



## **Cannock Chase Council**

### **Council Meeting**

**Wednesday 22 January 2025 at 6:00pm**

**In the Council Chamber, Civic Centre, Cannock**

#### **Part 1**

Notice is hereby given of the above-mentioned meeting of the Council, which you are summoned to attend for the purpose of transacting the business as set out below:

**1. Apologies**

**2. Declarations of Interests of Members in Contracts and Other Matters and Restriction on Voting by Members**

To declare any interests in accordance with the Code of Conduct.

Members should refer to the guidance as included as part of this agenda.

**3. Minutes**

To approve the Minutes of the meeting held on 4 December 2024: minute numbers 39 - 51; page numbers 48 - 56.

**4. Questions Received from the Public Under Council Procedure Rule 4B(c)**

**(i) The following question has been submitted by Andy Moseley:**

*"Clarification on the Inclusion of Venue Subsidies within the 15% Council Budget:*

There has been two separate meetings where differing versions of how subsidies for both venues are allocated. We seek formal clarification as to whether the subsidies allocated to both venues fall within, or are supplementary to, the 15% of the council's budget allocated to Inspiring Healthy Lifestyles (IHL)?"

**(ii) The following question has been submitted by Jamie Norgrove:**

*"Management of IHL contract:*

Given IHL's responsibility for managing c£2M of taxpayer funds, could the council outline the specific oversight mechanisms and accountability frameworks in place to ensure the effective and transparent management of these funds?"

**(iii) The following question has been submitted by Ben Farbrother:**

*“Rationale for Classifying Roof Repairs as Revenue Expenditure:*

We have been consistently informed by council representatives that LUF funding cannot be allocated to address major works required at the PoW, as identified in the stock survey report, on the grounds that such works are classified as revenue expenditure. We believe that the nature of the activities involved, which includes significant structural improvements to ensure the extended the life of the building and its functional capacity, is aligned with the characteristics of capital expenditure.

Councillors have publicly provided repeated reassurances that the PoW has not been removed from scope for the remaining LUF money. Given that central government has granted an extension to when LUF money has to be spent, will the council commit to revisiting their assertion and re-assess how items of work, or packages of work, identified in the stock condition survey can be re-submitted as legitimate capital spend eligible for LUF money, and if not, why not?”

**(iv) The following question has been submitted by Spencer Houghton:**

*“Ownership and Repatriation of Artefacts held by the Museum of Cannock Chase (MoCC):*

When will the council provide detailed clarification regarding the ownership structure of the artefacts in the collection? Specifically, we request information regarding the proportion of the collection owned by the council versus private collectors. Furthermore, what formal plans or processes are in place for the repatriation of any artefacts, should this be deemed appropriate or necessary?”

**(v) The following question has been submitted by Ben Farbrother:**

*“Clawback Provisions in Grant Agreements and the Management of Unutilised Funds (Museum):*

It has been brought to our attention that numerous grants of which the council are in receipt of are subject to clawback provisions, which stipulate the return of funds should they not be expended in accordance with their designated purpose. Can you state how many funds have been receipted this financial year and how much is left unspent? If such funds remain unutilised, could the council outline the planned course of action regarding the restitution of any unspent balances, and the procedural steps that will be followed to ensure compliance?”

**(vi) The following question has been submitted by Peter Sidgwick:**

*“Communications Protocols Post-Closure of Cultural Buildings:*

In the event that the closure of these cultural buildings proceed, what formal communication channels and protocols will be established to ensure ongoing dialogue and transparency with stakeholders throughout this process? It is imperative that a clear and structured channel for communication is SET UP to facilitate engagement.”

**5. Chair’s Announcements and Correspondence**

To receive any announcements and correspondence from the Chair of the Council.

**6. Leader’s Announcements and Correspondence**

To receive any announcements and correspondence from the Leader of the Council.

**7. Constitution Update: Procurement Act 2023**

Report of the Head of Law & Governance (Item 7.1 - 7.27).

**8. Review of Polling Districts, Places and Stations**

Report of the Head of Law & Governance (Item 8.1 - 8.21).

**9. Review of the Members' Allowances Scheme**

Report of the Head of Law & Governance (Item 9.1 - 9.18).

**10. Comments and Questions on Part 1 Minutes of Cabinet, Committees, Sub-Committees and Panels under Rule 9**

To receive any comments or questions submitted under Rule 9 on Part 1 Minutes of meetings of Cabinet, Committees, Sub-Committees or Panels as included in the Minutes Record circulated alongside this agenda.

**11. Exclusion of the Public**

The Chair to move the following motion:

"That the public be excluded for the remainder of the meeting because of the likely disclosure of exempt information as defined in Paragraph 3, of Part 1, Schedule 12A, of the Local Government Act, 1972."

**Part 2**

**12. Comments and Questions on Part 2 Minutes of Cabinet, Committees, Sub-Committees and Panels under Rule 9**

To receive any comments or questions submitted under Rule 9 on Part 2 Minutes of meetings of Cabinet, Committees, Sub-Committees or Panels as included in the Minutes Record circulated alongside this agenda.



**T. Clegg**  
**Chief Executive**

14 January 2025

## Guidance on Declaring Interests at Meetings

### Declaring Interests at Full Council

The Code of Conduct requires that where you have an interest in any business of the Council, and where you are aware or ought reasonably to be aware of the existence of the interest, and you attend a meeting of the Council at which the business is considered, you must disclose to that meeting the existence and nature of that interest at the commencement of that consideration, or when the interest becomes apparent.

The following interests must be disclosed where they may be affected by any matter arising at the meeting:

- (a) A **Disclosable Pecuniary Interest** is an interest of yourself or your partner (which means spouse or civil partner, a person with whom you are living as husband or wife, or a person with whom you are living as if you are civil partners) in respect of employment, office, trade, profession or vocation carried out for profit or gain; sponsorship; contracts; land; licences; corporate tenancies; or securities, as defined with the Localism Act, 2011.
- (b) A **Registerable Interest** includes any unpaid directorships or any body of which you are a member, or are in a position of general control, and (i) to which you are appointed by the Council, or (ii) which exercises functions of a public nature, or (iii) which is directed to charitable purposes, or (iv) one of whose principal purposes includes the influence of public opinion or policy.
- (c) A **Non-Registerable Interest** is any other matter affecting your financial interest or well-being, or a financial interest or well-being of a relative or close associate.

Where the matter **directly relates** to the interest, you must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation.

Where the matter **affects** the interest, but does not **directly relate** to it, you can remain in the meeting and take part **unless** the matter affects the financial interest or well-being to a greater extent than it affects the financial interests of the majority of inhabitants of the ward affected by the decision, and a reasonable member of the public knowing all the facts would believe that it would affect your view of the wider public interest.

### Please make the nature of the interest clear to the meeting

It would be helpful if, prior to the commencement of the meeting, Members informed the Monitoring Officer of any declarations of interest, of which you are aware. This will help in the recording of the declarations in the Minutes of the meeting.

Some items will be mentioned in the papers for full Council but are not actually being considered by Full Council. In such circumstances the Monitoring Officer's advice to Members is that there is no need to declare an interest unless the particular matter is mentioned or discussed. As a general rule, Members only need to declare an interest at full Council in the following circumstances:

- Where a matter is before the Council for a decision and/or
- Where the matter in which the Member has an interest is specifically mentioned or discussed at the Council meeting.

**Cannock Chase Council**  
**Minutes of the Meeting of the Council**  
**Held in the Council Chamber, Civic Centre, Cannock**  
**On Wednesday 4 December at 6:00 p.m.**

**Part 1**

**Present**

Councillors:

Thornley, S. (Chair)

Prestwood, F. (Vice-Chair)

Aston, J.	Hughes, G.
Bancroft, J.	Jones, V.
Bishop, L.	Johnson, J.
Boulton, C.	Johnson, T. (Leader)
Bullock, L.	Lyons, N.
Cartwright, S.	Lyons, O.
Craddock, R.	Mawle, D.
Dunnett, M.	Muckley, A.
Elson, J.	Preece, J.
Fisher, P.	Prestwood, J.
Fitzgerald, A.	Samuels, G.
Freeman, M.	Sutherland, M.
Gaye, D.	Todd, D.
Haden, P.	Williams, D.
Hill, J.	Wilson, L.

**39. Apologies**

Apologies for absence were received from Councillors J.O. Hill, J. Newbury, H. Page, and S.J. Thornley.

**40. Declarations of Interests of Members in Contracts and Other Matters and Restriction on Voting by Members**

No other Declarations of Interests were made in addition to those already confirmed by Members in the Register of Members' Interests.

<b>Member</b>	<b>Interest</b>	<b>Type</b>
Wilson, L.	Agenda Item 6(ii) - Statement of Licensing Policy 2025-2029: <i>Member is a Licensee of a public house in the District.</i>	Personal

#### **41. Minutes**

##### **Resolved:**

That the Minutes of the meeting held on 9 October 2024 be approved as a correct record.

#### **42. The Chair's Announcements and Correspondence**

##### **(i) Jacky Gange, MBE**

The Chair congratulated Jacky Gange on being awarded an MBE for services to the community, having worked for over 24 years at the Chase Advice Centre, Cannock, noting that along with others in the room, he was fortunate enough to attend the inauguration.

The Chair then outlined Jacky's history and service with the Advice Centre, noting that she had often worked more hours than required by the volunteers, devoted all her spare time and more to the Centre, working to help and support as many people as possible and never turning anyone away who sought advice from the Centre. Thanks to Jacky's management of and commitment to, the Centre for the past 20+ years, it had evolved as a service, gained a good reputation and its workload increased year on year. Since 2011, Jacky had also been successful in securing an annual £11,000 grant from the Council toward paying the Centre's bills and keeping its doors open.

The Chair then noted that throughout Jacky's life, her passion and commitment to voluntary service had been exemplary and the work she had done for others was utterly inspirational.

The Chair then welcomed Jacky to the Council and thanked for her service, giving her a small gif and asking all present to show appreciation to her. All present then joined in a round of applause and the Chair invited other Members to share their own messages of congratulations.

##### **(ii) Chair's Carol Service**

The Chair advised that all Councillors and their friends and family were invited to attend his carol service taking place at St. Luke's Church, Cannock, on Tuesday 17 December at 7pm, noting it was an occasion for the whole community, and that mince pies and mulled wine would be served in the church hall following the service.

Members were asked to advise the Chief Executive's PA if they were planning to attend.

##### **(iii) History of Cannock Park**

The Chair referred to a book that had been recently published about the history of Cannock Park and was available for sale.

Thanks were given to the Friends of Cannock Park for their tireless efforts over the years of trawling through the local archives to achieve this. Special thanks were also given to Christine Salmon for her individual efforts in getting the book published, and to Marcus Galley for the design and putting the book together.

The book was available to purchase now for £7, with copies able to be bought from Councillor Maureen Freeman, who had also played a major part in the past in enabling this publication.

The Chair also reminded all Members that they were trustees of Cannock Park, and was sure that the park would remain in trust in perpetuity.

**(iv) Presents Donations to the West Chadsmoor Family Centre**

The Chair gave thanks to staff from Finning (UK) Cannock for their tremendous contribution of Christmas presents to the West Chadsmoor Family Centre following a social media post put online by Councillor S.J. Thornley, with three carloads of gifts being donated. The Chair and his Consort would be visiting the staff next week to pay a personal thank you for their very kind donations.

**(v) Chair's Charity Evening**

The Chair reminded members of his charity evening taking place on 5 December at the Smokehouse in Hednesford.

**(vi) Kings Award for Voluntary Service**

The Chair raised he was aware of two other highly valued voluntary organisations that had been awarded the Kings Award for Voluntary Service, noting the Leader would be speaking on these further during his announcements, but wished to thank those who had contributed and volunteered within those organisations.

**(vii) Housing Services Fundraising**

The Chair advised that the Housing Service had held their annual Christmas dinner earlier in the day and raised over £400 for the Special Needs Adventure Playground (SNAP).

**43. Leader's Announcements and Correspondence**

**(i) Councillor Olivia Lyons**

The Leader gave his very best wishes to Councillor O. Lyons on her forthcoming birth.

**(i) St. Barbara's Day**

The Leader noted that today was St. Barbara's Day, St. Barbara being the patron saint of miners, and today also being International Miners Day.

**(i) Kings Award for Voluntary Service**

Following on from the announcement made by the Chair, the Leader gave further congratulations to two highly valued organisations within the District. Both the Rugeley Rifle Club and Chase Arts for Public Spaces (CHAPS) had been endowed with the Kings Award for Voluntary Service. This was the highest honour that could be bestowed on a voluntary group and was the equivalent to an MBE.

Rugeley Rifle Club had a pedigree going back to the 1870s and had its origins in the Rugeley Rangers (21 Staffordshire Rifle Volunteer Corps), so it had a long history regarding volunteers.

The present club was founded in 1900 and now competed in competitions run by the National Small Bore Rifle Association.

The Club was noted for several of its shooters who had graduated from its ranks to compete at international level. Rugeley Rifle Club was instrumental in bringing national competitions to the District in 2022. Volunteers were at the heart of everything the club did, and it was the first shooting club to receive this prestigious award.

CHAPS had a shorter history than the Rifle Club but an equally distinguished one. It originated from a meeting between the then MP, a local businessman, and the then Chair of this Council, where they discussed ways of celebrating local heritage through public art.

The group was formally constituted in 2003, and its aims were the very same as at that initial meeting - using public art as a means by which the heritage and culture of Cannock Chase can be celebrated - while bringing it to the attention of a wider audience, both locally and further afield.

CHAPS helped us to celebrate our mining and military past with projects in Rugeley, Hednesford, and Cannock. It was, and is, a major player in seeing a war memorial built and maintained in Chadsmoor.

CHAPS was also recognised nationally for its involvement with the construction of the Miners National Memorial at the National Memorial Arboretum near Alrewas. Like Rugeley Rifle Club, their lifeblood was volunteers.

The Council's congratulations and gratitude to both Rugeley Rifle Club and CHAPS on receiving such a prestigious award were put on record.

## **(ii) Christmas Lights Switch-on Events**

The Leader advised that on Saturday 30 November, he attended the Christmas lights switch on events Rugeley and Cannock, noting they were both a great success with large numbers of people present.

Congratulations were given to Rugeley Town Council and the Cannock Town Centre Partnership for their work to make both these excellent community events possible.

Furthermore, the Hednesford Christmas lights switch on was scheduled to take place on Saturday 7 December, and all were encouraged to attend and support the event.

## **(iii) Cannock Park**

The Leader advised that phase 1 of the refurbishment of Cannock Park was underway and included:

- A new play area for juniors and toddlers.
- A new lighting CCTV installation as part of the 'Safer Streets 5' programme.
- Increasing security with fencing and barriers but improving access.
- Upgrading existing pathways.
- New notice boards.
- Planting of additional trees and hedges.
- New street furniture such as bins and benches.

Two more phases of work were planned for the park, funding permitting.

## **(iv) Chadsmoor (Cannock Road)**

The Leader advised that work had begun along Cannock Road in Chadsmoor to brighten its appearance. The work included:

- Repainting of street furniture and iron work.
- A new bench.



- Cleaning pathways and the area around the war memorial.
- Remarking of car parks.
- New planting.
- Bike racks.
- New signage.

**(v) Cannock Chase Local Plan**

The Leader advised it was pleasing to report that the Cannock Chase Local Plan was submitted for examination last Friday (29 November). The Plan had been in development for several years and thanks were given to officers and members of all parties who worked to get the Council to this stage.

The revised National Planning Policy Framework (NPPF) was expected to be published before the end of the year, which would once again change the parameters for plan making. However, the Local Plan for Cannock Chase would be examined against the existing NPPF.

