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TANDRIDGE DISTRICT COUNCIL



Council Agenda

MINUTES AND REPORTS
SUBMITTED TO THE COUNCIL MEETING ON
Thursday, 21st April, 2022

DAVID FORD
Chief Executive

TANDRIDGE DISTRICT COUNCIL

Council Offices,
Station Road East,
Oxted,
Surrey RH8 0BT

12 April 2022

Dear Councillor,

You are summoned to attend the meeting of the Council on Thursday, 21st April, 2022 at 7.30 pm.

David Ford
Chief Executive

To: All Members of the Tandridge District Council

A G E N D A

1. **To confirm the minutes of the Council meeting held on the 10th February 2022**
(Pages 5 - 8)

2. **Chair's Announcements**

3. **Declarations of interest**

All Members present are required to declare, at this point in the meeting or as soon as possible thereafter:

- (i) any Disclosable Pecuniary Interests (DPIs); and / or
- (ii) other interests arising under the Code of Conduct in respect of any item(s) of business being considered at the meeting.

Anyone with a DPI must, unless a dispensation has been granted, withdraw from the meeting during consideration of the relevant item of business. If in doubt, advice should be sought from the Monitoring Officer or her staff prior to the meeting.

4. **To deal with any questions submitted under Standing Order 30**

- (i) questions from residents and others working or studying in the District; and
- (ii) questions from Councillors

5. To receive and consider the reports of committees

- 5.1 Planning Committee - 3rd March 2022 (Pages 9 - 10)
- 5.2 Planning Policy Committee - 10th March 2022 (Pages 11 - 22)
- 5.3 Community Services Committee - 17th March 2022 (Pages 23 - 46)
- 5.4 Audit & Scrutiny Committee - 22nd March 2022 (Pages 47 - 56)
- 5.5 Housing Committee - 24th March 2022 (Pages 57 - 64)
- 5.6 Strategy & Resources Committee - 7th April 2022 (Pages 65 - 106)

6. Any urgent business

To deal with any other item(s) which, in the opinion of the Chair, should be considered as a matter of urgency in accordance with Section 100B(4)(b) of the Local Government Act 1972.

TANDRIDGE DISTRICT COUNCIL

Minutes of the meeting of the Council held in the Council Chamber, Council Offices, Station Road East, Oxted on the 10th February 2022 at 7.30 pm.

PRESENT: Councillors Morrow (Chair), Wren* (Vice-Chair), Allen, Black, Blackwell, Bloore, Botten, Bourne, Caulcott, Cooper*, Crane, Davies, Dennis*, Duck, Elias, Farr, Gaffney, Gillman, Gray*, Groves, Hammond, Langton, Lee, Lockwood, Mansfield, Mills, Moore, O'Driscoll, Prew, Pursehouse, Ridge, Sayer, Shiner, Stamp, Steeds, Swann, C.White and N.White

** participated via Zoom and could not vote*

APOLOGIES FOR ABSENCE: Councillors Connolly, Flower, Jones and North

264. MINUTES OF THE COUNCIL MEETING HELD ON THE 16TH DECEMBER 2021

These minutes were confirmed and signed as a correct record.

265. CHAIR'S ANNOUNCEMENTS

The Chair thanked everyone who would be supporting his St Valentine's dinner and dance on the following evening at Bletchingley Golf Club, including those who had donated raffle prizes in lieu of attendance.

The next civic fundraising events would be:

- a concert on Saturday, 19th March at the Oxted United Reformed Church, Oxted with performers from the Robert Bouffler Music Trust; and
- a Caterham Food Bank meal and quiz on Saturday, 24th April at the Westway Centre, Caterham

The Chair also advised that an e-mail would be sent to all Members on the 11th February to confirm the amended committee dates during the forthcoming cycle of meetings.

266. DECLARATIONS OF INTEREST

Councillor Botten advised that he would leave the Chamber for the duration of any discussion about the Westway Centre in connection with the budget setting process for 2022/23. (At the Council meeting on 16th December 2021, he had declared a non-pecuniary interest regarding the fact that he was a founder trustee of the Westway Centre). No such discussion took place.

Councillor Pursehouse advised that would not participate in any discussion regarding the level of rents for Council garages in connection with the Housing Revenue Account budget setting process for 2022/23. (At the Housing Committee meeting on 25th January 2022, he had declared a pecuniary interest on the basis that he rented Council garages on behalf of three community organisations in Warlingham). No such discussion took place.

267. QUESTIONS SUBMITTED UNDER STANDING ORDER 30

Questions were dealt with from Councillors O'Driscoll and Moore. The questions and responses are set out in Appendix A.

268. REPORTS OF COMMITTEES

RESOLVED – that the reports of the following meetings be received, and the recommendations therein be adopted:

Planning Committee - 9th December 2021

Planning Policy Committee - 5th January 2022

Strategy & Resources Committee - 11th January 2022

Planning Committee - 13th January 2022

Community Services Committee - 18th January 2022

Planning Policy Committee - 20th January 2022

Housing Committee - 25th January 2022

Audit & Scrutiny Committee - 27th January 2022 (including the acceptance of PSAA's invitation to opt into the sector-led option for the appointment of external auditors for five financial years from 1st April 2023 – the Council was advised that this should have been presented as a recommendation from the Audit & Scrutiny Committee as opposed to a resolved item)

Strategy & Resources Committee - 1st February 2022

Minute 257 – 2022/23 final budget and 2023/24 Medium Term Financial Strategy

Recommendations A to M had been supplemented by an additional recommendation N, published earlier in the day, to enable the Council to set its budget and Council Tax requirements in the statutory format. The additional recommendation N was presented in light of the Council Tax precepts recently determined by Surrey County Council and the Surrey Police & Crime Commissioner.

Councillor Steeds, seconded by Councillor Ridge, moved the following amendment to Recommendation H (additional words shown in italics):

“the final budget envelopes for each Committee for 2022/23 as at tranche 1 (Appendices I and J) be approved, subject to additional Tranche 3 savings of £3k, held in corporate items, to be identified in order to offset a reduced increase in plot fees for the Meadowside mobile homes park from 4.1% to 2%”

In accordance with Standing Order 13(4) Councillor Steeds requested that the above amendment be the subject of a recorded vote. This was supported by the requisite number of Councillors under Standing Order 13(4). The result of the vote was:

For

Councillors Black, Bloore, Duck, Elias, Gaffney, Groves, Hammond, Mansfield, Morrow, O’Driscoll, Prew, Ridge and Steeds (13)

Against

Councillors Allen, Blackwell, Bourne, Crane, Davies, Farr, Gillman, Langton, Lockwood, Moore, Mills, Pursehouse, Sayer, Shiner, Stamp, Swann, C.White, and N.White (18)

Abstain

Councillors Botten, Caulcott and Lee (3)

The proposed amendment to recommendation H was therefore lost.

Recommendations A to N, as per the original recommendations A to M in Minute 257, plus the additional recommendation N as referred to above, were the subject of a single recorded vote in accordance with Standing Order 13(5). The result of the vote was:

For

Councillors Black, Blackwell, Bloore, Botton, Bourne, Caulcott, Crane, Davies, Duck, Elias, Farr, Gaffney, Gillman, Groves, Hammond, Langton, Lee, Lockwood, Mansfield, Moore, Morrow, Mills, Prew, Pursehouse, Ridge, Sayer, Shiner, Stamp, Steeds, Swann, C.White and N.White (32).

Against

Councillor Allen (1).

Rising 9.31 pm

COUNCIL – 10TH FEBRUARY 2022 – SO 30 QUESTIONS

Question from Councillor O’Driscoll

“Residents have brought to my attention that, for several days in recent weeks, there have been power cuts in Whyteleafe. This has caused traffic lights to fail and homes and businesses to be left without lighting and in some cases heating as well. Local residents and I feel this is unacceptable.

What steps can this Council take to address fixing this with UK Power Networks?”

Response from Councillor Sayer (as Leader of the Council)

Although the Council has no authority over energy companies, I will arrange for a letter to be sent from this Council to UK Power Networks expressing the concerns of residents and local councillors and requesting information about the cause of the problems and the steps being taken to rectify them. It might also be useful if individual councillors also wrote to UK Power Networks to back up the message.

Question from Councillor Moore

“As a civil penalty for offences under the Housing Act 2004 is to be determined by taking into account 'harm caused to the tenant' does this civil option allow for compensation to be apportioned to the tenant for such harm?”

Response from Councillor Pursehouse (as Chair of the Housing Committee)

In short, the answer is no. The assessment of harm or risk of harm to the tenant is only used by the officers in determining the level of civil penalty. Under the section of the legislation relating to civil penalties, there is no recourse for the tenant to claim compensation.

However, the tenant may make an application for a Rent Repayment Order, a form of compensation, where the landlord has committed certain offences. Further information can be provided about this or the officer concerned can contact you directly.

TANDRIDGE DISTRICT COUNCIL

PLANNING COMMITTEE

Minutes and report to Council of the meeting of the Committee held in the Council Chamber, Council Offices, Station Road East, Oxted on the 3rd March 2022 at 7.30pm

PRESENT: Councillors Blackwell (Chair), C.White (Vice-Chair), Botten (substitute in place of Gray), Connolly, Duck, Farr, Lockwood, Mansfield, Moore, Morrow, Prew, Ridge and Shiner.

