

Summary

This report sets out a summary of the current financial position for the Council at the end of Quarter 2 for 2025/26 forecasting to the year end for members consideration.

Recommendations

It is recommended:

1. That Cabinet notes the forecast revenue position of £0.571m deficit for 2025/26 as detailed in Appendix A – Table 1 and the need for continuous focus on the savings and efficiency programme;
2. That Cabinet notes the amendments to the Capital Programme at Appendix B – Table 3; and
3. That Cabinet recommends to Full Council the amendments to the Capital Programme at Appendix B – Table 3 for approval.

Reasons for Recommendations

To ensure the Council's forecast financial position for 2025/26 is considered and related decisions approved. It is important Cabinet are aware of the financial position of the General Fund to ensure they can make informed decisions that are affordable and financially sustainable for the Council.

Other Options Considered

To not approve the financial movements outlined.

1. Background

1.1 Throughout the year quarterly monitoring reports are completed forecasting the expected year end outturn compared to the approved budget. This report provides information on the forecast full year financial performance as of 30 September 2025 and as detailed in the attached Appendices, for the following areas:

- The General Fund Revenue Budget,
- The General Fund Reserve Position,
- The Treasury Performance,
- The Capital Programme.

2. Finance Revenue Report

General Fund Forecast Outturn

- 2.1 Quarter 2 data provides a view on which to base a revised full year forecast. The full year outturn based on current projections and assumptions is a forecast net deficit of £0.571m
- 2.2 The key variances are attributable to increasing income pressures across service areas including Planning, Cremation and Commercial Waste. The shortfalls are partially mitigated by savings from Senior Leadership Officer posts, reduced computer costs and anticipated additional car parking income.
- 2.3 The forecast position by Assistant Director and Corporate Areas is detailed in Appendix A – Table 1.

Savings Target Forecast Outturn

- 2.4 An efficiency target of £1.429m is included in the 2025/26 budget. Saving opportunities are being monitored throughout the year; this information is detailed in Appendix A – Table 2 of the report.

- 2.5 The forecast outturn position assumes 51% of the efficiencies (£0.733m) have been identified including the £0.654m IDB funding received. Assistant Director service reviews are ongoing and further savings will be identified as part of this process.

Reserves

- 2.6 The forecast balance of Specific and General Fund Reserves is £18.371m, reflecting planned use of reserves from the Capital Funding Reserve, Transformation Reserve and Funding Volatility Reserve. Further details are provided in Appendix A – Table 4.

Treasury Management

- 2.7 Section 2.3 of Appendix A provides details of the Council's Treasury investments as of 30 September 2025. The Council's 2025/26 budget for investment income is £1.722m, the forecast outturn position is £1.850m, providing additional income of £0.128m.
- 2.8 The Council held a £1.000m long-term LOBO (lender option borrower option) with State Street, due for repayment in 2051. On 11 July 2025, this loan was settled with a one-off payment of £1.500m and replaced by a £1.000m five-year loan from PWLB. This has generated a saving of £28k for this financial year.

3. Finance Capital Report

- 3.1 As of 30 September 2025, capital expenditure totalled £8.155m against a full year budget of £38.563m.
- 3.2 The capital expenditure to 30 September 2025 and expected forecast position by scheme is detailed in Appendix B – Table 1.
- 3.3 The capital programme is primarily funded through external grants; details are provided in Appendix B – Table 2.
- 3.4 Due to the nature of capital projects, it is not uncommon for the timelines of large scale projects to be revised over the medium term. This requires changes to the approved capital budget totalling £0.100m, details are provided within Appendix B – Table 3.
- 3.5 The 5-year Capital Programme includes provision for Investment and Growth mainly funded through grant funding from Levelling Up Funds, Waste Services investment, IT investment and Disabled Facilities Grants. The main areas of continued investment are:
- Geoff Moulder Leisure Centre
 - Disabled Facilities Grant
 - Waste Vehicles and Caddies
 - IT Systems

Details are provided within Appendix B – Table 4.

4. Conclusion

4.1. To ensure the Quarter 2 position is scrutinised, and the forecast outturn is reviewed.

Implications

South and East Lincolnshire Councils Partnership

None.

Corporate Priorities

None.

Staffing

None.

Workforce Capacity Implications

None.

Constitutional and Legal Implications

None.

Data Protection

None.

Financial

As contained in this report and the associated appendices.

Risk Management

None.

Stakeholder / Consultation / Timescales

No consultation undertaken.

Reputation

None.

Contracts

None.

Crime and Disorder

None.

Equality and Diversity / Human Rights / Safeguarding

None.

Health and Wellbeing

None.

Climate Change and Environment Impact Assessment

None.

Acronyms

None.

Appendices

Appendices are listed below and attached to the back of the report:

Appendix A	BBC Q2 Finance Revenue Report 2025-26
Appendix B	BBC Q2 Finance Capital Report 2025-26

Background Papers

No background papers as defined in Section 100D of the Local Government Act 1972 were used in the production of this report.

Chronological History of this Report

None.

Report Approval

Report author:	Nicole Hayes, Head of Finance Delivery – BBC (PSPSL) Nicole.Hayes@pspsl.co.uk
Signed off by:	Russell Stone, Director of Finance (S151 Officer) Russell.Stone@sholland.gov.uk
Approved for publication:	Councillor Sandeep Ghosh, Portfolio Holder for Finance and Economic Growth Sandeep.ghosh@boston.gov.uk

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Boston Borough Council – Q2 Finance Revenue Report for 2025-26

Finance Summary

- The revenue forecast shows a deficit position of £0.571m as of 30 September 2025.
- Specific and general reserves for the Council are forecast £18.371m as at 31 March 2026.
- Investments held by the Council on 30 September 2025 (excluding accrued interest) totalled £31.317m compared with £32.500m on 30 June 2025.
- Investment income is forecast to overachieve by £0.128m against a budget of £1.722m.
- The Council previously held a £1.000m long-term LOBO (lender option borrower option) with State Street, due for repayment in 2051. On 11 July 2025, this loan was settled with a one-off payment of £1.500m and replaced by a £1.000m five-year loan from PWLB. This has generated a saving of £28k for this financial year.

Section 2 – Finance

Section 2.1	Key Financial Issues in Quarter 2 of 2025/26
Section 2.2	Revenue Budget
Section 2.3	Treasury Update
Section 2.4	Insurance
Section 2.5	Debt Collection
Section 2.6	Business Rates and Council Tax Collection

Section 2.1 – Key Financial Issues in Quarter 2 of 2025/26

- The 2025/26 base budget included an efficiency target of £1.429m. As of 30 September 2025, £0.733m (51%) savings were identified (see table 2 below).
- The Government announced it would provide further funding to support Councils significantly impacted by Internal Drainage Board levies. Boston has been awarded funding in 2025/26 of £0.654m which has been included within the Q2 forecast and efficiencies table.
- The higher levels of investment income compared to the original budget have been partly offset with a reduction in the forecasted Property Fund income with a total favourable variance of £0.128m.
- Income pressures are increasing across several services: Planning income is expected to underachieve by £95k, Cremation services by £71k, Commercial Waste by £28k and Markets by £20k. This is partly offset by savings from Senior Leadership Team vacancies (£79k), reduced computer costs (£64k), and anticipated additional car parking income (£58k).

