

Southend-on-Sea Borough Council

Department of the Chief Executive

John Williams - Director of Democratic & Legal Services

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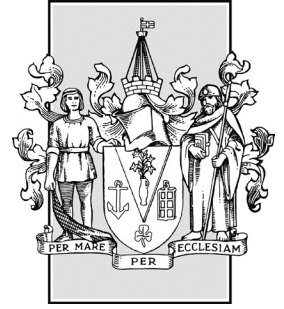
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THE COUNCIL – THURSDAY, 17TH MAY, 2018

Please find enclosed, for consideration at the next meeting of The Council taking place on Thursday, 17th May, 2018, at 6.30pm the following reports and items that were unavailable when the agenda was printed.

| Agenda No | Item |
|-----------|------|
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| 3 | <u>Appointments to Cabinet, Cabinet Committee and Changes to the Constitution (Pages 1 - 46)</u> |
|---|---|

(a) **Political Groups, Cabinet and Changes to the Constitution** – report of the Director of Legal & Democratic Services attached.

(b) **Changes to the Constitution (primarily to ensure that Council meetings operate in a more efficient way)** – Report of the Director of Legal & Democratic Services attached.

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| 4 | <u>Appointment of Members and Substitutes to Regulatory and Scrutiny Committees, Licensing Sub Committee C, Standards Committee and Audit Committee</u> List C attached |
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| 6 | <u>Appointment of Members and Substitutes to Working Parties, Panels, Forums, etc</u> List D attached |
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| 8 | <u>Appointments to Outside Bodies (Pages 65 - 72)</u> List E attached |
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| 9 | <u>Calendar of Meetings 2018/19 (Pages 73 - 74)</u> Calendar attached |
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Robert Harris
Principal Democratic Services Officer
Legal & Democratic Services

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Southend-on-Sea Borough Council

Agenda
Item No.

3
3a

Report of Director of Legal and Democratic Services

to
Council

on
17th May 2018

Report prepared by: John Williams
Director of Legal & Democratic Services

Political Groups, Cabinet and Changes to the Constitution

Part 1 (Public Agenda Item)

1. Purpose of Report

For the Council to:

- Note changes to the political groups following the Local Elections on 3rd May 2018;
- Note the details of the new Cabinet and Cabinet Committee appointed by the Leader of the Council;
- Agree minor changes to the Constitution.

2. Recommendations

- 2.1 To note that following the Local Elections on 3rd May 2018 the make-up of the Council is as follows:
- Conservative Group – 29
 - Labour Group – 11
 - Independent Group – 8
 - Liberal Democrat Group – 2
 - Unaligned Independent (Councillor Aylen) – 1
- 2.2 To note the changes to the titles and responsibilities of portfolios which have been confirmed by the Leader of the Council as set out in **Appendix 1** and to note that these changes will be reflected in an amendment to Part 3 Schedule 1(a) of the Constitution.
- 2.3 To note the appointments to the Cabinet (and substitutes) made by the Leader of the Council (including the arrangements for the Deputy Leader) as set out in **List A** to be circulated at the meeting.
- 2.4 To note the appointments to the Cabinet Committee (and substitutes) made by the Leader of the Council as set out in **List B** to be circulated at the meeting.

- 2.5 To agree the following minor changes to the Constitution:
- (a) That the quorum for the Cabinet be reduced from 5 to 3 members;
 - (b) To reduce the size of Working Parties, Forums and Panels (listed in Part 3 Schedule 2) which currently have a membership of 9 to 8 Members, while retaining the convention that political proportionality shall apply;
 - (c) That minor amendments be made to the terms of reference of the Health & Wellbeing Board as set out in **Appendix 2** and that Schedule 2 of Part 3 of the Constitution be amended accordingly.
 - (d) That minor amendments be made to the Terms of Reference of the Place Scrutiny Committee and Scrutiny Procedure Rule 15(d)(ii) as set out in **Appendix 3** and that Schedule 2 of Part 3 of the Constitution be amended accordingly.
 - (e) That a minor amendment be made to paragraph 5.1(b)(iii) of the Terms of Reference of the People Scrutiny Committee in Part 3, Schedule 2, with the deletion of the following text - '*through election amongst voluntary organisations in the Town*'.
 - (f) That the requirement that the Council nominee(s) to four specific outside bodies shall submit summary reports to the Policy & Resources Scrutiny Committee be deleted and that Article 4.02(3)(e) in Part 2 of the Constitution be amended accordingly.
 - (g) That amendments be made to Contracts Procedure Rules as set out in **Appendix 4** and that Part 4g of the Constitution be amended accordingly.
- 2.6 To endorse the Council's Constitution, including the Scheme of Delegation in Part 3, Schedule 3.

3. Background

- 3.1 In accordance with Article 7 in Part 2 of the Constitution and in accordance with the law, the Leader of the Council has confirmed that:
- He has reduced the number of portfolios from 8 to 7 and, as a consequence it is proposed that the quorum for the Cabinet be reduced from 5 to 3;
 - He has made changes to the titles and responsibilities of portfolios as set out in **Appendix 1**;
 - The Members who will make up the Cabinet (and substitutes) are as set out in **List A** to be circulated at the meeting; and
 - The Members who will make up the Cabinet Committee (and substitutes) are as set out in **List B** to be circulated at the meeting.
- 3.2 In terms of places on relevant Committees and Sub-Committees, these will be allocated on the basis of political proportionality to nominees of the 4 political groups on the Council; with the remaining places being allocated to the unaligned Member. Councillor Aylen has confirmed that he wants his 3 places on Appeals Committee B, General Purposes Committee and Standards

Committee to be reallocated to other members. The reallocation of the seats would result in a non-proportional arrangement: If such arrangement was wanted, then this would have to be agreed by the Council and no-one voting against (see S.17(1) of the Local Government and Housing Act 1989 and Regulation 20 of the Local Government (Committees and Political Groups) Regulations 1990). In the absence of such unanimity, these 3 Committee places would remain with Councillor Ayles.

This matter, together with appointment of Chairmen and Vice Chairmen, is dealt with at **Agenda Items 4 and 5** and **List C** will be circulated at the meeting for the Council to agree.

- 3.3 In terms of appointments to Working Parties, Forums, Panels etc., these will also be allocated, by convention, on the basis of political proportionality to nominees of the 4 political groups on the Council.

This matter, together with appointment of Chairmen and Vice Chairmen, is dealt with at **Agenda Items 6 and 7** and **List D** will be circulated at the meeting for the Council to agree. List D reflects the change referred to in 3.5(b) below.

- 3.4 In terms of appointments to outside bodies, these will be dealt with by the Council and **List E** will be circulated at the meeting for Council to agree. (**Agenda Item 8**).

- 3.5 7 minor amendments are proposed to the Constitution as follows:

- (a) That the quorum for the Cabinet be reduced from 5 to 3 Members to represent its reduced size;
- (b) To reduce the size of Working Parties, Forums and Panels which currently have a membership of 9 to 8 Members, while retaining the convention that political proportionality shall apply;
- (c) There have been a number of developments and changes since the Health & Wellbeing Board was first established and therefore minor changes to the terms of reference of the Board need to be made to bring them up-to-date as shown in **Appendix 2**;
- (d) The Better Queensway Project needs to be the subject to thorough scrutiny as it proceeds. This task can be carried out most effectively if it is undertaken by one Scrutiny Committee. It is recommended that this should be the Place Scrutiny Committee and this necessitates a small amendment to the terms of reference of that Scrutiny Committee. A minor amendment is also required to Scrutiny Procedure Rules 15(d)(ii) to clarify that the Better Queensway Regeneration Project can only be called in to the Place Scrutiny Committee and no other Scrutiny Committee. These amendments are shown in **Appendix 3**;
- (e) To amend the wording of the Terms of Reference of the People Scrutiny Committee in Part 3, Schedule 2 para 5.1 (b) (iii), to be less prescriptive and to provide more flexibility in the appointment of voluntary and community sector co-opted members. This involves the deletion of the words '(through election amongst voluntary organisations in the Town)';

- (f) In 2015 the Council agreed that the Council nominee(s) to four specific outside bodies would submit summary reports to the Policy & Resources Scrutiny Committee twice yearly. This has happened but in practice there has been little, if any, debate on the reports and does not seem to be an efficient use of the Scrutiny Committee's time. Therefore it is recommended to delete the requirement set out in Article 4.02(3)(e) in Part 2 of the Constitution ("Other Functions of the Full Council");
- (g) Although changes to the Contracts Procedure Rules were considered by Council on 22nd February 2018, more comprehensive amendments are now proposed to supersede the original proposals. The proposed amendments are shown in **Appendix 4**.

3.6 In December 2009 the High Court handed down a judgement in a case involving Leeds City Council, which confirmed that the Council did have a valid Scheme of Delegation notwithstanding the fact that it did not confirm the Scheme on an annual basis. Nevertheless to be on the safe side it is recommended that the Council endorses the Council's Constitution (which is on the Internet and Intranet), including the Scheme of Delegation in Part 3, Schedule 3.

4. Background Papers

None

5. Appendices

Appendix 1 – Changes to the titles and responsibilities of portfolios (Part 3 Schedule 1(a) of the Constitution)

Appendix 2 - Changes to the Terms of Reference of the Health & Wellbeing Board

Appendix 3 - Changes to the Terms of Reference of the Place Scrutiny Committee and Scrutiny Procedure Rules

Appendix 4 – Changes to Contracts Procedure Rules (Part 4g of the Constitution).

Schedule 1(a) – The Portfolios

1. LEADER

- Civic Affairs
- Corporate Budget
- Corporate Planning and Policy
- Corporate Services (Financial Services, Procurement, Audit, Human Resources & Organisational Development, Legal & Democratic Services)
- Emergency Planning and Business Continuity
- Equality & Diversity
- Health & Safety
- Media & Communications
- National & Regional Affairs
- Performance Delivery
- Sea and Foreshore Defences (Strategic)
- Town Twinning

2. GROWTH (+ DEPUTY LEADER)

- Asset and Facilities Management
- Better Queensway
- Economic Development
- Planning
- Regeneration
- Skills
- Tourism

3. ADULTS & HOUSING

- Adult Social Care
- Council and Private Sector Housing Investment
- Homelessness
- Strategy & Advice

4. CHILDREN & LEARNING

- Adult and Community Learning
- Children's and Family Social Care
- Early Help
- Early Years
- Schools
- YOT Special Educational Needs & Children with disabilities

5. HEALTHY COMMUNITIES & WELLBEING

- Channel Shift
- Community resilience and cohesion
- Culture
- Customer Services
- Holocaust
- Localities
- Public Health
- Revenues and Benefits
- Voluntary & Community Sector

6. INFRASTRUCTURE

- Bridges & Structures
- Digital Futures
- Highways
- Parking
- Transport

7. PUBLIC PROTECTION

- Cemeteries & Crematorium
- Community Safety
- Energy
- Flooding
- Regulatory Services
- Waste and Street Scene

6.8 Health & Wellbeing Board

6.8.1 Membership

6 Members of the Council to include the Executive Councillor with the responsibility for health . (The Mayor and members of People Scrutiny Committee shall not be members of the Board).

The following co-opted members with voting rights:

Chief Executive & Town Clerk
Deputy Chief Executive (People)
Director of Public Health
NHS England – Essex Local Area Team – Local Area Team Director
Healthwatch Southend Representative (x1)
NHS Southend Clinical Commissioning Group (CCG):

- CCG Clinical Chair
- CCG PEC Chair
- CCG Accountable Officer

The following co-opted members without voting rights:

- Chief Executive, Essex Partnership University Trust (EPUT)
- Chief Executive, Southend University Hospital Foundation Trust (SUHFT)
- Chief Executive, Southend Association of Voluntary Services (SAVS)
- Director of Culture, Tourism and Property
- Chief Executive/Officer – Pre-school Learning Alliance
- STP Programme Director
- Independent Chair (Safeguarding Boards – LSCB and SAB)

The Chairman of the Council's People Scrutiny Committee with observer status, including the ability to ask questions and make comments.

Should the Council wish to vary the composition of the Health & Wellbeing Board, it shall only do so after having consulted with the Board.

The meetings to be chaired by either the Leader of the Council or the Executive Councillor with the responsibility for health .

Substitutes: Elected member substitutes to be appointed in accordance with Standing Order 31.

Co-opted Member substitutes to be appointed must be at a sufficiently senior level for the organisation they represent.

Proportionality: Applies to the elected Members on the Board by convention.

6.8.2 Quorum

The quorum shall be 4 Members including as a minimum the following representatives:

- 2 Elected Members of Southend-on-Sea Borough Council
- 1 Representative from the CCG

6.8.3 Terms of Reference

- To provide strategic leadership, strengthen the influence of local authorities and elected representatives in shaping healthcare commissioning.
- To oversee the development and refresh of the Joint Strategic Needs Assessment (JSNA) so that future commissioning / policy decisions and priorities are evidence based.
- To determine the health improvement priorities in Southend.
- To promote integration, collaboration and partnership working.
- To oversee development of a Joint Health and Wellbeing Strategy (JHWS), which sets out improvement for health and wellbeing outcomes, including reduction in health inequalities that provides a framework for commissioning plans related to health and wellbeing.
- To promote and encourage integration and partnership working including joint commissioning, pooled budgets and joint delivery across the NHS, social care, public health and other service providers.
- To initiate and support stakeholder and community engagement and consultation work in relation to health and wellbeing issues.
- To appoint task and finish groups / sub-committees for specific pieces of work that support or inform health and wellbeing across Southend.
- To sign-off key commissioning plans, strategy and policy related to health and wellbeing and health inequalities.
- To oversee the development of the pharmaceutical needs assessment.
- To performance manage the achievement of and progress against key outcomes identified within the JHWS.
- To provide leadership on any other emerging health and wellbeing related issues that may have a significant impact on the delivery of the JHWS.
- To oversee the strategic governance for Fulfilling Lives, A Better Start Programme

6.8.4 Status of Meetings

Open to the public

6.8.5 Reports to

The Council

Changes to Part 4(e) – Scrutiny Procedure Rules

15. Call-in (see Algorithms in the Annex to these Scrutiny Procedure Rules)

Call-in should only be used where really necessary and the right should not be abused. In particular it should be used where members of the appropriate Scrutiny Committee have evidence which suggest that the Cabinet did not take the decision in accordance with the principles set out in Article 13 (Decision Making).

(a) When a decision is made by the Executive or a key decision is made by an officer with delegated authority from the Executive, the decision shall be published in a Digest, including where possible by electronic means, and shall be available at the main offices of the Council normally within three working days of being made. The Digest will be sent to all Members.

(b) That Digest will bear the date on which it is published and will specify that the decision will come into force, and may then be implemented, on the expiry of five working days after the publication of the decision, unless any 2 members of the Council (including co-opted members) objects to it and calls it in.

(c) The Chief Executive & Town Clerk shall call-in a decision for scrutiny if so requested by any two members of the Council (including co-opted members provided the Proposal relates to their area of responsibility) and shall then notify the decision taker of the call-in. The two members “calling-in” must give written notice to the Chief Executive & Town Clerk by sending an e-mail to committeesection@southend.gov.uk no later than 4.00 pm on the fifth working day after publication of the Digest. The notice must refer to the whole decision, not part, and once given cannot be withdrawn.

(d) When calling-in a decision the two members shall confirm that they want the matter to go to:

(i) the Scrutiny Committee indicated in the Digest or, where more than one is indicated in the report, which of them (if no selection is made, the matter will go to all the Scrutiny Committees indicated in the Digest); or

(ii) another Scrutiny Committee, not indicated in the Digest, in which case a reason should be given. The Chief Executive & Town Clerk will adjudicate on such a request (save that all aspects of the Better Queensway Regeneration Project will solely be within the remit of the Place Scrutiny Committee).

(e) The call-in procedure shall not operate:

(i) in respect of urgent matters. (An “urgent matter” is one constituting an emergency threatening the lives or wellbeing of some or all of the inhabitants of the Borough or any legal, commercial or other matter in which delay may adversely affect the Council’s interests or the rights or interests of others and the Chief Executive & Town Clerk shall be the final arbiter on whether a matter is an “urgent matter”);

Changes to Part 3, Schedule 2 - Terms of Reference of the Place Scrutiny Committee

5.3 Terms of Reference

The Scrutiny Committees shall deal with the following general areas, although many issues will cut across boundaries and consequently the Terms of Reference of the Scrutiny Committees are not to be construed restrictively:

Place Scrutiny Committee

- Planning, Highways & Transportation and Engineering
- Environmental, Waste Management and Public Protection (Regulatory Services)
- Regeneration and Economic Development
- Tourism and Events
- Leisure, Culture and Sport
- Foreshore
- Flood & Waste Management
- All aspects of the Better Queensway Regeneration Project (including housing)

Part 4(g) – Contracts Procedure Rules

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Part 4(g) – Contracts Procedure Rules

1. Introduction

The Council is accountable to the public for the way it spends public funds. Professional procurement activities contribute to the efficient, effective and economic delivery of services to the public, maximising the benefits available from the budgets and supporting the Council’s strategic objectives. The Council’s reputation is of the utmost importance and should be safeguarded from any suggestion of dishonesty, corruption or failure to meet legal obligations.