Whilst this was a significant milestone, work to prepare for the examination had already begun. The examination period would involve more work for officers and members in the coming weeks.

There were several nearby councils looking to submit their local plans in the next weeks. Cannock Chase District Council was the first to do so. Whilst this was good news and well done to all involved, there was however still more work to do.

The Leader then wished all present a Merry Christmas for when it arrived.

**44. Recommendations Referred from Cabinet**

Consideration was given to the following recommendations to Council, made by the Cabinet at its meeting held on 24 October 2024, in respect of:

**(i) Gambling Act 2005 - Statement of Principles (Cabinet 24/10/24, Minute Number 60)**

“That Council, at its meeting to be held on 4 December 2024, be recommended to adopt the Gambling Act 2005-Statement of Principles (Policy Statement) as attached at appendix 1 of the 24 October 2024 Cabinet report.”

**Resolved:**

That the Gambling Act 2005 Statement of Principles (Policy Statement), as attached at appendix 1 of the 24 October 2024 Cabinet report, be adopted.

**(ii) Statement of Licensing Policy 2025-2029 - Statement of Principles (Cabinet 24/10/24, Minute Number 61)**

“That Council, at its meeting to be held on 4 December 2024, be recommended to adopt the Statement of Licensing Policy 2025-2029 as attached at appendix 1 of the 24 October 2024 Cabinet report.”

**Resolved:**

That the Statement of Licensing Policy 2025-2029, as attached at appendix 1 of the 24 October 2024 Cabinet report, be adopted.

## 45. Motions Received Under Council Procedure Rule 6

- (i) Consideration was given to the following Motion submitted in accordance with Council Procedure Rule 6 by Councillor Mawle:

### **Roads Emergency**

“The state of our District highways is now at breaking point. Road users risk damage to their vehicles and injury to themselves travelling on our roads and this is unacceptable. It is now time for all of us to hold the County Council and their contractors to account and demand that our roads need to take a higher priority and the work done to them must be of a higher quality. Research by the LGA has calculated that to catch-up with the backlog of existing pothole repairs across England and Wales would need a cash injection of £12 Billion, and take 12 years to complete – by comparison, the government has recently announced a £200 Million ‘Pothole Fund’. The annual local authority road maintenance survey reveals that potholes now account for around 70% of all requests reported to Local Authorities for repairs.

The District Council Believes:

- That we have roads in a worryingly poor state of repair across our County.
- Concern about the state of our roads is one of the top priorities and worries amongst our residents, as expressed in the feedback being received weekly by Councillors.
- By declaring a roads emergency, we need to place pressure on the County Council and Government to act on our residents’ concerns (see final paragraph)
- Investing in our road network is not just a benefit to motorists, cyclists, wheelchair users and pedestrians, but a vital component of our local infrastructure, supporting local businesses, public transport, and our tourism sector.
- Residents regularly report that repairs are executed, followed by more repairs on the same stretch of the road, whilst other nearby sections of the same road are left untouched.
- That encouraging cycling on our roads is important, and to encourage cyclists to be confident using roads local authorities need to review all roads regularly and bring them up to a standard of safety required for cycling.
- The poor state of repair of the roads are causing damage to vehicles, injuries to cyclists and are causing numerous safety risks from users veering across carriageways to avoid road defects.
- Some roads are close to impassable due to defects, with motorists opting for alternative, longer routes, with the associated environmental and climatic impacts.
- Pothole/road repairs when conducted are of poor quality and require further repairs in a very short period of time.
- Equal priority needs to be given for A-roads, B-roads, unclassified rural and urban roads that the majority of residents live on or along.

Should the motion be passed today our District council will write to the Chief Executive of Staffordshire County Council, Patrick Flaherty, and the Secretary of State for Transport, Louise Haigh expressing our above concerns and ask for a response.

*(The original motion presented to the September 2024 Stafford Borough Full Council meeting has had some editing from myself (Cllr Mawle), but the majority of points and comments remain the same.)”*

Councillor Lyons moved that the final paragraph of the Motion be amended to reflect the name of the newly appointed Secretary of State for Transport.

Councillor Mawle confirmed he was happy to accept the proposed Amendment.

**Resolved:**

That the Council writes to the Chief Executive of Staffordshire County Council, Patrick Flaherty; and the Secretary of State for Transport, Heidi Alexander, expressing the concerns as set out in the Motion and ask that a response be provided.

**46. Street Trading Policy**

Consideration was given to the report of the Head of Regulatory Services (Item 8.1 - 8.28).

Councillor Muckley moved that recommendation 2.3 be amended to read:

“The Head of Regulatory Services, **in consultation with the Environment & Climate Change Portfolio Leader**, be authorised to make required amendments to the Policy...”.

The proposed Amendment was accepted by Councillor Wilson as the relevant portfolio leader.

**Resolved:**

That:

- (A) The Street Trading Policy, as attached at report appendix 1, be approved and adopted.
- (B) The Head of Regulatory Services be authorised to administer and enforce all aspects of this Policy.
- (C) The Head of Regulatory Services, in consultation with the Environment & Climate Change Portfolio Leader, be authorised to make required amendments to the Policy due to changes in legislation or government guidance and minor variations to the Policy in the interests of operational efficiency / service improvement.

**47. Pavement Licensing**

Consideration was given to the report of the Head of Regulatory Services (Item 9.1 - 9.17).

**Resolved:**

That:

- (A) The Government’s introduction of permanent legislation and revised guidance to support local businesses in relation to the granting of Pavement Licenses be noted, enabling those businesses selling food or drink to better utilise outside space for seating/serving areas.
- (B) The revised guidance at report appendix 1 in respect of Pavement Licensing be approved, and authority be delegated to the Head of Regulatory Services to make any amendments or additions.

- (C) Fees of £200 for both new applications and renewals under the regime be approved.
- (D) Authority be delegated to the Head of Regulatory Services to grant and/or revoke licences, refuse applications, attach conditions, and serve relevant notices.

**48. Comments and Questions on Part 1 Minutes of Cabinet, Committees, Sub-Committees and Panels under Rule 9.**

None received.

**49. Exclusion of the Public**

**Resolved:**

“That the public be excluded for the remainder of the meeting because of the likely disclosure of exempt information as defined in Paragraphs 1, 2, 3, and 7, of Part 1, Schedule 12A, of the Local Government Act, 1972.”

**Cannock Chase Council**

**Minutes of the Meeting of the Council**

**Held in the Council Chamber, Civic Centre, Cannock**

**On Wednesday 4 December at 6:00 p.m.**

**Part 2**

**50. Recommendation Referred from Cabinet**

Consideration was given to the following recommendation to Council, made by the Cabinet at its meeting held on 28 November 2024, in respect of:

**(i) Revenues and Benefits Computer System (Cabinet 28/11/24, Draft Minute Number 79)**

“That Council, at its meeting to be held on 4 December 2024, be recommended to approve the funds required (as set out in report paragraph 3.1) to upgrade the Revenues and Benefits computer systems and the inclusion of this sum in the capital programme.”

**Resolved:**

That the funds required (as set out in paragraph 3.1 of the 28 November 2024 not for publication Cabinet report), to upgrade the Revenues and Benefits computer systems be approved, and the sum be included in the capital programme.

**51. Comments and Questions on Part 2 Minutes of Cabinet, Committees, Sub-Committees and Panels under Rule 9.**

None received.

The meeting closed at 7:35 pm

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**Chair**

## Constitution Update: Procurement Act 2023

<b>Committee:</b>	Council
<b>Date of Meeting:</b>	22 January 2025
<b>Report of:</b>	Head of Law and Governance
<b>Portfolio:</b>	Resources and Transformation

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### 1 Purpose of Report

- 1.1 To update the Procurement Regulations in the Constitution.

### 2 Recommendations

- 2.1 That the Procurement Regulations in the Constitution be updated as set out in **Appendix 1**, with effect from 24<sup>th</sup> February 2025.

#### Reasons for Recommendations

- 2.2 The Procurement Act 2023 comes into force on 24<sup>th</sup> February 2025 and the Council's internal procurement rules should be updated to reflect the change in law.

### 3 Key Issues

- 3.1 Public Procurement is the process by which public authorities, including the Council, purchase work, goods, or services. It is subject to a legal framework designed to encourage free and open competition and value for money.
- 3.2 The Public Contract Regulations 2015 sets out the processes that public authorities are obliged to follow when conducting procurement. These regulations are due to be replaced by the Procurement Act 2023.
- 3.3 The Council's internal Procurement Regulations provide practical advice to officers on how to conduct procurement exercises so that they comply with applicable laws and achieve value for money. With the change in legislation, the internal regulations need updating to reflect the new provisions.

### 4 Relationship to Corporate Priorities

- 4.1 Priority 4: Responsible Council. Ensuring services have up to date procurement processes in place.

### 5 Report Detail

- 5.1 On 28<sup>th</sup> October 2024, the Procurement Act 2023 ("the Act") will replace the Public Contract Regulations 2015. The legislation set out the procedures that public authorities need to follow when conducting public procurement exercises. The Council's internal Procurement Regulations will need updating to reflect this change in law.

- 5.2 Full details of the proposed revised regulations can be found in the APPENDIX. Revisions include:

Replacing reference to EU Treaty Principles with new key principles set out in the Act. The Council must have regard to these principles when conducting procurement.

Clarifying that public procurement thresholds are now set nationally rather than by the EU.

Reference to the new Central Digital Platform that has been produced by the Cabinet Office to advertise procurement opportunities and information on new notices that will need to be published as part of a procurement process.

Reference to the National Procurement Policy Statement that the Council will need to have regard to.

Adds a specific requirement for officers to consider the impact of a procurement on climate change as part of considering commissioning of the procurement.

Clarifies that shared service agreements between the Council and another public authority would not be classed as procurement.

Clarifies that tenders should now be evaluated on the basis of “Most Advantageous Tender” rather than “Most Economically Advantageous Tender” - confirming that importance can be placed upon considerations other than cost where appropriate.

Removes reference to “competitive dialogue” and “competitive procedure with negotiation” (which were specific procedures prescribed under the previous legislation) and refers to the ability of the Council to choose its own competitive procedures going forward.

Clarifies that the value of contracts should be calculated inclusive of VAT when looking at thresholds within the Act (the threshold for Medium Value Transactions is therefore changed from £25k (excluding VAT) to £30k (inclusive of VAT), to align with the threshold for when contracts become “notifiable below-threshold contracts” under the Act, and the threshold for High Value Transactions is changed from £50k (excluding VAT) to £60k (including VAT).

Clarifies that standstill periods, between a notice of intention to award a contract and the award of the contract, can now be reduced to 8 working days.

- 5.3 It should be noted that the new Act will apply to all procurement processes that commence on or after 28<sup>th</sup> October 2024. Where contracts have been advertised, or directly awarded before that date, regard will still need to be had to the Public Contract Regulations 2015.

## **6 Implications**

### **6.1 Financial**

Nil.

## 6.2 Legal

The Councils internal rules on procurement should be amended to reflect the provisions of the Procurement Act 2023.

## 6.3 Human Resources

Nil.

## 6.4 Risk Management

Failure to update internal rules may result in using outdated procedures and failure to comply with legal obligations. In this case, non-compliance could lead to a risk of contract awards being challenged in court by unsuccessful bidders.

## 6.5 Equalities and Diversity

Nil.

## 6.6 Health

Nil.

## 6.7 Climate Change

Nil.

## 7 Appendices

Appendix 1: Procurement Regulations.

## 8 Previous Consideration

None.

## 9 Background Papers

None.

<b>Contact Officer:</b>	Ian Curran
<b>Telephone Number:</b>	(01785) 619 220
<b>Ward Interest:</b>	Nil
<b>Report Track:</b>	Council: 22/01/25
<b>Key Decision:</b>	N/A



**Constitution Section 33  
Procurement Regulations**

**Contents**

Section Number	Section Title
	Glossary
	Summary of Options Available for the Procurement Process
1	Introduction
2	Context
3	Before We Start
4	Commissioning the Procurement
5	How We Buy The Goods And Services We Need
6	Quotations Process
7	Tendering Process
	<ul style="list-style-type: none"> <li>• Tenders below the Procurement thresholds</li> </ul>
	<ul style="list-style-type: none"> <li>• Tenders above the Procurement thresholds</li> </ul>
	<ul style="list-style-type: none"> <li>• Tender Documents</li> </ul>
	<ul style="list-style-type: none"> <li>• Insurance Requirements</li> </ul>
	<ul style="list-style-type: none"> <li>• Advertising</li> </ul>
	<ul style="list-style-type: none"> <li>• Issuing and Return of Tenders</li> </ul>
	<ul style="list-style-type: none"> <li>• Receiving And Opening Tenders</li> </ul>
	<ul style="list-style-type: none"> <li>• Evaluating Tenders</li> </ul>
	<ul style="list-style-type: none"> <li>• Awarding Contracts</li> </ul>
	<ul style="list-style-type: none"> <li>• <b>Award of Contracts below the Procurement Threshold</b></li> </ul>
	<ul style="list-style-type: none"> <li>• <b>Award of Contracts above the Procurement Threshold</b></li> </ul>
	<ul style="list-style-type: none"> <li>• Standstill Period (For Above-Threshold Tenders Only)</li> </ul>
	<ul style="list-style-type: none"> <li>• Tender Records and Audit Trail</li> </ul>
8	Framework Agreements
9	Concession Contracts
10	Conditions Of Contract
11	Changes to Contracts
12	Exceptions From The Regulations

## Glossary of terms

Term	Definition / Explanation
<b>Chief Officer</b>	This means all Members of Leadership Team
<b>Central Digital Platform</b>	This is the online central system provided by the Cabinet Office for the publication of notices, documents, and other information in relation to the Procurement Act 2023. It is used by the public sector to advertise and bid for procurement opportunities.
<b>Consortium</b>	An association of several business organisations who are legally bound together to work towards a commonly held aim. Or, it can mean two or more economic operators.
<b>Contract</b>	Any agreement where we agree to carry out or to buy or sell any goods, work, services, or utilities for payment or otherwise.
<b>Contract Lots</b>	A contract may be split into discrete aspects (lots) which tenderers may bid for separately or combined, as specified in the tender.
<b>Crown Commercial Services</b>	This is the central procurement service run by HM Government for the public sector. The website address is <a href="https://ccs.cabinetoffice.gov.uk">ccs.cabinetoffice.gov.uk</a> . This will allow you access to Framework Agreements, Catalogues, etc
<b>Electronic procurement and e-tendering</b>	The use of bespoke procurement software products. E-tendering systems allow all aspects of the tendering process to be carried out electronically including the despatch of tender documents, receipt of and responding to clarification questions and return of completed tenders. You can take advantage of reduced minimum time periods for above-threshold procurements when you use electronic procurement. You can get advice and guidance on this from a procurement advisor.
<b>Procurement Act</b>	The Public Procurement Act 2023, and any regulations made thereunder, together with relevant EU directives, case law and guidance issued.
<b>Framework agreement</b>	An agreement or other arrangement which sets the terms (in particular the price and, where appropriate, quality) under which the provider will enter into one or more contracts or a series of contracts with us. This may also be referred to as a call-off contract, a continuous contract, or a standing offer.
<b>National Procurement Policy Statement</b>	The statement published by the government in accordance with section 13 of the Procurement Act: <a href="https://assets.publishing.service.gov.uk/media/663c9bbd1834d96a0aa6d314/E03126162_-_Un_Act_-_National_Procurement_Policy_Statement_V2_Elay.pdf">https://assets.publishing.service.gov.uk/media/663c9bbd1834d96a0aa6d314/E03126162 - Un Act - National Procurement Policy Statement V2 Elay.pdf</a> .
<b>Open procedure</b>	This means an advert will be placed and the tender will be open to anyone who shows an interest. An open procedure is always a single stage procurement exercise.