Inflation	July (%)	August (%)	September (%)
CPI	3.8	3.8	3.8
RPI	4.8	4.6	4.5

Section 2.2 – Revenue Budget

Table 1 details the forecast outturn by Assistant Director for the 2025/26 Financial Year Outturn as of 30 September 2025.

The forecasted revenue position shows an overspend of £0.571m, primarily due to shortfalls in service income offset by reduced identified savings and additional investment income.

Table 1 – Net Spend by Assistant Director Area				
Assistant Director Area	Revised Budget 2025/26 at Q2 £'000	Outturn 2025/26 at Q2 £'000	Variance (underspend) / overspend at Q2 £'000	Comments on main variances at Q2
Corporate	2,149	2,070	(79)	(£64k) reduction in computer costs. (£23k) employee cost savings offset by £13k salary efficiency target.
Economic Growth	106	116	10	£10k overspend of employee costs due to contract extension.
Finance	2,945	2,803	(142)	Senior Leadership Team vacancies have resulted in a (£79k) underspend, partially offset by a £27k salary efficiency target. Additional income includes (£25k) from Housing Benefit and Council Tax Admin Grant, (£10k) court fees (Council Tax and Business Rates), and (£45k) from Housing Benefit Overpayments.
General Fund Assets	(523)	(574)	(51)	(£58k) additional income from car parking, (£12k) additional PCN income offset against £20k unmet salary efficiency target.
Governance and Monitoring	999	990	(9)	(£59k) employee cost saving offset against £19k salary efficiency and £31k additional legal fees.
Leisure and Local Services	1,145	1,265	120	£71k shortfall in Bereavement income, alongside £20k shortfall in Market income and £25k unmet salary efficiency target.
Neighbourhoods	1,815	1,913	98	£103k unmet salary efficiency target and £28k reduction in Commercial Waste. This is partially offset against (£15k) reduction in fuel costs and (£13k) additional income for garden waste.
Planning and Strategic Infrastructure	234	366	132	Planning Application fees are forecast to underachieve by £95k, alongside a £32k unmet salary efficiency target and £17k overspend on employee costs.
Strategic Growth and Development	234	235	1	Minor variances, the projects are grant funded.
Regulatory	640	638	(2)	Minor variances
Communities and Housing Services	1,076	1,077	1	CCTV employee savings totalling (£38k), Additional rental income due (£11k) and (£17k) reduced bed and breakfast spend. This

				is offset against £7k reduced museum room hire income and £70k salary efficiency target.
BTAC	756	756	-	
Efficiencies Required	(651)	45	696	See table 2.
Cost of Services	10,925	11,700	775	
Internal Drainage Boards and Parish Precepts	3,557	3,557	-	
MRP	207	207	-	
Interest Payments Received / Return on Property Funds	(1,722)	(1,850)	(128)	Reduction in forecast income from Q1 but still continues to be an overachievement in investment income which offsets against the reduction in property fund income.
Borrowing Costs	111	65	(46)	Reduction in interest payable.
Borrowing Discount Allocated to Revenue	(642)	(624)	18	Premium charge for the redemption of the LOBO loan.
DRF	648	648	-	Capital Programme delivery.
Reserves (Capital)	(648)	(648)	-	Capital Programme delivery.
Reserves (Revenue)	(400)	(400)	-	Budgeted contribution to support the efficiency target.
Corporate Impairment Allowance	165	117	(48)	Reduction in Council Tax cost bad debt provision.
Other Income and Expenditure	1,276	1,072	(204)	
Total Expenditure	12,201	12,772	571	
Council Tax	(5,801)	(5,801)	-	
Business Rates	(5,063)	(5,063)	-	
Non-Ring-Fenced Government Grant	(1,337)	(1,337)	-	
Total Funding	(12,201)	(12,201)	-	
Total Budget – (Surplus)/Deficit	-	571	571	

Table 2 details the efficiencies identified during the year allocated to the budgeted efficiency target of £1.429m. This is the net efficiency balance to be identified following £400k budgeted contributions from the Funding Volatility reserve.

Table 2 – Efficiencies		
Efficiency Description	Amount £'000	Comments
Original Budget	(1,429)	
Internal Drainage Board funding	654	Central Government funding received to support the IDB levies pressure.
Neighbourhoods service review	(20)	Pressure from the Neighbourhoods service review relating to group manager staffing arrangements.
Leisure and Local Services, service review	43	Savings within service area.
Regulatory service review	4	Savings within service area.
Communities and Housing service review	97	Savings within service area.
Revised Budget	(651)	
Additional Employee Costs	(45)	Pressure for the agreed pay structure for shared roles across SELCP.
Efficiencies to be Identified	(696)	
% Achieved	51%	

A medium term efficiency plan is in place to identify opportunities for further efficiencies, and we are actively engaging with Service Managers to take this process forward.

Based upon 2025/26 budget assumptions the value of efficiency savings required to set a balanced budget for the next five years are as follows:

	2025/26 £000	2026/27 £000	2027/28 £000	2028/29 £000	2029/30 £000
Annual Savings Requirement (£'000)	516	1,921	2,337	2,775	2,678
IDB Funding Requirement (£'000)	913	1,059	1,213	1,375	1,544
Total	1,429	2,980	3,550	4,150	4,222

Table 3 outlines the general fund revenue budget amendments that have been made during this financial year via Proforma B including additional income.

Table 3 - General Fund Revenue Budget Movements	
	£'000
Proforma Bs - Various	100
Additional income	-
Total General Fund Revenue Budget movements	100

Table 4 details the forecasted balance to 31 March 2026 for Specific and General reserves.

As of 30 September 2025 the forecast reserve balance is £18.371m, after a net transfer from reserves of £0.973m to cover revenue and capital expenditure.

Table 4 - Specific and General Reserves Balance				
Reserve	Balances at 1 April 2025 £'000	Contributions into Reserves £'000	Use of Reserves £'000	Forecast Balances at 31 March 2026 £'000
Capital Funding	6,252	-	(625)	5,627
Transformation	1,730	42	(153)	1,619
Repairs and Renewals	590	18	(22)	586
ICT	35	-	-	35
Housing	1,764	-	(13)	1,751
Controlling Migration Fund	14	-	-	14
Insurance	198	-	-	198
Risk Mitigation Reserve	1,116	-	-	1,116
Funding Volatility	3,272	-	(485)	2,787
EPR Reserve	-	473	-	473
Contingency Reserve	211	-	(87)	124
Climate Change Reserve	124	-	-	124
Planning Reserve	434	-	(66)	368
Property Funds Reserve	79	-	(55)	24
Specific Reserves Total	15,819	533	(1,506)	14,846
General Fund	2,000	-	-	2,000
S106 & Commuted Sums	1,231	-	-	1,231
BTAC	294	-	-	294
TOTAL	19,344	533	(1,506)	18,371

Section 2.3 – Treasury Update

During the financial year the Council has invested in line with the agreed Treasury Management Strategy.