These Contracts Procedure Rules (CPRs) ensure these accountabilities and objectives are addressed.

2. Procurement Thresholds & Exemptions

Procurement covers the total process of purchasing for all bought in services, supplies and works; from the initial assessment of the business need, to acquisition or extension, and contract management.

Total contract value means the estimated/aggregate spend or recurring value payable over the entire contract period including any extensions of contract.

Section 7.1 provides further details on how to calculate contract value.

2.1 Thresholds

The table below sets out the different financial thresholds.

| | Total Contract Value (excl. VAT) | Lead Officer | Procurement Process | Procurement System |
|-----------|----------------------------------|-----------------|--|--|
| Low Value | £1 to £999.99 | Council Officer | Obtain 1 written or verbal quotation demonstrating best value- where possible this should be a local supplier* | If appropriate, process Procurement Card transactions in accordance with procedures. Otherwise, process as for Minor below |
| Minor | £1,000 to £9,999.99 | Council Officer | Obtain a minimum of 1 written supplier quote that demonstrates best value- where possible this should be a local supplier* | Create a requisition in Procure to Pay (P2P), enter a spend justification and attach preferred supplier quote |
| Medium | £10,000 to £24,999.99 | Council Officer | Obtain a minimum of 3 written supplier quotes and evaluate to determine best value- this should include (where possible) as a minimum 2 local suppliers* | Create a requisition in P2P, enter a spend justification and attach preferred supplier quote |

| | | | | |
|----------------------|---|--------------------------------|---|---|
| Major | <p>Threshold (a) £25,000 to £74,999.99</p> <p>Threshold (b) £75,000 to £181,302</p> | Procurement Advisor | <p>Threshold (a) and (b) Contact procurement and seek support to develop specification or tender document, advertise, evaluate and award contract Threshold (b) required complete and options appraisal, issue a tender, secure approval to award and then complete a signed contract</p> | <p>Contracts Finder / e-Procurement to advertise and award contract.</p> <p>Create a requisition in P2P, enter a spend justification and reference contract in P2P</p> |
| OJEU Contract | <p>£181,302 and over unless: (a) social care, health education £615,278 and over (b) works and concession contracts** £4,551,413 and over</p> | Procurement Advisor | <p>Contact procurement and follow EU Procurement Rules for Service, Supplies and Works Contracts</p> | <p>Contracts Finder / e-Procurement and OJEU to advertise and award contract.</p> <p>Create a requisition in P2P, enter a spend justification and reference contract in P2P</p> |

(*) The use of Local Suppliers is promoted and encouraged between the Low to Medium Thresholds, but should not supersede the Primary requirement of Council Officers to try and ensure the best possible value for Public Money. Achieving value for Public Money should be reasonably and proportionally measured in terms of Price, Quality and the possible Social Value benefits associated with using Local Businesses.

A Local supplier is defined within Agresso as a Supplier whose address is listed as a Southend postcode, which include SS0, SS1, SS2, SS3 and SS9.

For the avoidance of doubt the Council would like to pro-actively increase the level of money it spends within the Borough. However, it is understood this may not be possible in a number of cases. For this reason any work carried out by Officers in the pursuit of value, but which is not able to secure local quotes will not be subject to delay because of this.

** The purpose of the Concession Regulations 2016 is to provide clear rules to increase competition in the concession market. This is in parallel with the requirement that public procurement should be based upon an organisation fulfilling its legal obligation to obtain best value for money through market competition. In order to maximise the achievable value, all potential Concession Contracts over the £25K value should be competitively let in an open, fair and transparent manner, utilising calls for competition in line with the requirements set out in 2.1 (Thresholds) and 7.2 (Detailed Procurement Process in Relation to Thresholds).

Further detailed information on the Procurement Processes detailed in this table is contained within **section 7.2**.

2.2 Exemptions to the CPRs*

The following types of procurement are exemptions and not covered by these CPRs:

- Grants which the Council may receive or make; except where the grant is the form of payment in a contract for a service, supply or works (or any combination thereof) where the Council requires an output or outcomes to be delivered by a Third Party. The awarding of grants by the Council or on behalf of the Council must be carried out under the principles of openness, fairness, non-discrimination and value for money. Officers cannot choose to treat procurement as a grant in order to avoid conducting a competitive process. The Council's Financial Procedure Rules provide more guidance on the awarding and the receiving of grants
- The purchase or lease of property, land acquisition, interest in land, transaction in land or disposal. This rule does not extend to any service, supplies or works contracts that may be

required to make the land, existing buildings or immovable property ready for acquisition, disposal or leasing

- Direct employment of permanent or fixed-term employees. For the avoidance of doubt, these CPRs do apply to consultancy and employment agency contracts
- Contracts for the execution of either mandatory works or provision of goods or services which must be provided by a Statutory Provider other than the Council. This includes but is not limited to public utility companies and other legal authorities
- Contracts which have been procured on the Council's behalf through collaboration with other local authorities or other public bodies. In such instances a competitive process must be followed that complies with the rules / regulations of the lead organisation even though these may not comply wholly with these rules. The use of any third party rules and regulations must be approved by the Group Manager of Procurement prior to the commencement of any collaborative procurement. This includes but is not limited to national or regional contracting authorities where the process followed is in line with the Public Contracts Regulations 2006 or 2015 or any other subsequent amendment. Where a collaborative procurement is undertaken, the regulatory requirements of both organisations must be adhered to, e.g. The National Health Service (Procurement, Patient Choice and Competition) (No. 2) Regulations 2013 and the Public Contract Regulations 2015
- Instructing barristers or external solicitors and those costs do not exceed £74,999
- Specialist professional services, where the Council's costs are being discharged by a third party and those costs do not exceed £74,999
- Spot care placements which may include special educational needs (i.e. individual placements that fall outside of any block contracting arrangements) are excluded from the requirement but have to be approved through separate approval processes
- The lending or borrowing of money by the Council
- The acquisition or exhibiting of unique works of art or artistic performance where they are only available from a single source and the related costs do not exceed £24,999.99 across the life of the agreement. This exemption does not extend to any medium or long term contract in which a Party would have an exclusive or non-exclusive right to provide the Council with multiple exhibitions or artistic performances over one or more years
- Arrangements with Ofsted for the inspection of a school
- If any law says The Council must contract differently from these CPRs
- For the avoidance of doubt exemptions do not include emergencies; this is covered in Section 8.11.

*Officers must ensure that any procurement carried out in relation to any of these listed exemptions is consistent with the Council's duty to obtain value for money, as well as the current procurement strategy and other relevant policies of the Council.

The Council maintains a list of Exemptions which is reviewed on a regular basis. This can be found at

<http://seattle/Pages/Payment-with-Purchase-Order.aspx>

Exceptions and Emergencies are detailed in **Sections 8.9, 8.10 and 8.11**

2.3 Procurement Oversight

Corporate Procurement will issue quarterly reports to the Corporate Management Team (CMT). This reporting process will ensure there is scrutiny and monitoring of the Council's expenditure in the context of procurement activity (see section 5.6). The Corporate Procurement Team will also report on compliance with the CPRs, delivery of the Procurement Strategy, progress against the Annual Procurement Plan and those Exceptions/Exemptions approvals.

3. Purpose of the Contracts Procedure Rules

The purpose of these CPRs is to set out the principles of procurement, roles and responsibilities, rules and processes involved in purchasing services, supplies and works contracts across the Council. They do this to better protect the Council and its Officers from legal challenge, reputational damage and the negative effects of such damage. When using the term contract, this also covers the delivery of pilots and the usage of grants unless they are covered within **section 2.2**.

The CPRs should be read in conjunction with the Council's Financial Procedure Rules, **Part 4(f)**, as well as the Council's Procurement Strategy and Procedures.

In addition, these CPRs reflect the EU Procurement Regulations, The Public Contract Regulations 2015 and UK legislation. Any misuse or failure to comply with any of these CPRs may result in disciplinary action and legal proceedings. It should be noted the term contract also refers to any agreement put in place which looks to implement the delivery of a Pilot Scheme, as well as the usage of grants (as referenced within Section 2.2 (**Exemptions to the CPRs**))

Any non-compliance shall be reported to the Group Manager of Procurement, who will decide in conjunction with the relevant Chief Officer what further action needs to be taken.

These CPRs are supported by detailed guidance included within the Council's Procurement Toolkit. The Toolkit explains in more detail procurement and contract management processes, but does not override these CPRs. All procurement activity needs to adhere to the Scheme of Delegation and Financial Limits as set out in the Financial Procedure Rules.

These CPRs will be reviewed by the Group Manager of Procurement at least every 12 months.

4. Principles of Procurement

The Council's approach to professional procurement, underpinned by its values, is driven by a number of principles that include but are not limited to those set out in table below:

| Principle | Meaning of the principle |
|--|---|
| Achieving the best commercial value | Using the Council's purchasing power to negotiate and leverage: <ul style="list-style-type: none"> ▪ The best commercial price from the marketplace ▪ Robust legal terms and conditions ▪ Effective, efficient and economic use of resources. |
| Complying with Regulatory and Legislative requirements | Ensure the Council is: <ul style="list-style-type: none"> ▪ Not exposed to unnecessary risk and likelihood of challenge arising from non-compliant procurement activity ▪ Compliance with current legislation, up to date with guidance notes, tools and templates issued by Cabinet Office ▪ Open, fair and transparent and fully compliant with EU Procurement Regulations., the Public Contract Regulations 2015 and UK legislation. |
| Meeting Government Acts and statutory duties | Meeting applicable standards and accreditations on: <ul style="list-style-type: none"> ▪ Social Value Act 2012 and any subsequent acts (also refer to the Council's Social Value Policy) ▪ Acting within the laws of the Bribery Act 2010 and any subsequent acts ▪ The Modern Slavery Act (also refer to the Council Modern Slavery statement) ▪ Quality and Environmental ▪ Security Information Management ▪ Freedom of Information, Data Protection (including GDPR 2018) and Transparency Acts ▪ Health and Safety. |

| | |
|-------------------------------|--|
| Promote sustainability | <p>Assessing and monitoring the impact on:</p> <ul style="list-style-type: none"> ▪ The environment and any exposure to environmental risks ▪ Society such as support for equality and diversity ▪ Supporting local Small and Medium Enterprise (SME) supplier markets ▪ Ensure that suppliers do not become financially over-dependent on Council contracts ▪ To develop and sustain effective supplier and market relationships |
| Maintaining ethical standards | <p>Operating openly and transparently by:</p> <ul style="list-style-type: none"> ▪ Adhering and performing within the Council's code of conduct ▪ Notification and recording of any declarations of interest throughout the Procurement process via the Agresso system and relevant project team ▪ Acting within the laws of the Equalities Act 2010 and any subsequent acts ▪ Ensuring our suppliers allow for equal opportunities ▪ Allowing diversity amongst our approved supplier base ▪ Ensure that Non-Commercial Considerations do not influence any contracting decision ▪ To keep our supplier records relevant and up to date. |

5. Roles and Responsibilities

All Officers must comply with these CPRs, the Council's Constitution, the Public Contract Regulations 2015, EU Procurement Regulations and UK Legislation. Officers must ensure that any Agents or Consultants acting on their behalf also comply.

5.1 The Chief Officers shall:

- (a) Agree their annual departmental procurement plans with the Group Manager of Procurement before the start of each financial year. The plans should accurately detail existing contracts / spend, pending contract renewals and any new contract / spend identified for the coming year
- (b) Appoint Officers in their departments as Designated Procurement Officers who are trained in the administration of purchasing services, supplies and works
- (c) Appoint Officers in their departments as Contract Managers who are trained in contact management and supplier relationship management
- (d) Ensure Procurement Officers and Contract Managers are appropriately trained, supervised, appraised and have access to the necessary systems and understand the importance of following these rules
- (e) Be responsible for approving and delegating approval of contracts / spends in their department, including any variations to contracts where there are financial, legal or commercial implications
- (f) Collaborate with the Group Manager of Procurement and Audit on an Annual Procurement Plan to ensure compliance within their departments.

5.2 Designated Procurement Officers must:

- (a) Appraise purchases, in a manner commensurate with their complexity and value – taking account of guidance in the Procurement Toolkit
- (b) Purchase services, supplies and works in accordance with the CPRs, demonstrate best value and ensure no commitment is made without written authorisation
- (c) Check whether a suitable approved supplier, contract, purchasing or framework agreement already exists before purchasing or letting a contract for services, supplies and works
- (d) Develop a clear and precise set of purchasing requirements, including (but not limited to) written specification / scope, evaluation criteria, drawings, seasonal trends, historical data, benchmark data, timescales and delivery details

- (e) Create purchase requisitions in advance of the supply of services, supplies and works except where a Purchase Card transaction or Payment without a Purchase Order request applies. All purchase requisitions should be under the Council's agreed Terms and Conditions
- (f) Any declaration of interest must be notified immediately to the Group Manager of Procurement to avoid any conflict when purchasing goods, services and works. This declaration must also be detailed via the Agresso system so that appropriate approval is sought and provided
- (g) Ensure advice is sought where required and/or relevant from the Corporate Procurement Team on the application of these CPRs, Procurement Regulations or tendering procedure

5.3 Procurement Advisors shall:

- (a) Provide procurement advice and support to Chief Officers, and other officers on how to purchase services, supplies and works in accordance with these CPRs. This advice includes administering adverts / frameworks, developing specifications / tenders, conducting evaluation processes, publishing awards and operating procurement systems
- (b) Notify the Group Manager of Procurement in a timely manner of any anticipated unplanned procurement expenditures in service areas for the forthcoming financial year
- (c) Ensure that procurement requirements are properly defined; procurement activity is competitive, transparent, fair, and complies with the relevant legislation and demonstrates best value
- (d) Support each department to proactively performance manage supplier contracts as part of an agreed contract management plan.
- (e) Maintain and update the public contracts register

5.4 Group Manager of Procurement shall:

- (a) Deliver contracts in a manner contributing to the following key objectives: ensuring compliance with EU guidelines, legislation and other procurement policy and regulatory frameworks available to the wider public sector and local authorities and contributing to the achievement of value for money / cashable savings
- (b) Review in accordance with these CPRs exceptions and variations to terms & conditions, in consultation with the Director of Finance and Resources and Director of Legal and Democratic Services where there are financial and legal implications respectively
- (c) Allocate resource to key procurement projects to ensure delivery of the Annual Procurement Plan
- (d) Ensure Procurement Advisors keep up to date with these CPRs, the Council's Financial Procedure Rules, the Procurement Toolkit, other relevant Guidelines and Procurement Legislation
- (e) Regularly review the CPRs and the Council's Procurement Strategy

5.5 Corporate Procurement Team shall:

- (a) Provide procurement advice and support to Chief Officers and other officers on how to purchase services, supplies and works in accordance with these CPRs. This advice includes administering adverts / frameworks, developing specifications / tenders, conducting evaluation processes, publishing awards and operating procurement systems
- (b) Monitor compliance and notify the Group Manager of Procurement in a timely manner of any anticipated exceptions to the CPRs or unplanned procurement expenditures in service areas for the forthcoming financial year
- (c) Resource Major and EU procurement projects to ensure delivery of the Annual Procurement Plan

5.6 Procurement Oversight as detailed in section 2.3 shall:

- (a) Ensure scrutiny and monitoring of the Council’s expenditure in the context of procurement activity
- (b) Monitor compliance against all procurement activity and notably the CPRs
- (c) Provide information as to those exceptions and exemptions requested and approved/rejected
- (d) Monitor progress against the Annual Procurement Plan and the Corporate Procurement Strategy
- (e) Record any unplanned procurement activity reported to it which exceeds £74,999.99 and the course of action taken to address any such unplanned procurement processes (subject to the normal authorities set out in Section 6 below).
- (f) Consider opportunities across departments and service areas where joint initiatives can be investigated and implemented, which in turn may deliver better value
- (g) Provide information and evidence for Internal Audit and the Fraud Team which is contrary to the practices set out in the CPRs

6. Approval to Spend

6.1 Requirements before commencing any procurement

Before commencing any procurement activity the following approvals to proceed must be in place:

- (a) Contracts that are under £75,000 require approval pursuant to the Delegation Scheme in **Part 3, Schedule 3** of the Constitution and 6.1(e) and 6.2 below, including budgetary approval
- (b) Contracts of £75,000 and above require the authority of Cabinet or of a Chief Officer (pursuant to the Delegations Scheme in **Part 3, Schedule 3** of the Constitution and 6.2 below), including budgetary approval, provided that where the contract has been included in the Annual Procurement Plan then this provides the necessary authority for the Contract
- (c) Contracts within (a) or (b) which are Capital Contracts must be included in the Capital Programme in accordance with the Financial Procedure Rules
- (d) Contracts where external funding is being obtained within (a) or (b) must comply with the External Funding Rules in the Financial Procedure Rules
- (e) Financial levels of authority for Request for Quotation or Invitation to Tender:

| Head Teachers of Request for Quotation or Invitation to Tender (subject to budgetary approval) | | Authorised Officers | Board of Governors |
|--|-------------------|---|---|
| 6.2 Award of Contract | Cabinet / Schools | Governing Bodies | Contract with an estimated value of over £1 million which is not included in the Annual Procurement Plan |
| | | The Chief Executive and Deputy Chief Executives | 1. Contract with an estimated value of over £1m already included in the Annual Procurement Plan. 2. Contract with an estimated value up to £1 million |
| | | Authorised Officers | Director- contract with an estimated value up to £500k Group Manager- contract with an estimated value up to £75k Business Unit Manager- contract with an estimated value up to £25k Line Manager- contract with an estimated value up to £10k |

Financial levels of authority for Award of Contract:

| Award of Contract (subject to budgetary approval) | |
|---|--|
| Cabinet / Schools | Contract over £1 million where the tender is in excess of the budget |

| | |
|--|---|
| Governing Bodies | agreed at invitation stage or as stated in the Annual Procurement Plan. Note: Contracts over £1m must be executed under seal in accordance with Rule 7.3. (b) |
| The Chief Executive and Deputy Chief Executives | 1. Contract over £1 million where tender is within the budget agreed at invitation stage and which was included in the Annual Procurement Plan. 2. Contract up to £1 million |
| Authorised Officers | Director- contract with an estimated value up to £500k Group Manager- contract with an estimated value up to £75k Business Unit Manager- contract with an estimated value up to £25k Line Manager- contract with an estimated value up to £10k |
| Head Teachers and their Authorised Officers | In accordance with the delegated powers stipulated by the relevant Board of Governors |

7. Detailed Procurement Rules

To ensure the purpose and principles set out earlier in CPRs are met, the following detailed rules must be adhered to at all times:

7.1 Calculating Contract Value

Before entering into any contract; the correct contract value must be calculated in advance. Contract value means the estimated aggregate or recurring value payable in pounds sterling exclusive of Value Added Tax (VAT) over the entire contract period including any extensions of the contract. Where the contract term is without fixed length (e.g. an open approved supplier list) the estimated value of the contract should be calculated by monthly value of spend multiplied by 48 in accordance with regulation 6 of the EU regulations. When calculating the contract value to determine the correct Procurement Threshold, Officers must not underestimate or split the value of a single contract over a number of contracts (Disaggregation) to artificially avoid certain procurement thresholds. The value of a concession is to be calculated on the basis of the total turnover of the concessionaire generated over the duration of the contract, net of VAT, as estimated by the Council, in consideration for the works and services which are the object of the concession as well as for the supplies required for such works and services.

7.2 Detailed Procurement Process in Relation to Thresholds

Once the contract value has been calculated, all known or new purchasing contracts are made in accordance with the procurement thresholds and process detailed below, unless an exception has been agreed in advance as detailed in **Sections 8.9 and 8.10**. Officers should seek advice and support from Procurement Advisors to ensure they comply with the CPRs and EU Procurement Rules. The thresholds are summarised in more detail below and apply to known procurements that are contracts due for renewal and new spend agreed within the procurement plan.

| Threshold | Procurement Process |
|---------------------|--|
| £1 to £999.99 | An Officer should obtain one written or a verbal quote from a supplier (this should be a local supplier* wherever possible) who accepts a Procurement Card and complete the card transaction. The audit purposes and for Scrutiny Checks by the Corporate Procurement Team officers should ensure they retain evidence best value has been achieved for the Council even at this level of spend. In circumstances where the Officer does not have a Procurement Card and/or the supplier does not accept a Procurement Card, the Officer should follow the process described in the £1,001 to £9,999.99 threshold below. |
| £1,000 to £9,999.99 | An Officer should obtain a minimum of one written quote (where possible this should be from a local supplier*) and create a purchase request in P2P and enter a spend justification to evidence that best value has been achieved for the Council. The Officer will also need to attach the preferred |

| | | |
|--|----|--|
| | | supplier quote within the purchase request. |
| £10,000 £24,999.99 | to | An Officer should obtain a minimum of three written quotes, of which at least two should be from local suppliers*, and create a purchase request in P2P and enter a spend justification to evidence that best value has been achieved for the Council. The Officer will also need to attach the preferred supplier quote within the purchase request. |
| Threshold (a) £25,000 £74,999.99 | to | An Officer should contact their nominated Procurement Advisor for advice and support. The Officer will need to develop a specification and evaluation criteria with the Procurement Advisor as it is mandatory within this threshold to formally advertise the procurement contract and publish an award. |
| Threshold (b) £75,000 £181,301.99 | to | The Procurement Advisor will advise if there are any relevant tendering requirements (normally for spends of £75k and over), if there are any suitable Government Frameworks available to use and the most suitable procurement procedure to follow. Once the procurement process is complete and the award is made, the Officer will be required to create a purchase request in P2P. |
| £181,302 and over unless: (a) social care, health education £615,278 and over (b) works and concession contracts £4,551,413 and over | | An Officer should contact their nominated Procurement Advisor for advice and support. It is mandatory within this threshold to follow EU Procurement Rules for service, supplies and works Contracts. The Procurement Advisor will advise the Officer on the correct process to follow. It should be noted that concession contracts are usually contracts where the Council may partially subsidise or not fund the service at all, but where the operating of the contract relies upon income generation (e.g. the Operation of the Leisure centres). In this case the contract value is based upon the expected income throughout the life of the contract. Once the procurement process is complete and the award is made, the Officer will be required to create a purchase request in P2P. |

(*) Further information on the responsible use of Local Suppliers is confirmed under **Section 2.1** (Thresholds)

7.3 **Contract Documentation, Contract Award and Signing, The Contracts Register and Storage of Contracts**

(a) **Documentation**

The Council has a standard set of terms and conditions which are included as part of the purchase order requirements sent to suppliers. These terms and conditions are used as part of the procurement process for Minor and Medium sized contracts that do not have complex requirements, and are not to be varied.

Where more complex procurement requirements need tailored or specific terms and conditions (i.e. NEC Framework, performance related incentives, payment terms) usually within tender requirements for Major or EU contracts, written approval must be sought from the Group Manager of Procurement and / or Director of Legal and Democratic Services to vary the Council's terms and conditions. In all cases, irrespective of value, purchase orders and contracts shall clearly specify as a minimum:

- Details of what is to be supplied (i.e. the works, materials, services, deliverables or description of works)
- Payment terms (i.e. the price to be paid and when) this can be a schedule of multiple payments and / or milestone payments
- The dates, or times, within which the contract is to be performed; and the provisions for the Council to terminate the contract.

(b) **Contract Award and Signing**

The necessary Authority for the awarding of a contract is set out in the table below:

| Award of Contract (subject to budgetary approval) | |
|--|---|
| Cabinet / Schools Governing Bodies | <p>Contract over £1 million where the costs provided are in excess of the budget agreed at invitation stage or as stated in the Annual Procurement Plan</p> <p>Note: Contracts over £1m must be executed under seal in accordance with Rule 7.3. (b)</p> |
| The Chief Executive and Deputy Chief Executives | <p>1. Contract over £1 million where tender is within the budget agreed at invitation stage or as stated in the Annual Procurement Plan</p> <p>2. Contract up to £1 million.</p> |
| Authorised Officers | <p>Director- contract with a value up to £500k Group Manager- contract with a value up to £75k Business Unit Manager- contract with a value up to £25k Line Manager- contract with a value up to £10k.</p> |
| Head Teachers and their Authorised Officers | <p>In accordance with the delegated powers stipulated by the relevant Board of Governors.</p> |

Contracts which have a value below £1m, but for which a longer limitation period is considered necessary to protect the Council's interests (e.g. design contracts, construction contracts) shall be executed under seal as well as all contracts with a value over £1M.

All other Contracts can be signed by The Chief Executive or a Deputy Chief Executive, Authorised Officer or a Head Teacher subject to the Approved Limits in the table above.

(c) The Contracts Register and Storage of Contracts

The Corporate Procurement Team is responsible for keeping/ensuring:

- A register of all ongoing Council contracts which have been run via the E-Procurement system;
- An electronic copy of all contracts
- The original of all contracts executed under seal shall be passed to the Legal Department for storage in the basement

7.4 Signing of Non-disclosure agreements and Letters of Intent (LOI)

Non-disclosure agreements can only be signed by approved signatories detailed within **7.3 (b)** or by the Group Manager Procurement. In addition, it is the Council's policy not to enter into discussions with suppliers based on Letters of Intent (LOI).

7.5 Code of Conduct

All Officers must always comply with the Council's Employee Code of Conduct which means that where their role involves procuring, managing or using the Council's contracts they must comply with the CPRs and Financial Procedure Rules on the award of orders and contracts. In addition, any potential or actual conflicts of interest (financial or non-financial) or relationships that may impact on their involvement in procuring, managing or using the Council's contracts must be declared to the appropriate Council manager. Officers must also not offer, promise, give or receive any gift, loan, fee, reward, regard or advantage from or to contractors or potential contractors in respect of the award or performance of any contract.

Breaches of the Council's Employee Code of Conduct (inside or outside of work) will be investigated and may result in disciplinary action. Serious breaches of the code may be considered gross misconduct and result in dismissal without notice.

7.6 Record Keeping Process for Contracts of £75,000 and above

Procurement Advisors shall record and retain:

- Contracting decisions and reasons (including route to market)
- Any exceptions or exemptions together with the reasons for it

- The Award Criteria
- Tender and Quotation documents sent and received from Tenderers
- Pre-tender market research
- Clarification and post-tender negotiation (incl. minutes)
- Copies of the contract documents (original contracts see **7.3 (c)**)
- Post-contract evaluation and monitoring
- Communications with Tenderers and with the successful contractor throughout the period of the contract.
- Post Award contract documentation such as Variations, Extensions, Reviews, Breaches and performance notices

Full guidance is contained in the Procurement Toolkit.

7.7 Record Retention Process for Contracts of £75,000 and above

The Corporate Procurement Team shall retain:

- Successful contract files for twelve (12) years after the end of the contract for all sealed contracts
- Successful contract files for six (6) years after the end of the contract for all other contracts
- Unsuccessful contract files for two (2) years.
- An electronic copy of the contract.

Full guidance is contained within the Procurement Toolkit.

8 Procurement Method

All Major and OJEU Contracts within the Council should adhere to the following processes detailed within **Section 8.1**, unless they have been granted an exception under **Section 8.9 and 8.10** or an emergency under **Section 8.11**. Further detailed guidance for each process can be found within the Council's Procurement Toolkit.

8.1 Process for Major and OJEU contracts

| Step | Process |
|------|---------|
|------|---------|

| Step | Process |
|-----------------------------------|---|
| Pre-Procurement Activities | <ol style="list-style-type: none"> <li data-bbox="336 174 1423 322">1. Market research – Undertake research to identify potential suppliers, estimated contract value and appropriate industry standards or regulations. This may include early supplier engagement through soft market testing, however any activities carried out at this stage should not distort future procurement competition nor prejudice any potential Supplier. <li data-bbox="336 322 1423 448">2. Establish route to market – Identify existing contractual arrangements in form of: <ul style="list-style-type: none"> <li data-bbox="400 353 1423 383">▪ Framework Agreements that have been set up with a list of pre-assessed Suppliers <li data-bbox="400 383 1423 412">▪ Pre-Approved supplier list <li data-bbox="400 412 1423 441">▪ Other approved sources of supply. <p data-bbox="400 448 1423 506">In the absence of the aforementioned, a competitive tender procedure should be selected as defined in the Public Contracts Regulations 2015.</p> <li data-bbox="336 506 1423 654">3. Defining the requirement – A written document in the form of a specification detailing what services / supplies / works are required, outcomes, technical requirements including designs/drawings and commercial requirements. This also requires defining the evaluation and award criteria required to assess Supplier proposal. <li data-bbox="336 654 1423 840">4. Prepare options appraisal – A descriptive note highlighting the outcome of the Market Research, the preferred route to market and estimated project cost against approved project budget. This document is required for all procurements with an estimated contract value that exceeds £74,999. The Options Appraisal shall be approved by the relevant Deputy Chief Executive or Director and the Group Manager for Procurement. |
| Procurement Activities | <ol style="list-style-type: none"> <li data-bbox="336 869 1423 1016">5. Advertise – if employing a competitive tender procedure, contract opportunities with an estimated contract value that exceeds £24,999.99 must be made available electronically in the public domain by placing adverts on Contracts Finder. Where the contract value exceeds £181,302, contract opportunities must be advertised electronically in the European Journal prior to placing adverts on Contract Finder. <li data-bbox="336 1016 1423 1532">6. Manage tender process – All tenders will be managed through the Councils E-Procurement System unless a manual tendering process is approved by the Group Manager of Procurement. The minimum activities required at this stage are: <ul style="list-style-type: none"> <li data-bbox="400 1106 1423 1232">▪ Invitation to tender - Instructions to potential Suppliers on how to respond to an invitation to tender by submitting a proposal for a contract opportunity. This document will include specification, timescales for the tender process and the Terms and Conditions that will govern the eventual contract <li data-bbox="400 1232 1423 1379">▪ Tender receipt and opening - Procurement Advisors will open received Supplier proposals in accordance with the tender submission deadline. The opening of Tenders must be completed by Officers who will not be involved in the evaluation process and award of the contract. See detailed instructions in Appendix B of these CPRs <li data-bbox="400 1379 1423 1532">▪ Evaluation and moderation - Officers that form part of the evaluation panel must evaluate and score all technical proposals submitted by Suppliers individually. The commercial evaluation can only be carried out by a Procurement Advisor. A moderation meeting coordinated by a Procurement Advisor will be required to record all final consensus scores. <li data-bbox="336 1532 1423 1704">7. Contract award – Awarding contracts with a value that exceeds £24,999.99 must be made available electronically in the public domain by placing the Contract Award Notice on Contracts Finder. Where the contract value exceeds £181,302 (or the corresponding OJEU threshold as set out in 7.2, the Contract Award Notice must be available electronically in the European Journal prior to placing a notice on Contract Finder. |

All purchases made under the CPRs require a method to instruct and transact with the supplier which is completed by using the Council's Purchase to Pay system (P2P) or Procurement Card Programme (P-Card).

P2P enables Officers to enter their purchasing requirements, manage authorisation, make payments to suppliers and provides a mechanism to report on the Council's expenditure.

8.2 Using the Council's Approved Suppliers

All suppliers are entered and maintained within the Council's approved supplier database which is managed jointly between the Corporate Procurement Team and Finance. Prior to entering the suppliers onto the database, they must pass assessment criteria to hold approved supplier status on the Council's database. For the avoidance of doubt the use of Approved Suppliers does not negate the responsibility of Officers to undertake a process to achieve best value. Furthermore, named Contractors operating under the Council's corporate contracts cannot be used to avoid undertaking a process for any requirement not confirmed in the related contract.

8.3 Using Dynamic Purchasing Systems (DPS) and Approved Framework Agreements

The Council's Corporate Procurement Team will advertise, tender and award contracts with agreed terms for the Council to use with pre-approved suppliers. These agreements help the Council control its costs and operate with third parties using a robust set of terms and conditions. In addition, the Corporate Procurement Team also has access to Framework Agreements that have been established by other Public Sector Bodies and are accessible to the Council, subject to the terms of the Framework Agreement.

Officers should seek advice from their nominated Procurement Advisor to ascertain if approved suppliers and framework agreements exist for their requirements before entering into a contract.

The Council through their Electronic Procurement System also have access to a Dynamic Purchasing System. This allows the Council to operate an open ended approved supplier list which is available for new suppliers to join on an ongoing basis.

8.4 Create Purchase Requisitions and issuing of Council Purchase Orders

With the exception of a Payment Without Purchase Order (PWPO) request and Procurement Card transactions, all purchasing requirements must be accompanied by an official purchase order which includes the Council's agreed terms and conditions.

An Officer is required to create a purchase requisition in advance of the supply of services, supplies or works which will issue a purchase order to a supplier once approved under the scheme of delegation. Under no circumstances should purchase requisitions be raised retrospectively to cover any invoiced services, supplies or works. If however special circumstances apply then a PWPO form would need to be attached to any retrospective order raised on Agresso.

8.5 Confirm Services, Supplies or Works have been received

An Officer is responsible for accepting the services, supplies or works received from the supplier; and ensuring it meets the standards set in the purchase order or contract.