Term	Definition / Explanation
<b>Procurement Advisor</b>	This will be the Head of Transformation and Assurance or staff from Staffordshire County Council or any other organisation providing professional support to the delivery of procurement exercises
<b>Public organisation</b>	Any organisation which may award a public contract under the Procurement Act.
<b>Public services contract</b>	One under which we employ a person or other legal entity to provide services.
<b>Public Supply contract</b>	A contract to buy goods (not land or the product of an activity); or hire goods, whether or not we install them.
<b>Public Works Contract</b>	<p>A contract for carrying out work under which we employ a person or other legal entity to do the work. Works are defined as including:</p> <ul style="list-style-type: none"> <li>• building and civil engineering work;</li> <li>• installing, for example, heating and electrical equipment or ICT equipment;</li> <li>• carrying out work such as tiling and papering; and</li> <li>• maintaining buildings.</li> </ul> <p>We may also treat the following activities as a contract for <b>work</b>:</p> <ul style="list-style-type: none"> <li>• A contract where we employ a provider to act as our agent when letting works contracts.</li> </ul> <p>An agreement where a developer constructs a building on their own land (according to our needs) and then transfers the land and structure to us at a later date.</p>
<b>Signing a contract</b>	A contract includes arrangements for formally accepting a tender. Contracts can only be awarded and signed/sealed by Authorised Officers. A purchase order will in effect be the contract for lower value purchases and so the rules for signing a contract will apply. See 10.5 for more details.
<b>Standstill period</b>	The period of time between giving notice of our plan to award the contract and the confirmation of the award of the contract which is needed under the Procurement Act. This gives unsuccessful companies the chance to ask for a debriefing and to challenge an award of a contract.
<b>Tendering</b>	A formal procedure for getting written offers (tenders) for supply.
<b>Third sector</b>	Non-governmental organisations that are driven by value and which mainly reinvest any profit to further social, environmental or cultural aims. The sector includes voluntary and community organisations, charities, social enterprises, faith groups, housing associations and co-operatives and mutuals.
<b>Value for money</b>	This is not the lowest price but the best combination of whole-life costs and quality to meet users' needs. You should always assess value for money over the whole life of the contract and you should take into account all costs and benefits to society as a whole including the environmental and social benefits and costs, not just those directly relevant to us. (OGC 2008).

### Summary of Options Available for the Procurement Process

Category	Value	Process
Minimal value transactions	Up to £1,000	No requirement to obtain written quotations but still have a duty to obtain value for money
Low Value transactions	From £1,000 up to £10,000	Two written / evidenced quotations must be obtained. This can be done by undertaking price comparisons on websites e.g. for goods.
Intermediate Value Transactions	From £10,000 up to £30,000	Three written quotations must be obtained. Alternatively, an existing framework agreement can be used.
Medium Value Transactions	Over £30,000 and up to £60,000	<p>Quotes obtained through formal process, where providers must comply with a specification. Alternatively, an existing framework agreement can be used.</p> <p>The opportunity must be advertised on the Central Digital Platform by publishing a below-threshold tender notice. For services, a contract should be issued, rather than relying on the general terms and conditions included in a purchase order</p>
High Value transactions	Over £60,000 and up to the Procurement Thresholds	<p>A tendering process should be followed, with support from a Procurement Advisor. Alternatively, it may be agreed that a framework agreement can be used.</p> <p>The opportunity must be advertised on the Central Digital Platform by publishing a below-threshold tender notice. Consideration should also be given to advertising in an appropriate trade/professional journal</p>
Procurement Threshold transactions	<p>Goods, Services and Works over the threshold amounts set out in the Procurement Act 2023, and/or regulations made thereunder:</p> <p>Goods and Services - £213,477;</p> <p>Works - £5,336,937</p> <p>Light Touch - £663,540</p>	Special rules apply – speak to a Procurement Advisor

## 1 Introduction

- 1.1 These regulations are part of our constitution and are our procedural regulations for buying items for the Council (the Regulations). They do not apply to buying items or services from within the Council. Where services such as printing and graphic design are provided internally, these services should be used unless agreement is reached with the internal service that a particular piece of work needs to be sourced externally.
- 1.2 These regulations apply to all contracts for goods, services or works for us, or which we provide, and the award of any Concession, unless paragraphs 1.5 and 1.6 apply or you have a valid waiver under regulation 12 (section headed 'Exceptions from the regulations').
- 1.3 The regulations apply to any contract that result in us making a payment and some types of contract where a service is being provided for us which results in some income being generated for us.
- 1.4 The regulations also apply if we are acting as the lead organisation in partnership or other joint arrangement or if we appoint a subcontractor in connection with any contract.
- 1.5 The regulations do not cover grants which we may receive or make.
- 1.6 The regulations do not apply to:
  - contracts of employment;
  - Investment transactions placed by the Section 151 Officer for treasury management;
  - contracts placed by the Council Solicitor for external legal services; and
  - contracts relating to interest in land (also known as property) - this primarily relates to the purchase and disposal of land;
  - contracts relating to selling or otherwise disposing of our assets.
  - Sharing services with another contracting authority in the public interest.
- 1.7 If you are in any doubt about whether the regulations apply, you must always check with the Head of Transformation and Assurance or the Head of Law and Governance.
- 1.8 Our 'best value duty' is very important. It means that we must always consider how each procurement meets our duty to secure continuous improvement in what we do after taking account of economy, efficiency, effectiveness, and outcomes. As a result, we need to question whether we should be buying anything at all and, if we do, whether we can buy it best ourselves or jointly, or if we should rely on someone else to get better value.
- 1.12 The regulations have three main aims. These are to:
  - keep to the obligations that govern spending public money, such as the Procurement Act;

- get best value in the way we spend money, so that we may in turn offer better and more cost-effective services to the public; and
  - protect people who follow the regulations.
- 1.13 These regulations may be waived if the Monitoring Officer, the s151 Officer or the Head of Transformation and Assurance decides:
- you are buying something jointly with one or more public organisations and you are following their procurement processes;
  - a contract or subcontract which is governed by nationally negotiated conditions of contract from one or more professional institutions, for example Institute of Civil Engineers (ICE) building contracts and any condition of these regulations, does not match a condition in those conditions of contract; and
  - we are working in line with procurement regulations entering into a framework agreement negotiated by another public organisation.
- 1.14 **These regulations must be complied with by all employees involved in the procurement of goods, services, or works. Failure to comply may result in Disciplinary action.**
- 1.15 Any interim contractor or consultant who is responsible to us for preparing or supervising a contract on our behalf must do the following. They must:
- keep to these regulations as though they were an employee, though the procedure for inviting, opening, and accepting tenders will need to be agreed with the Head of Law and Governance or the Head of Transformation and Assurance.
  - produce all the records they keep in relation to the contract, if requested by the Council; and
  - at the end of a contract, send all records, documents and so on relating to the contract to the Chief Officer concerned and
  - always deal with the ownership of intellectual property rights, generally these should belong to the Council.
- 1.16 An employee will not, without approval from the Section 151 Officer, enter into a contract for supplying goods or services under any operating or finance lease, rental, or any other credit arrangements.

## 2 Context

- 2.1 The UK has signed up to the World Trade Organisations Agreement on Government Procurement and is committed to compliance with its principles of fairness, impartiality, transparency, and non-discrimination. The Procurement Act sets down what obligations are placed on us when we are buying.
- 2.2 The Procurement Act sets out a number of key principles that we must have regard to in carrying out procurement:
- Deliver value for money,
  - Maximise public benefit,
  - Be transparent in our procurement activities,

- Act with integrity,
  - Equal treatment and non-discrimination of suppliers,
  - Have regard to the fact that small and medium-sized enterprises may face particular barriers to participation and consider whether such barriers can be removed or reduced.
- 2.3 In addition, the government publishes a National Procurement Policy Statement setting out the strategic priorities that all contracting authorities must have regard to when exercising any procurement activities.
- 2.4 We all now need to think about the way we arrange this, for example, e-auctions, e-tendering, or setting up a framework or placing a supply contract. More and more, councils are working collaboratively through joint procurements (in other words, buying the goods and services you need with another department or another council or councils and sometimes other public organisations).
- 2.5 If you are buying larger or expensive goods, work, or services, remember that the regulations for higher value orders and contracts are stricter than for those of lower value. This is so that the benefits of a more thorough, complicated process are not outweighed by the price compared to the value of the goods, work, or services in question.
- 2.6 At the highest end of the value scale, we **must** follow full procedures set out in the Procurement Act. In these cases, you **must** consult a Procurement Advisor before you start buying what you need.

### 3 Before we start

#### Before you buy goods and services

- 3.1 You must ensure that you have:
- (i) the appropriate authority to procure goods and services, especially for those over £60,000. Authority may come from the Council's Scheme of Delegations or a specific Cabinet or Council decision; and
  - (ii) Sufficient revenue and/or capital budget to fund the purchase (please refer to the Council's Financial Regulations).
- 3.2 You will need to determine the value of the contract early in the process as this will affect the procurement route that you will need to follow. The value of a contract means the estimated total value over the length of time it will apply, including any extension options (**not the yearly value**). The contract values referred to within these regulations are inclusive of any VAT payable unless stated otherwise.
- If the contract is for buying a single item, which is not related to buying other items, the contract is worth the price, or estimated price, referred to in that contract.
  - If the contract is for buying a related group of items, the contract is worth the total price, or estimated total price, of the group.
  - If there is no set length of time for the contract, this is the estimated value of the contract over a period of four years.

- You should not split contracts to avoid the values, either by item or length. This is particularly relevant for invoice/purchase led expenditure which over time becomes a Contract, i.e., regular purchases of similar items over a period of time. There are however circumstances where it is appropriate to split a contract into “lots”.

3.3 Before starting a procurement process, you need to make sure that you have carefully identified the need and fully assessed the options for meeting it, i.e., think carefully about what you are commissioning and how best to do this. Before you start, you **must** consider the following:

- Is there a clear business need, supported by appropriate evidence and a budget in place?
- Can you buy what you need with another service or another council? If you think you could save us money or achieve other advantages if you bought what you need with someone else, consider whether there is an existing framework arrangement, in-house provider or contract you can use. This framework or contract could be one we have already set up or one set up by another council or joint-purchasing organisation or run centrally by the Government (such as Crown Commercial Services).
- Is there some kind of recognised purchasing group in place (often referred to as a buying consortium) where members can use the purchasing arrangements to buy goods or services? If there is a group in place, you do not have to keep to these regulations. However, you can only buy the goods or services that are covered by the group arrangements. If the goods or services are outside the scope of the group arrangements, you must use some other method of procurement in line with these regulations. A Procurement Advisor can give you more advice on this.

You need to be able to evidence that you have fully considered what you need to buy, why and how this is to be done. It is essential that you produce and maintain comprehensive records of all decision-making throughout the procurement of the contract and retain such records for at least 3 years from the date the contract is entered into.

3.4 If after considering other buying solutions you are going to use a joint procurement with another council, the relevant Chief Officer in consultation with the Head of Law and Governance or the Head of Transformation and Assurance may determine that the procurement regulations for another public authority should be followed rather than these regulations.

3.5 If you decide that you or your partners are likely to need to buy the goods or services again in the future, it may be that the best way to buy them is by setting up a framework agreement. A framework agreement allows a number of providers to sell you the goods, work, or services you need when you need them. There are many types of contracts which will be suited to a framework agreement, and it is important that you agree this with a Procurement Advisor before you start to make sure that the type of contract being used is most suitable.



### **Purchase of ICT hardware, software, and services**

- 3.6 If you are planning to buy any ICT hardware, software, or services, you must consult the Technology Services Manager to make sure that the procurement is compliant with the Council's ICT policy/strategy and existing software or equipment where relevant.

### **Employment issues and TUPE (Transfer of Undertaking Protection of Employment Regulations)**

- 3.7 Entering into new contractual arrangements or changing existing contractual arrangements can give rise to TUPE implications. It is not always obvious that there are TUPE implications (for example, when a contract with another supplier comes to an end and is to be put out to tender again). So, **if in any doubt**, you **must get the** advice of an HR or Legal specialist to make sure that any relevant TUPE arrangements are in place.
- 3.8 Where it has been decided that goods, work, or services should be bought from an external source, you **must** consider the effects this may have on the existing in-house team and the possibility of staff transferring to the new provider under TUPE.
- 3.9 These contracts **must** contain conditions to make sure appropriate workforce (and other) information will be made available in enough time when that contract is due to end to make sure that we can fulfil TUPE obligations.
- 3.10 TUPE situations will almost always give rise to pensions issues. HR will support you in getting the advice you need on this from the Pensions Section. You will need an actuarial statement on pension information for any proposed TUPE transfers. HR will arrange to get this from the Pensions Section. It is the responsibility of the person managing the tender process to liaise with HR on TUPE matters.

### **Making sure we keep to law and policies**

- 3.11 When making or proposing a contract on our behalf, the procuring officer will:
- keep to all relevant legal requirements including Procurement Act, relevant health and safety, environmental and equalities, diversity, and discrimination law;
  - keep to these regulations; and
  - keep to our financial regulations.

### **Honesty and conflicts of interest**

- 3.12 Every officer who takes any decision or has any influence about a contract must keep to our code of conduct for employees and must comply with the Bribery Act 2010. They must also complete and sign the Declaration of Interest and Confidentiality document.
- 3.13 Every officer who has a financial interest in a contract must advise their Head of Service and contact the Monitoring Officer who will make a record in a book we will keep for the purpose, under Section 117 of the Local Government Act 1972.

- 3.14 You should not accept any gifts or hospitality from anyone tendering for a contract we are leading on or from any current supplier. If you do, this may be a disciplinary offence. You **must** tell the Monitoring Officer if you are dealing with a contract for the Council and have been offered such a gift or hospitality and advise your Head of Service. Further details on Gifts and Hospitality can be found in the Employee's Code of Conduct.

## 4 Commissioning the Procurement

### Defining the Need

- 4.1 At the least, you **must** clearly and carefully:
- (i) specify the goods, work or services to be supplied;
  - (ii) the agreed programme for delivery;
  - (iii) the terms for payment together with all other terms and conditions; and
  - (iv) ensure that you will have the funds in the budget to pay for them.
- 4.2 This means you **must** decide before beginning the procurement process the size, scope, and specification of the goods, work or services needed. If you are buying with someone else, you **must** decide this scope with your partners first.
- 4.3 When identifying and defining the need, you should make sure you have involved an appropriate wider range of organisations relevant to the goods, work, or services to be supplied. By knowing the market and encouraging a wider supply base, you have more chance to find the right providers and achieve the right services at the right price.

### Procurement strategy

- 4.4 Once you have decided on the need, you **must** decide on a strategy for buying the goods, work, or services.
- 4.5 This means taking a step back from the traditional procurement process and assessing the purchasing options particularly when purchasing services. For example, using a grant may be appropriate for a highly specialised service, if you know there is only one provider, or a very few suspected providers, or the project is of a low financial value. This is because it would not make financial sense for one specialist provider to go through a full tendering process.
- 4.6 You **must** consider options for delivering goods, work, or services. The options for goods, works or services are:
- not buying the goods, having the work done or providing the services at all;
  - providing the goods, work, or services ourselves (i.e., appropriate use of in-house support services e.g., printing and design work);
  - getting someone else to provide the ongoing goods, work, or service (using the 'third sector' or another local authority or public organisation); or
  - providing the goods, work, or services with someone else (the private or 'third' sector or another local authority or public organisation).

4.7 Once you have established this, you will then need to consider the most appropriate procurement route; this will largely be determined by the value of the procurement and the options for this are set out in section 5.