The peaks and troughs in cash flow are managed daily. The Council collects money on behalf of other organisations which are paid out at future dates (e.g. Council Tax and Business Rates). The value of investments held at any point includes money held on behalf of these other organisations and does not represent the value of BBC's own resources alone.

Treasury Investments - Investments held by the Council on 30 September 2025 (excluding accrued interest) totalled £31.317m compared with £32.500m on 30 June 2025.

Property Fund Investments – Between 2016 and 2018 the Council purchased property fund units in five different funds. As of 30 September 2025, the fair value of these funds was £2.047m below the purchase cost. During the first half year of 2025/26 the valuations reduced by £41,984.

The M&G UK Property fund is liquidating its assets and therefore their fund valuation is reducing as repayments are made. Further distribution payments of £216,288 have been received in the first half of the year which has now increased total distributions to £3,880,011 as of 30 September 2025 leaving a book value of £119,989 outstanding.

Income Received Against Budget and Forecast Outturn – The budget for net investment income as at 30 September was £863,414 and the actual was £1,094,855 giving a surplus of £231,441. The annual budget for net investment income is £1,722,111 and the forecast outturn is £1,849,667 giving a forecast surplus of £127,556.

External Borrowing and Interest Rates – The Council had a £1.000m long-term LOBO (lender option borrower option) with State Street at 11.125% which had a repayment date in 2051.

This loan was repaid on 11 July 2025 with a one-off payment of £1.500m (made up of £1.000m principal, £30,784 accrued interest and a premium of £469,216) and replaced with a £1.000m five-year loan from the PWLB at a rate of 4.81%. The previous premium quoted was £0.817m in March 2025.

The budget for interest payable on borrowing for 2025/26 is £111,250 and the outturn is now forecast to be £65,047.

The premium paid to redeem the loan early must be charged to revenue over the remaining life of the original loan from 2025/26 resulting in an annual charge of £18,047 to 2050/51.

The 50 year PWLB certainty rate was 5.97% on 30 September 2025 compared with 5.71% on 30 June 2025.

During Quarter 2 the Bank of England Base Rate has been reduced from 4.25% to 4.00%.

Mid-Term Treasury Report – Further details of the treasury position on 30 September 2025 can be found in the Mid-Term Treasury Report submitted to the Audit and Governance Committee on 17 November 2025.

Section 2.4 – Insurance

Table 5 details the number of formal insurance claims received to 30 September 2025 (figures in brackets are comparable figures for 2024/25).

Table 5 – Insurance Claims					
	Quarter 1	Quarter 2	Quarter 3	Quarter 4	Total
Public Liability	1 (2)	- (-)	(1)	(-)	1(3)
Employers Liability	- (-)	- (-)	(1)	(-)	- (1)
Motor	1 (1)	- (2)	(4)	(2)	1(9)
Property	1 (1)	1(1)	(1)	(-)	2(3)
Officers Indemnity	1 (-)	1 (-)	(-)	(-)	2(-)
Total	4 (4)	2(3)	(7)	(2)	6(16)

Insurance Reserves - The Council maintains an insurance reserve for small value insurance claims where the losses are below the principal deductible of £25k.

At 31 March 2025 the balance of the reserve was £0.198m with no in year transfers forecasted at this time. The balance is monitored on a regular basis to ensure the value of the reserve is sufficient to meet future liabilities.

Section 2.5 – Debt Collection

A review of debts is undertaken every month, and monitoring is reported against targets. In line with the financial procedure limits debts below £5,000 require sign off by the Section 151 Officer with all debts for this amount or over requiring Cabinet approval. Arrangements are in place for regular reporting and review of sundry debts and proactive management is taking place which is also resulting in debt levels and age of debt reducing.

Table 6 details the sundry debts the Council held as of 30 September 2025.

Table 6 – Sundry Debt Analysis							
0-30 days	31-60 days	61-90 days	91-120 days	121-183 days	184-365 days	Over 365 days	Total
£	£	£	£	£	£	£	£
6,422	641	192,595	7,505	52,123	61,815	550,612	871,713

This does not include invoices not yet due totalling £45,541.

Section 2.6 – Council Tax and Business Rates

Collection and recovery is likely to remain challenging in 2025/26 as a result of the ongoing cost of living crisis. In recognition, we continue to remain prudent in setting the bad debt provision in this area.

A programme of statutory recovery is in place for the year ahead.

Council Tax Support Scheme (CTS)

Following the fundamental review in 2024/25, the 2025/26 scheme for working age claimants includes an increase in the maximum level of support for households with children up to 100%, and 85% for other households.

Council Tax – 2025/26 Quarter 2 In-Year Collection

The collectable debit for the year at 30 September 2025 was £46.200m with a net collection rate of 52.67% achieved (52.92% at 30 September 2024).

Business Rates – 2025/26 Quarter 2 In-Year Collection

The collectable debit for the year at 30 September 2025 was £21.800m with a net collection rate of 54.18% achieved (55.33% at 30 September 2024).

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Boston Borough Council – Q2 Finance Capital Report for 2025-26

Finance Summary

- As of 30 September 2025 capital spend was £8.155m against a revised full year budget of £38.563m.
- Towns Fund projects account for the largest portion of the revised capital budget at £14.849m with forecast full spend in year.
- Amendments to the 2025/26 approved capital budget equate to £0.078m.
- The majority of the capital programme is financed through external grant funding.
- The 5-year capital programme shows planned spending across various projects including Disabled Facilities Grants, IT infrastructure, Towns Fund, LUF and BPF projects.

Section 2 – Finance

Section 2.1 Capital Programme in Year

Section 2.2 Capital 5-year Programme

Section 2.1 – Capital Programme in Year

Table 1 details the revisions to the capital programme and progress against the 2025/26 approved programme including the projected forecast outturn to 31 March 2026.