8.6 Payment without Purchase Order (PWPO)

In certain circumstances, there are payments to suppliers or third parties, where it would not be practical to raise a purchase requisition in advance of supplying services, supplies or works. For these exceptions, a Payment without Purchase Order form should be completed. These circumstances where a PWPO applies are listed at:

<http://seattle/Pages/Payment-with-Purchase-Order.aspx>

8.7 Procurement Card Programme (P-Card)

P-Cards are used to procure one off, low cost services and supplies, saving Officers both time spent on ordering and speeding up the delivery of your goods and services. The Card eliminates the need to set up suppliers, enter purchase requests and handle invoices multiple times across the organisation. P-Cards must not be used to circumvent the CPRs in anyway.

8.8 Segregation of duties in P2P:

The principal roles included in the procurement process are set out in the table below, along with their responsibilities. Whilst activities may be delegated, the person in each role remains accountable for compliance with this policy.

| Role | Responsibility | Comments |
|------|----------------|----------|
|------|----------------|----------|

| | | |
|---------------------|--|---|
| Originating Officer | The Originator is the nominated contact who understands the business and / or technical need and can develop the technical specification or statement of work | |
| Requesting Officer | The Requester enters the purchase requirement in the P2P system, attaching requirements and justifications where appropriate | The Requester and Originator can be the same person |
| Receiving Officer | The Receiver is responsible for accepting the goods and / or services received from the supplier; checking that it meets the standards set in the original requirement | The Receiver can be the same person as the Originator |
| Procurement Advisor | The role of the Procurement Advisor is to control the companies spend by negotiating and agreeing purchasing agreements with robust legal and commercial terms | The Procurement Advisor cannot be a Requester and Receiver of goods and / or services or authoriser |
| Authoriser Officer | The Authoriser is accountable for approving purchases made in accordance with Section 7.3 (b) | The Authoriser must not authorise where they are the Originator or Requester of the goods and/or services |

8.9 Exceptions to the Contracts Procedure Rules

In certain circumstances, an Officer may require an exception to one or more of the CPRs in order to award a contract. Exceptions are reserved for exceptional circumstances and can only be granted where good reasons can be sufficiently evidenced. Lack of planning or convenience will not be acceptable as grounds for requesting an exception to the rules (As stated in the Public Contract Regulations 2015). Before any exception is sought the requesting Officer must ensure the budget allocation for the exception is in place should the exception be granted. Exceptions can also be granted in relation to the tendering of Concession Contracts up to the relative OJEU Threshold.

8.10 Exception Request Approval Process for each Procurement Threshold

| | Total Contract Value (excl. VAT) | Exception Approval Process |
|-----------|--|---|
| Low | £1 to £9,999.99 | Not required as long as best value is ascertained. |
| Medium | £10,000 to £24,999.99 | Officers must complete a Tender/Procedural Exception Request Form and submit to the Group Manager of Procurement for approval |
| Major (a) | Threshold (a) £25,000 to £74,999.99 | Officers must complete a Tender/Procedural Exception Request Form and submit to the Group Manager of Procurement and their Director for approval |
| Major (b) | Threshold (b) £75,000 to 181,301.99 (or £615,278 or £4,551,413 for those contracts detailed below) | Officers must complete a Tender/Procedural Exception Request Form and submit to both their Director and the Group Manager of Procurement for approval. Please see Appendices A and B for further details. |
| OJEU | £181,302 and over unless: (a) social care, health and education £615,278 and over (b) works and concession contracts £4,551,413 and | Officers must seek cabinet approval. [Note it is not lawful to avoid compliance with the UK Public Contract Regulations 2015 - advice must be obtained from the Group Manager of Procurement] |

over

Any Exception request made against any of the CPRs must be sought in advance of any contractual agreement. Exception requests cannot be made or granted retrospectively.

An Exception relating to the publishing of an advert for any Contract Opportunity over £25,000 (as detailed in EU Procurement Regulations) will only normally be permitted in relation to the areas of procurement detailed in **Exemptions Section 2.2**.

It is not lawful for Officers or Members to avoid compliance with The Public Contracts Regulations 2015 or the Concession Contracts Regulations 2016. Therefore, approval of any Exception Requests equal to or over the relevant OJEU Threshold is not permitted without advice being obtained from the Group Manager of Procurement and before seeking to apply any such exceptions.

All Exception requests to these Rules will be reported to the Corporate Management Team (CMT) on a quarterly basis.

Note CMT is not involved in approval of exceptions, but will undertake a strategic role in scrutinising and monitoring procurement activity. Where the Corporate Procurement Team believe it to be prudent; an exception will be referred to Internal Audit for further action.

See **Appendix A** for further details on the exceptions request process

8.11 Emergencies

In the case of unforeseeable emergencies which represent or without action would result in:

- Immediate danger to life or health
- Serious damage to property
- Any other circumstance where the consequences of which would be equal to or greater than those above.

Services, supplies and works can be procured by Designated Officers in such emergencies where the Total Contract Value is below £75,000. The emergency circumstances must require the Council to respond immediately to events which are beyond the genuine control of the Council. This includes but is not limited to natural or manmade disasters such as flooding, fires, or civil unrest. Any Emergency procurement must be reported to the Group Manager of Procurement, by the Officer who put in place the emergency procurement as soon as practically possible and within 72 hours.

Any such Contract entered into on this emergency basis by the Council must not be for a term of more than 4 weeks: during which time the Council must approve any further contracts required on an urgent basis via the Tender Exception Request if required.

Please note that the CPRs allow for both “immediate” and “urgent” action to be taken by the Council under separate and differing circumstances and approvals. The immediate action permissible under an emergency situation by designated Officers of the Council is detailed above. The “urgent” action is addressed under the **Exception Process 8.9 (Exceptions to the Contracts Procedure Rules)**.

Section 8.11 constitutes the same means for Emergency and Urgent Expenditure (SO46) as detailed in the Financial Procedure Rules.

9 Contract Management

For a contract classified as a Major Contract or an OJEU Contract within **Section 10**, The Chief Executive, Deputy Chief Executives, Directors and Procurement Advisors must ensure during the life of the contract that the Council’s approved processes for contract management are adhered to as set out below:-

9.1 Definition and Scope of Contract Management Activities within the Council

Contract management is the active management of the relationship between the Council and a Supplier over the term of the contract for the provision of services, supplies and works to a set of agreed standards. Contract management should also be proportionate to the value, duration, risk and complexity of the contract. Simple purchase contracts (i.e. an item of office furniture) will usually only require inspection on receipt and payment of the invoice whilst for complex or high value contracts it may be necessary to appoint a full-time Contract Manager or team and develop a contract management plan.

The following are the Council's key Contract Management principles and are also set out within the Corporate Contract Management Framework as developed by Corporate Procurement:

| Principle | Meaning of the Principle |
|---|--|
| Proportionate | Invest more time and resource to high value, high risk and complex contracts than low value, low risk and low complexity contracts. |
| Ensure the Council is getting what it pays for | Understand fully the specification, the contract terms and conditions, changes via clarifications and the promises made by the contractor in their tender submission. |
| Continuous Improvement and Risk reduction | Robust contract management plans ensure that risks are evaluated and mitigated, that performance and customer feedback is sought. Resulting action plans are then agreed, monitored and implemented. |
| Resolution of poor performance and disputes | Problems are tackled at the earliest opportunity in a collaborative way but utilising the agreed terms and conditions as set out in the contract. |
| Contractual changes, variations and extensions are documented | All contractual changes are within the law, are documented, signed in line with the contract terms and conditions and are stored securely. |
| Strong supplier relationships | Relationships are peer-to-peer and therefore deliver a win-win position. This ensures best value, innovation and long-term investment from both parties. |
| Exit planning | Asset registers are maintained, intellectual property rights considered, accounts are reconciled and loans/performance bonds/guarantees are finalised. |
| Future planning | Post-contract reports are compiled so as to document the lessons learnt which can be implemented in future tenders. |

In particular, the contract management procedures ensure contract compliance, performance management, continuous improvement and value for money is achieved.

The Chief Officers shall ensure:

- They identify where contracts within their departments require contract management activities and assign Contract Managers to them for the duration of their contract life
- Develop job descriptions, set annual performance objectives and identify training requirements for their Contract Managers
- Their contract managers are aware and follow the procedures set out in the CPRs and the Procurement Toolkit
- Agree with the Group Manager of Procurement and Head of Audit a proactive plan to review performance.

Each Contract Manager will:

- Manage the contract and ensure day to day activities are carried out in accordance with its terms and conditions

- Monitor the supplier's performance (in accordance with performance indicators and service level agreements)
- Make the contractor aware what Council policies they are expected to comply with
- Undertake appropriate risk assessments and maintain up to date risk registers throughout the duration of the contract period (This should be aligned to the Corporate Risk Policy)
- Agree any minor changes to the contract (excluding terms, conditions or pricing) via a change request procedure and notify their Procurement Advisor
- Liaise with their assigned procurement advisor when considering any proposed variations or extensions to a contract
- Identify, escalate and manage any non-conformance with suppliers
- Keep a record of all valuations, payments, claims, monitoring, changes and certificates under the contract
- Set up regular contract meetings with suppliers to review performance and compliance against the contract.

Procurement Advisors will, in collaboration with the Contract Manager(s):

- Attend contract meetings with suppliers to review performance and compliance against the contract
- Assist in managing any contractual issues raised by either the contract manager or supplier
- Assist in managing any non-conformance identified by the contract manager or supplier
- Review any proposed contract variations and/or extensions
- Ensure that key contract documentation is retained on file as set out in section 7.6

9.2 Variations to Contract

Where a contract allows for variations through its clauses or in instances where a contract has no formal variation process; the Council and the Supplier can mutually agree variations in writing. Officers should consult with their nominated Procurement Advisor to make the necessary variations to the contract – subject to **9.3** and compliance with the Financial Procedure Rules. Any contract which was let with a value above its respective OJEU Threshold must only be varied / modified in accordance of The Public Contracts Regulations 2015 Clause 72 (Modification of contracts during their term).

9.3 Approval of Variations by Chief Officers

| Total Contract Value (excl. VAT) | Variation Approval Process |
|-------------------------------------|--|
| Up to £100,000 | Chief Officers in consultation with the Group Manager of Procurement |
| Over £100,000 | Chief Officers in consultation with the Group Manager of Procurement and the relevant Executive Councillor (such consultation being recorded in writing using the S.O. 46 procedure) |

9.4 The Contract Manager for the Council must ensure the following for each contract which is varied:

- Any variation is only agreed after budget approval has been granted
- Any variation agreed is demonstrably in the best interests of the Council

- Any variation does not bring about a material change to the scope of the Contract
- Both the individual cost of a variation and its cumulative cost when added to the total cost of all other variations (on the same contract) must be less than 50% of the original contract value (this is in line with the Public Contract Regulations 2015, Regulation 72)
- Both the individual cost of a variation and its cumulative cost when added to the total cost of all other variations (on the same contract) must not exceed the relevant OJEU threshold for the original contract. To ensure that variations are within the CPR parameters all contract managers must work in partnership with the relevant procurement advisor to conclude any contract variation.

9.5 Extensions to Contracts

Where the contract clauses allow for an extension to contract, the Council and the Supplier can mutually agree such extensions. Officers must consult with their nominated Procurement Advisor to make the necessary Extensions to a contract where the contract extension:

- has received budgetary approval
- does not vary the scope of the original contract
- Is of commercial benefit to the Council.

For contracts that do not have any clauses to extend the contract, Officers should request an Exception as part of the Exceptions to the CPRs.

Under no circumstances must the contract extension period be longer in duration than the original contract period.

9.6 Approval of Extensions to Contracts

| Approval of Contract Extensions (where Contract clauses allow for an extension) | |
|--|---|
| The Chief Executive or Deputy Chief Executives | Contract with a value over £500k |
| Authorised Officers | Director- contract with a value up to £500k Group Manager- contract with a value up to £75k Business Unit Manager- contract with a value up to £25k Line Manager- contract with a value up to £10k |
| Head Teachers and their Authorised Officers | In accordance with the delegated powers stipulated by the relevant Board of Governors |

10 Glossary of Terms

For the purpose of these Rules the following terms have the meanings as set out below:

| Term | Meaning of Term |
|----------------------------------|---|
| Annual Procurement Plan | The Annual Procurement Plan which sets out the approach to the procurement of contracts that exceed a lifetime value of £74,999.99. |
| Approved Suppliers | Suppliers who are on the Council's approved supplier database which is managed jointly between the Corporate Procurement Team and Finance. Prior to entering the suppliers onto the database, they must pass assessment criteria. |
| Authorised Officer | P2P role- the Authorised officer is accountable for approving purchases made in accordance with the Council's scheme of delegation. |
| Capital | Capital expenditure involves acquiring or enhancing fixed assets with a long-term value to the authority, such as land, buildings, and major items of plant, equipment or vehicles. |
| Capital Programme | The programme of Capital expenditure agreed by Cabinet. |
| Chief Officer | The Chief Executive, a Deputy Chief Executive, or Director |
| CIPS | Chartered Institute of Purchasing and Supply. |
| Corporate Risk Policy | Corporate Approach to Risk Management – the Risk Management tool kit is available on the Intranet http://seattle/Pages/Compliance.aspx . |
| Concession contracts | A concession agreement is a negotiated contract between a company and a local authority that gives the company the right to operate a specific business within the Council's jurisdiction, subject to certain conditions. This often differs from other Council contracts in the fact that the Council may not provide revenue funding and so the levels of risk in relation to the investment of a company is substantially greater and manages the service through the income generated. These contracts allow for negotiations and as such use of the competitive procedure with negotiation will allow business areas to formally evaluate bids, select the successful bidder following an open, fair and transparent procedure and then allow negotiation with the successful bidder before any contract is formally signed. |
| Contracts Finder | Online government database detailing procurement opportunities in the Public Sector. |
| Contract Management | Contract management is the active management of the relationship between the Council and the Supplier over the term of the contract for the provision of services, supplies and works to a set of agreed standards. |
| Contract Managers | Manage the contract and ensure day to day activities are carried out in accordance with its terms and conditions. Full duties are detailed in Section 9 of the CPRs. |
| Contracts Procedure Rules (CPRs) | This document setting out the principles of procurement, roles and responsibilities, contract procedure rules and processes involved in purchasing services, supplies and works contracts |
| Contract Register | A register of Council contracts that exceed £74,999 held by the Corporate Procurement Team and published on the Council's e-Procurement system. |
| Contract Value | The estimated total monetary value of a contract over its full duration. (N.B. not the annual value.) Where the duration of a contract is indeterminate, this will be taken to be the estimated value of the contract over a period of four years. |

| Term | Meaning of Term |
|----------------------------------|---|
| Council | Southend-on-Sea Borough Council. |
| Corporate Procurement Team (CPT) | Central team responsible to managing corporate procurements, maintaining procurement standards and controls, and providing advice and guidance to directorates and designated procurement advisors. |
| Data Protection Act | Data Protection Act controls how personal information is used by organisations, businesses or the government. |
| Designated Procurement Advisors | Officers appointed by Chief Officers in consultation with the Group Manager of Procurement to undertake procurement activities in accordance with the CPR. |
| Designated Procurement Officers | These are officers within service areas across the Council that manage and oversee contracts and would liaise with the Corporate Procurement Team when re-tendering or procuring new contracts |
| Dynamic Purchasing System (DPS) | A completely electronic system used by a Contracting Authority (buyer) to purchase commonly used goods, works or services. Unlike a traditional framework, suppliers can apply to join at any time |
| e-Procurement | A system for the end to end tendering process, both suppliers and buyers submit and respond to tenders electronically removing the need for paper submissions. |
| Equalities Act | Protects individuals from various forms of discrimination and harassment relating to disability, age, gender, religion / belief and sexuality. |
| EU Procurement Regulations | EU Procurement Rules that apply to public authorities as defined by the UK Public Contracts Regulations 2015 |
| Freedom of Information Act | Freedom of Information Act 2000 is an act defining the ways in which the public may obtain access to government-held information. |
| Framework Agreement | An agreement with suppliers which sets out terms and conditions under which specific purchases can be made throughout the term of the agreement and which has been tendered in accordance with EC directives |
| Lead Role | Is accountable for ensuring they follow the procurement process as stated in the Contract Procedure Rules. Section 2.0 page 3 |
| Low Value | Total Contract Value (excluding VAT) £1 to £999.99 |
| Major Contract Threshold (a) | Total Contract Value (excluding VAT) £25,000 to £74,999.99 |
| Major Contract Threshold (b) | Total Contract Value (excluding VAT) £75,000 to £181,301.99 |
| MEAT | Most Economically Advantageous Tender – evaluated on the basis of quality and price – normally encompassing whole life costs |
| Medium Contract | Total Contract Value (excluding VAT) £10,000 to £24,999 |
| Member | An elected member of the Council |
| Minor Contract | Total Contract Value (excluding VAT) £1,000 to £9,999.99 |
| OJEU Contract | All Contracts Value (excluding VAT) of £181,302 and over except: (a) Social Care, Health and Education where value is £615,278 and over (b) Works/Concession contracts where value is £4,551,413 and over |
| Originating Officer | P2P role the Originator is the nominated contact who understands the business and/or technical need and can develop the technical |

| Term | Meaning of Term |
|-------------------------------------|--|
| | specification or statement of work |
| Payment without Purchase Order form | Authorisation form for agreement for procurement without the prior need to raise a purchase order (available on the intranet under procurement pages) |
| Pilot contract | This is a short-term contract which is put into place to market test a potential longer-term service provision. Pilot contracts still need to be procured in line with the CPR thresholds and the PCR 2015 regulations |
| Procurement Card | Corporate Credit Card used for low value procurements |
| Procurement Thresholds | Controls and process required to undertake a procurement, defined by the value of spend (whole life cost) |
| Procurement Toolkit | Procedural guide detailing the application of these rules |
| Purchase to Pay (P2P) | A system to enter purchasing requirements, manage authorisation, confirm receipt of goods and make payments to suppliers |
| Receiving Officer | P2P Role receiver is responsible for accepting the goods and/or services received from the supplier; checking that it meets the standards set in the original requirement |
| Requesting Officer | P2P Role requester enters the purchase requirement in the P2P system, attaching requirements and justifications where appropriate |
| SME | Small to Medium Enterprise – fewer than 250 employees; and annual turnover not exceeding approximately £50 million |
| SO46 | Standing Order within Part 4 (a) of the Constitution detailing the process for urgent action |
| Social Value Act | Act places a requirement on procurers to consider the economic, environmental and social benefits. Please refer to the Corporate Social Value policy and toolkit |
| Soft Market Testing | Analysis of the market prior to formal tender |
| Suppliers | Contractors supplying goods, services or works to the Council |
| Sustainable Procurement Policy | The corporate policy emphasises the importance of socially responsible procurement, assessing whole life costs and social, environmental and economic impact. |

**Exceptions from Tendering Requirements in the Contracts Procedure Rules (CPRs)
(sections 8.9 and 8.10)**

The following exceptions from tendering requirements may be applied following the prior approval Tender Exception Request Form.