4.8 If you are in any doubt about the above, you should get advice from a Procurement Advisor.

4.9 As part of the commissioning of the procurement, you will also need to consider what else is important to the Council in this procurement. The two key issues are:

**Social Value** - do you just need the goods, work, or services? Or are there other things you want to bring about (for example, improved environmental performance, new jobs) or added social value. In certain cases, the procurement process can help achieve this wider social value by meeting a particular social, environmental, or economic aim. In respect of public service contracts, the Public Services (Social Value) Act 2012 requires you to consider how your proposal might improve the economic, social, and environmental well-being of the Council's area, and how the contract might secure that improvement.

**Climate Change** - consider the impact of what you are purchasing has on the environment and whether anything can be done to contribute towards the Council's ambition to reduce our impact on climate change. This could include:

(a) identifying opportunities for reducing emissions that contribute to climate change and poor air quality. This includes sourcing of low or zero carbon energy wherever possible and phasing out the use of fossil fuels from our fleets and transitioning to zero or low emission vehicles.

(b) the application of relevant environmental and sustainability standards to support minimising the ecological harm caused by chemicals such as herbicides.

(c) encouraging suppliers to adopt processes and procedures to reduce their environmental impact including the volume and type of packaging used for the delivery of goods.

4.10 You should include references to these issues in your specification and evaluation model as appropriate.

## 5 How we buy the goods and services we need

5.1 Choosing the procurement route to be followed is largely dependent on the value of the contract. The options are outlined in the table at the beginning of these Regulations and are summarised below:

Category	Value	Process
Minimal value transactions	Below £1,000	No quotations required
Low value transactions	£1,000 up to £10,000	2 written quotations required

Category	Value	Process
Intermediate value transactions	£10,000 up to £30,000	3 written quotations required
Medium value transactions	£30,000 up to £60,000	quotations to be obtained via a formal process. Sections 84 to 88 of the Procurement Act apply.
High value transactions	£60,000 and up to the Procurement Thresholds	Tendering process in accordance with these Regulations and sections 84 to 88 of the Procurement Act.
Above Procurement Threshold transactions	Check current Procurement Thresholds	Tendering process required in accordance with the Procurement Act

- 5.2 Framework agreements may be used instead of obtaining quotations or tendering for goods, works and services.
- 5.3 Details on each of these processes is explained in more detail in the sections on Quotations (section 6) and Tenders (section 7).
- 5.4 If you need to purchase goods or services urgently and do not have sufficient time to follow the relevant process, please refer to the Section on Exceptions (section 12).

## 6 Quotations Process

### Minimal Value Transactions (below £1,000)

- 6.1 For transactions valued below £1,000 (not including VAT), you still have a duty to ensure best value in terms of economy, efficiency and effectiveness is obtained. There is no specific requirement to obtain alternative quotations but if you think that the first quotation you obtain is expensive then you should consider obtaining at least one further quotation.

### Low-value transactions

- 6.2 For transactions valued at or over £1,000 but below £10,000 (not including VAT) you **must** get two written/evidenced quotations before you issue a purchase order specifying the goods, work, or services. Price comparisons undertaken via the Internet will be acceptable providing evidence is retained (e.g., screen prints) – this will generally apply to the purchase of goods.

### Intermediate-value transactions (i.e., £10k to £30K)

- 6.3 For transactions valued at or over £10,000 but below £30,000, you **must** get three written quotations before you issue a purchase order or contract (for services and works), specifying the goods, work, or services.

### **Medium Value Transactions / Formal Quotes Process (i.e., £30k to £60k)**

- 6.4 For all transactions valued at or over £30,000 but below £60,000, you will need to follow a Formal Quotes Process.
- 6.5 You must:
- Publish a below-threshold tender notice on the Central Digital Platform;
  - Seek to obtain a minimum of three written quotations;
  - Maintain a record of the quotations received;
  - Maintain comprehensive records of all decision-making. Issue a purchase order to the provider of the successful quotation.
  - For services or works you should obtain legal advice as to whether it is necessary to issue a contract – advice should be sought at the outset of the procurement process so that contract details can be issued to interested parties as part of the quotations process.
  - Publish a contracts details notice on the Central Digital Platform as soon as reasonably practicable, after entering into the contract.

### **Receiving Quotations**

- 6.6 For quotations below £30,000 the only requirement is that they must be evidenced in writing, and you should retain this evidence for a minimum of 24 months.
- 6.7 For quotations of £30,000 up to £60,000 you need to have a formal process for accepting quotations. The quotations must be:
- opened at a set time;
  - opened by an officer nominated by the Head of Service or Service Manager as appropriate;
  - logged under the price given; and
  - kept on the relevant file.
- 6.8 Electronic quotations can be accepted. They should be sent to a specific email address, preferably a generic service email address for the service.

### **Evaluation of Quotations and the Decision to Award**

- 6.9 All written quotations for contracts valued below £60,000, **must** be evaluated on the basis of the lowest price, unless other conditions are shown in the document used to invite quotes. If this is the case, the contract should be awarded on that basis. For guidance on the use of quality evaluation criteria, please see 7.32 to 7.38.
- 6.10 The decision to award will be taken as follows:
- Quotations from £1,000 up to £10,000 – Service Manager or officer authorised by them;
  - Quotations of £10,000 up to £60,000 – Service Manager or above.

- 6.11 For quotations of £30,000 and above, the award decision should be publicised on the Central Digital Platform by publishing a Contract Details Notice as soon as practicable after entering into the contract and recorded in the Contracts Register.

**Exceptions to the Quotations Process**

- 6.12 If you receive less than the specified number of quotations, you must try and get other quotations or an exemption from the regulations in line with Section 12 (section headed Exceptions from the Regulations).

**7 Tender Process**

- 7.1 You **must never** deliberately split down the value of contracts to avoid tendering. Wherever possible, we should make our purchases in the form of a single large contract rather than a series of smaller contracts.
- 7.2 However, there will be circumstances where splitting contracts into “lots” is appropriate. A Procurement Advisor will guide you on whether this is appropriate.

**Full tender procedures below Procurement Thresholds**

- 7.3 For transactions valued at over £60,000 (including VAT) but below the Procurement Thresholds, you must carry out a formal tender process in line with the following principles:

- Openness
- Transparency
- Visibility
- Value for money
- In the best interests of the Council
- Competition

- 7.4 You should follow the Open procedure for tenders over £50,000 but below the Procurement Threshold. You should seek advice from a Procurement Advisor on all tenders.

Ensure that comprehensive records are maintained of all decision-making during the procurement procedure and are maintained for a minimum of 3 years from the date the contract is entered into.

**Full tender procedures (over the Procurement Thresholds)**

- 7.5 If your contract has a value over the relevant Procurement Thresholds shown in the table below, you **must** follow the Procurement Act 2023.

	<b>Thresholds from January 2024</b>
For goods and services (including goods and consultancy services)	£213,477
For works	£5,336,937
For Light Touch Contracts	£5,336,937

These limits are changed in January every two years. You **must** check the latest limits before you go ahead.

- 7.6 If you are inviting tenders for contracts over Procurement Thresholds, you **must** decide on the procedure to follow before you advertise, and it **must** be one of the following.
- Open procedure (all interested providers send us a tender in response to a tender notice).
  - Competitive flexible procedure (a process that sets conditions which a supplier must satisfy in order to participate as long as those conditions are a proportionate means of ensuring that suppliers have the legal and financial capacity, or the technical ability, to perform the contract).

You must discuss and agree the appropriate route to use for your tender with a Procurement Advisor as part of the sourcing strategy.

- 7.7 The Procurement Act, and associated guidance, gives further detail on how competitive tendering can be lawfully achieved. If in doubt, you should get the advice from a Procurement Advisor.
- 7.8 The Procurement Act contains conditions relating to providing notices and other documents electronically.
- 7.9 For each contract, unless we say differently below, you must publish a tender notice on the Central Digital Platform. Any advertisements you publish as well as this (e.g. in a specialist publication) **must not**:
- appear in any form before you have published a tender notice on the Central Digital Platform; and
  - contain any information in excess of that contained within the tender notice on the Central Digital Platform.

See also 7.15 and 7.16 regarding advertising tenders

- 7.10 You **must** always follow the minimum timescales relating to tender procedures governed by the Procurement Act. The timescales given for completing and returning tenders are only the minimum, so there is flexibility to extend timescales to encourage bids from smaller providers or consortiums. If procurement falls under the Procurement Threshold, there is no formal time limit. Similarly, when faced with short timescales within which to use the funds, you should still make sure the process used is fair, clear, proportionate, and accessible to all, including SMEs.

### **Using the Competitive Flexible Procedure**

- 7.11 You **must** get advice from a Procurement Advisor as soon as possible before starting a tender process, particularly when using a competitive procedure other than the open procedure.

### **Tender documents**

- 7.12 Every invitation to tender should include:
- the nature, purpose, start date and period of the contract;

- the detailed specification and quantities of goods, work, or services to be supplied or carried out;
- the times at, or within which, and the places at which the goods, work or services are to be supplied or performed;
- a copy of the conditions of contract which the successful contractors will have to keep to (see section 10 for details);
- a requirement for the tenderer to provide information about their technical, commercial, and financial standing if we do not already have the information;
- information on TUPE, where applicable;
- the evaluation criteria (with weightings) for awarding the contract;
- a statement that we do not have to accept the lowest or any tender;
- the closing time and date, and address for receiving tenders; and
- a named procurement advisor.

### **Insurance Requirements**

- 7.13 Insurance conditions must be contained in the tender specification and the conditions of contract. The type and level of insurance cover must be discussed and agreed with the Chief Internal Auditor & Risk Manager.
- 7.14 The insurance limits advised will relate to each claim. For public liability and employers' liability, the cover must be in place throughout the period covered by the contract. For professional indemnity, the conditions are more complicated. Not only must the cover be in place throughout the period covered by the contract but also for another six years after the end of the contract (or 12 years if the contract is under seal). For certain types of services, for example, financial advice, the amount of professional indemnity insurance cover will need to be higher to protect us in case anyone gives inappropriate advice.

### **Advertising**

- 7.15 As a minimum you must advertise the goods, services, or works required on the Central Digital Platform by publishing the relevant notice. This must be done before advertising the opportunity elsewhere. You should consider whether it is appropriate to advertise the tender in an appropriate trade/professional journal or a local newspaper.
- 7.16 For all tenders over the Procurement Threshold you are required to place a tender notice on the Central Digital Platform. Other notices may also need to be published - seek guidance from your Procurement Advisor on what is required for your tender.

### **Issuing and return of tenders**

- 7.17 You should always use electronic procurement (or e-procurement) systems rather than paper systems where practicable. All tenders should be sent out and returned electronically via an approved e-tendering system, where possible.
- 7.18 All tenderers should be informed that the Council will not accept or consider tenders sent in by fax or email.



- 7.19 The procuring officer must send to every person who wants to give us a tender any documents which meet the requirements of regulation 7.12. This includes a returnable tender form or other document which tells each company wanting to tender to:
- include their offer price (or prices) for the goods, work, services or utilities;
  - include their signature or seal;
  - return the filled-in tender form by a certain date and time by the method stated in the tender documents.
- 7.20 Where conditions of participation are issued as part of the tender process then the rules for the issue, return and opening of tenders should be followed.

### **Receiving and opening tenders**

- 7.21 Every response to an invitation to tender should be delivered no later than the date and time stated for the return of tenders in the invitation to tender. Generally, we will not open a tender if it is received late. In exceptional circumstances where a tender is received late but before the tenders are opened, this may be accepted subject to the relevant Chief Officer and either the Monitoring Officer, the s151 Officer or the Head of Transformation and Assurance being satisfied that there is a valid reason for the tender arriving late and that this was beyond the control of the tenderer.
- 7.22 If the circumstances mean it is appropriate, e.g., there has been a delay by the Council in providing a clarification response, the Service Manager or Chief Officer may extend, for a reasonable period, the closing time and date for receiving tenders. This applies as long as all participants have been notified (i.e. every organisation that was invited to tender), in the same way, and this must be before the closing date and time for the return of the tenders.

### **Electronic Procurement**

- 7.23 All tenders returned via the e-tendering system will be opened on or shortly after the specified date and time, via officers authorised to use the e-tendering system.
- 7.24 The e-tendering system will maintain a record of the tenders received, opened and the officer(s) undertaking the opening of the tenders.
- 7.25 Once opened, the tender documents will be sent electronically to the lead officer for the procurement. The lead officer will arrange for the tender documents to be stored securely on the network and arrange for those officers involved in the evaluation process to have access to them.

### **Paper/Hard copy**

- 7.26 If there is authorisation to use a non-e-procurement procedure, all tenderers should:
- be asked to provide both a paper copy of their tender and a copy on a read-only CD-ROM, securely packaged and clearly labelled with the tenderer's name and contract reference, and

- be provided with a tender envelope, which bears the word 'TENDER' followed by the subject the tender relates to and the closing date and time for receiving tenders;
  - advised that the tender envelope should not be labelled or marked in any way that identifies who is providing the tender.
- 7.27 The Head of Law and Governance will ensure that there is an appropriate system in place for the secure storage of tenders until the time we have given for their opening. We will not open tenders before the closing date and time.
- 7.28 Two officers authorised by the Head of Law and Governance **must** open all tenders at the same time. They **must** not be involved in the tender evaluation and award.
- 7.29 Any tender envelope which is labelled or marked in such a way that identifies who is providing the tender will be rejected.
- 7.30 The authorised officers will list the opened tenders in the tenders record book. Tenders must be signed and dated by the people opening them. Pages with prices in them do not need to be signed, only the total price page.
- 7.31 Once opened, arrangements will be made for the lead officer for the procurement to collect the tenders. The lead officer will arrange for the tender documents to be stored securely and arrange for those officers involved in the evaluation process to have access to them.

### **Evaluating tenders**

- 7.32 For contracts valued over £60,000 and for all contracts governed by the Procurement Act, we **must** use the 'best value' tender evaluation procedure based on identifying the most advantageous tender (MAT). On occasions where the only obvious difference between products and solutions will be that of price (for example if you are buying stationary or other standard items), tenders will normally be evaluated based upon lowest price.

It is unlikely that you could choose providers for services or work on price alone as these will often need wider evaluation techniques. When deciding on how we evaluate tenders, we need to be careful that using a lowest-price method of evaluation rather than wider considerations to identify the MAT is appropriate for the procurement.

- 7.33 The evaluation process involves scoring tenders fairly by a panel of officers or independent experts using criteria which **must**:
- be already set out in the invitation to tender documents in order of importance;
  - be strictly kept to at all times throughout the tender process;
  - reflect the principles of best value;
  - include price;
  - consider whole-life costing, particularly in the case of capital equipment where the full cost of maintenance and so on should be taken into account;
  - be able to be assessed independently;

- be weighted according to importance;
  - show wider social value if this has been included in the specification; and
  - avoid any discrimination, or other cause which goes against any of our policies or that would be a breach of any of the principles set out under 2.2.
- 7.34 The panel of evaluators should review and score the submissions independently. A moderation process should then take place to consider the scores and comments of each officer and to reach a consensus on each tenderers score.
- 7.35 A record should be maintained by each officer involved in the evaluation process of their scores and notes to support their scores. Notes can be of positive attributes of the tender, any omissions, or concerns. This information will be used to feedback to unsuccessful tenderers. A comprehensive record should be maintained for at least 3 years from the date the contract is entered into, as this may be needed as evidence if the contract award is challenged.
- 7.36 If you use this evaluation method, a decision to award the contract must be in favour of the company which sends us the most advantageous tender (In other words, the tender that achieves the highest score in the independent assessment).
- 7.37 At the end of the evaluation process, prior to making the final award decision a financial appraisal will need to be conducted on the preferred bidder. This will generally be in the form of a company credit check and will be arranged by the Procurement Advisor.
- 7.38 In certain circumstances you may decide not to award the contract to any of the tenderers. You will need to advise all tenderers of the decision and the reasons for this and, where the value of the contract is above the Procurement Threshold, a procurement termination notice will need to be published on the Central Digital Platform. If you intended to revise the specification and re-start the procurement process, then it may be appropriate to advise the unsuccessful tenderers of this.