PRESENT (Virtually): Councillor Gray

ALSO PRESENT: Councillors Black, Hammond, Pursehouse and Steeds

ALSO PRESENT (Virtually): Councillors Mills and Stamp

269. DECLARATIONS OF INTEREST

Councillor Moore declared an interest in agenda item 5.1 (minute 271) as she had responded to the online consultation following a conversation with a member of the Gypsy, Roma and Traveller Community regarding an unrelated planning matter.

270. MINUTES OF THE MEETING HELD ON THE 13TH JANUARY 2022

The minutes of the meeting were confirmed and signed by the Chair.

271. 2021/1983 - PENDELL CAMP, LAND OFF MERSTHAM ROAD, MERSTHAM, SURREY

The applicant, Surrey County Council, sought permission to use land at Pendall Camp as a ten pitch transit site for the Gypsy, Roma and Traveller (GRT) community, including the erection of amenity blocks, site manager's office, creation of a vehicular access, landscaping and parking. The formal decision on the application will be made by Surrey County Council. Tandridge District Council were a consultee in the application process and the report before the Committee provided a summary of the matters to be considered locally.

The Officer recommendation was to object to the consultation.

Councillor Kiss of Betchingley Parish Council spoke against the application.

Councillor Morrow put forward the following motion to not object to the consultation:

"The proposal represents inappropriate development in the Green Belt but sufficient very special circumstances exist which clearly outweigh the harm to the Greenbelt, AONB and AGLV".

Councillor Prew seconded the motion. Upon being put to the vote, the motion was lost.

R E S O L V E D – that the Council will object to the Surrey County Council consultation.

272. 2021/1948 - HAZELWOOD SCHOOL, WOLFS HILL, LIMPSFIELD RH8 0QU

The Committee considered an application for the variation of conditions 5 (approved operation hours) and 6 (approved floodlight usage hours) attached to planning permission 2020/1776 which was granted by the committee on 4 March 2021.

The Officer recommendation was to permit, subject to conditions.

Mr Tim Pope, the applicant's agent, spoke in favour of the application.

R E S O L V E D – that planning permission be granted, subject to conditions.

273. RECENT APPEAL DECISIONS RECEIVED

The Interim Chief Planning Officer updated the Committee on the following application which was dismissed by the Planning Inspectorate.

APP/G2245/W/21/3273188 - Former Broke Hill Golf Course, Sevenoaks Road, Sevenoaks, TN14 7HR

It was noted that the application was not a Tandridge District Council decision. However, it was the view of the Interim Chief Planning Officer that the decision may be of interest to the Committee given the current situation with the Council's Local Plan.

Rising 9.13 pm

TANDRIDGE DISTRICT COUNCIL

PLANNING POLICY COMMITTEE

Minutes and report to Council of the meeting of the Committee held in the Council Chamber, Council Offices, Station Road East, Oxted on the 10th March 2022 at 7.30pm.

PRESENT: Councillors Sayer (Chair), Farr (Vice Chair), Black, Blackwell, Botten, Caulcott (substitute), Duck, Jones, Lockwood, Prew and Steeds

PRESENT (Virtually): Councillors Dennis

ALSO PRESENT: Councillors Crane, Gillman, N.White and Pursehouse

ALSO PRESENT (Virtually): Councillors Bloore, Moore and C.White

274. MINUTES OF THE MEETING HELD ON THE 20TH JANUARY 2022

These were confirmed and signed as a correct record.

275. 2022/23 TRANCHE 2 BUDGET (PLANNING POLICY)

As explained during the previous cycle of meetings, the following approach had been taken to the allocation of pressures and savings to the respective policy committees as part of the 2022/23 budget setting process:

Tranche 1 – savings and pressures which were straightforward to allocate (these had been agreed by the respective policy committees during the previous cycle of meetings)

Tranche 2 – pressures regarding inflation (£174k), salary increments / National Insurance staffing costs (£193k) which were being held as ‘corporate items’, pending allocation to policy committees during the March / April 2022 cycle of meetings

Tranche 3 – the more complex cross-cutting savings (also being held as ‘corporate items’) which would require service reviews and business cases to ensure accurate distribution to policy committees during the June 2022 cycle of meetings.

A report was submitted which proposed that this Committee’s:

- share of Tranche 2 pressures be £14k as per Appendix A; and
- fees and charges be as per Appendix B.

The recommended fees and charges had, where appropriate, been uplifted by inflation. However, greater increases were applied in situations where previous charges had been below market rates.

The report also explained that the Council's approach to charging for pre-application (non-householder) fees was to be reviewed with reference to fees charged by other authorities, including the fee structure, charging method and price, to ensure that appropriate costs were recovered. For these fees to be in place as soon as possible, the report recommended that authority be delegated to officers, in consultation with the Chair and Vice Chair, to resolve the final charges.

During the debate, the Chief Planning Officer confirmed that:

- the charge for developers to make formal (pre-application) presentations to the Planning Committee would be included in the above-mentioned review (the review would also include the potential for planning performance agreements with developers which, among other things, would enable the cost of applicable officer time to be recouped)
- the charges for street naming and numbering would also be reviewed
- annual adjustments of CIL fees are set according to a national formula and the Council has no discretion to apply greater annual increases
- once fees had been agreed for the financial year ahead, the relevant Committees had discretion to further amend them during the financial year if considered appropriate to do so.

Clarification was sought regarding the following sentence in the 'legal implications' section of the report:

“ ... In particular, Members must satisfy themselves that sufficient mechanisms are in place to ensure both that savings are delivered and that new expenditure is contained within the available resources.”

The Chief Planning Officer would ask the Head of Legal to advise Councillor Steeds how individual Members should be expected to fulfil this responsibility.

RESOLVED – that:

- A. subject to further consideration by the Strategy & Resources Committee on the 7th April 2022 regarding the overall allocation of Tranche 2 pressures and savings, the revised 2022/23 net budget for the Planning Policy Committee at **Appendix A** be approved;
- B. the uplifted Fees & Charges for the Planning Policy Committee (**Appendix B**) with the exceptions of the pre-application fees (non-householder) be approved; and
- C. authority be delegated to the Interim Chief Planning Officer and Chief Finance Officer, in consultation with the Chair and Vice Chair of the Planning Policy Committee, to review and set the fee method, structure and price for pre-application fees (non-householder).

276. LOCAL PLAN PROGRESS OPTIONS: INSPECTOR RESPONSE - ID16, ID19 AND ID20

In accordance with the Committee's resolutions of the 5th and 20th January 2022, correspondence (TED50 and TED51) had been issued to the Planning Inspector to:

- provide information about the capacity of Junction 6 of the M25 and mitigation of capacity issues; and
- seek a response on the options before the Council in terms of how to progress its Plan.

A response from the Inspector (ID20) had been received on the 11th February 2022. A report was presented with an officer assessment of the further information which the Inspector required (as specified within ID20) to "*determine whether and/or how the examination should progress...*". This covered the following matters:

- (i) Junction 6 M25 mitigation
- (ii) the deliverability / developability of Strategic Policy SGC01: South Godstone Garden Community, including an Action Area Plan and land assembly
- (iii) recalculating the Objectively Assessed Housing Need (OAN)
- (iv) Housing Land Supply (HLS), to include calculation of the 5-year HLS
- (v) provision for education facilities
- (vi) provision for Gypsies, Travellers and Travelling Showpeople.

ID20 advised that the Council would be expected to adhere to a strict timetable for undertaking the necessary work, evidenced by monthly reports to the Inspector if the Plan was to progress.

A detailed project plan was being prepared to ensure that the Council could fully consider the resourcing implications of the Inspector's requirements. The report concluded with the following proposed 'next steps':

- *Officers, via the Chief Executive and Programme Officer, to seek clarification from the Inspector on matters identified in the report, as well as any others which arise.*
- *Following receipt of clarification from the Inspector, a formal response to ID20 be prepared and issued via the Chief Executive and Programme Officer, in consultation with the Chair and Vice Chair and finance regarding the budget for the work. There is merit to move this on and not to postpone it until the next Committee meeting on 23rd June 2022. It is noted that the Council will be in the 'period of sensitivity' (what has often been referred to in the past as 'purdah') shortly and particular care should be taken in the three weeks before polling day. However, the main purpose of the Council's response is to equip the Inspector with the information he has requested at the earliest opportunity. It is unlikely that such information would be construed as being party political or otherwise controversial in the context of the local election.*

The Chief Planning Officer advised that:

- 'fall back positions' (in the event that the Local Plan does not proceed to adoption) would include a review of local planning policies to ensure they remained fit for purpose in protecting the District from inappropriate development in the context of the National Planning Policy Framework;
- once the required clarification had been received from the Inspector, a critical path analysis would be produced to help identify what resources were needed to fulfil the requirements of ID20 (and no more) and whether they would be provided directly by the Council or commissioned from other providers.

The need to achieve effective input from Members regarding the proposed next steps was discussed, including at least one informal Q&A session with officers. In response to concerns that the process could be delayed due to the District elections on 5th May, the Interim Chief Planning Officer undertook to liaise with the Head of Legal regarding the nature of Member level forums that could take place without breaching pre-election rules.

It was confirmed that, in the Local Plan funding table on paragraph 23 of the report, the £748,000 provision for 2021/22 represented a fully unspent amount which could be carried forward into 2022/23 to supplement the £452,000 provision shown for that year.