The Exceptions from having to Tender are:

1. For the purchase of supplies, works or services which is prevented by Legislation.
2. If the supply of goods or materials to be acquired constitutes an extension of an existing supply contract. The extension can only be granted if all the following criteria are met:
 - The increase to the quantity of goods and materials was not envisaged at the time the original contract was awarded.
 - The extension is based upon comparable terms and conditions as the original contract.
 - The extension has a value less than 50% total value than the original contract requirement.
 - The extension does not breach the threshold of the EU Regulations.
3. For the execution of works or provision of services where the proposed contract outlined in the Exception Request is required due to unforeseen technical or economic reasons and is directly linked to the continuation and success of an existing contract. The existing contract itself must have been awarded competitively in accordance with the CPRs:
 - If the proposed contract is to be undertaken by the Contractor named in the existing contract, terms of the proposed contract must be negotiated on the basis of the rates and prices contained in the existing contract; or
 - If a new Contractor has been sought then the Exception Request must be accompanied with evidence outlining the steps taken to ensure best value for the Council.

This Exception does not cover works and services carried out under annual contracts or values for proposed contracts that are greater than the relevant EU Threshold.

4. Where it is considered the execution of works or the supply of either goods or services is required so urgently so as not to permit the invitation of tenders. Any request for an exception under this clause must be based upon circumstances which could not have been reasonably foreseen. Exceptions cannot be granted under this clause where a lack of foresight has given rise to difficulties.
5. In circumstances where a contract does not contain an option for an extension: but where an extension is required to facilitate a full and compliant tender exercise for operational reasons. An extension can only be granted under this clause if:
 - The initial contract itself was awarded as part of a competitive procurement process under the CPRs
 - The terms under which the extension is agreed must be equal to the existing contract in relation to the Scope, the Pricing and the Terms and Conditions

The actual length of any extension granted under this clause is at the discretion of the Group Manager of Procurement: but cannot be more than 12 months in duration and cannot be longer than the initial contract itself. Only in circumstances where delays in publicised changes to legislation would make procurement impractical can multiple extensions be granted in relation to a single contract. In all other cases this exception may only be used once per contract.

Tender Opening Procedures

1 Opening of Tenders received via E-Procurement

Where the Council uses an electronic tendering system that releases submissions for opening at a predetermined date and time then pre-qualification questionnaires (PQQ or equivalent) and tenders submitted through that system may be accessed and opened by a member of the Corporate Procurement Team through that system.

Where a member of the Corporate Procurement Team is authorised to release any of the documents detailed above that officer must not have been a part of the project team charged with the delivery of that procurement or any part thereof.

For the avoidance of doubt: PQQ and Tender Documents, as well as all other supporting information must not be opened before the stipulated deadline for submission has passed. This is the case both for submissions received by the Council via any e-procurement system and any received in hard copy.

2 Opening of Tenders received in hard copy

2.1 Outline of Responsibilities

No officer involved in any way with the drawing up of the specification and the tender documents may participate in the receipt of the tender, in its custody pending opening or in the tender opening process.

All tenders shall be returned to the Customer Service Centre on the Ground Floor of the Civic Centre or the Post Room of the Civic Centre where they will be receipted and annotated with the date and time of receipt by the staff at either location, who will then contact the correct team to organise collection. The individual within the Corporate Procurement Team charged with collection of the Tenders must ensure that all items to be collected are stamped and the time of delivery clearly marked.

All Tenders should:

- Bear the corporate reply label or addressed to Southend-on-Sea Borough Council Customer Services Centre;
- Be sealed and marked "Tender";
- Be annotated with the subject to which the tender relates; and
- Not indicate the identity of the sender.

2.2 Opening of Hard Copy Tenders

Tenders must be opened in a secure and confidential environment, with openers being undistracted.

Forms used as tender opening records must be prescribed or approved by a Senior Procurement Advisor.

Each of the following must be stamped and initialled by both designated openers:

- Any cover letter bearing a signature
- Any other page bearing a signature that is not certification of any kind pertaining to insurance, quality assurance, health and safety and so on
- Any page bearing a cost that may be applied to the resulting contract(s)
- All Tender Forms including Contract Variation, Bona fide Tender, Tender Form and Freedom of Information.

Date stamping and initialling priced pages of tender documents is an important authentication if correction of errors is to be admitted according to Council's Financial Procedure Rules.

The opening of tenders and recording of their details shall be subject to the following regulations:

- They must not be opened before the deadline for submission stipulated in the tender documents;
- They must be opened at one time by not less than two persons (one of whom would be from the Corporate Procurement Team) designated for the purpose by the appropriate Chief Officer;
- No Officer or Member of the Council may be present at the opening of tenders if they have a material interest in relation to the subject or result of the tender. Factors that can be suggestive of a material interest and would preclude attendance at a tender opening include, but are not limited to a connection to a possible tenderer through family, friends or other business associates.

Additionally any corrective amendments by tenderers to their tender prices must be initialled by both designated openers and annotated in the tender opening record.

3 Late Tenders (either Electronic or Hardcopy Tenders)

Any tender received by the Council after the relevant deadline for submission has passed will not be evaluated by the Council. For the avoidance of doubt: once the deadline has passed, any tender delivered later than the deadline (regardless of its proximity to the deadline) must not be included in the evaluation process.

Only in instances where due to unforeseen circumstances a pre confirmed extension to a deadline has been made available to all Tenderers, can submissions be accepted after the deadline stipulated in the tender documents. Any such extension cannot be granted for the benefit of a single tenderer. The granted extension must be fully justifiable and meet the full challenge of any audit of the process. The closer to the deadline that an extension is granted the stronger the justification will be required to be. Any revised deadline stipulated as part of an agreed extension will itself be subject to the same level of finality detailed in the paragraph above and any tender received by the Council after the revised deadline for submission has passed will not be evaluated by the Council.

The entire process of opening late tenders is detailed in the Procurement Toolkit. However, late tenders must not be opened before electronic, scanned or photographic evidence confirming their lateness has been forwarded to the Group Manager of Procurement. Only after the written approval to open the late tender has been provided by the Group Manager of Procurement can that tender be opened by a Procurement Advisor with no connection to the Tender Process in question. The opening of any Late Tender (Hardcopy) must be documented using a Late Tender Form. Both evidence of approval to open a late tender and the accompanying Late Tender Form must be saved in the corresponding Tender Project File.

4 Alterations / Corrections to either Electronic or Hardcopy Tenders

The Tenderer may not amend or request amendment to their tender after the date and time fixed for the receipt of tenders.

However, if the Council encounters an error in a tender consisting of incomplete or incorrect information then the Council may at its discretion request the Tenderer concerned to submit, supplement, clarify or complete the relevant information or documentation within an appropriate time limit, provided that such requests are made in full compliance with the principles of equal treatment and transparency.

In determining whether such an error has been made in relation to a received tender submission Council Officers must assess this in direct relation to the information contained in that submission or to the tender documentation issued by the Council. The error relating to the specific tender must be clear, self-evident and obvious. Under no circumstances will an issue shown up as a result of cross referencing against any other tender submission be accepted as such an error.

All action undertaken in relation to seeking alteration or correction information must be based on an unbiased and objective assessment of the entire tender process it is being applied to. The action itself must be taken in a manner that treats all participating tenderers fairly. Any communication issued in relation to the action must ensure the validity and effectiveness of the procurement.

Key factors in assessing if alteration or correction information will be sought in relation to an error accepted by the Council will include but not be limited to:

- Number of Tenders returned in relation to the project
- If any of the other Tenderers made the same error
- If other Tenderers did make the same error what proportion of the overall returns does this represent
- Clarity of the information issued by the Council
- If the error is a complete omission of required information
- Is it possible to request clarification on an issue from all of the competing Tenderers involved without unfairly disadvantaging any of those Tenderers
- Is the justification relating to the clarifying of an issue by all Tenderers in the process able to withstand audit scrutiny, challenge by a Tenderer and lead to a more robust evaluation
- The strict time period in which the Tenderer will be required to respond

Subjective information including the identity of the company or stakeholder preference must not be used as a basis to seek alteration or correction information.

Under no circumstance must any Council Officer use this clause to unfairly assist a tenderer to gain a more favourable tender score at the expense of the other competing tenderers or the Council's good reputation.

Corporate Procurement must maintain a record / audit trail of any action taken and justification for that action taken in relation to errors found in any tender.

5 Training

It is the responsibility of the appropriate Chief Officer of each department or establishment involved in the tendering process to ensure that all relevant members of staff are trained in the correct procedures, and issued with the Contract Procedure Rules and the Tender Opening Procedure guidance available.

The Corporate Procurement Team will support Council officers by providing training, advice, and any necessary templates to enable them to understand and adhere to the CPRs and tender effectively.

List A

Appointment of Executive Councillors in the Cabinet, substitutes and details of Portfolios

| Portfolio | Portfolio Holder | Substitute (S.O.31.7) |
|---------------------------------|-------------------------|------------------------------|
| Leader | John Lamb | James Courtenay |
| Growth (Deputy Leader) | James Courtenay | John Lamb |
| Infrastructure | Andrew Moring | Tony Cox |
| Adults & Housing | Tony Cox | Mark Flewitt |
| Children & Learning | Helen Boyd | Lesley Salter |
| Healthy Communities & Wellbeing | Lesley Salter | Helen Boyd |
| Public Protection | Mark Flewitt | Andrew Moring |

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List B

Appointment of Cabinet Committee and substitutes

| | Member | Substitute |
|---------------|---------------|-----------------------|
| Chairman | Andrew Moring | Other Cabinet Members |
| Vice Chairman | Tony Cox | Other Cabinet Members |
| Member | | Other Cabinet Members |

(3 Executive Councillors)

(Chairman and Vice Chairman must be the Chairman and Vice Chairman of the Traffic & Parking Working Party)

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Southend-on-Sea Borough Council

Agenda
Item No.

3b

Report of Director of Legal and Democratic Services

to

Council

on

17th May 2018

Report prepared by: John Williams
Director of Legal & Democratic Services

Changes to the Constitution

Part 1 - Public Agenda Item

1. Purpose of Report

For the Council to agree changes to the Constitution, primarily to ensure that Council meetings operate in a more efficient way.

2. Recommendations

2.1 That the changes to the Constitution set out in Section 4 of this report be agreed.

2.2 That authority be delegated to the Director of Legal & Democratic Services to draft the detailed amendments and additions to the Constitution to achieve the objectives set out in the report.

3. Background

3.1 Following discussions between the Chief Executive and the Group Leaders and a Briefing Session for all Members held on 19th February 2018, it has been agreed that improvements should be made to the way in which full Council meetings operate, so that business is conducted in a more efficient way.

The aim is to ensure that Council meetings focus on the most important issues, and meetings do not go on quite so long. The average length of meetings over the last 2 years has been just over 5 hours.

3.2 While cultural changes can no doubt lead to improvements, for instance if Members are more circumspect about the number of items that are reserved for debate; there is a strong case for some changes to the Constitution as well. I have been asked to the draft such changes, the details of which are set out in section 4 of this report.

These changes reflect Member feedback, particularly from the Member Briefing Session referred to in 3.1. above. Comments at that Briefing Session about ICT initiatives in the Council Chamber are not dealt with in this report.

3.3 In drafting the changes, the following principles have been observed:

- Council meetings should not commence earlier than 6.30pm given the work commitments of many Members.
- The most important matters should be dealt with in the earlier part of the meeting.
- The changes should not be detrimental to the overall democratic process and should not hamper Members in challenging and debating important matters. However as the Cabinet system operated at Southend is so democratic and inclusive, some stream-lining of procedures can be implemented without undermining the aforementioned principles.
- Special considerations need to apply to the Council meeting when the Budget is set.
- There is no requirement for fundamental change, but to make modest adjustments which can then be reviewed after they have been in operation for a period of time and further changes made if required.

4. Recommended Changes to the Constitution

4.1 Adjust the closure/guillotine arrangements in Standing Order 1.7 + consequential changes to SO 4

At present Council meetings end at 11pm and the meeting is then adjourned to a later date, unless a majority of Members vote to continue in which case the meeting then runs on until all the business is finished, however late that may be.

Recommendations

(a) Amend SO 1.7 so that Council meetings finish at **10 pm**, subject to (b) and (c) below. The procedure will then be as follows: -

(i) Item under discussion

Any Member speaking at 10 pm may complete what they are saying. The Mayor will then call for the vote which will be taken in the usual way without any further debate (including dealing with any amendments).

- (ii) Remaining Business
- Notices of Motion and Petitions will stand referred to the Cabinet/Cabinet Committee or relevant Scrutiny Committee(s), as appropriate.
 - Opposition Business will be deferred to the next Council meeting, where, it will have priority on the Agenda.
 - If there are any other motions or recommendations on the agenda that have not been dealt with by 10 pm they are deemed formally moved and seconded (together with any amendments). No speeches will be allowed on these items and the vote will be taken in the usual way.
- (iii) During the processes referred to in (i) and (ii):
- If a named vote is called for (or the law requires such a named vote) it will be taken immediately; and
 - the only other motions which may be moved are that a matter be withdrawn or that a matter be delegated or referred to (or referred back to) an appropriate body or individual for decision or report
- (iv) When all motions and recommendations have been dealt with, the Mayor will declare the meeting closed.
- (b) Upon the hour of 10 pm being reached then if the business is not concluded, the Council can decide by a majority to continue for a further one hour only i.e. to **11 pm**. If this is agreed then the following procedures will apply:
- (i) The remaining business will be dealt with in the following order (with SO 4 amended accordingly):
- Blacklined minutes (In practice black-lined minutes should have been dealt with well before 10 pm assuming the recommendations set out below are adopted, particularly those in 4.3).
 - Officer reports to Council.
 - Other minutes reserved for debate (which will be dealt with in the order in the Council minute book).
 - Petitions (subject to recommendation 4.6 below)
 - Notices of Motion
 - Opposition Business.
- (ii) If the Council shall not have completed all the business by 11pm then at that point the same procedure shall operate as set out in (a) above, subject to (c) below

- (c) The procedures set out in (a) and (b) above shall not apply to the Annual Budget Setting Council meeting when the current provision in SO 1.7 shall remain i.e. the meeting shall end at 11pm and is then adjourned to a later date, unless a majority of Members vote to continue in which case the meeting then runs on until all the business is finished however late that may be.