### **Awarding Contracts**

- 7.39 The decision to award a tender of over £60,000 will be taken by the relevant Chief Officer. Please refer to Section 10 for details on who can sign contracts.
- 7.40 You **must** make sure that the appropriate budget holder has the funds in place before you make the award.
- 7.41 You **must** record in writing the results of the tender-evaluation process and the decision to award a contract.
- 7.42 We cannot accept any tender which breaches the Procurement Act.

### **Award of Contracts below the Procurement Threshold**

- 7.43 All contracts awarded that are below the Procurement Threshold must be publicised on the Central Digital Platform by publishing a Contract Details Notice. The contract award should also be publicised on the Council's website and the Contracts Register updated accordingly.

- 7.44 While a standstill period is not compulsory for a contract below the Procurement Threshold, depending on your procurement, it may be prudent to consider adopting a voluntary standstill period (a minimum of 8 working days) in order to mitigate against the likelihood of a challenge.

#### **Award of Contracts Above the Procurement Threshold**

- 7.45 Prior to publicising the outcome of the procurement and awarding the contract, information must be issued to all bidders who submitted an assessed tender (an "Assessment Summary"). This is to provide all bidders with feedback and reasons for their tender scores. The Assessment Summary **must** include:
- details of the award criteria (including the weightings) and assessment methodology used for assessing the tender;
  - the score or ranking the company achieved against each criterion and reasons for those scores;
  - explanation(s) as to where the tender was unsuccessful and why it was unsuccessful - this should include reference to the assessment methodology;
  - the scores and reasons why the winning tender was successful; and
  - any other **relevant** information.

#### **Standstill period (for Contracts Above the Procurement Threshold only)**

- 7.46 Once the Assessment Summaries have been issued, the outcome of the procurement must be publicised by publishing a Contract Award Notice on the Central Digital Platform. For all contracts tendered under the Procurement Act, we **must** have **at least** an 8 (eight) working day 'standstill period' between publication of the decision to award and the start of the contract. The date that the Contract Award Notice is published, marks the start of the 8 working day standstill period. Special rules apply if a company asks us for a debrief on the tender process. Even if a company asks for a debrief outside of the standstill period, we **must** still provide this. In this instance, you must get advice from a Procurement Advisor as soon as possible.
- 7.47 Once the standstill period has ended, and there have been no formal challenges submitted, you are free to enter into the contract. A Contract Details Notice must be published on the Central Digital Platform **within 30 days** of the contract being entered into.

#### **Tender Records and Audit Trail**

- 7.48 The Lead Officer for the tender **must** keep adequate records of the procurement process for a minimum of 3 years following contract award. Such records should include:
- invitations to quote/tender
  - quotations/tenders
  - details of any exceptions and reasons for them
  - award criteria used
  - tender documents

- reasons for selecting the successful contractor and for not selecting unsuccessful contractors
- details of all communications with tenderers
- any decisions to suspend these regulations and use of any delegated powers, and
- details of all other decision-making in relation to the procurement and reasons why those decisions were made.

7.49. Records relating to the successful tenderer should be kept for a minimum of six years after the end of the contract to which they relate. However, documents relating to unsuccessful tenderers may be destroyed after 3 years from the award of the contract provided there is no dispute about the award.

## **8 Framework agreements (including Crown Commercial Services, ESPO, WMS)**

8.1 You **must** always consider use of framework agreements for goods, work, and services, **if they exist**, for all procurements over £30,000.

8.2 Framework agreements are arrangements that are already in place with providers for providing goods, work, or services on agreed terms for a set period for estimated quantities against which orders may be placed, (known as call off contracts), if and when needed during the contract period. They offer benefits of bulk-buying, improved services and reduced administration costs over the period of the arrangement.

8.3 A framework agreement may have the option for you to hold a mini-competition with all the capable providers on the framework when you come to buy for us. You **must** get advice from a Procurement Advisor on carrying out a mini-competition.

8.4 You should seek advice from a procurement advisor on whether a call-off contract from an existing framework may be relevant in your own case. You will also need to check if legally you can use a particular existing framework agreement.

8.5 If there isn't a framework already in place (or if one does not exist with partners which you can use), you **must** consider if it would be better value to set up a new framework. This is likely if you are going to need to buy the same or similar goods and services again in the future. You can get guidance on how to set up a framework from a procurement advisor.

## **9 Concession contracts**

9.1 You must use a concession contract if we want to hire someone to provide a service within the council area if they will be charging the public for the services being provided.

9.2 There are a number of exemptions if a public works concession contract is proposed.

- 9.3 If the company which plans to provide the services is going to subcontract the services, this may fall within the Procurement Act rules. In all cases, if the company is buying goods or services as part of the concession contract, any procurement should be carried out in line with these regulations.
- 9.4 You **must** get advice from a procurement advisor before carrying out any procurement relating to a concession contract.

## 10 Conditions of contract

- 10.1 There must be written evidence of every contract, and all contracts must be in a form agreed with the Head of Law and Governance.
- 10.2 All transactions **must** use an appropriate model form of contract approved by the Head of Law and Governance (or a form decided by the Chief Officer after consulting the Head of Law and Governance).
- 10.4 For all contracts for services if the model conditions of contract are not suitable, you **must** consult Legal Services to produce a suitable set of conditions of contract (with other advisors if necessary) before inviting tenders.
- 10.5 The following officers are authorised to sign Contracts (or Purchase Orders where applicable):
- Quotations of £1,000 up to £10,000 – Service Managers or an officer nominated by them;
  - Quotations of £10,000 up to £60,000 – Service Managers;
  - Contracts of £60,000 up to £100,000 – Chief Officers;
  - Contracts of £100,000 or above will be done under seal.
- 10.6 If a contract is strategically important or politically sensitive, or if the extended limits would be valuable, for example, contracts for land or property, the contract **must** be in writing and an official seal must be placed on it. **Note** that contracts that require execution under the Council's seal can only be signed by a limited number of authorised signatories. This should be arranged with Legal Services.

## 11 Changes to Contracts

### Transferring contracts

- 11.1 In appropriate circumstances we may agree to transfer a contract to another contractor. You must ask for advice on how to transfer a contract from Legal Services before any contract is transferred.

### Changing and extending contracts

- 11.2 Depending on any legal restrictions and the need to keep to these regulations, a Chief Officer may authorise the following extensions to an existing contract, if the budget has been confirmed:
- An extension for a particular period under the terms and conditions of the contract (but depending on the satisfactory performance when monitoring the contract).

- A single extension of the contract by up to 12 months as long as this would not place the contract over the relevant Procurement Threshold or break any law.

Details of any extensions to contracts should be kept with the original contract.

- 11.3 Any changes (including variation orders), and if relevant a resulting change in price, decided in line with the contract terms may be authorised by the officer who signed the contract or a person nominated by them providing those changes are lawful, comply with these regulations and are within the approved budget for the contract.
- 11.4 Any extension to the contract period cannot be longer than the original length of the original contract.
- 11.5 You **cannot** extend or change contracts arranged under the Procurement Act without consulting a Procurement Advisor and/or seeking Legal advice.

## **12 Exceptions from the Regulations**

- 12.1 An exception to these regulations means we give permission to agree a contract without keeping to one or more of these regulations. We may grant an exception under conditions set out below. We cannot grant an exception if to do so would mean breaking any laws on public procurement or other relevant legislation.
- 12.2 The relevant Chief Officer in consultation with two of the following officers may grant an exception to these regulations for contracts under £100,000 (including VAT):
- Monitoring Officer (Head of Law and Governance);
  - Section 151 Officer & Deputy Chief Executive (Resources);
  - Head of Transformation and Assurance.

For contracts over £100,000 approval will also be needed from the relevant Cabinet Member.

- 12.3 If you want an exception, you must apply in writing using the request for waiver form and send it to your Chief Officer in the first instance. Please include the exception you want and your reasons for it.
- 12.4 The Head of Law and Governance will keep a register of all exceptions to these regulations.
- 12.5 We will not agree an application for an exception unless you have a good reason. We do not consider a lack of time caused by poor forward planning as a good reason and so will not allow it.

### **Exceptions which involve the request for waiver form**

- 12.6 We may grant an exception in the following circumstances:
- If there is an unexpected emergency involving danger to life or health or serious damage to property, or if the goods, work, or services are needed more urgently than would be possible if we followed the tender or quotation procedure.

- If, for technical reasons, the goods, work, or services can be bought from only one provider, and this can be justified.
- If the proposed contract is an extension or change to the scope of an existing contract with a value (including the change or extension) that is below the Procurement Threshold. However, this does not apply if the existing contract provides for an extension.
- If you are buying works of art, museum artefacts, manuscripts, or archive collection items.
- To develop our aims to develop the economy, without breaking public procurement rules.
- In line with Section 41 or Section 74 of the Procurement Act regarding Direct Award in Special Cases and Modification of Public Contracts.

**Exceptions which do not need you to fill in the request for waiver form**

12.7 We will grant an exception to these regulations, and you will not need separate authorisation in the following circumstances:

- If you place an order with a single provider under an existing corporate contract or framework agreement.
- If you place an order through a buying consortium of which we are a member.
- As part of a partnering contract that involves a series of contracts with one provider.
- If you have attempted but have been unsuccessful in obtaining the required number of quotations or more than one tender.
- If any law says we must contract differently from these Procurement Regulations.
- If you place an order under an arrangement, of which we are a member that has gone through a competitive process which meets conditions in the Procurement Act, for example, Crown Commercial Services.
- For goods, work or services which must be provided by a public utility or a local authority other than us under their legal powers.



## Review of Polling Districts, Places and Stations

<b>Committee:</b>	Council
<b>Date of Meeting:</b>	22 January 2025
<b>Report of:</b>	Head of Law and Governance
<b>Portfolio:</b>	Resources and Transformation

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### 1 Purpose of Report

- 1.1 Council is requested to note the outcome of the compulsory review of UK Parliamentary and local authority polling districts, polling places and polling stations.

### 2 Recommendations

- 2.1 That the review process be noted, and the proposals detailed at **Appendix 1** to the report be approved.
- 2.2 That the review investigations should continue with a view to implementing any further possible changes to polling places and polling stations in advance of the next scheduled elections on 1 May 2025.
- 2.3 That delegated authority be granted to the Deputy Chief Executive in his capacity as (Acting) Returning Officer to approve changes to polling places and polling stations, as may be required, in between formal reviews.

#### Reasons for Recommendations

- 2.4 To comply with the duty to undertake a formal review of polling districts and places every 5 years.

### 3 Key Issues

- 3.1 The Council, through the (Acting) Returning Officer (Deputy Chief Executive), is required to undertake periodic compulsory reviews of polling districts and polling places for both Parliamentary and local authority elections. Cannock Chase is fortunate that the Parliamentary Constituency and local authority District boundaries are coterminous enabling the reviews to be combined.
- 3.2 In particular, the Council is required to undertake a compulsory review of UK parliamentary and local authority polling districts, polling places and polling stations on a 5-year cycle. The governing legislation provides for a 15-month window between 1 October 2023 to 31 January 2025 during which the review must be commenced and concluded.
- 3.3 The approach to the review has been to attempt to address both current needs while being mindful of future electoral requirements. While the formal periodic review is intended primarily in respect of Parliamentary election polling places, Cannock Chase District Council uses the same polling places at local elections. As local elections (District Council; County Council or Parish Councils), are held

every year, the Council already reviews its polling place provision on an annual basis.

- 3.4 By law, for the purpose of taking the polling in England and Wales, the (Acting) Returning Officer is entitled to use, free of charge, schools maintained or assisted by a local authority. This also applies to those schools that receive grants made out of moneys provided by Parliament, including academies and free schools.
- 3.5 The County Council sends annual reminders to Head teachers and Chairs of Governing Bodies of the (Acting) Returning Officers' rights in this regard. While this is generally not popular with Head teachers, provision exists for them to use INSET days in order to minimise the impact of the elections, which normally fall on the first Thursday in May. Therefore, this should be allowed for when planning the academic year. However, there is no automatic requirement to close schools, and not all feel the need to do so; that is a decision for the individual Heads.
- 3.6 The Deputy Chief Executive / (Acting) Returning Officer is mindful of the impact that using school premises can have in some instances and has requested that their use be given particular attention as part of the review process. However, there is a shortage of suitable alternative facilities in the District and, as a result, schools premises remain one of the default locations. It should be noted that using alternative venues is also likely to result in additional costs to the Council. Nonetheless, the Electoral Services team continues to work with schools to try to minimise any inconvenience.
- 3.7 The review process included a public consultation stage, during which representations from elected members and other interested parties were received and considered. The Council will continue to review the suitability of its polling places outside of the compulsory review process, with the Deputy Chief Executive having delegated authority to make any changes deemed necessary in between formal reviews.

## **4 Relationship to Corporate Priorities**

- 4.1 The Council through its democratic process supports all of the Council's Corporate Priorities.

## **5 Report Detail**

- 5.1 The Electoral Administration Act, 2006 (EAA 2006), introduced a duty on all local authorities to review their UK Parliamentary polling districts and polling places at least once every four years. The Electoral Registration and Administration Act, 2013 (ERAA 2013), amended this requirement to bring the reviews in line with revised five-year UK Parliamentary terms, with the reviews required to be completed within the period of 15 months beginning from 1 October, 2023, and ending 31 January, 2025.
- 5.2 Reviews of polling districts and polling places for local government elections are prescribed under Section 31 of the Representation of the People Act, 1983 (RPA 1983). As Cannock Chase has the benefit of a coterminous Parliamentary Constituency and local authority District boundary, the two reviews are able to be conducted simultaneously.

### 5.3 Definitions

- A polling district is a geographical area created by the sub-division of an electoral area such as a UK Parliamentary constituency, an electoral division; or a District ward, into smaller parts.
- A polling place is the particular building or area in which a polling station will be selected by the (Acting) Returning Officer.
- A polling station is a room or area within the polling place where voting takes place.

While polling districts and polling places are determined by Council as part of the review, polling stations are chosen by the (Acting) Returning Officer and may be redesignated within the polling place without the need for further review.

Practically, the majority of people are only concerned about the location and suitability of polling stations.

### 5.4 Formal Review Process

There is a prescribed process for conducting the review, which was previously reported to Council, along with a summary of the process. Briefly, the process is as follows:

The Council must give notice of the holding of a review (Completed). The notice must be displayed at the local authority's office and in at least one conspicuous place within the authority, and published on the local authority website. Copies of the notice were also sent to interested parties, including elected representatives (Councillors, MP, etc.), political parties, disability groups and other stakeholders to invite comments. A press release was also issued, and social media feeds used to draw attention to the review and the process.

A copy of the Notice including the timetable for the process is included at Appendix 2 to the report.

- **Consultation (Completed)**

The consultation stage sought representations and comments on the existing and proposed arrangements for polling districts, if applicable, polling places and polling stations. There are two aspects of this stage: (i) A compulsory submission from the (Acting) Returning Officer of the UK Parliamentary constituency. (ii) Submissions from electors and other interested persons and bodies, including elected representatives and those with expertise in relation to access to premises or facilities for disabled people. In order to maximise feedback, questionnaires were also placed in polling stations inviting comments from electors attending the UK Parliamentary elections on 4 July 2024.

- **The (Acting) Returning Officer's submission (Completed)**

The (Acting) Returning Officer's submission must comment on both the existing polling stations and the polling stations that would likely be used based on any proposed polling places. This is, effectively, the (Acting) Returning Officer's interim recommendations, which were published on the Council's website and further responses invited in accordance with the

published timetable. A small number of additional comments were received as a result.