Table 1 – Capital Programme 2025/26						
Scheme	Approved Budget 2025/26 £'000	Changes to Approved Budget £'000	Revised Budget 2025/26 £'000	Actuals to September 2025 £'000	Forecast Outturn 2025/26 £'000	Variance (underspend)/overspend at Q2 £'000
Disabled Facilities Grant	885	-	885	276	1,100	215
Vehicle Replacements	536	-	536	98	536	-
Information Technology Infrastructure Refresh	412	-	412	105	402	(10)
Swimming Pool Support Fund	122	76	198	198	198	-
Uniform	291	-	291	-	231	(60)
Unit 4 Implementation	47	-	47	-	47	-
Affordable Housing Commuted Sum	1,074	-	1,074	-	-	(1,074)
Capital Enhancements	604	-	604	127	312	(292)
Depot Purchase	150	-	150	3	150	-
Food Waste	154	(154)	-	-	-	-
Homelessness Prevention Van	7	-	7	5	5	(2)
Market Regeneration	-	23	23	23	23	-
Boston Council Chamber Mics	-	33	33	-	33	-
Total Projects (Excl Towns Funds, UKSPF, LUF & BPF)	4,282	(22)	4,260	835	3,037	(1,223)
Towns Fund - Leisure	7,895	-	7,895	685	7,895	-
Towns Fund - Mayflower	3,600	-	3,600	3,600	3,600	-

Table 1 – Capital Programme 2025/26

Scheme	Approved Budget 2025/26 £'000	Changes to Approved Budget £'000	Revised Budget 2025/26 £'000	Actuals to September 2025 £'000	Forecast Outturn 2025/26 £'000	Variance (underspend)/overspend at Q2 £'000
Towns Fund - St Botolph's Library	57	-	57	-	57	-
Towns Fund - Healing the High St (incl. Shodfriars)	2,433	-	2,433	318	2,433	-
Towns Fund - Boston Station	864	-	864	-	864	-
Total Towns Fund Projects	14,849	-	14,849	4,603	14,849	-
UKSPF (Capacity building projects for local groups)	275	-	275	42	264	(11)
UKSPF Rural (Community projects aimed at reducing the cost of living)	129	-	129	18	128	(1)
Total UKSPF Projects	404	-	404	60	392	(12)
LUF - Civic Hub	581	(576)	5	5	5	-
LUF - Crown House	4,877	1,148	6,025	441	6,025	-
LUF - Public Realm	5,412	(472)	4,940	1,566	4,940	-
Total LUF Projects	10,870	100	10,970	2,012	10,970	-
BPF - Boston United Football Sports Complex	1,450	-	1,450	3	1,450	-
BPF - Affordable Homes (Quadrant Housing Development)	1,752	-	1,752	442	1,752	-
BPF - Haven Wharf	2,800	-	2,800	-	2,800	-
BPF - PE21 Rosegarth Square	398	-	398	124	398	-
BPF - Community Organisations Package	690	-	690	44	690	-
BPF - Boston Connected	570	-	570	-	570	-
BPF - Boston Community Research Project	370	-	370	32	370	-
BPF – St Botolph's Church Visitor Offer	50	-	50	-	50	-
Total BPF Projects (excl Boston Leisure)	8,080	-	8,080	645	8,080	-
Grand Total	38,485	78	38,563	8,155	37,328	(1,235)

The revised capital budget as of 30 September 2025 is £38.563m, derived from the combination of the 2025/26 approved budget of £38.485m, new in-year approved spend, slippage into future years and decommitted spend. The overall expenditure as at Q2 is £8.155m.

The Towns Fund projects represent the largest specific group at £14.849m, 39% of total revised capital budget followed by Levelling Up Funding (LUF) £10.970m which represents 28%. Other schemes make up the remaining £12.340m, 33% of total revised capital budget including Boston Partnership Funding (BPF).

Progress against approved budgets

- **Disabled Facilities Grants** – Forecasting use of remaining grant received in prior years, budget will be updated during Q3 following further review.
- **Uniform** – Forecast underspend expected to be rephased into 2026/27.
- **Affordable Housing Commuted Sum** – Forecast underspend expected to be rephased into 2026/27, greater certainty on delivery expected during Q3. Draft funding agreement seeks completion of properties prior to payment.
- **Capital Enhancements** – Works on fire protection measures and costs are progressing as approved within the Q1 report. The forecast for other work remains on hold pending the outcome of ongoing decision making.
- **UKSPF** – North East Lincolnshire Council, acting on behalf of Greater Lincolnshire County Combined Authority (GLCCA) have confirmed the flexibility of utilising revenue funding to support capital schemes can continue throughout this financial year. The forecast overspend will be funded via unused revenue funding and will be reflected in the Q3 report.

2025/26 Funding

Table 2 details the Capital Programme financing and the projected forecast outturn to 31 March 2026.

Table 2 – Capital Programme Financing				
All Projects	Approved Budget 2025/26 £'000	Revised Budget 2025/26 £'000	Outturn 2025/26 at Q2 £'000	Variance (under)/ over at Q2 £'000
Prudential Borrowing	(1,302)	(1,335)	(1,265)	70
External Grants	(35,364)	(35,386)	(35,589)	(203)
Capital Reserve	(738)	(738)	(446)	292
Other Reserves	(7)	(30)	(28)	2
S106	(1,074)	(1,074)	-	1,074
Totals	(38,485)	(38,563)	(37,328)	1,235

Capital Financing - The current capital programme is financed from reserves and internal borrowing in line with the Capital Strategy.

Table 3 details the changes to the approved capital budget for 2025/26.

Table 3 – Changes to Approved Capital Budget		
Project Description	Amount £'000	Approval
Swimming Pool Support Fund	76	Proforma approved by S151 Officer.
Food Waste	(154)	Rephasing of expenditure relating to Caddies, delivery forecast to be Q1 2026/27.
Market Regeneration	23	Proforma approved by S151 Officer.
Boston Council Chamber Microphones	33	Proforma approved by S151 Officer.
Total	(22)	

Table 3 – Changes to Approved Capital Budget		
Project Description	Amount £'000	Approval
Recommend to Council		
LUF - Civic Hub	(576)	Request to reallocate remaining budget from Civic Hub into Crown House in line with current scheme delivery. Subject to approval by Full Council.
LUF - Crown House	1,148	Request to increase budget for Crown House from Civic Hub and Public Realm, increase includes £100k from 2026/27 from Civic Hub. Subject to approval by Full Council.
LUF - Public Realm	(472)	Request to reallocate elements of the budget from Public Realm into Crown House in line with current scheme delivery. Subject to approval by Full Council.
Total	100	

Section 2.2 – Capital 5-year Programme

Table 4 details the 5-year capital profiling for each scheme.