Members drew attention to the importance of securing adequate infrastructure to sustain future housing growth, especially as the Objectively Assessed Housing Need was likely to increase in light of ID16. Officers advised that, nevertheless:

- site yields would need to be re-tested in terms of both:
 - further strategic highways modelling to ascertain the likely impact on roads; and
 - education provision, especially in terms of whether sites in Warlingham and Hurst Green should provide education facilities
- the Infrastructure Delivery Plan would need to be updated.

The need to target resources at the essential requirements of ID20 was highlighted during the debate, as was the challenge of having to secure funding sources for required infrastructure. Officers also confirmed that Surrey Highways had been asked for an update on the required improvements to the A22 / A264 Felbridge junction.

RESOLVED – that:

- A. the content of the report be noted; and
- B. the proposed next steps be agreed.

277. SURREY COUNTY COUNCIL'S MINERALS AND WASTE LOCAL PLAN ISSUES AND OPTIONS CONSULTATION (REGULATION 18)

Surrey County Council (SCC), as the Minerals and Waste Planning Authority (SMWPA), was responsible for preparing and maintaining an up-to-date local development plan. Surrey's current development plan documents for minerals and waste management had been adopted in 2011 (Surrey Minerals Plan 2011) and 2020 (Surrey Waste Local Plan 2019-2033). In line with Government policy, SCC had resolved to move away from preparing separate documents and to replace them with Surrey's first joint Minerals and Waste Local Plan (SMWLP) which would be:

- used to guide decisions about future minerals and waste management planning applications;
- a material consideration for Surrey Districts and Boroughs in preparing their local development plans and making their planning decisions.

The SMWLP was at the 'Issues and Options stage' and SCC had consulted relevant stakeholders, including Tandridge, under Regulation 18 of the Town and Country Planning (Local Planning) (England) Regulations 2012. The Council would have subsequent opportunities to comment on and feed into the emerging SMWLP document.

The Committee considered a report which highlighted:

- (i) significant concerns regarding the carrying forward of the adopted SMWLP allocation for a 'waste to energy' facility at Lambs Business Park and the need for SCC to clarify the amount of waste required to support it and how that waste would be delivered to the site (road or rail) – this could significantly impact on the available capacity of Junction 6 (M25) and the A22 to sustain other essential development in the District; and
- (ii) issues raised with respect to mineral safeguarding, primarily to address what are economically important mineral resources and the need to differentiate those of national importance (e.g. silica sand) from ubiquitous minerals such as chalk which lay in highly constrained areas of Tandridge, including the Surrey Hills Area of Outstanding Natural Beauty which was likely to be expanded.

The report concluded that these matters should be subject to further discussion with the SMWPA before the Council submits its initial consultation response. An extended submission deadline of 21st March 2022 had been granted for this purpose.

Debate focused on the Lambs Business Park issue at (i) above and the view that this site allocation (for a 'waste to energy' facility) should be considered afresh

RESOLVED – that a response to the consultation be delegated to the Interim Chief Planning Officer, in consultation with the Chair and the Vice-Chair of the Committee.

278. SURREY 2050: PLACE AMBITION CONSULTATION - DRAFT RESPONSE

Surrey Futures, working in partnership with the County Council, Surrey Districts / Boroughs and other key stakeholders, were consulting on this strategy which sought to identify collective objectives over the next 30 years in terms of 'good growth'.

The strategy was based on the following priorities:

- 1: Improve connectivity both within Surrey and between strategic hubs
- 2: Enhance the place offer of Surrey's towns
- 3: Maximise the potential of our Strategic Opportunity Areas; and
- 4: Invest in natural capital and deliver nature recovery.

It also identified eight Strategic Opportunity Areas, including two which were relevant to the District, namely the M23 Gatwick Corridor (SOA7) and the M25 J6/A22 South Godstone (SOA8).

The Place Ambition did not replace any local proposals and priorities but sought to promote a long term, co-ordinated and cross boundary approach to planning and managing the impacts of growth. It would be used to help shape projects and to seek the support of the county's wider sub-national partners and Government, particularly in relation to accessing additional funding and investment opportunities for infrastructure and to support a zero-carbon future.

Officers had submitted draft comments as a holding response to meet Surrey Future's 4th March deadline. This proposed that greater emphasis should be placed on infrastructure requirements and that the District's challenges regarding the A22/A264 and M25 should be reasserted. The response also captured the need to place more onus on Surrey County Council, as the upper tier authority with responsibility for infrastructure, and for SCC to be more proactive in its engagement with neighbouring authorities to defend against border developments which further exhaust our struggling infrastructure. Other comments advocated a better definition of 'good growth' to reflect something more than just housebuilding and to include further detail on how rural communities could benefit from the Place Ambition.

It had been agreed that final comments could be submitted following consideration by the Committee to reflect Members' views. In this respect, Councillor Blackwell, seconded by Councillor Farr, moved an amendment for text to be added to the initial response which covered:

- the limitations of growth in the green belt
- the need to acknowledge the varying characteristics of the different Surrey Districts / Boroughs and the impact of the Area of Outstanding Natural Beauty
- the need to address the implications of the Government's 'levelling up' initiative and environmental / climate change issues.

Councillor Blackwell's amendment for incorporating the additional text (shown by underlining in Appendix C) was agreed. It was also agreed that a copy of the Council's response to Surrey Futures be sent to the Planning Inspector.

RESOLVED – that the response to the Surrey 2050: Place Ambition consultation at Appendix C be agreed.

279. REVISION OF THE PLANNING PROTOCOL

The Committee received a verbal update from the Chief Planning Officer. He confirmed that the Planning Protocol Working Group had met to review the existing version and had concluded that the new protocol should be considerably shorter. A draft of the revised version would be reviewed by the Group at its next meeting with a view a final draft being submitted to the Committee on the 23rd June 2022.

A Member request that the protocol include a mechanism for implementing paragraph 132 of the National Planning Policy Framework at the pre-application stage was noted.

Rising: 9.09 pm

Appendix A - Revenue Budget 2022/23

Planning Policy Budget

	2021/22	2022/23		2022/23
	Annual Budget	Tranche 1 Budget	Movement	Tranche 2 Budget
	£k	£k	£k	£k
Organisational:				
Planning Applications & Advice	661	361	(26)	335
Planning Strategy & Policy Guidance	294	294	22	316
Appeals	0	40	0	40
Enforcement	50	224	12	236
Tree Preservation & Advice	0	92	3	95
Local Development Plan - Evidence	174	174	7	182
Transfer to/from Neighbourhood Plan Reserve	8	8	0	8
Street Naming	(3)	(3)	(5)	(8)
General Fund	1,185	1,190	14	1,204
Community Infrastructure Levy (CIL)	0	0	0	0
Land Charges	0	0	0	0
Non General Fund	0	0	0	0
Planning Policy	1,185	1,190	14	1,204
Transaction type:				
Staffing	1,788	1,788	12	1,800
Non Staffing	376	416	5	421
Income	(2,644)	(2,679)	(6)	(2,684)
Use of Reserves (Non General Fund)	1,665	1,665	3	1,668
Net Budget	1,185	1,190	14	1,204

	Tranche 2:			
	Pay	Non Pay	Income	Net Budget
	£k	£k	£k	£k
Organisational:				
Planning Applications & Advice	1,011	62	(738)	335
Planning Strategy & Policy Guidance	301	15		316
Appeals		40		40
Enforcement	221	15		236
Tree Preservation & Advice	95	0		95
Local Development Plan - Evidence	4	178		182
Transfer to/from Neighbourhood Plan Reserve		8		8
Street Naming			(8)	(8)
General Fund	1,631	319	(746)	1,204
Community Infrastructure Levy (CIL)	118	1,682	(1,800)	0
Land Charges	51	87	(138)	0
Non General Fund	169	1,769	(1,938)	0
Planning Policy	1,800	2,088	(2,684)	1,204

Note: Whilst updating the pay budgets, some posts have been aligned to reflect the current structure

Appendix B: Fees & Charges

Planning Committee - Fees and Charges	Gross Charges (Incl VAT if applicable) Current Charges 2021/22	Proposed Gross Charges (incl VAT if applicable) 2022/23	Percentage Increase 2022/23 %	Budgeted Income 2021/22 £	Actual YTD at Sept21	Expected Outturn 2021/22	Proposed Budget 2022/23
Planning Fees*							
Planning Application Fees (set nationally)	Varied List	Varied List	0.0%	584,600	362,374	584,600	634,600
Planning Conditions (set nationally)	97.00	97.00	0.0%	6,500	330	6,500	6,500
Charges for Pre-application Meeting (Non Householder)	£171 to £1469	To be finalised	To be finalised	79,800	2,590	15,000	64,800
Charges for Pre-application Meeting (Householders)	122.00	127.00	4.5%	25,000	5,425	25,000	25,000
High Hedges (new)	0.00	800.00		0	0	0	0
Community Infrastructure Levy (CIL)*				1,800,000	330,512	700,000	1,800,000
Convenience Retail	£103 per Sq Meter	£103 per Sq Meter	0.0%				
Residential	£123 per Sq Meter	£123 per Sq Meter	0.0%				
Street Naming & Numbering	From £12 to £180	From £10 to £200		3,200	4,720	8,000	8,000
Land Charges							
LLC1	28.00	30.00	7.5%	27,200	4,768	9,536	27,200
CON29	138.00	180.00	30.0%	110,500	62,935	115,000	115,000
Extra Parcels	24.00	25.00	4.0%				1,000
Part 2 Questions (CON 290)	21.60	25.00	16.0%				
Solicitors own Questions	62.00	65.00	5.0%				
Refresher Searches (new)	0.00	60.00	0.0%				
Section 106 service (no Budget)	10.00	25.00	150.0%				100
Total Fees and Charges				2,636,800	773,654	1,463,636	2,682,200

APPENDIX C

APPENDIX C

Response to the Surrey 2050: Place Ambition consultation
(additional text, as per the amendment moved by Councillor Blackwell, is underlined)

Thank you for consulting with Tandridge District Council on the draft Surrey 2050: Place Ambition. We welcome the continued engagement and involvement in the Place Ambition and the joint working which is taking place with other authorities, across Surrey.