- **Conclusion (This stage)**

After considering all of the representations, the (Acting) Returning Officer prepares recommendations on the most appropriate polling districts / places / stations, which must be approved by Council. Any alteration is effective on the date on which the Electoral Registration Officer publishes a notice stating that the alterations have been made. This should be at the same time as the register is revised or a notice of alteration published, as appropriate. As no changes to polling districts are recommended, this is not relevant in this instance.

- **Publishing the conclusions of the review**

Once the Council has agreed the proposals, details of the new polling districts and polling places must be made available to the public, as per the original notice of review. While it is important that steps are taken to make affected electors aware of any changes to the place they must attend to vote, it is sufficient to highlight any changes on the poll card for the next election they are entitled to vote at.

A summary of the conclusions and recommendations from the review is attached as Appendix 1.

The Council holds scheduled elections every year. The Council elects 'by thirds,' so it has a local election in three out of every four years. The fourth year ('fallow' year) is when County Council elections take place. Parish Council elections also take place on a four yearly cycle and are combined with local elections in the second year of the Council cycle. In the third year of the cycle, elections for the Staffordshire Police, Fire and Crime Commissioner (Staffordshire PFCC), are combined with local elections. As a result, there is an ongoing cycle of review across the duration of every electoral event. Consideration is also given to feedback from polling station staff and others, including members of the public, after every election.

- 5.5 The (Acting) Returning Officer is mindful of a number of new and ongoing residential developments across the district. However, no provision has been made at this stage in terms of revisions to polling districts to account for the potential increased electorates. In the short term, these matters can be addressed, if required, by the (Acting) Returning Officer under delegated powers, with local Ward Councillors being consulted, as appropriate.
- 5.6 As a result of the initial consultation and subsequent to the publication of the (Acting) Returning Officer's initial recommendations, suggestions for alternative venues were made in respect of 22 of the 49 polling places, covering 67 polling stations.

5.7 As a result of the review, it is proposed to recommend a permanent change to:

<b>District Ward</b>	<b>Existing Polling Station</b>	<b>Proposed Polling Station</b>
Brereton and Ravenhill	Pear Tree WMC (BA6)	Church of the Good Shepherd
	Chase View CP School (BA7)	Church of the Good Shepherd
Cannock Longford and Bridgtown	Longford Social Club (CL3)	St Stephens Church Hall
	The Scout Hut off The Willows (CL5)	Cannock Library
Cannock Park and Old Fallow	St Stephens Church Hall (CP1)	St Lukes Primary School
	Cannock Community Fire Station (CP3)	Welcome WMC Heath Gap Road
Chadsmoor	Moorhill CP School (portable) (CR4)	To use room in the School and not portable
Hawks Green with Rumer Hill	Civic Centre (HA6)	Salvation Army Hall
	Civic Centre (HA5)	Welcome WMC Heath Gap Road
Hednesford Green Heath	Pye Green Academy	To use another room in the school instead of the nursery
Hednesford Pye Green	Pye Green Community Centre (HZ3)	Green Heath Working Mens Club, Blewitt Street
	Portable Polling Station Bell and Bottle (HZ4)	Portable Polling Station Brindley Heath

## 6 Implications

### 6.1 Financial

None.

### 6.2 Legal

The review is a statutory requirement as detailed in the report.

### 6.3 Human Resources

None

### 6.4 Risk Management

There is a small risk of voters being discouraged from voting if they consider polling places and polling stations to be inappropriate, though they do, of course, have the option of a postal vote rather than voting in person. This review seeks

to mitigate this risk by ensuring that the venues are conveniently located and fit for purpose.

## 6.6 Equalities and Diversity

Equality and diversity considerations are embedded within the requirements of the review.

## 6.7 Climate Change

None

## 7 Appendices

Appendix 1: (Acting) Returning Officer's Summary Report – Review of Parliamentary Polling Districts, Polling Places and Polling Stations

Appendix 2: Notice of Review of Polling Districts & Polling Places, including timetable for process

## 8 Previous Consideration

None

## 9 Background Papers

[Section 31 Representation of the People Act, 1983](#) (RPA 1983)

[The Electoral Administration Act, 2006](#) (EAA 2006)

[The Electoral Registration and Administration Act, 2013](#) (ERAA 2013)

[The Electoral Commission Guidance: Reviews of Polling Districts, Polling Places and Polling Stations](#)

**Contact Officer:** Ian Curran  
**Telephone Number:** 01785 619 220  
**Ward Interest:** All  
**Report Track:** Council: 22/01/25

**Polling Districts, Polling Places and Polling Station Review 2024**

**(Schedule A1 to the Representation of the People Act, 1983; and Electoral Administration Act, 2006, as amended by the Electoral Registration and Administration Act, 2013)**

The (Acting) Returning Officer for the Cannock Chase Parliamentary Constituency and the Cannock Chase District Council has undertaken a review in accordance with the above legislation. This has included consultation with, amongst others: elected representatives; disability groups; other stakeholders; and members of the public. Comments received as part of the initial consultation and, subsequently, following publication of his initial recommendations have been considered by the (Acting) Returning Officer and his final recommendations are detailed below.

Whilst every effort is made to ensure that polling stations are accessible and convenient to all electors; unfortunately, premises that are entirely suitable in every regard are not always available in the required area, and a location that is 'generally satisfactory' may need to suffice instead. Nonetheless, the situation is monitored on an ongoing basis and, in the event that better alternative facilities become available, the (Acting) Returning Officer will consider and determine their suitability for future use.

## Brereton and Ravenhill

Poll. District	Current Polling Place / Polling Station	Comments (summary of comments received. Premises are, otherwise, considered to be satisfactory for elections purposes)	Alternative Venue(s) Suggest (if any)	Recommendation
BA1 BA2	Brereton Community Library	1 comment received - happy to use Brereton Community Library	None suggested	No changes proposed
BA3	Hob Hill School	No comments received	None suggested	No changes proposed
BA4	Brereton Community Hub	No comments received	None suggested	No changes proposed
BA5	St Joseph's School, Newman Grove	No comments received	None suggested	No changes proposed
BA6	Pear Tree W.M.C. Concert Room	No comments received	Church of the Good Shepherd. By combining BA6 and BA7 this would save using a school and the location is quite central to both polling districts.	To use Church of the Good Shepherd as the polling place for polling districts BA6 and BA7.
BA7	Chase View C P School	No comments received	Church of the Good Shepherd. By combining BA6 and BA7 this would save using a school and the location is quite central to both polling districts.	To use Church of the Good Shepherd as the polling place for polling districts BA6 and BA7



## Cannock Longford and Bridgtown

Poll. District	Current Polling Place / Polling Station	Comments (summary of comments received. Premises are, otherwise, considered to be satisfactory for elections purposes)	Alternative Venue(s) Suggest (if any)	Recommendation
CL1	Bethel Methodist Church	No comments received	No accessibility issues. No changes proposed.	No changes proposed
CL2	St Barnabas Church Hall	No comments received	No accessibility issues. No changes proposed.	No changes proposed
CL3	Longford Social Club	1 comment received - venue may not be available in the future	St Stephens Church Hall is more central to the polling district	To use St Stephens Church Hall as the polling place for polling district CL3
CL4	Salvation Army Hall	No comments received	No accessibility issues. No changes proposed.	No changes proposed
CL5	The Scout Hut, off The Willows	3 comments received - not easy to find, poor state of access road, insufficient lighting.	Cannock Library St Lukes church hall Both venues have been visited.	Cannock Library is within the polling district and is happy to accommodate a polling station.

## Cannock Park and Old Fallow

Poll. District	Current Polling Place / Polling Station	Comments (summary of comments received. Premises are, otherwise, considered to be satisfactory for elections purposes)	Alternative Venue(s) Suggest (if any)	Recommendation
CP1	St. Stephen's Church Hall	2 comments received - too far from polling district	St Lukes Primary School Portacabin at Shaol Hill	To use St Lukes Primary School as the polling place for polling district CP1
CP2	Cannock Chase High School	No comments received	No accessibility issues. No changes proposed.	No changes proposed
CP3	Cannock Community Fire Station	1 comment received - close proximity of polling station with Chase High School can these be combined	Welcome WMC Heath Gap Road  Chase High School - unable to provide enough space to accommodate a double polling station.	To use Welcome WMC Heath Gap Road as the polling place for polling district CP3
CP4	Cardinal Griffin Catholic College	No comments received	No accessibility issues. No changes proposed.	No changes proposed
CP5	Bevan Lee Community Centre	No comments received	No accessibility issues. No changes proposed.	No changes proposed

## Chadsmoor

Poll. District	Current Polling Place / Polling Station	Comments (summary of comments received. Premises are, otherwise, considered to be satisfactory for elections purposes)	Alternative Venue(s) Suggest (if any)	Recommendation
CR1	Chadsmoor Methodist Church	No comments received	No accessibility issues. No changes proposed.	No changes proposed
CR2	Highfields Centre	No comments received	We are aware that this venue may not be available in the future however we have been assured that we can use it for the 2025 elections	No changes proposed. Should be available for the elections in 2025. Keep under review to find alternative venue when Highfields Centre no longer available.
CR3	St. Aidan's Church Hall	No comments received	No accessibility issues. No changes proposed.	No changes proposed
CR4	Moorhill C.P. School (portable)	No comments received	Chase Baptist Church	To ask Moorhill CP School if we can use a room in the school instead of a portacabin.
CR5	West Chadsmoor Family Centre	No comments received	No accessibility issues. No changes proposed.	No changes proposed

## Etching Hill and The Heath

Poll. District	Current Polling Place / Polling Station	Comments (summary of comments received. Premises are, otherwise, considered to be satisfactory for elections purposes)	Alternative Venue(s) Suggest (if any)	Recommendation
ET1 ET6	Forest Hills Primary School	No comments received	No accessibility issues. No changes proposed.	No changes proposed
ET2 ET3	The Church of the Holy Spirit	No comments received	No accessibility issues. No changes proposed.	No changes proposed
ET4 ET5	Slitting Mill Victory Hall	No comments received	No accessibility issues. No changes proposed.	No changes proposed
ET7	The Chase Pub, Hagley Road	No comments received	No accessibility issues. No changes proposed.	No changes proposed

Hawks Green with Rumer Hill

Poll. District	Current Polling Place/Polling Station	Comments (summary of comments received. Premises are, otherwise, considered to be satisfactory for elections purposes)	Alternative Venue(s) Suggest (if any)	Recommendation
HA1 HA2 HA3 HA4	Hayes Green Community Centre	No comments received	No accessibility issues. No changes proposed.	No changes proposed
HA5 HA6	Civic Centre, Beecroft Road	2 comments received - too far from polling district	Salvation Army Hall Fire Station Welcome WMC Heath Gap Road	There are county boundary changes to this polling district therefore, it is recommended that HA5 to go to Welcome WMC Heath Gap Road and HA6 to go to the Salvation Army Hall

## Heath Hayes and Wimblebury

Poll. District	Current Polling Place / Polling Station	Comments (summary of comments received. Premises are, otherwise, considered to be satisfactory for elections purposes)	Alternative Venue(s) Suggest (if any)	Recommendation
HE1	Heath Hayes Academy	No comments received	No accessibility issues. No changes proposed.	No changes proposed
HE2 HE6	Five Ways J M School	1 comment received - takes children out of school	Welcome Club Heath Hayes Library Both venues are used for other polling stations	No changes proposed
HE3 HE4	Heath Hayes Community Library	1 comment received - not enough parking, room not big enough, suitable for wheelchairs.	No accessibility issues. No changes proposed	No changes proposed
HE5	Wimblebury Community Centre	No comments received	No accessibility issues. No changes proposed.	No changes proposed

## Hednesford Green Heath

Poll. District	Current Polling Place / Polling Station	Comments (summary of comments received. Premises are, otherwise, considered to be satisfactory for elections purposes)	Alternative Venue(s) Suggest (if any)	Recommendation
HF1 HF2	Staffordshire University Academy	1 comment received - polling station suitable with adequate parking	Poppyfields Primary School	No changes proposed
HF3	Pye Green Academy	2 comments received - takes children out of school, room not suitable for double polling station	5's Pavillion Green Heath Working Mens Club (this is being used for a different area)	To ask the school if there is a different room that can be used as a polling station

## Hednesford Hills and Rawnsley

Poll. District	Current Polling Place / Polling Station	Comments (summary of comments received. Premises are, otherwise, considered to be satisfactory for elections purposes)	Alternative Venue(s) Suggest (if any)	Recommendation
HR1	St Peter's Church Hall	1 comment received - Church Hall fits criteria as a polling station	No accessibility issues. No changes proposed.	No changes proposed
HR2	St Joseph's RC School	No comments received	No accessibility issues. No changes proposed.	No changes proposed
HR3	Portable Polling Station Beaudesert View	No comments received	Complaints received at the elections regarding siting of the portable.	Move siting of portable polling station to St Michaels Drive
HR4	Cannock Wood and Gentleshaw Village Hall	No comments received	No accessibility issues. No changes proposed.	No changes proposed
HR5	Hazel Slade Primary Academy	1 comment received - Do not believe schools should be used as polling stations.	Portacabin -no suggested area to site this	No changes proposed
HR6	Prospect Village Hall	No comments received	No accessibility issues. No changes proposed.	No changes proposed



## Hednesford Pye Green

Poll. District	Current Polling Place / Polling Station	Comments (summary of comments received. Premises are, otherwise, considered to be satisfactory for elections purposes)	Alternative Venue(s) Suggest (if any)	Recommendation
HZ1 HZ2 HZ7	The Aquarius Ballroom (Pisces Suite)	No comment received	No accessibility issues. No changes proposed.	No changes proposed
HZ3 HZ5	Pye Green Community Centre	1 comment received - too far to get to polling station and would therefore dissuade people from voting	Hednesford Library The Aquarius Ballroom Green Heath Working Mens Club	To use Green Heath Working Mens Club as the polling place for polling district HZ3 and Pye Green Community Centre the polling place for polling district HZ5
HZ4	Portable Polling Station Bell and Bottle	1 comment received - suggest combining with Portable at Brindley Heath	Suggestion to combine the polling place from Portable Polling Brindley Heath Car Park to Portable Polling Station Bell and Bottle	Brindley Heath Car Park is a larger more accessible area than the Bell and Bottle therefore it is recommended to use Portable Polling Station Brindley Heath Car Park as the polling place for polling district HZ4 and HZ6
HZ6	Portable Polling Station Brindley Heath Car Park	1 comment received - suggest combining with portable at Bell and Bottle	As above	No changes proposed (combine with HZ4)

## Norton Canes

Poll. District	Current Polling Place / Polling Station	Comments (summary of comments received. Premises are, otherwise, considered to be satisfactory for elections purposes)	Alternative Venue(s) Suggest (if any)	Recommendation
NR1	Jerome C P School	1 comment received - supports using St James Church although there is no Church Hall	St James Church - this has been visited and is not suitable to use as a polling station	No changes proposed
NR2	Norton Canes Methodist Church Hall	No comments received	No accessibility issues. No changes proposed.	No changes proposed
NR3	Norton Canes Community Centre	No comments received	No accessibility issues. No changes proposed.	No changes proposed

## Western Springs

Poll. District	Current Polling Place / Polling Station	Comments (summary of comments received. Premises are, otherwise, considered to be satisfactory for elections purposes)	Alternative Venue(s) Suggest (if any)	Recommendation
WE1 WE3	St Paul's Church Hall	No comments received	No accessibility issues. No changes proposed.	No changes proposed
WE2 WE4	Rugeley Rose Theatre and Community Hall	No comments received	No accessibility issues. No changes proposed.	No changes proposed
WE5	Rugeley Leisure Centre	No comments received	No accessibility issues. No changes proposed.	No changes proposed

### Notice of Polling District, Polling Place and Polling Station Review 2024

Notice is hereby given that in accordance with Section 18C of the Representation of the People Act 1983 that Cannock Chase District Council (the Council) is to carry out a review of its polling districts and polling places.