4.2 Member Question Time at Council (Standing Order 6)

Recommendations

- (a) A Member's first question and the answer will be taken as read and it will only be a supplementary question and answer that are dealt with orally. However, if a Member does not wish to ask a supplementary question then his or her first question and answer may be dealt with orally.
- (b) Questions from Members should be submitted 5 clear working days in advance of the Council meeting in the same way as questions by members of the public. The current timescale can cause difficulties.

4.3 Cabinet and Committee Minutes – Procedure for Submission to Council – Standing Order 7 + consequential changes to SO 4

At present minutes are submitted to Council in the order in the Council minute book. Black-lined minutes (which denote minutes relating to Council functions and matters referred up under Standing Order 39) are not given priority, although they are invariably the most important.

Members can ask 2 questions and then have a comment.

There is no limit to the amount of time minutes of Cabinet or a particular Committee can be debated.

Recommendations

- (a) That black-lined minutes are considered by the Council before other minutes that have been reserved for debate. This will ensure important business is dealt with earlier in the evening. It will mean a bit of jumping around in the Council minute book when the Council returns to debate other reserved minutes; but careful scripting can address this. Standing Order 4 relating to Order of Business would need to be amended to reflect such a change.
- (b) That Member comments be limited to 4 minutes as dealt with more fully in 4.5 below.

4.4 Notices of Motion (Standing Order 8)

Recommendation

Notices of Motion should not relate to a matter which is currently the subject of a formal public consultation process being undertaken by the Council, otherwise there is a significant risk that comments made will amount to pre-determination and/or bias.

This approach is consistent with the recommendations in 4.6 and 4.7 below.

4.5 Length of Speeches (Standing Order 10.4)

Recommendation

To reduce the maximum length of speeches for all Members (including Cabinet members) from 5 minutes to 4 minutes, save for formalising the current convention that the Leader and other Group Leaders are not time-limited when making their budget contributions at the Budget Council.

4.6 Petitions (Standing Order 15)

Standing Orders have always allowed Councillors to present petitions at Council meetings.

However the Local Democracy, Economic Development and Construction Act 2009 required the Council to introduce a complicated and bureaucratic Petitions Scheme which required certain petitions to be debated at Council or at a Scrutiny Committee and for the submission of on-line petitions.

The Council's Petitions Scheme was introduced in July 2010 and can be found in Part 5(i) of the Constitution.

Petitions submitted under the Petitions Scheme have been debated at Council and this has taken up a significant amount of time, both before and at Council meetings.

Also problems arise if such a petition is submitted on a matter when a formal public consultation process is currently being undertaken by the Council. Members are then inhibited in what they can say in the debate by virtue of the common law rule against pre-determination and bias: This happened at one stage during the progress of the Delaware and Priory project.

S.46 of the Localism Act 2011 repealed the law referred to above, with the minister concerned referring to the unnecessary prescription of the law and the desire to remove a significant administrative and financial burden imposed on Councils.

In the absence of a legal requirement to retain a complicated Petition Scheme, many Councils have discontinued such arrangements.

Recommendations

- (a) That the Council reverts to substantially the position which existed prior to July 2010 where Members present petitions at Council and the Petitions Scheme in Part 5(i) of the Constitution is revoked. However the revised Standing Order needs to:
- reflect the ability of residents to use the Council's on-line petition facility; albeit in a revised format;
 - provide that a petition relating to a matter which is currently the subject of a formal public consultation process by the Council shall simply be treated as a representation in that process. This approach is consistent with the recommendations in 4.4 and 4.7; and
 - provide that the Member presenting the petition shall be able to make a statement limited to 1 minute.
- (b) That the following consequential amendments be made to the Constitution:
- Amend Standing Order 15 to remove reference to the Petitions Scheme, and address the matters referred to in (a) above.
 - Delete Scrutiny Procedure Rule 18 in Part 4(e) of the Constitution to remove reference to the Petitions Scheme,
 - Delete paragraphs (vi) and (vii) of 6.02 of Article 2 of the Constitution to remove reference to the Petitions Scheme,
 - Delete the last two bullet points in paragraph 5.4 of the terms of reference of the Scrutiny Committees in Part 3 Schedule 2 of the Constitution to remove reference to the Petitions Scheme.

4.7 Opposition Business (Standing Order 19)

Recommendation

That a minor change be made to this procedure to prevent it being used for a matter which is currently the subject of a formal public consultation process by the Council.

This approach is consistent with the recommendations in 4.4 and 4.6 above.

5. Background Papers

None

6. Appendices

None

**SCRUTINY AND REGULATORY COMMITTEES
AND LICENSING SUB-COMMITTEE C,
PLUS COUNCIL COMMITTEES (AUDIT AND STANDARDS)**

**POLICY & RESOURCES SCRUTINY COMMITTEE
(No Executive Councillors)**

4

| Party | Members | Total 17 | Substitutes |
|--------------|--|---------------------|---------------------------------------|
| CON | Bernard Arscott David Burzotta Fay Evans Nigel Folkard David Garston Roger Hadley David McGlone Dan Nelson Georgina Phillips Chris Walker | 10 | All (Excluding Executive Councillors) |
| LAB | Ian Gilbert Helen McDonald David Norman MBE | 3 | All |
| IND | Brian Ayling (Chair) Mike Stafford Martin Terry | 3 | All |
| LD | Carole Mulroney (Vice-Chair) | 1 | Peter Wexham |

**PLACE SCRUTINY COMMITTEE
(No Executive Councillors)**

| Party | Members | Total 17 | Substitutes |
|--------------|--|---------------------|---------------------------------------|
| CON | Alex Bright Kevin Buck David Burzotta Trevor Byford Meg Davidson Nigel Folkard Jonathan Garston David McGlone Dan Nelson | 9 | All (Excluding Executive Councillors) |
| LAB | Kevin Robinson (Chair) Charles Willis Anne Jones Matt Dent | 4 | All |
| IND | Anne Chalk Martin Terry (Vice-Chair) Nick Ward | 3 | All |
| LD | Peter Wexham | 1 | Carole Mulroney |

APPEALS COMMITTEE (A)
(No Executive Councillors)

| Party | Members | Total 7 | Substitutes |
|--------------|---|--------------------------|--|
| CON | Steve Buckley Fay Evans (Chair) Stephen Habermel (Vice-Chair) Roger Hadley | 4 | All (Excluding Executive Councillors) |
| LAB | Margaret Borton Matt Dent | 2 | All |
| IND | Brian Ayling | 1 | All |

APPEALS COMMITTEE (B)
(No Executive Councillors)

| Party | Members | Total 7 | Substitutes |
|--------------|---|--------------------------|--|
| CON | Alex Bright (Chair) David Burzotta (Vice-Chair) Nigel Folkard *Jonathan Garston David McGlone | 4+1 | All (Excluding Executive Councillors) |
| LAB | Cheryl Nevin | 1 | All |
| IND | Trevor Harp | 1 | All |

(*The Unaligned Member, Cllr Aylen has given his place up on this Committee to the Conservative Group)

THE APPOINTMENTS AND DISCIPLINARY COMMITTEE

(*Note: When agenda includes appointment of, or disciplinary action against, the Head of Paid Service, Deputy Chief Executive or Director, the relevant Executive Councillor should be a Member of the Committee.)

NOTE: The maximum number of Cabinet Members is 3

| Party | Members | Total 7 | Substitutes |
|--------------|---|--------------------------|--------------------|
| CON | James Courtenay (Vice-Chair) Nigel Folkard John Lamb (Chair) Andrew Moring | 4 | All |
| LAB | Ian Gilbert Anne Jones | 2 | All |
| IND | Ron Woodley | 1 | All |

DEVELOPMENT CONTROL COMMITTEE

| Party | Members | Total 17 | Substitutes |
|--------------|---|---------------------|--------------------|
| CON | Bernard Arscott (Vice-Chair) Steve Buckley Alan Dear Fay Evans Denis Garne David Garston (Chair) Jonathan Garston Stephen Habermel Roger Hadley Chris Walker | 10 | All |
| LAB | Margaret Borton Helen McDonald David Norman MBE | 3 | All |
| IND | Anne Chalk Paul Van Looy Nick Ward | 3 | All |
| LD | Carole Mulronev | 1 | Peter Wexham |

GENERAL PURPOSES COMMITTEE

| Party | Members | Total 9 | Substitutes |
|-----------------|--|--------------------|--------------------|
| CON | Fay Evans Nigel Folkard (Chair) Ann Holland David McGlone Georgina Phillips (Vice-Chair) | 5 | All |
| LAB | Matt Dent Kevin Robinson | 2 | All |
| IND | Martin Terry | 1 | All |
| Non- Aligned | Stephen Aylen | 1 | N/A |

LICENSING COMMITTEE

| Party | Members | Total 15 | Substitutes |
|-------|---|-------------|--------------|
| CON | Kevin Buck Steve Buckley Trevor Byford Alan Dear Nigel Folkard Stephen Habermel Roger Hadley (Chair) David McGlone (Vice-Chair) Georgina Phillips | 9 | All |
| LAB | Margaret Borton Anne Jones Helen McDonald | 3 | All |
| IND | Trevor Harp Brian Ayling | 2 | All |
| LD | Carole Mulrone | 1 | Peter Wexham |

LICENSING SUB-COMMITTEES A AND B

To be drawn from the ***Members of*** Licensing Committee as required

LICENSING SUB-COMMITTEE C

| Party | Members | Total 8 | Substitutes |
|-------|---|------------|-------------|
| CON | Kevin Buck Steve Buckley Nigel Folkard Stephen Habermel (Vice-Chair) Roger Hadley (Chair) | 5 | All |
| LAB | Margaret Borton Anne Jones | 2 | All |
| IND | Trevor Harp | 1 | All |

Note: Licensing Sub-Committee C to be proportional – but it is not reflected in the overall proportionality calculation for committees

COUNCIL COMMITTEES

AUDIT COMMITTEE (No Executive Councillors)

| Party | Members | Total 9 | Substitutes |
|--------------|---|--------------------|---------------------------------------|
| CON | Alex Bright Kevin Buck Meg Davidson (Chair) Nigel Folkard (Vice-Chair) Dan Nelson | 5 | All (Excluding Executive Councillors) |
| LAB | Laurie Burton Charles Willis | 2 | All |
| IND | Brian Ayling Ron Woodley | 2 | All |
| | 1 independent Co-opted member (Non-Voting): Mr Kash Pandya | | |

STANDARDS COMMITTEE

| Party | Members | Total 9+4 | Substitutes |
|--------------|--|----------------------|--------------------|
| CON | Trevor Byford Denis Garne Jonathan Garston (Chair) Ann Holland Judith McMahon (Vice-Chair) | 5 | All |
| LAB | Ian Gilbert David Norman MBE Matt Dent | 2+1 | All |
| IND | Martin Terry | 1 | All |
| | 2 Leigh-on-Sea Town Council nominees (Non-Voting): Cllr Caroline Parker | 2 | |
| | 2 Independent persons: J Tetley and J Morgan (Observers). | 2 | |

(*The Unaligned Member, Cllr Aylen has given his place up on this Committee to the Labour Group)

NB: Standards Committees complies with the requirements of the LOCALISM ACT 2011.

HEALTH AND WELLBEING BOARD

(The Chairman shall be the Leader or such other Executive Councillor as he shall appoint)

(Note: The Membership should include the Executive Councillor with the responsibility for Health. Members of the People Scrutiny Committee / the Scrutiny Committee with the responsibility for Health Scrutiny should not be appointed to the Board)

| Party | Members | Total | Substitutes |
|-------|---|----------|-------------|
| | | 6 | |
| CON | Meg Davidson Fay Evans John Lamb Lesley Salter (Chair) | 4 | All |
| LAB | Charles Willis | 1 | All |
| IND | Ron Woodley | 1 | All |

JOINT HEALTH OVERVIEW & SCRUTINY COMMITTEE

(With Essex and Thurrock to review proposed changes to the provision of specialized urological cancer surgery.) Note: Members appointed should be Members of People Scrutiny Committee / the Scrutiny Committee with responsibility for health scrutiny.

| Party | Members | Total | Substitutes |
|-------|----------------|----------|-------------|
| | | 2 | |
| CON | Judith McMahon | 1 | |
| LAB | Cheryl Nevin | 1 | |

JOINT HEALTH OVERVIEW & SCRUTINY COMMITTEE

(With Essex and Thurrock to review proposed changes to the PET CT scanner service in south east Essex). Note: Members appointed should be Members of People Scrutiny Committee / the Scrutiny Committee with responsibility for health scrutiny.

| Party | Members | Total | Substitutes |
|-------|------------------|----------|-------------|
| | | 2 | |
| CON | Stephen Habermel | 1 | |
| LAB | Cheryl Nevin | 1 | |

JOINT HEALTH OVERVIEW & SCRUTINY COMMITTEE

(With Essex and Thurrock to review the Mid and South Essex Sustainability & Transformation Partnership). Note: Members appointed should be Members of People Scrutiny Committee / the Scrutiny Committee with responsibility for health scrutiny. Currently chaired by Southend)

| Party | Members | Total | Substitutes |
|-------|---|----------|-------------|
| | | 4 | |
| CON | Bernard Arscott (Chair) Stephen Habermel | 2 | |
| LAB | Cheryl Nevin Margret Borton | 2 | |

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WORKING PARTIES, FORUMS, ETC**BIODIVERSITY & ENVIRONMENTAL AWARENESS WORKING PARTY***(The Chairman shall be the Leader or such other Executive Councillor as he shall appoint)*

| Party | Members | Total | Substitutes |
|--------------|--|--------------|--------------------|
| | | 8 | |
| CON | Alex Bright Kevin Buck Judith McMahon Chris Walker Lesley Salter (Chair) | 5 | All |
| LAB | Helen McDonald Julian Ware-Lane | 2 | All |
| LD | *Peter Wexham | 1 | Carole Mulroney |

(*The Independent Group has given their place up on this Working Party to the Liberal Democrat Group)

PEOPLE SCRUTINY PROGRAMME WORKING PARTY

| Party | Members | Total | Substitutes |
|--------------|---|--------------|--------------------|
| | | 8 | |
| CON | Steve Buckley Alan Dear Denis Garne Judith McMahon Chris Walker | 5 | All |
| LAB | Cheryl Nevin (Chair) Margaret Borton | 2 | All |
| IND | Mike Stafford | 1 | All |

PLACE SCRUTINY PROGRAMME WORKING PARTY

| Party | Members | Total | Substitutes |
|--------------|---|--------------|--------------------|
| | | 8 | |
| CON | Alex Bright Kevin Buck Trevor Byford Jonathan Garston David McGlone | 5 | All |
| LAB | Kevin Robinson (Chair) Charles Willis | 2 | All |
| IND | Anne Chalk | 1 | All |

POLICY & RESOURCES SCRUTINY PROGRAMME WORKING PARTY

| Party | Members | Total 8 | Substitutes |
|--------------|---|--------------------|--------------------|
| CON | Bernard Arscott Fay Evans David Garston Roger Hadley Dan Nelson | 5 | All |
| LAB | Ian Gilbert Helen McDonald | 2 | All |
| IND | Brian Ayling (Chair) | 1 | All |

CONSERVATION WORKING PARTY

(Chairman shall be the Leader or such other Executive Councillor as he shall appoint)

| Party | Members | Total 8 | Substitutes |
|--------------|---|--------------------|--------------------|
| CON | Kevin Buck James Courtenay (Chair) Jonathan Garston Stephen Habermel Roger Hadley | 5 | All |
| LAB | Cheryl Nevin Julian Ware-Lane | 2 | All |
| IND | Brian Ayling | 1 | All |

CULTURAL, TOURISM & EVENTS WORKING PARTY

(The Chairman shall be the Leader or such other Executive Councillor as he appoints)

| Party | Members | Total 8 | Substitutes |
|--------------|--|--------------------|--------------------|
| CON | David Burzotta James Courtenay (Chair) Nigel Folkard Georgina Phillips Lesley Salter | 5 | All |
| LAB | Anne Jones Laurie Borton | 2 | All |
| IND | Paul Van Looy | 1 | All |

GRANTS STRATEGY WORKING PARTY

(Leader to appoint Chairman, who shall be an Executive Councillor)

| Party | Members | Total 8 | Substitutes |
|--------------|---|--------------------|--------------------|
| CON | Trevor Byford Stephen Habermel Roger Hadley David McGlone Lesley Salter (Chair) | 5 | All |
| LAB | Ian Gilbert Charles Willis | 2 | All |
| IND | Anne Chalk | 1 | All |

HOUSING & HOMELESSNESS WORKING PARTY

(The Chairman shall be the Leader or such other Executive Councillor as he appoints)

| Party | Members | Total 8 | Substitutes |
|--------------|---|--------------------|--------------------|
| CON | Tony Cox (Chair) Meg Davidson David Garston Roger Hadley Judith McMahon | 5 | All |
| LAB | Helen McDonald David Norman MBE | 2 | All |
| IND | Ron Woodley | 1 | All |