Due to the strategic significance of the Place Ambition, our final response will be considered and agreed by the Council's Planning Policy Committee at its meeting on 10 March 2022. However, given your consultation deadline of 4 March 2022, we felt it would be helpful to share what we will be presenting to the Committee in advance of its meeting. A final response will be sent to you following the meeting on 10 March.

1. The Council welcomes the joined-up approach to recognising how various local and countywide plans and strategies should work to shape the County as a whole. The Place Ambition looks across boundaries and to promote a long term, co-ordinated and cross boundary approach to planning and managing the impacts of growth. In general terms, the principles regarding what the document is seeking to achieve are supported.
2. It is agreed that whilst Surrey is an important contributor to the United Kingdom's economy, there is a significant need to address the existing and future infrastructure deficit which places constraint on investment opportunities and development potential. Although the Place Ambition seeks to provide the necessary partnership framework for this to be achieved it is not felt that this goes far enough.

The Council feel that there would be merit in reinforcing the importance and need for a more robust approach from Surrey County Council as the infrastructure provider and next tier authority, to more proactively exercise its duty to cooperate with regard to Local Plans and other strategies from areas bordering Tandridge and wider Surrey authorities. This will ensure residents are not adversely impacted by large developments on our borders which put extra strain on an already exhausted infrastructure. This action by Surrey is necessary if the four strategic priorities of the Place Ambition are to be achieved.

While it is recognised that the Place Ambition is not a Surrey County Council document, but that of the Surrey Futures, the significance of County as the accountable authority for key infrastructure, must be highlighted, together with the need for its actual delivery.

Tandridge's infrastructure networks and our communities, have been particularly impacted by the plans of neighbouring authorities and support from Surrey County council is essential if positive outcomes are to be achieved and inappropriate and detrimental development avoided. Recent examples where more proactive action from Surrey County Council would have been beneficial include:

- I. Mid Sussex District Council Site Allocations Development Plan Document, which does not take account of the traffic impacts on the A22/A264 Felbridge Junction from allocations SA19 (200 houses south of Crawley Down Road) and SA20 (550 houses Imberhorne Farm). The Felbridge junction A22/A264 is a known issue to the Surrey County Council, and while the County Council are seeking to commission necessary studies on the corridor, earlier action and more active resistance to the Mid Sussex DPD at the preparatory stage would have been more effective.

- II. The Regulation 19 consultation on the review of the Croydon Local Plan which proposes intensification of development on sites near the border of Tandridge/Surrey but which does not take account of the impacts on existing flooding problems in the north of Tandridge or on Tandridge infrastructure such as the road network including the A22, junction 6 of the M25 and the B269 through Warlingham.

The impacts of the London Plan and the plans of greater London authorities are acutely felt by Tandridge and Surrey and this is significant to the Place Ambition and what it seeks to achieve. It is crucial that the Place Ambition captures the need for Surrey County Council to be more proactive in championing the needs and challenges for authorities such as Tandridge, if 'good growth' is to be secured. As such, it is requested that the significant role of Surrey County Council in defending against negative impacts of London, is included in the Place Ambition and how non-action can act as a hindrance to success.

3. For the eight Strategic Opportunity Areas (SOAs) across Surrey to be effective there must be a clear recognition of the need for investment in new strategic infrastructure and to address existing infrastructure deficiencies and improve connectivity both within Surrey and between other strategically important economic areas. This is most acutely felt by the residents and businesses of Tandridge which, unlike the more western districts and boroughs, have not benefitted from investment through government funding such as Housing Infrastructure Funds, nor large scale developer contributions, due to the more limited levels of development which reflects the rural nature of the district and the 94% green belt, designation.

To date, the authors of the Place Ambition have sought to assist the Council in trying to reflect the challenging position of its emerging Local Plan. Wording for SOA8 has previously been revised to ensure that there is an emphatic reference to the need for infrastructure improvements, regardless of whether the Council's Local Plan progresses or not. Further to this, while matters around the Local Plan remain uncertain, the Council request that the wording of SO8 be further revised to emphasise the need for infrastructure upgrades and that improvements to the A22 (south and north), the A264 Felbridge Junction, junction 6 of the M25 and the A25 in the west and east of Tandridge are required regardless of any Local Plan outcome in order to deal with the existing traffic problems, poor air quality and high carbon emissions. Without any emerging plans for Network Rail to upgrade lines and the continued challenges at the Windmill Junction in East Croydon, it can be assumed that cars will continue to be the main method of travel for the foreseeable futures and an over reliance on modal shift to more sustainable methods of travel and public transport is not helpful. The Council are open to discussions as to whether this would warrant a change to the mapping of SO8 to better follow the transport corridors, than as currently depicted.

4. The Council feel that it would be a positive step to emphasise the definition of 'good growth' with the understanding that 'growth' doesn't only come from development, but as something that relates to community betterment and infrastructure delivery. While it is understood that development and funding often go hand-in-hand, this is considered to be short sighted and actually 'good growth' can also come from infrastructure delivery, funded independently of house building and schemes of community betterment such as green space, which benefit our communities. This view was shared by both developers and authorities at the Surrey Developer Forum conference, in December 2021, where it was felt housebuilding has become a singular focus for growth, yet the holistic importance of planning and good growth should be about benefitting an area in a balanced way, not just about building houses.

5. Good growth” is a key feature running throughout the Place Ambition. However, this needs to recognise the rural nature of Tandridge, which is 94% green belt and the limitations this places on growth. There is a lack of detailed analysis for the difference in character, localism, transport, road networks, business opportunities and development limitations across the county between different boroughs and districts with focus being placed on Surrey as a whole. Although mentioned as a fact, little importance appears to have been given to the significance of the areas in the AONB. The document also makes no mention of the impact of the AONB review on the potential for development and growth. The Place Ambition has a predominant urban and built-form focus, there is little regard for rural areas and how the Place Ambition can cater/recognise their needs. As such, it is suggested that a rural section be included.
6. The county is already densely populated (as referenced in the report under “Surrey Facts and Figures”) and congested. Little weight appears to have been given to the Government’s intention of levelling up to address these issues where it intends to focus economic growth, infrastructure, funding and development into areas away from the South East to where it is needed. The Place Ambition appears to be at odds with this agenda. In addition, the report does not properly address the importance of mitigating climate change, implementing the new Environment Act, or producing a green infrastructure plan.
7. Despite the Place Ambition highlighting infrastructure improvements, there is little reference to the significance of flooding either as a general point, or in the action plans for the SOAs. With an increasing emphasis on climate change mitigation, increasing extreme weather events and increased housing development that may not be properly off-set in terms of infrastructure; flooding is a drain on resources and causes much distress for communities and businesses across the County. Further recognition of the need for suitable and effective flood mitigation should be included.

In conclusion

Once again, the Council thanks Surrey Futures for consulting with us. As set out, while the purpose of the document is supported and is a positive step towards cross boundary strategic planning, the fundamental concern relates to the challenges around infrastructure. For Tandridge, our district and its residents have been underprovided for, for a significant period. Good Growth for the district is that which must be underpinned by guaranteed new and improved infrastructure of all types, only then is the option of future development something that can be looked on favourably. We hope that our comments are of assistance and that the severity of situation, faced by districts and boroughs such as Tandridge, can be properly captured and further emphasised in the next iteration of the Surrey 2050: Place Ambition.

TANDRIDGE DISTRICT COUNCIL

COMMUNITY SERVICES COMMITTEE

Minutes and report to Council of the meeting of the Committee held in the Council Chamber, Council Offices, Station Road East, Oxted on the 17th March 2022 at 7:30pm.

PRESENT: Councillors Wren (Chair), Allen, Bourne (substitute in place of Swann), Connolly, Crane, Gaffney (substitute in place of Caulcott), Hammond, Lee, Mansfield, North, O'Driscoll and Stamp.

PRESENT (Virtually): Councillor Swann

ALSO PRESENT: Councillor Gillman

ALSO PRESENT (Virtually): Councillors Lockwood and Mills

APOLOGIES FOR ABSENCE: Councillors Swann and Caulcott

The Chair paid tribute to the Projects Specialist, Nikki Tagg, who would shortly be leaving the Council after 6 years of employment. The Chair commented that Nikki had been a huge asset to the Council, handling complex situations with professionalism. Members thanked Nikki for her support of Members and wished her success in her new role. Members were also informed that Richard Coles would also shortly be leaving the Council and the Chair wished him well and thanked him for this work.