Table 4 – Capital Programme					
Scheme	2025/26	2026/27	2027/28	2028/29	2029/30
	£'000	£'000	£'000	£'000	£'000
Disabled Facilities Grant	885	785	785	785	785
Vehicle Replacements	536	-	219	200	-
Information Technology Infrastructure Refresh	412	265	549	100	100
Swimming Pool Support Fund	198	-	-	-	-
Uniform	291	-	-	-	-
Unit 4 Implementation	47	17	-	-	-
Affordable Housing Commuted Sum	1,074	-	-	-	-
Capital Enhancements	604	10	-	-	-
Depot Purchase	150	-	-	-	-
Food Waste	-	3,135	-	679	-
Homelessness Prevention Van	7	-	-	-	-
Boston Crematorium	-	-	525	-	-
Market Regeneration	23	-	-	-	-
Boston Council Chamber Mics	33	-	-	-	-
Total Projects (Excl Towns Funds, UKSPF, LUF & BPF)	4,260	4,212	2,078	1,764	885
Towns Fund – Leisure	7,895	5,592	-	-	-
Towns Fund - Mayflower	3,600	-	-	-	-
Towns Fund - St Botolph's Library	57	-	-	-	-
Towns Fund - Healing the High St (incl. Shodfriars)	2,433	-	-	-	-
Towns Fund - Boston Station	864	-	-	-	-
Total Towns Fund Projects	14,849	5,592	-	-	-
UKSPF (Capacity building projects for local groups)	275	-	-	-	-

Table 4 – Capital Programme					
Scheme	2025/26	2026/27	2027/28	2028/29	2029/30
	£'000	£'000	£'000	£'000	£'000
UKSPF Rural (Community projects aimed at reducing the cost of living)	129	-	-	-	-
Total UKSPF Projects	404	-	-	-	-
LUF - Civic Hub	5	-	-	-	-
LUF - Crown House	6,295	900	-	-	-
LUF - Public Realm	4,670	600	-	-	-
Total LUF Projects	10,970	1,500	-	-	-
BPF - Boston United Football Sports Complex	1,450	-	-	-	-
BPF - Affordable Homes (Quadrant Housing Development)	1,752	-	-	-	-
BPF - Haven Wharf	2,800	-	-	-	-
BPF - PE21 Rosegarth Square	398	-	-	-	-
BPF - Community Organisations Package	690	-	-	-	-
BPF - Boston Connected	570	-	-	-	-
BPF - Boston Community Research Project	370	-	-	-	-
BPF – St Botolph’s Church Visitor Offer	50	-	-	-	-
Total BPF Projects (excl Boston Leisure)	8,080	-	-	-	-
Grand Total – All Projects	38,563	11,304	2,078	1,764	885
Capital Financing					
Prudential Borrowing	(1,335)	(7,419)	(1,293)	(979)	(100)
External Grants	(35,386)	(3,885)	(785)	(785)	(785)
Capital Reserve	(738)	-	-	-	-
Other Reserves	(30)	-	-	-	-
S106	(1,074)	-	-	-	-
	(38,563)	(11,304)	(2,078)	(1,764)	(885)

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Report To:	Cabinet
Date:	10 th December 2025
Subject:	Local Council Tax Support Scheme 2026/27
Purpose:	To determine the Council Tax Support scheme, 2026/27
Key Decision:	No
Portfolio Holder:	Councillor Sandeep Ghosh, Portfolio Holder for Finance and Economic Growth
Report Of:	Russell Stone, Director of Finance (S151 Officer)
Report Author:	Sharon Hammond, Head of Revenues and Benefits (PSPSL)
Ward(s) Affected:	All
Exempt Report:	No

Summary

This report presents the outcome of the consultation process for Cabinet consideration and seeks its recommendation regarding the proposed Council Tax Support scheme for 2026/27.

Cabinet's recommendation will be submitted to Full Council for approval on 12 January 2026.

Recommendations

That Cabinet:-

1. Recommends that Full Council approves a change to the maximum level of support to 90% for lone parents, 80% for couples with children and 75% for all other households with the scheme uprated in line with DWP's annual update of allowances and premiums for 2026/27,

And

2. Delegates approval for developing the 2026/27 scheme rules in accordance with recommendation 1. above to the Director of Finance and Section 151 Officer, in consultation with the Portfolio Holder for Finance as appropriate, including prescribed, administrative and minor changes.

Reasons for Recommendations

Full Council must make any revision to its scheme, or any replacement, and agree its final scheme no later than 11th March 2026, in relation to the 2026/27 financial year.

The recommendation has regard to the earlier deliberations of Cabinet in respect of the council's financial position balanced with the need to support customers, and the outcome of the consultation process.

Up-rating in line with Department for Work and Pensions (DWP) will ensure the scheme continues to support the most vulnerable and low-income households by using nationally recognised rates of DWP income.

Other Options Considered

- Keep maximum support for households with children at 100% and others at 85%, seeking savings elsewhere.
- Set maximum support at 90% for lone parents, 80% for couples with children, and 70% for other households, with annual up-rating in line with DWP allowances for 2026/27.

Both options were consulted but rejected in favour of the recommended option which will help balance council finances while minimising changes in the level of support.

1. Background

- 1.1. Local Council Tax Support schemes replaced the former national Council Tax Benefit (CTB) scheme from April 2013, with government placing the duty to create a local scheme for working age applicants with billing authorities. Central funding was reduced and then, in subsequent years subsumed into other grants paid to local authorities. It is no longer possible to identify the amount of funding provided by central government.
- 1.2. This annual review relates only to Working Age claimants as the scheme for pensioners continues to be prescribed by government, allowing up to 100% support against Council Tax liability. The council has no power to change the level of support for pensioners. In addition, the local scheme protections for War pensioners and Care Leavers up to the age of 25 are not affected by any scheme review proposals.

1.3 Following a fundamental review last year, from 1 April 2025 Boston Borough Council's scheme provides a maximum level of support for working age claimants up to 100% for households with children and 85% for other households. The working age scheme currently supports 2,445 working age claimant households, costing £2.6million (of which £348k is the cost to this Council). It should be noted that caseload and expenditure will fluctuate throughout the year.

1.4 A breakdown of total current caseload and expenditure is shown in the table below.

	Current Caseload Count	2025/26 CTS Expenditure £	Cost to Boston Borough Council (13.31%)
All Groups	4,421	4,930,060	£656,191
Pensioner	1,976	2,312,079	£307,738
Working Age	2,445	2,617,981	£348,453

1.5 An Exceptional Hardship Fund, administered under the discretionary provisions of Section 13A (1) (c) Local Government Finance Act 1992, introduced in 2025/26, operates alongside the Council Tax Support scheme.

2. 2026/27 Scheme Consultation

2.1 Cabinet decided at its meeting on 17 September 2025 to consult on three options: -

1. **To retain the current maximum level of support for Households with Children at 100% and Other Households at 85%.**

This option would see the level of support, and therefore scheme expenditure, continue at its current level.

2. **Reduce the maximum level of support to 90% for lone parents, 80% for couples with children and 75% for all other households**

This option would reduce overall scheme expenditure by around £338k, generating a saving of around £45k for this Council. This would reduce the level of support, and therefore increase Council Tax payment requirement, for all working age claimants.