LONDON SOUTHEAST AIRPORT MONITORING WORKING PARTY

(The Chairman shall be the Leader or such other Executive Councillor as he appoints)

| Party | Members | Total 8 | Substitutes |
|--------------|---|--------------------|--------------------|
| CON | Steve Buckley David Burzotta Meg Davidson Ann Holland Andrew Moring (Chair) | 5 | All |
| LAB | Laurie Burton Charles Willis | 2 | All |
| IND | Martin Terry | 1 | All |

**PEOPLE MANAGEMENT, ACCOMMODATION AND DIGITAL STRATEGY
WORKING PARTY**

(The Chairman shall be the Leader or such other Executive Councillor as he appoints)

| Party | Members | Total 8 | Substitutes |
|--------------|---|--------------------|--------------------|
| CON | Trevor Byford Alan Dear Ann Holland John Lamb (Chair) Andrew Moring | 5 | All |
| LAB | Ian Gilbert Kevin Robinson | 2 | All |
| IND | Brian Ayling | 1 | All |

PUBLIC TRANSPORT AND BUSES WORKING PARTY

(The Chairman shall be the Leader or his nominee)

| Party | Members | Total 8 | Substitutes |
|---------------------|---|--------------------|--------------------|
| CON | Trevor Byford Alan Dear Jonathan Garston Stephen Habermel Andrew Moring (Chair) | 5 | All |
| LAB | Margaret Borton Anne Jones | 2 | All |
| Unaligned Member | *Stephen Aylen | 1 | N/A |

(*The Independent Group has given their place up on this Working Party to Councillor Aylen)

HOLOCAUST MEMORIAL DAY WORKING PARTY

| Party | Members | Total 8 | Substitutes |
|--------------|--|--------------------|--------------------|
| CON | Alex Bright David Garston Ann Holland Lesley Salter Chris Walker (Chair) | 5 | All |
| LAB | David Norman MBE Charles Willis | 2 | All |
| IND | Martin Terry | 1 | All |

SOUTHEND-ON-SEA LOCAL DEVELOPMENT FRAMEWORK WORKING PARTY
(The Chairman shall be the Leader, or such other Executive Councillor as he shall appoint)

| Party | Members | Total 8 | Substitutes |
|--------------|---|--------------------|--------------------|
| CON | Bernard Arscott Kevin Buck James Courtenay (Chair) David Garston Chris Walker | 5 | All |
| LAB | David Norman MBE Kevin Robinson | 2 | All |
| IND | Ron Woodley | 1 | All |

TRAFFIC AND PARKING WORKING PARTY
(Must include the 3 Executive Councillors who sit on Cabinet Committee, and 5 non-executive Councillors. The Chairman & Vice-Chairman must be the Chairman & Vice-Chairman of Cabinet Committee.)

| Party | Members | Total 8 | Substitutes |
|--------------|--|--------------------|--------------------|
| CON | Tony Cox (Vice-Chair) Alan Dear Mark Flewitt Denis Garne Andrew Moring (Chair) | 5 | All |
| LAB | Helen McDonald Charles Willis | 2 | All |
| IND | Paul Van Looy | 1 | All |

WASTE MANAGEMENT WORKING PARTY
(The Chairman shall be the Leader or such other Executive Councillor as he shall appoint)

| Party | Members | Total 8 | Substitutes |
|--------------|--|--------------------|--------------------|
| CON | Kevin Buck Trevor Byford Fay Evans Mark Flewitt (Chair) Dan Nelson | 5 | All |
| LAB | Matt Dent Anne Jones | 2 | All |
| IND | Martin Terry | 1 | All |

SCHOOL PLACES WORKING PARTY

(The Chairman shall be the Leader or such other Executive Councillor as he shall appoint)

| Party | Members | Total 8 | Substitutes |
|-------|--|------------|-------------|
| CON | Helen Boyd (Chair) Alex Bright Judith McMahon Dan Nelson Georgina Phillips | 5 | All |
| LAB | Laurie Burton Julian Ware-Lane | 2 | All |
| IND | Anne Chalk | 1 | All |

CHAIRMEN'S SCRUTINY FORUM

Chairmen and Vice-Chairmen of each of the 3 Scrutiny Committees (Chairman elected)

| Party | Members | Total 6 | Substitutes No substitutes appointed |
|-------|--|------------|---|
| | Brian Ayling Margaret Borton Carole Mulroney Cheryl Nevin Kevin Robinson Martin Terry | | N/A |

LOCAL CONSULTATIVE FORUM

(The Leader – substitutes not permitted)

PLANNING & DEVELOPMENT FORUM

(The Chairman shall be the Leader or such other Councillor as he appoints)

| Party | Members | Total 8 | Substitutes |
|-------|--|------------|-------------|
| CON | Kevin Buck James Courtenay (Chair) David Garston Roger Hadley Chris Walker | 5 | All |
| LAB | Margaret Borton Helen McDonald | 2 | All |
| IND | Ron Woodley | 1 | All |

CORPORATE PARENTING GROUP*(Must include the Executive Councillor with responsibility for Children's Services)*

| Party | Members | Total 6 | Substitutes |
|--------------|---|--------------------|--------------------|
| CON | Bernard Arscott Helen Boyd (Chair) Alan Dear Georgina Phillips | 4 | All |
| LAB | Julian Ware-Lane | 1 | All |
| IND | Ron Woodley | 1 | All |

CORPORATE PARENTING MEMBER'S SUB GROUP*(Must include the Executive Councillor with responsibility for Children's Services)*

| Party | Members | Total 8 | Substitutes |
|--------------|--|--------------------|--------------------|
| CON | Helen Boyd (Chair) Steve Buckley Denis Garne Dan Nelson Chris Walker | 5 | All |
| LAB | Laurie Burton Julian Ware-Lane | 2 | All |
| IND | Ron Woodley | 1 | All |

EDUCATION BOARD

| Party | Members | Total 1 | Substitutes not permitted |
|--------------|----------------|--------------------|--------------------------------------|
| CON | Helen Boyd | 1 | N/A |

ROCHFORD & SOUTHEND-ON-SEA AREA ACTION PLAN COMMITTEE*(at least one Member shall represent a ward adjacent to the airport)**(The Chair of the Committee is shared between Southend and Rochford)*

| Party | Members | Total 4 | Substitutes |
|--------------|---------------------------------|--------------------|--------------------|
| CON | James Courtenay Mark Flewitt | 2 | All |
| LAB | Laurie Burton | 1 | All |
| IND | Brian Ayling | 1 | All |

SOUTHEND BUSINESS & TOURISM PARTNERSHIP*(Leader or nominee and seven other members)*

| Party | Members | Total 8 | Substitutes |
|--------------|---|--------------------|--------------------|
| CON | Alex Bright David Burzotta James Courtenay Meg Davidson John Lamb | 5 | All |
| LAB | Matt Dent Anne Jones | 2 | All |
| IND | Ron Woodley | 1 | All |

ADOPTION PANEL*(Members must be vetted for Child Protection purposes. Members appointed to this Panel must be prepared to attend meetings during the day)*

| Party | Members | Total 1 | Substitutes not permitted |
|--------------|-------------------|--------------------|--------------------------------------|
| CON | Georgina Phillips | 1 | N/A |

FOSTERING PANEL*(Members must be vetted for Child Protection purposes. Members appointed to this Panel must be prepared to attend meetings during the day)*

| Party | Members | Total 2 | Substitutes not permitted |
|--------------|-----------------|--------------------|--------------------------------------|
| CON | Bernard Arscott | 1 | N/A |
| LAB | Anne Jones | 1 | N/A |

SUCCESS FOR ALL CHILDREN'S GROUP
Executive Councillor for Children's Services**DIGNITY IN CARE ESTABLISHMENTS VISITING PANEL***(All members to be vetted)**(No Chairman necessary)*

| Party | Members | Total 8 | Substitutes |
|--------------|---|--------------------|--------------------|
| CON | Steve Buckley Tony Cox David Garston Judith McMahon Georgina Phillips | 5 | All |
| LAB | Margaret Borton Helen McDonald | 2 | All |
| IND | Martin Terry | 1 | All |

LSCB / SAB SCRUTINY PANEL

(Members come from People Scrutiny Committee. The Executive Councillor for Children & Learning and the Executive Councillor for Adults and Housing to attend the meetings as 'participant observers')

| Party | Members | Total 8 | Substitutes |
|--------------|---|--------------------|--------------------|
| CON | Bernard Arscott Steve Buckley Alan Dear Denis Garne Georgina Phillips | 5 | All |
| LAB | Laurie Burton Julian Ware-Lane | 2 | All |
| IND | Trevor Harp | 1 | All |

SECURE ACCOMMODATION REVIEW
Executive Councillor for Children's Services

THE SHAREHOLDER BOARD
(Membership must include Leader, Deputy Leader Executive Councillor with responsibility for Corporate & Community Support Services and one other Executive Councillor)

| Party | Members | Total 8 | Substitutes |
|--------------|---|--------------------|--------------------|
| CON | Helen Boyd David Burzotta James Courtenay John Lamb Lesley Salter | 5 | All |
| LAB | Ian Gilbert Charles Willis | 2 | All |
| IND | Ron Woodley | 1 | All |

INDEPENDENT REMUNERATION PANEL
(Joint panel with Thurrock Borough Council. No elected Member appointments.)

THE SENIOR MANAGERS' PAY PANEL
(Leader, Deputy Leader, 1 other Cabinet Member, Leaders of the two largest opposition groups and Independent co-opted Member)

| Party | Members | Total 5+1 | Substitutes Not permitted |
|--------------|---|----------------------|--------------------------------------|
| CON | John Lamb (Chair) James Courtenay Lesley Salter | 3 | N/A |
| LAB | Ian Gilbert | 1 | N/A |
| IND | Ron Woodley | 1 | N/A |

CHILDREN'S SERVICE IMPROVEMENT PLAN SCRUTINY PANEL
(Note: Panel to include the Chair and Vice-Chair (if proportionality permits) of People Scrutiny Committee who will also be the Chair and Vice-Chair of the panel)

| Party | Members (From People Scrutiny Committee) | Total 5 | Substitutes |
|--------------|--|--------------------------|--|
| CON | Bernard Arscott Meg Davidson Chris Walker | 3 | All |
| LAB | Cheryl Nevin (Chair) | 1 | All (Except the Member appointed to the Improvement Board) |
| IND | Anne Chalk | 1 | All |

CHILDREN'S SERVICE IMPROVEMENT BOARD

(Membership must include Leader, relevant Executive Councillor with responsibility for Children & Learning and Opposition Councillor, Member of People Scrutiny)

| Party | Members | Total 3 | Substitutes not permitted |
|--------------|---------------------------------|--------------------------|--|
| CON | John Lamb (Chair) Helen Boyd | 2 | N/A |
| LAB | Julian Ware-Lane | 1 | N/A |

DISCIPLINARY ADVISORY PANEL

(The 2 Independent Persons who have been appointed under S.28(7) of the Localism Act 2011.)

Outside Bodies

List E

| Title | Member | Role |
|---|--|---|
| 1312 (Southend-on-Sea) Squadron Air Training Corps: Civilian Welfare Committee | | |
| Council Representation | No of Members: 1 Alex Bright | No of Substitutes: 0 No of Officers: 0 Council Member Representative |
| Active Southend | | |
| Council Representation | No of Members: 4 Dan Nelson Derek Jarvis Cheryl Nevin Mike Stafford Mr S Dolling | No of Substitutes: 0 No of Officers: 1 Council Member Representative Council Member Representative Council Member Representative Council Member Representative Council Officer Representative |
| Age Concern | | |
| Council Representation | No of Members: 1 Alan Dear | No of Substitutes: 0 No of Officers: 0 Council Member Representative |
| Anglian (Eastern) Regional Flood Defence Committee | | |
| Council Representation | No of Members: 1 John Lamb | No of Substitutes: 0 No of Officers: 0 Council Member Representative Observer |
| (NOTE: One place shared with Thurrock Council, rotated annually. Thurrock had the place for 2017-18 . The representative of the Council not in position on the Committee can still attend as an observer.) | | |
| British Destinations | | |
| Council Representation | No of Members: 1 Nigel Folkard James Courtenay | No of Substitutes: 1 No of Officers: 0 Council Member Representative Council Member Representative Substitute |
| Citizens Advice Bureau | | |
| Council Representation | No of Members: 1 Steve Buckley | No of Substitutes: 0 No of Officers: 0 Council Member Representative |

| Title | Member | Role |
|--|-------------------------------------|---|
| Disabled Information Advice Line Southend | | |
| Council Representation | No of Members: 1 No of Substitutes: | 0 No of Officers: 0 |
| | Alan Dear | Council Member Representative |
| East of England Broadband Network (E2BN) | | |
| Council Representation | No of Members: 0 No of Substitutes: | 0 No of Officers: 2 |
| | Mr M Churchill | Council Officer Representative |
| | Mr N Corrigan | Council Officer Representative |
| East of England LGA Local Government Employers Panel | | |
| Council Representation | No of Members: 2 No of Substitutes: | 0 No of Officers: 0 |
| | John Lamb | Council Member Representative |
| | James Courtenay | Council Member Representative |
| East of England Local Government Association | | |
| Council Representation | No of Members: 1 No of Substitutes: | 1 No of Officers: 0 |
| | John Lamb | Council Member Representative |
| | James Courtenay | Council Member Representative Substitute |
| (NOTE: The Leader of the Council should be appointed to this position) | | |
| East of England Strategic Authority Leaders Group | | |
| Council Representation | No of Members: 1 No of Substitutes: | 1 No of Officers: 1 |
| | John Lamb | Council Member Representative |
| | James Courtenay | Council Member Representative Substitute |
| | Chief Executive | Council Officer Representative |
| (NOTE: The Leader of the Council should be appointed to this position) | | |
| Essex & Southend Member Joint Project Board (Waste) | | |
| Council Representation | No of Members: 3 No of Substitutes: | 0 No of Officers: 0 |
| | Mark Flewitt | Council Member Representative (Executive Cllr for Public Protection) |
| | Tony Cox | Council Member Representative (Executive Cllr for Infrastructure) |
| | James Courtenay | Council Member Representative (Cabinet Member representing the Leader) |
| Essex Heritage Trust | | |
| Council Representation | No of Members: 1 No of Substitutes: | 0 No of Officers: 0 |
| | Bernard Arcott | Council Member Representative |
| Essex Leaders and Chief Executives Group | | |
| Council Representation | No of Members: 1 No of Substitutes: | 1 No of Officers: 1 |
| | John Lamb | Council Member Representative |
| | James Courtenay | Council Member Representative Substitute |
| | Chief Executive | Council Officer Representative |
| (NOTE: The Leader of the Council and Chief Executive should be appointed to this position) | | |

| Title | Member | Role |
|---|---|---|
| Essex Outward Bound Association | | |
| Council Representation | No of Members: 1 Dan Nelson | No of Substitutes: 0 Council Member Representative |
| Essex Pension Fund Strategy Board | | |
| Council Representation | No of Members: 1 Andrew Moring | No of Substitutes: 0 Council Member Representative |
| <i>(NOTE: There is also an Essex Pension Board Advisors Board – Thurrock Council have the unitary representative on this Board)</i> | | |
| Essex Police, Fire and Crime Panel | | |
| Council Representation | No of Members: 1 Ann Holland | No of Substitutes: 0 Council Member Representative |
| Essex Partnership University NHS Foundation Trust (EPUT) | | |
| Council Representation | No of Members: 1 Fay Evans | No of Substitutes: 0 Council Member Representative |
| <i>(NOTE: Member cannot be a Member or substitute of the Scrutiny Committee with the responsibility for Health Scrutiny)</i> | | |
| Essex Waste Partnership - Inter Authority Member Working Group | | |
| Council Representation | No of Members: 1 Tony Cox Mark Flewitt | No of Substitutes: 1 Council Member Representative Council Member Representative Substitute |
| Homeless Action Resource Project | | |
| Council Representation | No of Members: 1 Jonathan Garston | No of Substitutes: 0 Council Member Representative |
| Jazz Archive | | |
| Council Representation | No of Members: 1 David Burzotta | No of Substitutes: 0 Council Member Representative |
| Kent & Essex Inshore Fisheries and Conservation Authority | | |
| Council Representation | No of Members: 1 John Lamb | No of Substitutes: 0 Council Member Representative |
| Key Cities | | |
| Council Representation | No of Members: 1 John Lamb James Courtenay | No of Substitutes: 1 Council Member Representative Council Member Representative Substitute |
| Leigh Port Partnership | | |
| Council Representation | No of Members: 1 John Lamb 67 | No of Substitutes: 0 Council Member Representative |

| Title | Member | Role |
|---|--|--|
| Local Government Association Coastal Issues Interest Group | | |
| Council Representation | No of Members: 1 John Lamb Mr A Lewis | No of Substitutes: 0 No of Officers: 1 Council Member Representative Council Officer Representative |

Local Government Association General Assembly

| | | |
|-------------------------------|--|---|
| Council Representation | No of Members: 4 John Lamb James Courtenay Ian Gilbert | No of Substitutes: 0 No of Officers: 0 Council Member Representative Council Member Representative Council Member Representative Council Member Representative |
|-------------------------------|--|---|

Local Government Association Urban Commission

| | | |
|-------------------------------|--|--|
| Council Representation | No of Members: 1 Georgina Phillips Mr A Lewis | No of Substitutes: 0 No of Officers: 1 Council Member Representative Council Officer Representative |
|-------------------------------|--|--|

London Southend Airport Consultative Committee

| | | |
|-------------------------------|---|---|
| Council Representation | No of Members: 4 Ann Holland Meg Davidson Stephen Habermel Laurie Burton Mr P Geraghty Mr A Lewis | No of Substitutes: 0 No of Officers: 2 Council Member Representative Council Member Representative Council Member Representative Council Member Representative Council Officer Representative Council Officer Representative |
|-------------------------------|---|---|

National Association of Councillors

| | | |
|-------------------------------|--|--|
| Council Representation | No of Members: 1 Alex Bright | No of Substitutes: 0 No of Officers: 0 Council Member Representative |
|-------------------------------|--|--|

NHS Southend CCG Governing Body

| | | |
|-------------------------------|---|---|
| Council Representation | No of Members: 0 Krishna Ramkhelawon | No of Substitutes: 0 No of Officers: 1 Council Officer Representative |
|-------------------------------|---|---|

Note – appointment of Councillors to Governing Body prohibited by S.12(6) and Schedule 5(2) to the NHS (Clinical Commissioning Groups) Regs. 2012.