280. MINUTES OF THE MEETING HELD ON THE 18TH JANUARY 2022

These minutes were confirmed and signed as a correct record.

281. QUESTIONS SUBMITTED UNDER STANDING ORDER 30

Questions had been submitted by Councillor O'Driscoll (2) and Councillor Crane (1). The questions and responses are provided at Appendix A to these minutes.

282. PETITION - WARLINGHAM PUBLIC CONVENIENCE

A petition was presented by Mr Perry Chotai, a Warlingham resident. The petition urged the Council to retain the public convenience in the centre of Warlingham, and to refurbish it to meet modern standards and facilitate efficient maintenance. The petition had 165 signatories.

On receipt of the petition, the Chair applied section 6(ii) of Standing Order 32 and the matter was referred to the next meeting of the Committee, where a report on the wider review of public conveniences would be considered.

283. COMMUNITY SERVICES COMMITTEE - 2022/23 BUDGET – TRANCHE 2 PRESSURE AND SAVINGS DISTRIBUTION

As explained during the previous cycle of meetings, the following approach had been taken to the allocation of pressures and savings to the respective policy committees as part of the 2022/23 budget setting process:

Tranche 1 – savings and pressures which were straightforward to allocate (these had been agreed by the respective policy committees during the previous cycle of meetings)

Tranche 2 – pressures regarding inflation (£174k), salary increments / National Insurance staffing costs (£193k) which were being held as ‘corporate items’, pending allocation to policy committees during the March / April 2022 cycle of meetings

Tranche 3 – the more complex cross-cutting savings (also being held as ‘corporate items’) which would require service reviews and business cases to ensure accurate distribution to policy committees during the June 2022 cycle of meetings.

A report was submitted which proposed that this Committee’s:

- share of Tranche 2 pressures be £76k as per Appendix B; and
- fees and charges be as per Appendix C.

The recommended fees and charges had, where appropriate, been uplifted by inflation.

In response to questions regarding budget distribution, Officers confirmed that:

- the movement from the Tranche 1 budget was made up of a virement, an increase in utility costs, contract inflation and income inflation. This figure had been built into the budget when agreed in February and the recommendation of the report was to reallocate this to the Community Services budget.
- car parking charges were not proposed to be increased in order to support local businesses.
- the Council only charged rent for using Westway Common where it was to be used for commercial activity. The Council did not charge rent where there was a community benefit.

RESOLVED – that:

- A. subject to further consideration by the Strategy & Resources Committee on the 7th April 2022 regarding the overall allocation of Tranche 2 pressures and savings, the revised 2022/23 net budget for the Community Services Committee at Appendix B be approved; and
- B. the uplifted Fees & Charges for the Community Services Committee (Appendix C) be approved.

284. COMMUNITY SERVICES Q3 2021-2022 PERFORMANCE REPORT

The Committee considered an analysis of progress against key performance indicators, together with an updated risk register for the third quarter of 2021/22.

Officers drew the Committee's attention to:

- KPI CS5 which, as agreed at the January meeting of the Committee, would continue to be reported although it did not reflect the performance of the environmental health team. Therefore, performance information submitted to the Tandridge & Mole Valley Environmental Health/Licensing Partnership Board had been included in Appendix A to the report.
- KPI CS10 included parking warnings issued. This was because warnings had been issued following the resumption of enforcement activities following the Covid-19 pandemic. However, warnings were no longer being used and only Penalty Charge Notices were being issued. As a result, warnings would not be included in the report figures in the future.
- In terms of assisted refuse and recycling collections, Community Officers checked whether these were still required. It was confirmed that these cost 10% more than normal collections. There were currently 1,930 assisted collections a week.

In response to observations from Members, it was confirmed that:

- As part of the service review, consideration would be given to offering enhanced street cleaning services to Parish Councils for a fee.
- Fly tipping incidents would continue to be provided to the Committee. In terms of prosecutions relating to fly tipping, since 2015/16 the Council investigated 24% of incidents. 5% of the total number of incidents resulted in a warning letter, and the prosecution rate was 1%. CCTV continued to be used in spots which experienced regular fly tipping incidents.
- Officers would raise concerns around the condition of the pool at Village Health Club, Caterham with Freedom Leisure.
- In terms of Risk CS7, the provision of street cleaning schedules would assist Members to be proactive in informing residents about how flooding can be prevented by enabling the street cleaning team to remove the build-up of silt on roads.
- In terms of Risk CS9, whilst it was necessary to include the risk of the rising cost of building materials, the value to the Community Services budget was not great enough to warrant a higher RAG rating. The risk was higher to the Housing Revenue Account.
- Flooding to sports pitches and the risk of loss of income would be recorded in the risk register in the future. Work was being done to consider options for drainage systems.
- The Committee noted the impressive recycling performance and requested that thanks be passed onto officers.

RESOLVED – that the Quarter 2 (2021/22) performance and risks for the Community Services Committee be noted.

285. COMMUNITY TENNIS UPDATE

The Committee considered a report which sought approval for an application to be submitted to the Department of Culture, Media and Sport (DCMS) for funding to improve the Council's public tennis courts.

The funding would be used to resurface two courts at Whyteleafe Recreation Ground. It would also be used to provide access control and a booking system at Whyteleafe and Queens Park which would give certainty to players allow coaching opportunities. It would be possible to charge coaches offering private lessons, and the Council may waive costs if coaching was free or low cost for local people.

It was confirmed that Multi-Use Games Areas (MUGAs) and private courts were not eligible for the funding.

The report also highlighted works being undertaken at other locations, which were funded through existing budgets.

Members made the following observations:

- Whilst the funding could not be used to improve the MUGA next to the two courts in Whyteleafe, the Council could consider utilising resources to improve the MUGA at this location.
- Wheelchair accessibility should be considered as part of future improvements

Councillor Gaffney moved an amendment that any proposal to implement charges for the use of public tennis courts be brought to the committee for decision. This was agreed.

RESOLVED – that:

- A. progress be noted and the Executive Head of Communities be authorised to:
 - (i) apply for DCMS funding to seek improvements to the condition of the courts and access to play at Whyteleafe Recreation Ground and Queens Park, Caterham, including the operation of a nil fee booking model for general play, but to also generate income through charging for professional coaching; and
 - (ii) keep under review the potential to charge for play at some peak times; and
- B. any proposals to implement charges for the use of public tennis courts are to be brought to the Committee for decision.

286. ANIMAL WARDEN UPDATE

The Executive Head of Communities gave a verbal update on the animal warden service. A four-month trial had commenced in August 2021 with one animal warden covering both Tandridge District and Mole Valley District as part of the shared environmental health service.

The out of hours arrangements were not affected during the trial. Animal licensing has been undertaken by the animal warden and environmental health technical officer. Where the animal warden had to prioritise, the environmental health technical officer had handled some work. In addition, the Council had support with stray dog collections from Valgrays Border Collie & Animal Rescue Centre.

The volume of work in 2021/22 had met or exceeded the volume of work carried out in the previous year. The trial demonstrated that it would be possible to maintain a satisfactory level of service with one animal warden, which would result in savings of £17.5k per annum.

In response to questions from Members, it was confirmed that:

- during the year to date, 62 notifications had been received that dogs were stray or lost and had been contained for collection by the animal warden.
- the Council had access to backup kennels if capacity was likely to be reached. However, there had been no indication that capacity was close to the limit.

Rising 8.45 pm

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Community Services Committee – 17th March 2022**Agenda Item 4 – Questions submitted under Standing Order 30****1. Question from Councillor O’Driscoll**

Residents have expressed concern at some taxi drivers driving in an unsafe manner on Tandridge roads. I was out lately and I witnessed a Tandridge licensed taxi driver driving incredibly recklessly through Kenley and Whyteleafe, with them driving through a red temporary traffic light without stopping and going well above the speed limit.

As a Council, the message from licensing drivers that drive recklessly is that the Council condones it.

Residents should not tolerate dangerous driving from our taxi drivers in our District when vulnerable members of our community rely on taxi drivers to get them home safely. What steps can this Council take to ensure that our taxi drivers are safe drivers and is there material available to help our taxi drivers with continual development?

Response from the Executive Head of Communities:

We have a good community of taxi drivers in Tandridge who have struggled during recent times due to a fall in demand for their business, especially fewer airport runs and regular school run contracts.

This incident which Cllr O Driscoll highlights is very rare. I would advise that reckless driving by any Licensed Hackney Carriage or Private Hire Driver is certainly not condoned by the Council. However, we do need to be made aware when these instances occur. There is a good reporting function on our website.

All applicants for either licence are subjected to a Driving Assessment that they must complete prior to being issued with their licence.

Once they become licensed drivers, they are expected to drive and behave in an appropriate manner at all times. When instances of reckless and/or dangerous driving occur they need to be reported to the Licensing Department for any action to be taken against the offending drivers. So, if we are not made aware of these issues we cannot take any further action against any individual driver. Details such as the Registration Number and/or the Hackney Carriage or Private Hire Plate Number should be provided as we will then be able to follow-up the report and call the driver in and put the allegation towards him/her.

For the traffic violations stated in the Councillor’s question, these would be a matter for the Police to pursue as the Council has no authority to deal with traffic offences such as these. If further action is taken by the Police then a review of the licence issued to the driver by the Council can occur.