3. **Reduce the maximum level of support to 90% for lone parents, 80% for couples with children and 70% for all other households**

This option would reduce overall scheme expenditure by around £429k, generating a saving of around £57k for this Council. This would reduce the level of support, and therefore increase Council Tax payment requirement, for all working age claimants.

2.2 In line with statutory requirements, consultation has been carried out with major preceptors, and other persons likely to have an interest in the operation of the scheme. The consultation took place between 23 September and 8 November 2025.

2.3 Major precepting authorities have been consulted on the proposals.

Lincolnshire Police and Crime Commissioner's response noted the options being consulted on, adding it is supportive of proposals which provide for the comparability of Council Tax Support schemes given the proposals for local government reorganisation.

Lincolnshire County Council responded that as a major preceptor, they would support an option which does not look to increase the cost of the scheme, as this reduces the Council Tax collected to pay for local services. They recognised that options 2 and 3 looked to reduce the cost of the scheme and that it would be helpful to understand the impact it may have on the collection fund, if support was being reduced.

2.4 The wider public consultation included publicity through media release, website and social media, and this year the consultation was shared with Parish Councils. Letters were issued to major precepting authorities, and an email was sent to a number of groups that represent individuals identified in the Equality Act.

A total of 65 responses were received. With such a low response rate it is recognised that the results cannot be relied upon as being wholly representative or statistically significant.

2.5 Feedback from the public consultation is summarised below: -

Option 1 Retain the current maximum level of support for households with children at 100% and other households at 85%,and find savings elsewhere.	35%
Option 2 Reduce the maximum level of support to 90% for lone parents, 80% for couples with children and 75% for all other households.	18%
Option 3 Reduce the maximum level of support to 90% for lone parents, 80% for couples with children and 70% for all other households.	25%

The survey included a 'None of the above' option, drawing a 22% response rate.

Free text commentary indicates respondents are divided, with some contributors emphasising the need for greater support for vulnerable groups, while others express concern about fairness, the impact on working families, and the potential disincentive to work.

2.6 The full consultation report is shown at Appendix 1.

3. 2026/27 Scheme Post-Consultation Considerations

3.1 Following a fundamental review last year, the Council increased its level of support for all recipient households, increasing the maximum level of support for households with children up to 100% and for all other households 85%. In reaching its decision, the Council had regard to information and data including: -

- 30% of children in Boston live in relative low-income households (*source DWP*)
- 727 of the 1,109 working age households with children were receiving the maximum level of support (at that time 75%).
- The percentage of households with children who had previous year Council Tax arrears was greater than other households, at 40% single parent, and 32% couples with children.

- 3.2 The Council intended the current scheme should operate for a full financial year before review, however this was brought forward for consideration this year as part of the Council's wider range of savings proposals.
- 3.3 While acknowledging the importance of Council Tax Support for some households, Cabinet decided to seek views on reducing support levels as a potential cost-saving measure to help balance the 2026/27 budget, if required, recognising that Council Tax Support schemes must be affordable.
- 3.4 Whilst the results to the consultation were mixed, almost 35% supported retaining the current level of support, whereas in totality almost 43% supported a reduction in the level of support.
- 3.5 Reducing support to the levels consulted upon would reduce the total scheme cost by the amounts shown in the table below: -

	Reduction in support – Option 2	Reduction in support – Option 3
Single Parent Household	-£85k	-£85k
Couple Household with Children	-£66k	-£66k
Other Household	-£181k	-£270k
TOTAL	-£332k	-£421k
<i>Saving for BBC (13.31%)</i>	<i>£44k</i>	<i>£56k</i>
<i>Saving for LCC (72.22%)</i>	<i>£240k</i>	<i>£304k</i>
<i>Saving for PCC (14.47%)</i>	<i>£48k</i>	<i>£61k</i>

The annual and weekly impact on households is shown in the following table for each option: -

Average Reduction In Council Tax Support				
	Option 2		Option 3	
	Annual	Weekly	Annual	Weekly
Single Parent Households	-£110	-£2	-£110	-£2
Couple Household with Children	-£271	-£5	-£271	-£5
Other Households	-£118	-£2	-£176	-£3

- 3.6 In the backdrop of the current economic climate, a reduction in the level of support provided is likely to have significant consequences for many low income / benefit households, particularly those that are just about coping. As such higher levels of non-payment and escalation of debt may be consequences of reduction in support.

- 3.7 However the Council must have regard to its financial position and reaching a balanced budget; and this includes affordability of its Council Tax Support scheme.
- 3.8 The Council has discretion to provide further support for households experiencing 'exceptional' hardship, however unlike the cost of the Council Tax Support scheme, which is shared with major precepting authorities with Boston's share being around 13%, any discretionary award would be at 100% cost to this Council.

4. Conclusion

- 4.1 The options to reduce the level of support were consulted on not as preferred options, but as a means that would ensure, if it needed to, that the Council could reduce the level of support to reach a balanced budget.
- 4.2 In making its recommendation to Full Council, Cabinet has had regard to the Council's current financial position and affordability of its Council Tax scheme, at the same time as considering the impact and effect that a reduction in the level of support could have on households across the district.

Implications

South and East Lincolnshire Councils Partnership

None

Corporate Priorities

None

Staffing

None

Workforce Capacity Implications

None

Constitutional and Legal Implications

The authority is required to make its Local Council Tax Support Scheme, including any revised or replacement schemes, in accordance with the Local Government Finance Act 1992.

Final scheme rules will incorporate provision for pensioners, as prescribed by central government.

Data Protection

None

Financial

Should Cabinet approve the recommendation set out in this report, the savings, realised through a reduction in support to working age claimants of the Council Tax Support scheme, will support the Councils legal requirement to deliver a balanced budget.

Risk Management

None

Stakeholder / Consultation / Timescales

The Section151 Officer and Portfolio Holder for Finance have been consulted on this report.

Legislation requires consultation to be carried out with major precepting authorities, the public and other stakeholders where changes to the scheme are proposed. Consultation has been carried out, as detailed in Section 2 and Appendix 1 of this report.

Reputation

None

Contracts

None

Crime and Disorder

None

Equality and Diversity / Human Rights / Safeguarding

The Council Tax Support scheme continues to be administered based on the principles of the previous national Council Tax Benefit scheme and retains the core features that recognise additional needs of the disabled, those with children and those with caring responsibilities.

An Equality Impact Assessment conducted for the proposed changes to the Council Tax Support (CTS) Scheme for 2026-27 has considered the potential effects on protected groups, and concludes that the changes do not target, or disadvantage, any characteristic group over another. The availability of an exceptional hardship fund, and practice of signposting claimants to professional advocacy services, will ensure the Council Tax Support Scheme changes can be implemented in a manner that upholds the Council's commitment to equality.