Relevant information and mapping regarding the current arrangements and proposals for changes can be found on the Council's website.

The (Acting) Returning Officer (ARO) for the Parliamentary constituency will comment on the proposals. Those representations will be published on the Council's website and will be available for inspection at Cannock Chase District Council, Beecroft Road, Cannock WS11 1BG

Electors within the Council area or within a UK Parliamentary constituency which has any part in the authority may make a representation. We invite comments from all electors regarding the convenience of voting at polling stations currently used for elections and would welcome suggestions for alternative sites.

The Council would also welcome the views of all residents, particularly disabled residents, or any person or body with expertise in access for persons with any type of disability, on the proposals, ARO's representations or any other related matters.

Anybody making representations should, if possible, give alternative places that may be used as polling places.

Comments and representations may be submitted as follows:

<b>By completing the online feedback form</b>	<a href="https://customers.cannockchasedc.gov.uk/PollingReview2024">https://customers.cannockchasedc.gov.uk/PollingReview2024</a>
<b>By email</b>	<a href="mailto:electionsoffice@cannockchasedc.gov.uk">electionsoffice@cannockchasedc.gov.uk</a>
<b>By post</b>	Electoral Registration Officer Cannock Chase District Council Beecroft Road Cannock WS11 1BG

All representations must be made by no later than 4 November 2024

#### Timetable

Date	Review Stage
27 September 2024	Formal notice of review
27 September 2024	Publication of existing polling station locations
27 September 2024	Publication of (Acting) Returning Officer's comments
27 September 2024	Commencement of public consultation period
4 November 2024	End of public consultation period
22 January 2025	Consideration of proposed changes by Full Council
	Publication of correspondence following the implementation of changes

**Item No. 8.21**

The outcome of the review will be published by the Council in January 2025 and will be available for inspection on the Council's website and Cannock Chase District Council, Beecroft Road, Cannock, WS11 1BG.

Anybody making representations should be aware that, upon completion of the review, all correspondence and representations received must, by law, also be published.

Dated: 27 September 2024

**Chris Forrester**

Electoral Registration Officer  
Cannock Chase District Council

## **Review of the Members' Allowances Scheme**

<b>Committee:</b>	Council
<b>Date of Meeting:</b>	22 January 2025
<b>Report of:</b>	Head of Law & Governance
<b>Portfolio:</b>	Leader of the Council

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### **1 Purpose of Report**

- 1.1 To consider the report and recommendations of the Independent Remuneration Panel ('the Panel') in relation to the latest review of the Members' Allowances Scheme.

### **2 Recommendations**

- 2.1 That Council considers the recommendations of the Independent Remuneration Panel, as outlined in paragraph 5.2, below, and approves a revised Scheme to come into effect from 1 April 2025.

#### **Reasons for Recommendations**

- 2.2 The Members' Allowances Scheme was reviewed in late 2021, with the updated Scheme being approved by full Council in March 2022. The current Scheme covers the period 1 April 2022 to 31 March 2025, and it was therefore necessary to conduct a fresh review and Council's approval for a new Scheme to come into effect from 1 April 2025.

### **3 Key Issues**

- 3.1 The Council is required by the Local Authorities (Members' Allowances) (England) Regulations 2003 to have a Members' Allowances Scheme in place and to keep the Scheme reviewed on a regular basis. When making or amending a scheme the Council must have regard to recommendations made by an independent remuneration panel.
- 3.2 Aside from the statutory requirement, it is important to review the Scheme regularly to ensure that the allowances paid are appropriate to reflect both the 'Council based' roles (e.g., Cabinet members, committee chairs etc.) and 'community leadership' roles that Members have. Government guidance states that it is important that some element of the work of Councillors continues to be voluntary - that some hours are not remunerated. However, this must be balanced against the need to ensure that financial loss is not suffered by Councillors and that people are encouraged to come forward as Councillors and that their service to the community is retained.

### **4 Relationship to Corporate Priorities**

- 4.1 This report supports the Council's corporate priorities by seeking to ensure that persons who choose to stand for office as a local councillor and are not financially

disadvantaged by serving once elected, by providing them with appropriate levels of allowances to carry out the various roles available.

## 5 Report Detail

5.1 The final report of the Panel, which sets out the review process and the accompanying recommendations for Members to consider is attached at **appendix 1**.

5.2 For ease of reference, the Panel's recommendations are:

That:

- (i) The revised Members' Allowances Scheme be in place for four years, covering the period 1 April 2025 to 31 March 2029.
  - (ii) The Basic Allowance be increased by 2.5% for 2025/26 and then index linked to NJC officer pay rates for 2025/26, 2026/27, 2027/28, and 2028/29.
  - (iii) The Special Responsibility and Civic Allowances be increased by 1.5% for 2025/26 and then index linked to NJC officer pay rates for 2025/26, 2026/27, 2027/28, and 2028/29.
  - (iv) The Carers' Allowance continues to be paid at National Living Wage rates applicable to each year the revised Scheme is in force.
  - (v) That car mileage rates be paid at a flat rate of 45p per mile for all engine sizes (this being in line with HMRC rates).
  - (vi) That Travel Allowances (excluding car mileage rates) and Subsistence Allowances continue to be linked to rates payable to officers for each year the revised Scheme is in force.
- 5.3 A copy of the current Scheme is attached as **appendix 2**, which sets out the allowances rates payable for the 2024/25 financial year.

## 6 Implications

### 6.1 Financial

The existing members budget in the indicative 2025/26 budget was insufficient to meet the cost of the proposals outlined in the report above with a shortfall of £10,780 for the 2025/26 financial year. The budget going to cabinet in January 2025 reflects the cost of these proposals and budgets for the pay award increases in future years.

### 6.2 Legal

Under the Local Authorities (Members' Allowances) (England) Regulations 2003, the Council is required to:

- Adopt a Members' Allowances Scheme before the beginning of each financial year to which it relates.
- Establish an Independent Remuneration Panel to review said Scheme on a regular basis.
- Have regard to any reports or recommendations of the Panel when adopting a new or revised Scheme.

- Publicise any recommendations made by the Panel.
- Publicise details of the Scheme once it has been revised or newly adopted.
- Ensure an accurate record is kept of the total amounts of allowances paid to each Member and the types of allowances paid.

**6.3 Human Resources**

None.

**6.4 Risk Management**

None.

**6.5 Equalities and Diversity**

None.

**6.6 Health**

None.

**6.7 Climate Change**

None.

**7 Appendices**

Appendix 1: Report of the Independent Remuneration Panel.

Appendix 2: Current Members' Allowances Scheme.

**8 Previous Consideration**

None.

**9 Background Papers**

None.

**Contact Officer:** Matt Berry

**Telephone Number:** (01543) 464 589

**Report Track:** Council: 22/01/25



## **Report of the Independent Remuneration Panel**

### **Review of Cannock Chase Council's Members' Allowances Scheme**

**November 2024**

#### **Introduction**

We present to Council the final report of the Independent Remuneration Panel arising out of our latest review of the Members' Allowances Scheme. The membership of the Panel for the latest review was:

- Mr G. Marsh - returning Panel member, first appointed February 2014.
- Mrs. K. Holtham – returning Panel member; first appointed December 2017.
- Mr A. Showell – returning Panel member, first appointed December 2017.

We are residents of the District with a variety of employment backgrounds and our current term of office on the Panel is for the period December 2023 to December 2026.

During the review process we were supported by Ian Curran, Head of Law & Governance; and Matt Berry, Democratic Services Team Leader.

#### **Review Process**

Prior to our first meeting, we were issued with a 'Members' Allowances Review Pack', which included the following information/data:

- Background information about the Council
- Members' Allowances comparator data
- Meetings' attendances figures – May 2022 to September 2024
- Committee meeting held/scheduled – May 2022 to May 2025
- Members' Allowances survey results
- Functions, Responsibilities and Structures of Council, Cabinet, Committees and Chief Officers
- Current Members' Allowances scheme.

#### **Meeting – 15 November 2024**

Mr Marsh was unfortunately not able to attend the meeting, therefore the review was undertaken by Mrs Holtham and Mr Showell.

We discussed the information and data provided in the review pack, particularly noting the levels of allowances paid to Cannock Chase District Councillors compared to those of the other local authorities referenced in the pack and the feedback provided by those Members who completed the review survey.

## Conclusions

In deciding whether to make any change to the Scheme, we noted that the Basic, Special Responsibility and Civic Allowances had been frozen for the 2022/23, 2023/24, and 2024/25 financial years and the need for Members to be fairly compensated for undertaking the various roles outlined, whilst being mindful of the financial situation of local government and the Council.

We also looked at the feedback provided by Members as part of the survey conducted in September 2024, which was completed by 11 out of 36 Members. In all cases, most respondents were in favour of allowances being increased in line with officers pay or by another amount. Some Members were in favour of allowances being frozen at the current rates and none were in favour of allowances being reduced.

In respect of the basic allowance, we noted that although it had been frozen since 2021, the rate paid still compared favourably to comparator councils\*, being above the average amount paid.

In respect of the special responsibility and civic allowances, we noted that each role was very different and that some roles attracted a greater workload than others. We also noted that each member in receipt of these allowances also received the basic allowance. Most of these allowance types were also close to the average paid when compared against comparator councils.

We also noted that in respect of car mileage payments, this Council was an outlier in terms of paying different amounts based on vehicle engine size when compared to the comparator councils.

*\*the comparator councils were the other borough/district councils in Staffordshire and those part of the CIPFA 'near neighbours group'.*

Considering all of the above, our key recommendations are that:

1. The revised scheme operates for four years (01/04/25 to 31/03/29).
2. The Basic Allowance be increased by 2.5% for the 2025/26 financial year and then index linked to changes in NJC Officers Pay rates for the 2025/26, 2026/27, 2027/28, and 2028/29 financial years.
3. The Special Responsibility and Civic Allowances be increased by 1.5% for the 2025/26 financial year and then index linked to changes in NJC Officers Pay rates for the 2025/26, 2026/27, 2027/28, and 2028/29 financial years.
4. The Carers' Allowance continue to be paid at National Living Wage rates.
5. The car mileage rates be paid at a flat rate of 45p per mile.
6. No changes be made to all other Travel and Subsistence Allowances.

The proposed changes for each individual allowance are set out below:

<b>Scheme Area and (Current Allowance Paid)</b>	<b>Recommendations</b>
Length of Scheme (3 years)	Four years (01/04/25 to 31/03/29).
Basic Allowance (£5,706)	Increase by 2.5% for 2025/26 and then index link to NJC officer pay rates for 2025/26, 2026/27, 2027/28, and 2028/29.
Leader of the Council (£19,403)	Increase by 1.5% for 2025/26 and then index link to NJC officer pay rates for 2025/26, 2026/27, 2027/28, and 2028/29.
Deputy Leader of the Council (£9,903)	Increase by 1.5% for 2025/26 and then index link to NJC officer pay rates for 2025/26, 2026/27, 2027/28, and 2028/29.
Councillors of Cabinet (£8,578)	Increase by 1.5% for 2025/26 and then index link to NJC officer pay rates for 2025/26, 2026/27, 2027/28, and 2028/29.
Leader of the Opposition (£7,260)	Increase by 1.5% for 2025/26 and then index link to NJC officer pay rates for 2025/26, 2026/27, 2027/28, and 2028/29.
Chair of Planning Control Committee (£4,619)	Increase by 1.5% for 2025/26 and then index link to NJC officer pay rates for 2025/26, 2026/27, 2027/28, and 2028/29.
Chairs of Scrutiny Committees (£2,138)	Increase by 1.5% for 2025/26 and then index link to NJC officer pay rates for 2025/26, 2026/27, 2027/28, and 2028/29.
Chair of Licensing & Public Protection Committee (£1,982)	Increase by 1.5% for 2025/26 and then index link to NJC officer pay rates for 2025/26, 2026/27, 2027/28, and 2028/29.
Chair of Audit & Governance Committee (£1,982)	Increase by 1.5% for 2025/26 and then index link to NJC officer pay rates for 2025/26, 2026/27, 2027/28, and 2028/29.
Councillors of Shadow Cabinet (£1,282)	Increase by 1.5% for 2025/26 and then index link to NJC officer pay rates for 2025/26, 2026/27, 2027/28, and 2028/29.
Chair of the Council (£9,559)	Increase by 1.5% for 2025/26 and then index link to NJC officer pay rates for 2025/26, 2026/27, 2027/28, and 2028/29.
Vice-Chair of the Council (£3,767)	Increase by 1.5% for 2025/26 and then index link to NJC officer pay rates for 2025/26, 2026/27, 2027/28, and 2028/29.
Carers' Allowances (National Living Wage Rates)	Continue to pay at National Living Wage rates.

Scheme Area and (Current Allowance Paid)	Recommendations
Car Mileage rates (46.9p (451-999cc engine capacity)) (52.2p (over 1000cc engine capacity))	Change to a flat rate of 45p per mile for all engine sizes.
Travel Allowances (excluding the car mileage rate) (Same as rates paid to officers)	No changes proposed.
Subsistence Allowances (Same as rates paid to officers)	No changes proposed.

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 K. Holtham  
 A. Showell

Independent Remuneration Panel  
 19 November 2024  
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**Section 42**  
**Members' Allowance**  
**Scheme 2022-25**

This document contains the scheme for Councillors' Allowances as approved by the Council for the period 1 April 2022 to 31 March 2025. Any amendment to the scheme requires the approval of the Council.

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Paragraph 3	Basic Allowance
Paragraph 4	Special Responsibility Allowances
Paragraph 5	Renunciation
Paragraph 6	Part-year Entitlements
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Paragraph 10	Claims and Payments
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Schedule 1	Basic, Special Responsibility and Other Allowances
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Annex 2	Travel and Subsistence Allowances
Annex 3	Travel and Subsistence Allowances Outside the United Kingdom
Annex 4	National Insurance Contributions
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## **1. Introduction**

- 1.1 This Scheme, which may be cited as the Cannock Chase Council Members' Allowances Scheme, was approved by Cannock Chase Council at its meeting on 2 March 2022 in exercise of the powers conferred by the Local Authorities (Members' Allowances) (England) Regulations 2003.
- 1.2 This Scheme replaces all previous Members' Allowances Schemes.
- 1.3 The Allowances mentioned in this scheme shall be implemented with effect from 1 April 2022 and shall run until 31 March 2025.
- 1.4 Any other amendments to the Scheme will be solely determined by the Council, following receipt of recommendations from the Independent Remuneration Panel.

## **2. Explanation of Terms**

- 2.1 In this scheme,  
"Councillor" means a Councillor of Cannock Chase Council.  
  
"Year" means the 12 months commencing from the Council's Annual General Meeting

## **3. Basic Allowance**

- 3.1 Subject to paragraph 6, for each year a basic allowance shall be paid to each Councillor, in accordance with the table at Schedule 1 to include a notional allowance for the provision of stationery, postage and indemnity insurance.

## **4. Special Responsibility Allowances**

- 4.1 For each year a special responsibility allowance, comprising component elements to be agreed by the Council, may be paid to those Councillors who hold the special responsibilities in relation to the authority that are specified in Schedule 1 to this scheme provided that a signed request form has been received by the Chief Executive from the Councillor confirming their wish to receive a special responsibility allowance.
- 4.2 Subject to paragraph 6, the amount of each such element shall be the amount specified against that special responsibility in that schedule.
- 4.3 With the exception of those Councillors in receipt of a Civic Allowance, Councillors shall be entitled to only one special responsibility allowance, with the single highest allowance being paid. Those Councillors in receipt of a Civic Allowance shall also be entitled to a special responsibility allowance, where appropriate.