A note will be included within the regular update email to all our licensed drivers reminding them of their responsibilities in relation to their driving standards and behaviour and the possible repercussions should they be found to be offending.

2. Questions from Councillor Crane

Despite taking many positives from the Community Services Quarter3 Performance Report, I am concerned over one aspect of the report which is clearly lagging behind other areas.

I refer to that area which deals directly with the cleaning of roads, footpaths and public open spaces which come under the responsibility of TDC (CS4, Appendix A). The cleaning performance index for these areas seems to have been in steady decline since June 2021. Not surprisingly, this decline is now starting to reflect itself in complaints made to Councillors both directly and on social media. The only comment offered in the report to explain this decline is “the continuation of staff absence”. The use of the word “absence” concerns me. Please can I receive a more detailed explanation of this?

I also think there is potential for TDC to communicate more regularly and effectively with residents over the role they themselves can play in assisting the Council to effect an improvement. I refer specifically to issues such as sweeping or blowing leaves and other garden debris into kerbside gutters or sometimes just off of their property. This can lead to drains becoming blocked and in extreme cases, contribute toward flooding.

Please can Councillors be issued with a scheduled programme of litter collecting and street cleaning for those areas they represent such that they can assist in getting the message out to residents which may in turn assist operatives in matters such as less vehicles blocking their routes?

Response from the Executive Head of Communities:

I must commend the streets team for all their hard work and commitment to provide a clean and safe environment for the residents of Tandridge District Council. Considering the area we cover I feel complaints are minimal and complaints we do receive, we try to address quickly. The drop in performance is only 2% over the quarters from April 2021.

In 2020 two members of staff were off and have subsequently left TDC employment on medical grounds. We haven't filled those positions and the work was distributed amongst the remaining teams without a change in scheduling.

Absence does play a part on this small team whether it be sickness or annual leave and to try and resolve issues we are now in the process of rescheduling and re-routing schedules as part of our service review. The eight weekly schedules are difficult to achieve and we are looking to schedule the work over an extra four weeks. This was discussed at the setting of the 2022/23 budget. In addition, we are changing the methodology and spreadsheets regarding the way we report street cleaning KPIs to give a more comprehensive balance of the work that will see all areas are checked fairly over a period of time. Once all this preparation work is completed it will be explained to Councillors in more detail.

On your second point, we have a standard letter we put through letterboxes regarding members of the public who are seen sweeping and blowing leaf fall off their properties onto the highway, which we will be adding to our webpages for next autumn.

We ask residents not to clear any part of their property of leaves by sweeping or blowing them into the street. The leaves will build up in the gutter and are likely to block drains, the leaves will disguise the edge of the footpath and road and so may cause trips or falls or damage to vehicles. They also compress to create a slippery surface.

To deliberately blow and therefore deposit leaf matter or debris onto the highway is an offence – an offender risks prosecution and possibly a civil action for damages should an accident occur due to their actions. Prosecution would be a matter for police but we will support in every single way we can.

We are unable to alter the cleaning schedule to deal with accumulation of leaves created in this way and a road would not be visited until the next scheduled visit, so it is important residents comply.

We have taken advantage of the Welcome Back Funding and funded additional activities to help keep our district clean and tidy. We have carried out extra cleaning and purchase supplies for litter angels who have been busy picking up litter in the District. We have ordered new bins for Hurst Green and Smallfield. We have organised the removal of Graffiti in Oakley Road and Waller Lane. We have been doing as much as we can and take advantage of any funding that we can.

Councillors can request a copy of the current schedules for those areas they represent please contact me for a copy. We put up signage a week prior to cleansing on roads we deem heavy with parked vehicles. Some owners take notice, but the clear majority just ignore the signs making mechanical sweeping very difficult and in turn the teams must sweep by hand making it very time-consuming. This can have an effect on the rest of a day's schedule.

3. Question from Councillor O'Driscoll

Residents in Westway and wider Caterham on the Hill have been in touch about the condition of the Town End Recreation Ground playground. The trampoline and big bucket swing have been broken for several weeks and the playground needs some TLC. Similar concerns have been raised about the playground at Whyteleafe Recreation Ground.

There are also concerns in other areas, such as Dormansland, where the gate into the play area is broken, often allowing dogs in around young children.

Will the Council take steps to fix the playground equipment at Town End and Whyteleafe and address the gate defect in Dormansland? And can the playground equipment in the rest of Tandridge be inspected to search for potential defects that could cause injury or harm?

Response from the Executive Head of Communities:

Playgrounds are regularly inspected to ensure their safety. An external contractor carries out weekly checks on all playgrounds and a different, independent, contractor carries out an annual formal review of all sites. In addition, ad hoc visits are made by our Officers.

We are aware of the specific issues highlighted by Councillor O'Driscoll, all of which are on our repair programme. In most cases we are waiting for spare parts before the equipment can be fixed. The trampoline in Town End has had a number of problems and so we are looking to replace it with another piece of equipment.

A playground capital replacement programme is included in the Community Services budget. We are currently tendering for the replacement of 4 different sites across the district and plan to go out to tender for the replacement or improvement of up to another 6 more sites later in the year. There will be consultation processes in each case and advice passed to residents on the detailed timings.

Supplementary question from Councillor O'Driscoll:

Please could we have more detail circulated to Members of the Committee about where the sights that are being tendered for are?

Response from the Executive Head of Communities:

Yes, that will be passed on separately.

Appendix B - Revenue Budget 2022/23

Community Services Budget

	2021/22	2022/23	Movement	2022/23
	Updated Annual Budget £k	Tranche 1 Budget £k		Tranche 2 Budget £k
Salaries				
Car Parking-On Street	(100)	(14)	0	(14)
Car Parking-Off Street	(64)	(25)	7	(18)
Hackney Carriage/Private Hire	(18)	(18)	(1)	(19)
Leisure & Community Grants	290	290	0	290
Waste Services	2,263	2,117	134	2,251
Environmental Services	282	266	(5)	261
Cesspool Services	(36)	(36)	(1)	(37)
All Operational Services	(77)	(57)	(24)	(81)
Parks and Open Spaces	815	834	7	841
Streets & Public Conveniences	638	618	(41)	577
				0
Community Services	3,993	3,975	76	4,051

	Tranche 2:			
	Pay £k	Non Pay £k	Income £k	Net Budget £k
Organisational:				
Car Parking-On Street		106	(120)	(14)
Car Parking-Off Street		176	(194)	(18)
Hackney Carriage/Private Hire		69	(88)	(19)
Leisure & Community Grants		310	(20)	290
Waste Services	271	3,168	(1,188)	2,251
Environmental Services		392	(131)	261
Cesspool Services	72	148	(257)	(37)
All Operational Services	75	156	(312)	(81)
Parks and Open Spaces	335	856	(350)	841
Streets & Public Conveniences	556	259	(238)	577
Community Services	1,309	5,640	(2,898)	4,051

Note: Whilst updating the pay budgets, some posts have been aligned to reflect the current structure

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Community Services - Fees & Charges 2022-23

APPENDIX C

Community Services - Fees & Charges	Gross Charges (incl VAT if applicable) Current Charges 2021-22 £	Proposed Gross Charges (incl VAT if applicable) 2022-23 £	Percentage Increase 2022/23 %	Budgeted Income 2021-22 £	Proposed Budget 2022-23 £	Statutory /Discretionary Service
Proposed - Car Park Fees						
Ellice Road, Oxted						
Mon - Fri 0 – 2 Hours	Free	Free	Free			
Mon - Fri 2 hrs – 3 Hours	3.00	3.00	0.0%			
Mon - Fri 3 hrs – 4 Hours	4.50	4.50	0.0%			
Mon - Fri >4 Hours	6.50	6.50	0.0%			
Saturday, Sunday & Bank Holidays	Free	Free	0.0%			
Long Term Permits p.a	546.50	546.50	0.0%			
				171,000	132,000	D
Council Office, Oxted						
Long Term Permits p.a	546.50	546.50	0.0%			
Station Road, Whyteleafe - Upper Level						
0-3 Hours						
3-4 Hours	1.20	1.20	0.0%			
4-5 Hours	2.60	2.60	0.0%			
5-6 Hours	3.70	3.70	0.0%			
Long Term Permits p.a	290.50	290.50	0.0%			
Mill Lane - Commuter Car Park						
Long Term Permits p.a	290.50	290.50	0.0%			
Hill View - Caterham						
Long Term Permits p.a	290.50	290.50	0.0%			

Community Services - Fees & Charges	Gross Charges (incl VAT if applicable) Current Charges 2021-22 £	Proposed Gross Charges (incl VAT if applicable) 2022-23 £	Percentage Increase 2022/23 %	Budgeted Income 2021-22 £	Proposed Budget 2022-23 £	Statutory /Discretionary Service
Woldingham Road, Woldingham						
Before 9:15	4.00	4.00	0.0%			
After 9:15	2.10	2.10	0.0%	12,000	12,000	D
Gun Pit Road, Lingfield						
0-3 Hours	Free	Free	Free			
3-4 Hours	1.20	1.20	0.0%			
4-5 Hours	2.60	2.60	0.0%			
5-6 Hours	3.70	3.70	0.0%			
Long Term Permits p.a	290.50	290.50	0.0%			
Town End, Caterham						
0-3 Hours						
3-4 Hours	1.20	1.20	0.0%			
4-5 Hours	2.60	2.60	0.0%			
5-6 Hours	3.70	3.70	0.0%			
Long Term Permits p.a	290.50	290.50	0.0%			
Whyteleafe Recreation Ground						
Free stay limited to 3 hours						
Long Term Permits p.a	290.50	290.50	0.0%			
Warlingham Green & Manor Park, Whyteleafe						
Free stay limited to 3 hours	Free	Free	0.0%			
Infringements - District Wide (Statutory Charges as at 2018/19)						
Penalty Notices (Fees set by Government)						
If paid within 14 working days						
General Parking (Fees set by Government)))	
If paid within 14 working days))	
No Permit (Fees set by Government)))	
If paid within 14 working days))	
Total Long Term Permits Budget information				33,600	33,600	D
Penalty Charge Notices - Off Street				16,500	16,500	D
Penalty Charge Notices - On Street				206,000	120,000	S
Total Car Parking Income				439,100	314,100	