Health and Wellbeing

None

Climate Change and Environment Impact Assessment

None

Acronyms

CTS - Council Tax Support

DWP – Department for Work and Pensions

Appendices

Appendices are listed below and attached to the back of the report:

Appendix 1 Consultation report

Background Papers

None

Chronological History of this Report

None

Report Approval

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**Council Tax Support Scheme 2026/27
Boston Borough Council Consultation
Report
Published**

"You Said, We Listened"



Introduction to this consultation

1. This report contains the responses we received for the Council Tax Support Scheme 2026/27 consultation which took place between 23rd September 2025 and 8th November 2025.
2. Respondents were informed that from April 2025, the Council had offered a scheme that provided up to 100% of Council Tax Support for working age households with children and up to 85% for households without children. However, for 2026/27 the Council was facing considerable financial challenges to produce a balanced budget for 2026/27, as was required by law. At the same time, it recognised how important Council Tax Support was for some households in the community.
3. The exercise was performed to gain the views of residents on the proposed modifications to the Council Tax Support Scheme for the 2026/27 financial year.

Methodology

4. The consultation, which was available in both hard copy and online, was promoted in a number of ways.
 - A media release was circulated announcing the proposals for the Council Tax Support Scheme 2026/27. The media release also provided residents with details of the consultation exercise being undertaken and details of how to complete or request a paper copy of the consultation.
 - A letter was forwarded to precepting Authorities on 29th September 2025, inviting them to give their views on the proposals for 2026/27.
 - Social media; Facebook and Twitter were also used to inform residents that the consultation exercise was being undertaken.
 - A homepage banner was placed on Boston Borough Council's website to draw attention to the consultation.
 - An email was sent to specific groups that represent those individuals with the characteristics identified in the Equality Act. A few of these are listed below:
 - Lincs Care Leavers
 - Disability Lincs
 - Victim Support in Lincolnshire
 - Age UK Boston & South Holland
 - Alzheimer's Society
 - Deaf Association
 - British Heart Foundation
 - Lincs YMCA
 - ME Lincs
 - Citizens' Advice mid Lincs
 - Boston Salvation Army
 - Boston United Disabled Football Club
 - Edan Lincs (Domestic Abuse)
 - Lincolnshire Rural Support Network
 - The questionnaire was also made available for people to complete on Boston Borough Council's website.

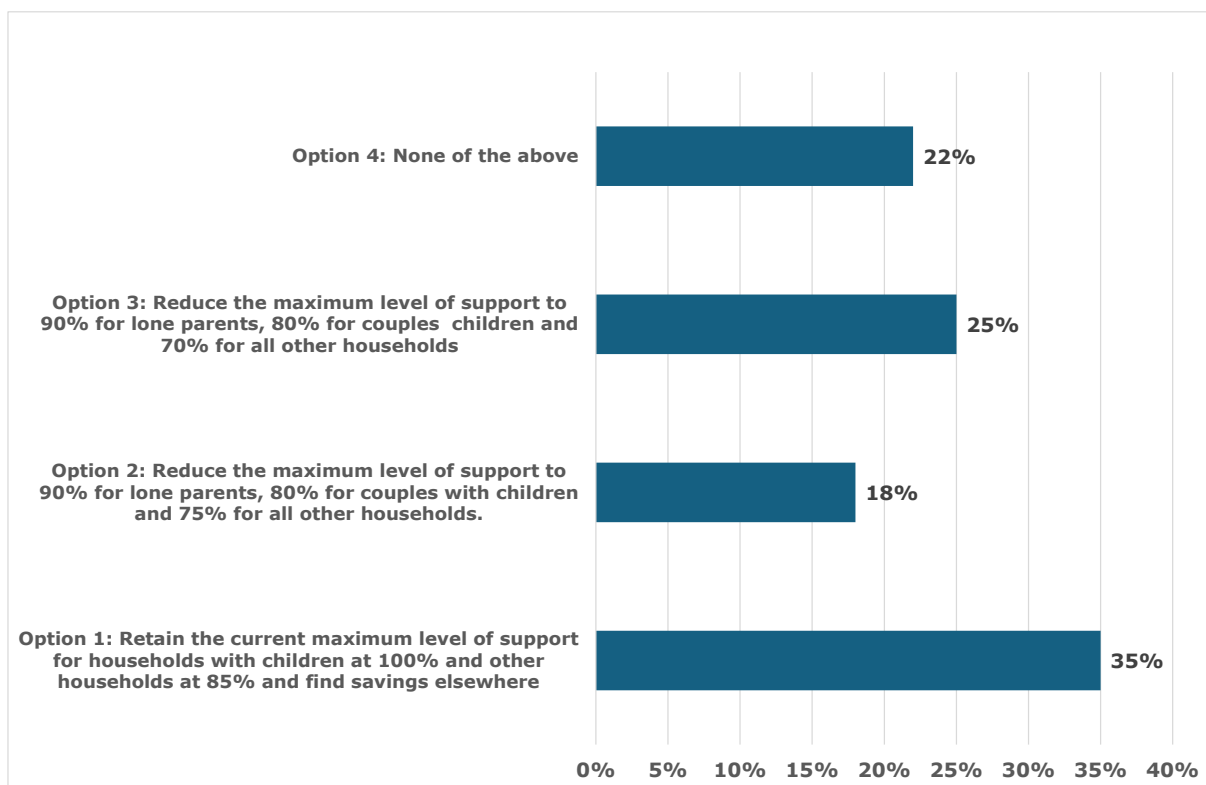
5. It should be noted that base data has been rounded to the nearest number (so may add up to between 99% and 101%). No comparisons have been made with the previous consultation exercise undertaken in 2024 as the questions in the consultation have been revised.

Response Rate

6. 65 electronic responses were received.
7. In addition, written responses were received from Lincolnshire County Council and the Lincolnshire Police and Crime Commissioner. Their responses are detailed at numbers 10 and 11 in this report.

Results and Analysis

8. All respondents were given a list of four options and were asked which option they thought the Council should pursue. The chart below shows that
 - 35% of all respondents thought the Council should pursue 'Option 1 – retain the current maximum level of support for households at 85% and find savings elsewhere'
 - 18% of all respondents thought the Council should pursue 'Option 2 – Reduce the maximum level of support to 90% for lone parents, 80% for couples with children and 75% for all other households'
 - 25% of all respondents thought the Council should pursue 'Option 3 – reduce the maximum level of support to 90% for lone parents, 80% for couples and 70% for all other households'
 - 22% of all respondents thought the Council should pursue 'none of the above'



9. All respondents were given the opportunity to make comments if they wanted to. A number of comments were made about households on benefits receiving financial support from other areas which gave them more income than those that were just above the threshold or working households. One respondent said that these households on benefits were in receipt of more than the national minimum wage. Another respondent felt that all Boston residents should be treated equally including pensioners and a further respondent considered that households with no children were being punished by the proposals. There was a request for support to be made available for vulnerable people to complete paper application forms as some could not complete them online. Another request was made for the application process to be made easier. One respondent said that the proposed changes would not save the Council money as people would not be able to pay their Council Tax. A full list of comments are included below