## **5. Renunciation**

- 5.1 A Councillor may give notice in writing to the Chief Executive to elect to forego any part of their entitlement to an allowance under this scheme. For clarification, this may include entitlement to an annual increase.

- 5.2 A Councillor must give notice in writing to the Chief Executive to elect to forego any part of their entitlement, including any increases in Basic, Special Responsibility or Civic allowances payable under this Scheme. Any such requests must also specify the rate of Basic, Special Responsibility or Civic allowance the Councillor concerned wishes to continue receiving (where applicable).

## **6. Part-Year Entitlements**

- 6.1 The provisions of this paragraph shall have effect to regulate the entitlements of a Councillor to basic and special responsibility allowances where in the course of a year, this scheme is amended or that Councillor becomes, or ceases to be, a Councillor, or accepts or relinquishes a special responsibility in respect of which a special responsibility is payable.

- 6.2 If an amendment to this scheme changes the amount to which a Councillor is entitled by way of a basic allowance or a special responsibility allowance, then in relation to each of the periods:

- (a) beginning with the year and ending with the day before that on which the first amendment in that year takes effect, or
- (b) beginning with the day on which an amendment takes effect and ending with the day before that on which the next amendment takes effect, or (if none) with the year,

the entitlement to such an allowance shall be to the payment of such part of the amount of the allowance under this scheme as it has effect during the relevant period as bears to the whole the same proportion as the number of days in the period bears to the number of days in the year.

- 6.3 If an amendment to this scheme changes the duties specified in schedule 2 to this scheme, the entitlement to an allowance shall be to the payment of the amount of the allowance under the scheme as it has effect when the duty is carried out.

- 6.4 Where the term of office of a Councillor begins or ends otherwise than at the beginning or end of a year, the entitlement of that Councillor to a basic allowance shall be to the payment to such part of the basic allowance as bears to the whole the same proportion as the number of days during which their term of office subsists bears to the number of days in that year.

- 6.5 Where this scheme is amended as mentioned in sub-paragraph 6.2, and the term of office of a Councillor does not subsist throughout the period mentioned in sub-paragraph 6.2(a), the entitlement of any such Councillor to a basic allowance referable to each such period (ascertained in accordance with that sub-paragraph) as bears to the whole the same proportion as the number of days during which their term of office as a Councillor subsists bears to the number of days in that period.

- 6.6 Where a Councillor has during part of, but not throughout, a year such special responsibilities as entitle them to a special responsibility allowance, that Councillor's entitlement shall be to payment of such part of that allowance as bears to the whole the same proportion as the number of days during which they have such special responsibilities bears to the number of days in that year.

6.7 Where this scheme is amended as mentioned in sub-paragraph 6.2, and a Councillor has during part, but does not have throughout the whole, of any period mentioned in sub-paragraph 6.2(a) of that paragraph any such special responsibilities as entitles them to a special responsibility allowance, that Councillor's entitlement shall be to payment of such part of the allowance referable to each such period (ascertained in accordance with that sub-paragraph) as bears to the whole same proportion as the number of days in that period during which they have such special responsibilities bears to the number of days in that period.

## **7. Suspension or Partial-Suspension of Councillors**

7.1 Where a Councillor or Independent Member is suspended or partially suspended from responsibilities or duties as a member of the Council in accordance with Part III of the Local Government Act 2000 or regulations made under that Part, the part of the allowance payable (including travel and subsistence allowances) in respect of the period of suspension or partial suspension may be withheld by the Council.

7.2 Where payment of any allowance has already been made in respect of any period during which the member is concerned is:

- (i) suspended or partially suspended from responsibilities or duties as described above.
- (ii) ceases to be a Member of the Council, or
- (iii) is in any other way not entitled to receive the allowances in respect of that period.

the Council may require that such part of the allowance as they relate to any such period be repaid to the Council.

## **8. Travel and Subsistence**

8.1 Payment of allowances for travel and subsistence are not payable under this Scheme, but Councillors shall be entitled to receive payments by way of travelling allowance or subsistence allowance under the provisions of Section 174 of the Local Government Act, 1972, in connection with performing any of the approved duties set out in Annex 1 to this Scheme. The amounts of such payments and limits and conditions relating to them are set out in Annex 2 to this Scheme.

8.2 Such allowances will be payable at the same rates as those which can be claimed by Officers.

## **9. Travel and Subsistence Outside the UK**

9.1 Payment of travel and subsistence allowances for official duties outside the United Kingdom are not payable under the Scheme but travelling and subsistence allowances are payable under Section 174 of the Local Government Act, 1972 and are detailed in Annex 3.



## **10. Claims and Payments**

10.1 Payments shall be made:

- (a) in respect of basic and special responsibility allowances, in instalments of one-twelfth of the amount specified in this scheme on the 25th of each month (20th December) by bank credit transfer (BACS).
- (b) in respect of travel and subsistence expenses, on the 25th of the month (20th December) following submission by a Councillor provided that submission is made to the Chief Executive by the 7th day of that month.

Where the 25th/20th falls on a non-banking day, payment will be made on the last banking day before.

10.2 Where a payment of one-twelfth of the amount specified in this scheme in respect of a basic allowance or a special responsibility allowance would result in the Councillor receiving more than the amount to which, by virtue of paragraph 6, they are entitled, the payment shall be restricted to such an amount as will ensure that no more is paid than the amount to which they are entitled.

## **11. Publicity**

11.1 Details of this scheme will be publicised within the Authority's area as soon as possible after the Council has agreed or amended the scheme.

11.2 As soon as practicable after the end of the year the Authority shall make arrangements for the publication, within the Authority's area, of the total payments of each allowance made to Councillors in accordance with Regulation 15 of the Local Authorities (Councillors Allowances) (England) Regulations 2003.

## Schedule 1 Basic, Special Responsibility and Other Allowances

### Basic Allowance

The Basic Allowance for the years 2022-23, 2023-24, and 2024-25 is £5,706 of which £1,224 is included in this sum for the purchase of consumables by Councillors, such as stationery, postage, and the provision of indemnity insurance for work on outside bodies, which shall be arranged by each individual Councillor as they see fit.

### Special Responsibility Allowances and Civic Allowances

Special Responsibility Allowances and Civic Allowances for the years 2022-23, 2023-24, and 2024-25 shall be paid as follows:

#### Special Responsibility Allowances:

Leader of the Council	£19,403
Deputy Leader of the Council	£9,903
Councillors of Cabinet	£8,578
Leader of the Opposition	£7,260
Chair of Planning Control Committee	£4,619
Chair of Scrutiny Committees	£2,138
Chair of Licensing & Public Protection Committee	£1,982
Chair of Audit & Governance Committee	£1,982
Councillors of Shadow Cabinet	£1,282

#### Civic Allowances:

Chair of the Council	£9,559
Vice-Chair of the Council	£3,767

The nature of the allowances payable to the Council Chair and Vice-Chair are different in nature from the other allowances payable, due to the very much different role played by these Councillors as civic leaders. These are thus payable as “cash” sums, rather than the more salary-like basis of most other allowances.

### Independent Members

The payment to Independent Members with decision-making powers, such as those on the Standards Committee and the Independent Remuneration Panel, is £220 per annum.

### Carers Allowances

Councillors shall be reimbursed for the actual costs incurred as a result of providing care for children under the age of 14, persons over the age of 60 and people with disabilities or learning difficulties. Reimbursement will be at the National Living Wage rate in force at the time any such claim is made.

The person to be cared for should be someone who normally lives in the claimant's household who cannot be left unsupervised. In addition, the carer employed should not be someone who normally lives with the claimant. The allowance is payable for approved duties only as defined in the Members Allowances Regulations 2003.

**Schedule 2**  
**Approved Duties**

Approved duties are prescribed as:-

- (a) Attendance of **appointed** Councillors at meetings of the Council, Cabinet, Committees, and other Council meetings.
- (b) Attendance of **appointed** Councillors at Special Meetings.
- (c) Attendance of **invited** Councillors at meetings.

**Note:** A payment shall be made only to Councillors invited to attend to participate by the Chair of the Committee etc., prior to the meeting and whose names are recorded in the Minutes as being present with an indication of the Chair's reasons for permitting participation.

- (d) Attendance at meetings that relate to the business of the Council i.e., presentations and events whereby all Councillors of the Council are invited to attend.
- (e) Attendance of at least two Group Leaders (or, where only one Group Leader exists, two Councillors) at meetings called by the Chief Executive. (Refer to Schedule 2(b)).
- (f) Attendance of Councillors appointed to deputations, site visits or like business, where prior approval by the Council/Committee has been granted.

**Note:** Eligible provided that the duty for which the attendance is paid shall have had prior approval by the Committee requiring the duty to be undertaken or, in exceptional circumstances, by the Chief Executive after consultation with the Chair of the Council.

- (g) Attendance at meetings by Councillors of the Cabinet in their capacity as Portfolio Leader.
- (h) Attendance at:
  - (i) Bodies of national, regional, or county standing which carry out directly related Council functions. The Councillor appointed to these bodies must be appointed to 'act' on behalf of the Council, which must form part of the list of bodies approved by Council and Cabinet.

**Note:** Although not part of this Scheme, attendance at approved Conferences will also qualify for payment of travelling expenses and subsistence under Section 175 of the Local Government Act, 1972. The approved Conferences are:

- (A) Local Government Association Annual Conference:  
Leader of the Council and Chief Executive

- (B) Chartered Institute of Public Finance and Accountancy:  
Leader of the Council and S151 Officer
- (C) Chartered Institute of Housing:  
Portfolio Leader for Housing matters and Head of Housing and Corporate Assets
- (D) LGA Economic Regeneration Conference:  
Portfolio Leader for Economic Development & Planning matters and Head of Economic Development and Planning
- (E) Chartered Institute for the Management of Sport & Physical Activity:  
Portfolio Leader for Culture & Sport matters and Head of Wellbeing

## **Annex 1 Travel and Subsistence Allowance**

Approved duties for the purposes of payment of travelling and subsistence allowances under Section 174 of the Local Government Act, 1972 shall be payable in respect of the following:-

- (a) All Approved Duties for the purposes of the Members' Allowances Scheme referred to in the Second Schedule to the scheme.
- (b) Attendance of Chair/Vice-Chair of the Council, Cabinet or Committees for Agenda discussion or on business of the Council, Committee or Sub-Committee.
- (c) Attendance of Councillors at Council offices on the business of the Council.
- (d) Attendance of Councillors on courses or seminars approved by the Council, Committee or Sub-Committee.
- (e) Bodies of local standing generally having statutory backing carrying out functions of a consultative nature but not necessarily being directly or indirectly related to local authority work.
- (f) The Executive Committee of the Staffordshire Parish Councils' Association.

## **Annex 2 Travel and Subsistence Allowances**

### **Travel**

Councillors shall be paid car mileage rates in accordance with rates paid to Officers, including any local amendments to national rates. Current rates payable are:

<b>Engine Capacity</b>	<b>451-999cc</b>	<b>Over 1000cc</b>
Claimable rate (pence per mile)	46.9p	52.2p

- (a) If Councillors use a taxi regularly to attend meetings and they live within easy access to a convenient bus route then reimbursement will only be made at the appropriate bus fare rate.
- (b) Journeys from the place of Council meetings to the place of work are considered to be for the purpose of attending work and reimbursement of travelling allowance will not be paid.

### **Subsistence**

Councillors shall be paid subsistence rates in accordance with rates paid to Officers, including any local amendments to national rates. Current rates payable are:

<b>Allowance Type</b>	<b>Maximum Claim Amount</b>
Breakfast	£5.89
Lunch	£8.11
Tea	£3.20
Dinner	£10.04
Overnight Accommodation (Outside London)	£95.60
Overnight Accommodation (London)	£109.03

When refreshments/meals are provided at meetings subsistence should not be claimed.

### **Other Travel and Subsistence**

Councillors shall be paid in accordance with rates paid to Officers, including any local amendments to national rates.

The travel and subsistence allowances should be adjusted annually in line with those paid to Officers.

Note: Claims for travel and subsistence will not be approved unless accompanied with appropriate VAT receipts as proof of the expense being incurred.

## **Annex 3 Travel and Subsistence Allowances Outside The U.K.**

1. For approved duties within the U.K. there are a series of subsistence allowances approved by the Secretary of State, dependent on the location, duration, and purpose of the duty.
2. However, the Secretary of State has no jurisdiction to determine subsistence rates abroad and each Local Authority must pay whatever it considers appropriate.
3. Accordingly, the Council has adopted the following scheme for the payment of subsistence on official duty outside the U.K.

4. Councillors of the Council and Officers who are required to undertake official duties outside the U.K. shall be entitled to the following travel and subsistence allowances:
- (i) Full cost of all travel (to the extent that it is not met directly by the Council) from the Councillor's/Officer's home or office as appropriate to the place of duty, all necessary travel whilst engaged on the duty and return, such costs to be supported by appropriate receipts.
  - (ii) Full cost of accommodation for the duration of the duty (to the extent that it is not met directly by the Council), such costs to be supported by appropriate receipts.
  - (iii) The reasonable cost of all meals purchased (not including alcoholic beverages) such costs to be supported by appropriate receipts.
  - (iv) The commission charged on the necessary exchange of sterling into the appropriate foreign currency and the commission charged on the necessary exchange of the appropriate foreign currency back into sterling, such costs to be supported by appropriate receipts.
  - (v) The monetary loss as a consequence of differing exchange rates as a consequence of the exchange of the appropriate foreign currency into sterling, as identified on the exchange receipt and calculated by the Director of Resources.
  - (vi) The sum of £10 per day or part thereof to meet incidental, unidentified expenses.

The sterling equivalent of costs arising under (i), (ii) and (iii) above, when not in sterling, will be calculated using the exchange rate identified on the "out of sterling" currency exchange document.

## **Annex 4**

### **National Insurance Contributions**

1. If a Councillor is paid Councillors' Allowance equalling or exceeding the lower earnings limit of £533 per month (2024/25 rate), as from 6th April 1997, there is a liability for Class 1 (earnings related) contributions.
2. The contributions are payable whether or not the Councillor has other employment or self-employment. There is an annual maximum for contribution liability for people with more than one job and in some instances a Councillor in this position may be entitled to a refund of contributions; alternatively, a Councillor may be able to apply to defer payment of contributions in their capacity as a Councillor.
3. Certain Councillors may be exempt from National Insurance either by virtue of age or already on the maximum rate elsewhere. If this is the case, the Councillor will need to provide the S151 Officer with an exemption certificate. Further, advice can be sought from the S151 Officer.

## **Annex 5**

### **Social Security Contributions and Benefits**

1. Payment of allowances will count as earnings for social security purposes. Councillors can be affected, therefore, both as contributors to the social security scheme and as beneficiaries. The above allowances will be chargeable to Schedule E for income tax and accordingly will give rise to liability for national insurance contributions unless the payments fall below the lower earnings limit.
2. These contributions can, of course, give rise to pension entitlement. As regards social security benefits, a number are subject to earnings rules, and can therefore be affected by the receipt of allowances. A Councillor who is receiving a particular benefit and is in doubt about how it may be affected is recommended to make enquiries at the local offices of the Department for Work and Pensions.

## **Annex 6**

### **Statutory Sick Pay**

1. Councillors who are in receipt of Councillors' Allowances are considered to be 'employed' by their authority and as such, may in certain circumstances be eligible to receive Statutory Sick Pay (SSP).
2. Where a Councillor wishes to make a claim for payment of SSP it is essential that there is a notification on the first day of absence due to sickness to the Human Resources Department. Further advice and documentation will then be issued.