Community Services - Fees & Charges	Gross Charges (incl VAT if applicable) Current Charges 2021-22 £	Proposed Gross Charges (incl VAT if applicable) 2022-23 £	Percentage Increase 2022/23 %	Budgeted Income 2021-22 £	Proposed Budget 2022-23 £	Statutory /Discretionary Service
Cemetery Fees						
Interments						
Additional space in a purchased grave For one 183cm (6ft)						
Parishioner	582.00	606.50	4.2%			
< 7 Year Parishioner	1,165.00	1,214.00	4.2%			
Non Parishioner	1,735.00	1,808.00	4.2%			
For two 244cm (8ft)						
Parishioner	663.00	691.00	4.2%			
< 7 Year Parishioner	1,325.00	1,381.00	4.2%			
Non Parishioner	1,990.00	2,074.00	4.2%			
Interment of cremated remains in a previously purchased grave						
Parishioner	163.00	170.00	4.3%			
< 7 Year Parishioner	326.50	340.00	4.1%			
Non Parishioner	490.00	511.00	4.3%			
New Burial Plots						
For two 244cm (8ft)	1,990.00	2,074.00	4.2%			
Cremated Remains						
Purchase of plot for cremated remains (for 1,2, or 3 sets) Including the right to place a 30cm square memorial set flush to the ground and first inscription						
Parishioner	326.50	340.50	4.3%			
< 7 Year Parishioner	653.00	680.50	4.2%			
Non Parishioner	985.00	1,026.00	4.2%			
Interment of cremated remains						
Parishioner	163.00	170.00	4.3%			
< 7 Year Parishioner	326.50	340.00	4.1%			
Non Parishioner	490.00	511.00	4.3%			

Community Services - Fees & Charges	Gross Charges (incl VAT if applicable) Current Charges 2021-22 £	Proposed Gross Charges (incl VAT if applicable) 2022-23 £	Percentage Increase 2022/23 %	Budgeted Income 2021-22 £	Proposed Budget 2022-23 £	Statutory /Discretionary Service
Additional inscription on cremated plots						
Parishioner	41.00	42.75	4.3%			
< 7 Year Parishioner	81.50	85.00	4.3%			
Non Parishioner	122.50	127.50	4.1%			
The right to erect or place a Memorial on a purchased grave not exceeding 198X76X46cm (6'6L X 2'6W X18"H) with inscription						
Parishioner	240.00	250.00	4.2%			
< 7 Year Parishioner	480.00	500.00	4.2%			
Non Parishioner	715.00	745.00	4.2%			
extra for memorials exceeding 46cm (18") in height per 30cms (12") or part						
Parishioner	163.00	170.00	4.3%			
< 7 Year Parishioner	326.50	340.00	4.1%			
Non Parishioner	490.00	511.00	4.3%			
Each addition to the original memorial						
Parishioner	41.00	42.75	4.3%			
< 7 Year Parishioner	81.50	85.00	4.3%			
Non Parishioner	122.50	127.50	4.1%			
Scattering of Ashes in Garden of Remembrance	66.50	69.25	4.1%			
Total Budgeted Income Cemetery				22,700	23,700	D

Community Services - Fees & Charges	Gross Charges (incl VAT if applicable) Current Charges 2021-22 £	Proposed Gross Charges (incl VAT if applicable) 2022-23 £	Percentage Increase 2022/23 %	Budgeted Income 2021-22 £	Proposed Budget 2022-23 £	Statutory /Discretionary Service
Cesspool Charges						
Up to 1000 gals	120.50	125.50	4.1%			
1000 to 2000 gals	194.00	202.00	4.1%			
2000 to 3000 gals	276.00	288.00	4.3%			
3000 to 4000 gals	367.00	382.00	4.1%			
More than 4000 gals, charge per 1000 gals (or part there of)	90.00	94.00	4.4%			
Pipe lays requiring over 12 pipes, charge per pipe	4.60	4.80	4.3%			
Emergency Service - Normal Working Hours (within 2 days, subject to availability)						
Up to 1000 gals	188.50	196.50	4.2%			
1000 to 2000 gals	306.00	319.00	4.2%			
2000 to 3000 gals	449.00	468.00	4.2%			
Obstructed Access - Abort Charge	71.50	74.50	4.2%			
Additional Operative Charge	51.00	53.25	4.4%			
Charge per hour after first hour	102.00	106.50	4.4%			
Total Budgeted Income Cesspool				257,000	257,000	D
Allotment Rents per 250 sq.m	80.50	84.00	4.3%	10,000	10,000	D

Community Services - Fees & Charges	Gross Charges (incl VAT if applicable) Current Charges 2021-22 £	Proposed Gross Charges (incl VAT if applicable) 2022-23 £	Percentage Increase 2022/23 %	Budgeted Income 2021-22 £	Proposed Budget 2022-23 £	Statutory /Discretionary Service
<u>Hackney Carriage Fees</u>						
See note below.						
Hackney Carriage Drivers Badge	107.50	112.00	4.2%			
Hackney Vehicles	374.00	390.00	4.3%			
Knowledge Test- Initial	78.00	81.25	4.2%			
Knowledge Test- Subsequent Tests	42.50	44.25	4.1%			
Missed appointments	24.50	25.50	4.1%			
Private Hire Operators Licence 1-5 Vehicles	146.00	152.00	4.1%			
Private Hire Operators Licence 6-15 Vehicles	234.50	244.00	4.1%			
Private Hire Badge	74.50	77.75	4.4%			
Private Hire Vehicles	286.00	298.00	4.2%			
Change of vehicle during the plating year	69.00	72.00	4.3%			
Replacement vehicle (motorcycle) plates	20.50	21.50	4.9%			
Replacement driver's badge	7.65	8.00	4.6%			
Vehicle ReTest Fee	24.00	25.00	4.2%			
Total Budgeted Income Hackney Carriages				87,600	87,600	D
<u>Fees set by Government (for information only)</u>						
Authorised processes (Env Protection Act 1990)				7,300	7,300	S
Lotteries - initial fee						
Lotteries - subsequent annual fee						
Alcohol and Entertainment (Licensing Act 2003)				78,900	78,900	S
Amusements with Prizes (cash)						
Gambling Act - Up to a Statutory Maximum				13,600	13,600	D

Community Services - Fees & Charges	Gross Charges (incl VAT if applicable) Current Charges 2021-22 £	Proposed Gross Charges (incl VAT if applicable) 2022-23 £	Percentage Increase 2022/23 %	Budgeted Income 2021-22 £	Proposed Budget 2022-23 £	Statutory /Discretionary Service
Environmental Health						
Street Trading (12 Months)	791.00	824.00	4.2%	30,800	30,800	D
Street Trading (6 Months)	445.00	464.00	4.3%			D
Animal Boarding Establishment	300.00	313.00	4.3%			
Home Boarding	288.00	300.00	4.2%			
Doggy day care	288.00	300.00	4.2%			
Selling animals as pets	300.00	313.00	4.3%			
Dog breeding	300.00	313.00	4.3%			
Hiring out of horses	300.00	313.00	4.3%			
Animals for exhibition	300.00	313.00	4.3%			
Dangerous Wild Animals	287.00	299.00	4.2%			
Breeding of Dogs Establishment	184.00	192.00	4.3%			
Zoo Licences	573.00	597.00	4.2%			
1 Month Temporary Licence	71.00	74.00	4.2%			
Dog Control Return Fee	105.00	109.50	4.3%	0	0	D
Disconnection of Burglar/Car Alarms	216.00	225.00	4.2%	600	600	D
Contaminated Land Search/Enquiry						
Domestic Premises (per hour)	59.00	61.50	4.2%	0	0	D
Commercial Premises (per hour)	122.00	127.00	4.1%	0	0	