North Thames Fisheries Local Action Group (FLAG)

| | | |
|-------------------------------|---|---|
| Council Representation | No of Members: 1 John Lamb Lesley Salter | No of Substitutes: 1 No of Officers: 0 Council Member Representative Council Member Substitute |
|-------------------------------|---|---|

| Title | Member | Role |
|--|-------------------------------------|--|
| Opportunity South Essex | | |
| Council Representation | No of Members: 1 No of Substitutes: | 1 No of Officers: 1 |
| | John Lamb | Council Member Representative |
| | James Courtenay | Council Member Representative Substitute |
| | Chief Executive | Council Officer Representative |
| (NOTE: The Leader of the Council should be appointed to this position) | | |
| PSP Southend LLP | | |
| Council Representation | No of Members: 3 No of Substitutes: | 0 No of Officers: 0 |
| | Ann Holland | Council Member Representative |
| | John Lamb | Council Member Representative |
| | James Courtenay | Council Member Representative |
| Regional Health Scrutiny Chair's Forum | | |
| Council Representation | No of Members: 1 No of Substitutes: | 1 No of Officers: 1 |
| | Cheryl Nevin | Council Member Representative (Chairman of the People Scrutiny Committee - Committee responsible for Health Scrutiny) |
| | Margaret Borton | Council Member Substitute (Vice-Chairman of People Scrutiny Committee – Committee responsible for Health Scrutiny) |
| | F Abbott | Council Officer Representative |
| SACRE | | |
| Council Representation | No of Members: 7 No of Substitutes: | 5 No of Officers: 0 |
| | Bernard Arscott | Council Member Representative |
| | David Garston | Council Member Representative |
| | Nigel Folkard | Council Member Representative |
| | Meg Davidson | Council Member Representative |
| | Anne Jones | Council Member Representative |
| | Julian Ware-Lane | Council Member Representative |
| | Anne Chalk | Council Member Representative |
| | | Council Member Representative Substitute |
| | | Council Member Representative Substitute |
| | | Council Member Representative Substitute |
| | | Council Member Representative Substitute |
| (NOTE: The Council representation should reflect proportionality of the Council) | | |
| Safeguarding Adults Board | | |
| Council Representation | No of Members: 1 No of Substitutes: | 0 No of Officers: 0 |
| | Tony Cox | Council Member Representative (Executive Councillor for Adults and Housing) |

| Title | Member | Role |
|--|--|--|
| SOS Domestic Abuse Projects | | |
| Council Representation | No of Members: 2 No of Substitutes: | 0 No of Officers: 0 |
| | Fay Evans | Council Member Representative |
| | Nigel Folkard | Council Member Representative |
| South East Essex Advocacy for Older People | | |
| Council Representation | No of Members: 1 No of Substitutes: | 0 No of Officers: 0 |
| | Alan Dear | Council Member Representative |
| South East Local Enterprise Partnership (LEP) | | |
| Council Representation | No of Members: 1 No of Substitutes: | 1 No of Officers: 1 |
| | John Lamb | Council Member Representative |
| | James Courtenay | Council Member Representative Substitute |
| | Chief Executive | Council Officer Representative |
| | E Cooney | Council Officer Substitute |
| (NOTE: The Leader of the Council should be appointed to this position) | | |
| South East European Structural and Investment Fund (ESIF) Sub Committee | | |
| Council Representation | No of Members: 1 No of Substitutes: | 1 No of Officers: 0 |
| | James Courtenay | Council Member Representative |
| | John Lamb | Council Member Substitute |
| South Essex Alliance of Landlords and Residents (SEAL) | | |
| Council Representation | No of Members: 1 No of Substitutes: | 0 No of Officers: 1 |
| | Nigel Folkard | Council Member Representative |
| | Ms S Houlden | Council Officer Representative |
| South Essex Homes Board | | |
| Council Representation | No of Members: 3 No of Substitutes: | 0 No of Officers: 0 |
| | Meg Davidson | Council Member Representative |
| | David McGlone | Council Member Representative |
| | Ron Woodley | Council Member Representative |
| South Essex Relate Executive Committee | | |
| Council Representation | No of Members: 1 No of Substitutes: | 0 No of Officers: 0 |
| | Georgina Phillips | Council Member Representative |
| Southend Association of Voluntary Services | | |
| Council Representation | No of Members: 1 No of Substitutes: | 0 No of Officers: 0 |
| | Lesley Salter | Council Member Representative |

(NOTE: The Executive Councillor for Healthy Communities & Wellbeing should be appointed to this position)

Title**Member****Role****Southend Boys Choir and Southend Girls Choir Trust**

| | | | | |
|-------------------------------|------------------|---------------------|---|-------------------------------|
| Council Representation | No of Members: 1 | No of Substitutes: | 0 | No of Officers: 0 |
| | | Chris Walker | | Council Member Representative |

Southend Business Improvement District Committee

| | | | | |
|-------------------------------|------------------|------------------------|---|-------------------------------|
| Council Representation | No of Members: 1 | No of Substitutes: | 0 | No of Officers: 0 |
| | | James Courtenay | | Council Member Representative |

(NOTE: The Executive Councillor for Growth should be appointed to this position)

Southend Business and Community Charter - Charter Committee

| | | | | |
|-------------------------------|------------------|------------------------|---|--|
| Council Representation | No of Members: 1 | No of Substitutes: | 0 | No of Officers: 0 |
| | | James Courtenay | | Council Member Representative (Executive Councillor for Growth) |

Southend Business Partnership Executive Committee

| | | | | |
|-------------------------------|------------------|------------------------|---|-------------------------------|
| Council Representation | No of Members: 1 | No of Substitutes: | 0 | No of Officers: 0 |
| | | James Courtenay | | Council Member Representative |

(NOTE: The Executive Councillor for Growth should be appointed to this position)

Southend Community Safety Partnership Board

| | | | | |
|-------------------------------|------------------|---------------------|---|---|
| Council Representation | No of Members: 1 | No of Substitutes: | 0 | No of Officers: 0 |
| | | Mark Flewitt | | Council Member Representative (Executive Cllr for Public Protection) |

Southend Local Safeguarding Children Board

| | | | | |
|-------------------------------|------------------|--------------------|---|---|
| Council Representation | No of Members: 1 | No of Substitutes: | 0 | No of Officers: 0 |
| | | Helen Boyd | | Council Member Representative (Executive Councillor for Children & Learning) |

Southend Pier Museum Trust

| | | | | |
|-------------------------------|------------------|---------------------|---|-------------------------------|
| Council Representation | No of Members: 1 | No of Substitutes: | 0 | No of Officers: 0 |
| | | Meg Davidson | | Council Member Representative |

Southend Residents Forum

| | | | | |
|-------------------------------|------------------|---------------------|---|-------------------------------|
| Council Representation | No of Members: 2 | No of Substitutes: | 0 | No of Officers: 0 |
| | | Tony Cox | | Council Member Representative |
| | | Roger Hadley | | Council Member Representative |

Southend University Hospital - NHS Foundation Trust

| | | | | |
|-------------------------------|------------------|--------------------|---|-------------------------------|
| Council Representation | No of Members: 1 | No of Substitutes: | 0 | No of Officers: 0 |
| | | Denis Garne | | Council Member Representative |

| Title | Member | Role |
|---|--|--|
| Southend-on-Sea Access Group | | |
| Council Representation | No of Members: 2 No of Substitutes: | 0 No of Officers: 0 |
| | Nigel Folkard | Council Member Representative |
| | Kevin Buck | Council Member Representative |
| Southend-on-Sea Arts Council | | |
| Council Representation | No of Members: 3 No of Substitutes: | 0 No of Officers: 0 |
| | David Burzotta | Council Member Representative |
| | Meg Davidson | Council Member Representative |
| | Judith McMahon | Council Member Representative |
| Southend-on-Sea Compact Action Group | | |
| Council Representation | No of Members: 5 No of Substitutes: | 0 No of Officers: 0 |
| | Roger Hadley | Council Member Representative |
| | Denis Garne | Council Member Representative |
| | Lesley Salter | Council Member Representative |
| | Judith McMahon | Council Member Representative |
| | Kevin Buck | Council Member Representative |
| Southend-on-Sea Forum Management Limited | | |
| Council Representation | No of Members: 2 No of Substitutes: | 0 No of Officers: 0 |
| | Lesley Salter | Council Member Representative |
| | Ann Holland | Council Member Representative |
| Thames Gateway Housing Group | | |
| Council Representation | No of Members: 1 No of Substitutes: | 0 No of Officers: 1 |
| | Tony Cox | Council Member Representative |
| | Mr M Gatrell | Council Officer Representative |
| Thames Gateway South Essex Transport Board | | |
| Council Representation | No of Members: 1 No of Substitutes: | 1 No of Officers: 0 |
| | John Lamb | Council Member Representative |
| | Andrew Moring | Council Member Representative Substitute |
| Thames Gateway Strategic Group | | |
| Council Representation | No of Members: 1 No of Substitutes: | 1 No of Officers: 0 |
| | John Lamb | Council Member Representative |
| | James Courtenay | Council Member Representative Substitute |
| Traffic Penalty Tribunal | | |
| Council Representation | No of Members: 1 No of Substitutes: | 0 No of Officers: 0 |
| | Andrew Moring | Council Member Representative |

Calendar of Meetings 2018 - 19

2018

MAY

ANNUAL COUNCIL
COUNCIL (Appointment of Committees etc.)

3.30pm
6.30pm

Thursday, 10th May
Thursday 17th May

JUNE

Development Control Committee

CABINET

Southend Health and Wellbeing Board
Cabinet Committee
Cabinet Committee (PVX)

2.00 pm
2.00pm
5.00pm
6.00pm
6.00 pm

Wednesday, 6th June
Tuesday, 19th June
Wednesday 20th June
Thursday, 21st June
Tuesday, 26th June

JULY

Development Control Committee
Place Scrutiny Committee
People Scrutiny Committee (including Health)
Policy and Resources Scrutiny Committee

COUNCIL

Audit Committee

2.00 pm
6.30pm
6.30pm
6.30pm
6.30pm
6.30pm

Wednesday, 4th July
Monday, 9th July
Tuesday, 10th July
Thursday, 12th July
Thursday, 19th July
Wednesday 25th July

AUGUST

Development Control Committee

2.00pm

Wednesday, 1st August

SEPTEMBER

Development Control Committee
Cabinet Committee

CABINET

Southend Health and Wellbeing Board
Cabinet Committee (PVX)
Audit Committee

2.00pm
6.00pm
2.00pm
5.00pm
6.00 pm
6.30pm

Wednesday, 12th September
Thursday, 13th September
Tuesday, 18th September
Wednesday, 19th September
Tuesday, 25th September
Wednesday 26th September

OCTOBER

Development Control Committee
Place Scrutiny Committee
People Scrutiny Committee
Policy and Resources Scrutiny Committee

COUNCIL

2.00 p.m.
6.30pm
6.30pm
6.30pm
6.30pm

Wednesday, 3rd October
Monday, 8th October
Tuesday, 9th October
Thursday, 11th October
Thursday, 18th October

NOVEMBER

Cabinet Committee

CABINET

Development Control Committee
Cabinet Committee (PVX)
Place Scrutiny Committee
People Scrutiny Committee (including Health)
Policy and Resources Scrutiny Committee

6.00pm
2.00pm
2.00pm
6.00 pm
6.30pm
6.30pm
6.30pm

Thursday, 1st November
Tuesday, 6th November
Wednesday, 7th November
Tuesday, 13th November
Monday, 26th November
Tuesday, 27th November
Thursday, 29th November

DECEMBER

Southend Health and Wellbeing Board
Development Control Committee

COUNCIL

5.00pm
2.00pm
6.30pm

Wednesday, 5th December
Wednesday, 12th December
Thursday, 13th December

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2019

JANUARY

| | | |
|--|---------------|--|
| Cabinet Committee | 6.00pm | Monday, 7 th January |
| CABINET | 2.00pm | Tuesday, 8th January |
| Development Control Committee | 2.00pm | Wednesday, 9 th January |
| Cabinet Committee (PVX) | 6.00 pm | Tuesday, 15 th January |
| Audit Committee | 6.30pm | Wednesday, 16 th January |
| CABINET (Council Budget Only) | 2.00pm | Thursday, 17th January |
| Southend Health and Wellbeing Board | 5.00pm | Wednesday, 23 rd January |
| Place Scrutiny Committee | 6.30pm | Monday, 28 th January |
| People Scrutiny Committee (including Health) | 6.30pm | Tuesday, 29 th January |
| Policy and Resources Scrutiny Committee | 6.30pm | Wednesday, 30 th January |

FEBRUARY

| | | |
|---------------------------------|---------------|---|
| Development Control Committee | 2.00pm | Wednesday, 6 th February |
| CABINET (Council Budget) | 2.00pm | Tuesday, 12th February |
| COUNCIL | 6.30pm | Thursday, 21st February |

MARCH

| | | |
|-----------------------------------|---------------|---------------------------------------|
| Development Control Committee | 2.00pm | Wednesday, 6 th March |
| Cabinet Committee | 6.00pm | Thursday, 7 th March |
| CABINET | 2.00pm | Tuesday, 12th March |
| Cabinet Committee (PVX) | 6.00 pm | Thursday, 14 th March |
| Southend Health & Wellbeing Board | 5.00pm | Wednesday, 20 th March |
| Audit Committee | 6.30pm | Wednesday 27 th March |

APRIL (NB: Maundy Thursday 18th April, Good Friday 19th April, Easter Monday 22nd April)

| | | |
|--|---------------|--|
| Development Control Committee | 2.00pm | Wednesday, 3 rd April |
| Place Scrutiny Committee | 6.30pm | Monday, 8 th April |
| People Scrutiny Committee (including Health) | 6.30pm | Tuesday, 9 th April |
| Policy and Resources Scrutiny Committee | 6.30pm | Wednesday, 10 th April |
| COUNCIL | 6.30pm | Thursday, 18th April |

MAY

| | | |
|---|---------------|-------------------------------------|
| ANNUAL COUNCIL | 3.30pm | Thursday, 9th May |
| COUNCIL (Appointment of Committees etc.) | 6.30pm | Thursday 16th May |
| Development Control Committee | 2.00pm | Wednesday, 5 th June |

NOTE: Cabinet Committee dates are provisional only, depending on there being business to transact

Holocaust Memorial Day Commemoration Service – 27 January 2019

School Term Dates:

Summer Term starts Monday 16th April 2018 – Friday 20th July 2018
Half Term 28th May – 1 June, and May Bank Holiday, 7th May

Autumn Term starts Wednesday 5th September 2018 – Thursday 21st December 2018
Half Term 22 October – 26 October

Spring Term starts Thursday 3rd January 2019 – Friday 5th April 2019
Half Term 18th February – 22nd February

2019 Summer Term starts Monday 22nd April 2019

Note:

Lib Dem Conference: - 15-19 September 2018

Labour Conference: - 23-26 September 2018

Conservative Conference: - 30 September – 3 October 2018