- Please make support available for vulnerable people to request support and help with forms in person at municipal buildings rather than stating they must use the telephone or online as many are unable to do so and this contributes to exclusion and unnecessary hardship. The public may need further information on this topic in order to make an informed contribution to this discussion.
- Low income families already receive additional support payments in many areas including universal credit - free prescriptions support with uniforms, school meals, school trips, school equipment, free half term clubs including lunches ,free breakfast clubs - dental, additional support with heating, travel - all adding to often more than working families who are just above the threshold to receive any of these meaning the working families who are unable to claim are often worse off than those who do, seems unfair if

families receiving benefits already are then having reductions in their council tax This would be more beneficial for pensioners as their income is a lot lower than those who are able to claim universal credit

- If you have to the last one but as most of these will be receiving other benefits, think they should stop smoking drinking eating, take away tattoos etc save enough to pay full amount then
- Unless it's going to increase the cost for the rest of us who also struggle to make ends meet but never qualify for anything!! The more you increase costs for those NOT on benefits the more people you are pushing into crisis. Those of working age that do not work should only get things for free if they can prove that they cannot get work and if they turn anything down or put in no effort to gain and keep employment then I don't see why the rest of us should pay it for them. My druggy neighbour who does nothing is one of those I openly object to having everything for nothing while we struggle.
- You seem to have failed to mention where the savings will come from 'elsewhere'. How are the public expected to make an informed decision without all the information. There also doesn't appear to be a link for an Equality Impact Assessment. Has one been carried out for this consultation?
- Council tax support should be substantially lower than this. Too much support is given, which disincentives work, and the people who have to pay for this are paying far too much. More consideration needs to be given for those who do pay, rather than endlessly giving to those who don't work.
- It is not fair that other people are supporting people with children everybody is struggling so a fair option is to use that to reduce other people's tax, is reduced, being a lone parent should not mean extra help, in most cases there is another parent who should help.
- The earnings need a disregard limit.
- A large amount of families are living hand to mouth extra fee could cause serious issues and possible death
- We've just come through 14 years of conservative government cutting everything but their own wages and benefits (expenses are rich, people benefits). Maybe investigate pension fraud, or where the money for repairing roads went? Never go after the children or weakest members of society. Every government is judged by them treat their most vulnerable.
- Remove support for all except pensioners, disabled and lone parents. The rest can work and pay their bills like everyone else.
- I really appreciate the support you have given my family this year with the 100% support for Council Tax. Being a single dad with three very young children every penny helps especially how quick basic daily essentials are going up. Please try and keep the 100% support as it helps so many, and it can make such a difference. Well Done BBC.
- Many of those on the welfare system will access other benefits and have financial support in lots of areas. While others above the welfare threshold do not, if the pensioners on their pensions are not entitled in less than half of what the welfare state is providing the low-income families why should the low-income families be entitled
- As I'm on UC and only get just over £600 after rent and some people on ESA get over nine hundred and pay less Council Tax none of them or I have

children at home. So, feel the system should be the same for all including pensioner's

- All options available are discriminatory policies and manipulative in nature towards those who choose to not have children or are unable to have children. All Boston residents should be treated equally, and all of these options seems to disregard too easily that! People with children have greater access to benefits such as child allowance as well as things such as free school meals and subsidised childcare in many cases making them no worse off than their childfree peers and therefore should not be given any preferential treatment - or as it appears in all of these policies people being penalised for not having children in their household! Potentially encouraging families to have children in their households despite already struggling, as seems to be clear in these scenarios, is a dangerous and short-sighted approach for any public body to even consider implementing. Has the council made sufficient exploration of relevant details to seemingly punish those households without children because it appeared to be a series of 'ideas' which have been thought up in isolation from any facts about how children affect household incomes. Any discriminatory policy made by a Council along these lines should be strongly reconsidered. In these times of hardship all expenses of course need to be evaluated to ensure their value for money - but discriminating against households without children in this way seems like a short term, knee-jerk reaction which leaves not only the council open to substantial and valid criticism, but also all members who make up the council also. Continuing with any of these schemes should weigh heavily on all members conscience because to many observers these options all strike notes of discrimination. Quite frankly I am personally disappointed that any member has allowed these options to go to a public consultation without questioning the validity of the options.
- All those on welfare support and unemployment benefits are receiving more than the national minimum wage. Also, many other discounts, like free school meals, free school uniforms, free prescriptions, free TV licence, warm home discount, and there are more. A pensioner on £12k a year gets nothing. If the government wants to get people back into work, then it has to be worthwhile. Discounts and handouts will not encourage a return to employment.
- Make them all pay the same as working people that way the Government will get more in work
- I find it discriminatory towards single, or childless couples. The Council Tax is a heavy burden, as a single, childless person who can only work part-time due to disability I cannot get any support, which does not create a fair system.
- I believe in maximum support for the poor, needy and vulnerable.
- Charging people on low incomes amounts of Council Tax they cannot afford to pay is not a saving to the Council. You won't be able to collect it without expending pretty much the same or more resource. All you will achieve is making poor taxpayers poorer
- I don't see why I have to work hard , while others who live in social housing on my estate, are anti-social , manage to get their hair and nails done , but expect me to suffer less services because they can't be bothered to work , or

they expect additional reductions- reduce for all or none - especially if you aren't including pensioners

- Could the application process be made easier for people wishing to apply, with less paperwork, in order to achieve maximum essential service and uptake of the scheme whilst at a lower admin cost ?
- I do not believe 100% support level is viable.
- Don't change any think
- This is an opportunity for the Council to make real savings for other important schemes.
- It needs a complete review. There are far too many families fiddling the system!
- Reduce it so it's more equal to all others that aren't on benefits. Most people I know on benefits whether that be disability or child allowance are better off than us that work full time and are entitled to no benefits or no help to reduce their bills.
- Increase the amount of financial support for working adults living alone. Only having one income coming into the house is really difficult to pay rent, mortgage, and all bills. Especially when you are trying to afford a car to enable us to get to work. Couples with or without children have the potential to double their income if they both worked.

Responses from precepting authorities

10. A response was received from the Office of the Lincolnshire Police and Crime Commissioner stating that they were supportive of proposals which provided comparability of Council Tax Support Schemes for Lincolnshire residents, particularly given the proposals for Local Government reorganisation currently under consideration.
11. A response was also received from Lincolnshire County Council (LCC) confirming that as a major preceptor, they would support an option which did not look to increase the cost of the scheme, as this reduced the Council Tax collected to pay for local services. They went on to say that whilst 'option 2 and 3' looked to reduce the cost of the scheme, it would be helpful to understand the modelling around those options, and what impact they may have on the collection fund, if support was being reduced.

Contact:

For more information relating to this report contact:

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