Community Services - Fees & Charges	Gross Charges (incl VAT if applicable) Current Charges 2021-22 £	Proposed Gross Charges (incl VAT if applicable) 2022-23 £	Percentage Increase 2022/23 %	Budgeted Income 2021-22 £	Proposed Budget 2022-23 £	Statutory /Discretionary Service
Scrap Metal Dealers Act				0	0	D
Site licence renewal	423.00	441.00	4.3%			
Site licence variation to collector licence	182.00	190.00	4.4%			
Collector licence renewal	302.00	315.00	4.3%			
Collector licence variation to site licence	182.00	190.00	4.4%			
Change of name of licensee of site licence	60.00	62.50	4.2%			
Change of identity of sites in the authority's area contained in the licence	121.00	126.00	4.1%			
Change of site manager at each site	121.00	126.00	4.1%			
Change of collector's name	60.00	62.50	4.2%			
Copy of licence	31.00	32.25	4.0%			
Electrolysis, Acupuncture & Tattooing						
Persons	154.00	160.50	4.2%			
Premises	281.00	293.00	4.3%	0	0	D
Piercing / Temporary Tattoos						
Persons	154.00	160.50	4.2%			
Premises	281.00	293.00	4.3%			
Sex Shop	8,979.00	8,979.00	0.0%			
Total Budgeted Income Premises Licenses & other various Environmental Licenses				131,200	131,200	
Queens Park Pavilion Charges						
Badminton - per hour	12.50	13.00	4.0%			
Other Indoor Sports - per hour	23.00	24.00	4.3%			
10 or more bookings	19.50	20.25	3.8%			
Community Hire - per hour	23.00	24.00	4.3%			
Weekend Hire - Non Profit Making Bodies 4 Hours	179.00	186.50	4.2%			

Community Services - Fees & Charges	Gross Charges (incl VAT if applicable) Current Charges 2021-22 £	Proposed Gross Charges (incl VAT if applicable) 2022-23 £	Percentage Increase 2022/23 %	Budgeted Income 2021-22 £	Proposed Budget 2022-23 £	Statutory /Discretionary Service
Additional Charge per hour	30.50	32.00	4.9%			
Community Hire - per hour	23.00	24.00	4.3%			
Weekend Hire - Profit Making Bodies						
4 Hours	357.00	372.00	4.2%			
Additional Charge per hour	66.50	69.00	3.8%			
Tennis	Free	Free	0.0%			
Tennis Court Hire for Training - per hour	15.50	16.00	3.2%			
Outdoor Sports Charges						
Football, Rugby & Cricket						
Sports Pitch Bookings per game	92.00	96.00	4.3%			
Football Training Sessions	22.50	23.50	4.4%			
Senior	92.00	96.00	4.3%			
Junior	47.00	49.00	4.3%			
Mini - Football	22.50	23.50	4.4%			
Training Session	23.50	24.50	4.3%			
Total Budgeted Income Indoor & Outdoor Sports Facilities				28,600	28,600	D
Sports Clubs Clubs and Associations Leases / Rentals	Various	Per Leases	Per Leases	35,900	35,900	D
Annual Licences - Utilising the Councils Parks & Open Spaces - licences commenced 1st January 2021						
Frequency up to an average of 4 sessions per week						
1 to 2 Clients - maximum 2 clients	200.00	208.50	4.3%			
Small Class - maximum 10 clients	340.00	354.00	4.1%			
Large Class - Maximum 20 clients	650.00	677.00	4.2%			
Frequency up to an average of 5 or more sessions per week						
1 to 2 Clients - maximum 2 clients	350.00	365.00	4.3%			
Small Class - maximum 10 clients	510.00	531.00	4.1%			
Large Class - Maximum 20 clients	975.00	1,016.00	4.2%			
Dog Walkers	150.00	156.50	4.3%			
For Businesses requiring multiple licences the first licences shall be paid in full with a 20% discount applying to each subsequent licence thereafter						
				0	0	D

Community Services - Fees & Charges	Gross Charges (incl VAT if applicable) Current Charges 2021-22 £	Proposed Gross Charges (incl VAT if applicable) 2022-23 £	Percentage Increase 2022/23 %	Budgeted Income 2021-22 £	Proposed Budget 2022-23 £	Statutory /Discretionary Service
Fairs & Circus Rental Westway Common						
Charges per day when open						
Monday & Tuesday	408.00	425.00	4.2%))	
Wednesday & Thursday	459.00	478.00	4.1%))	
Friday, Saturday & Sunday	715.00	745.00	4.2%))	
Charges per day when setting up / closing	153.00	159.50	4.2%	5,300	5,300	D
Rent and Wayleaves	Various	Per Leases	Per Leases	7,300	7,300	D
Total Budgeted Income Sports, Clubs & Groups				77,100	77,100	
Handyperson Charges						
Benefit recipient (per hour) - General Fee	22.50	23.50	4.4%			
Not on benefit (for first hour) - General Fee	45.00	47.00	4.4%			
Not on benefit (for every 1/2 hour after first hour) - General Fee	22.50	23.50	4.4%			
Benefit recipient (per hour) - Plumbing Fee	26.00	27.00	3.8%			
Not on benefit (per hour) - Plumbing Fee	50.00	52.25	4.5%			
Handyperson				24,100	11,100	D
Materials				14,600	7,600	D
Total Budgeted Income Handy person				38,700	18,700	

Community Services - Fees & Charges	Gross Charges (incl VAT if applicable) Current Charges 2021-22 £	Proposed Gross Charges (incl VAT if applicable) 2022-23 £	Percentage Increase 2022/23 %	Budgeted Income 2021-22 £	Proposed Budget 2022-23 £	Statutory /Discretionary Service
Waste Charges :						
Garden Waste Club						
1st Year Subscription (includes additional £10 for bin delivery)	72.00	74.50	3.5%))	D
2nd Onwards Subscription	62.00	64.50	4.0%	881,545	945,545	D
Bulky Waste Charges						
No Subsidy						
Number of Items						
1	39.00	41.00	5.1%))	
2	45.00	47.00	4.4%))	
3	51.00	53.00	3.9%))	
4	57.00	59.00	3.5%))	
5	63.00	66.00	4.8%))	
Subsidy						D
Number of Items						
1	19.50	20.50	5.1%))	
2	22.50	23.50	4.4%))	
3	25.50	26.50	3.9%))	
				130,600	91,600	D
General Waste Bins resale						
140 litres	30.00	31.25	4.2%			
180 litres	35.00	36.50	4.3%			
240 litres	40.00	41.75	4.4%			
360 litres	70.00	73.00	4.3%	6,840.00	10,000	D

Community Services - Fees & Charges	Gross Charges (incl VAT if applicable) Current Charges 2021-22 £	Proposed Gross Charges (incl VAT if applicable) 2022-23 £	Percentage Increase 2022/23 %	Budgeted Income 2021-22 £	Proposed Budget 2022-23 £	Statutory /Discretionary Service
Contaminated Waste - per receptacle (cost + admin charge)						
Return or Additional collection at Council request: emptying of 2-wheeled bin on a Saturday	63.39	66.50	4.9%))	
Return or Additional collection at Council request: emptying of 4-wheeled bin on a Saturday	45.49	47.50	4.4%))	
Return or Additional collection at Council request: collection of up to 5 Council branded refuse sacks on a Saturday	54.14	56.50	4.4%))	
Return or Additional collection at Council request: emptying of caddy on a Saturday	54.41	56.50	3.8%))	
Return or Additional collection at Council request: emptying of Assisted Collection from a 2-wheeled bin on a Saturday	69.32	72.50	4.6%))	
Return or Additional collection at Council request: emptying of Assisted Collection from up to 5 Council branded refuse sacks on a Saturday	59.04	61.50	4.2%))	
Return or Additional collection at Council request: emptying of Assisted Collection from a caddy on a Saturday (2021/22 admin costs = £10.00 and 2022/23 admin cost =£10.50)	59.34	61.50	3.6%	n/a	2,000	D
School Recycling Collection						
Charge is £/week/bin collected (VAT =Outside Scope of VAT)	n/a	11.00		n/a	25,000	D
Total Budgeted Income Waste				1,018,985	1,074,145	
Total Community Services - Fees & Charges				2,082,385	1,993,545	

TANDRIDGE DISTRICT COUNCIL

AUDIT & SCRUTINY COMMITTEE

Minutes and report to Council of the meeting of the Committee held in the Council Chamber - Council Offices on the 22nd March 2022 at 7:30pm.

PRESENT: Councillors Langton (Chair), Allen (Vice-Chair), Bloore, Crane, Davies, Flower, Gray, O'Driscoll and C.White

PRESENT (Virtually): Councillor Dennis

ALSO PRESENT: Councillors N.White and Gillman

ALSO PRESENT (Virtually): Councillors Farr, Lockwood and Mills

287. MINUTES OF THE MEETING HELD ON THE 27TH JANUARY 2022

In respect of minute number 245, Councillor Flower requested that the word data contained in the third paragraph be changed to intelligence. Councillor Flower also requested that a reference be included in respect of the conversation held before the meeting between the Chairman and Amanda Bird and Inspector Karen Hughes.

Subject to these amendments being agreed, the minutes were confirmed and signed as a correct record.

The actions arising from the meeting on 27 January 2022 were reviewed and it was noted that:

- Information relating to payments made to staff in employment cases had been collated by the Chief Executive and issues in respect of confidentiality were being addressed before it could be provided to the Committee. It was confirmed that in the past five years there had been eleven settlement cases concluded.
- The Chair had circulated an update on the Resident's Survey received from Giuseppina Valenza.
- The Chair had held a meeting with Amanda Bird and Inspector Karen Hughes shortly after the last committee meeting and confirmed that the following points had been agreed:
 - a more frequent report to be made by Amanda Bird and Inspector Karen Hughes, but only every six months or so.
 - more focus on summarising generic themes, case volume and case type and seriousness. This would be reported every six months or so.
 - the TDC councillor representative (Councillor Gillman) will communicate what is concluded from borough Police meetings.
 - to establish a closer working relationship between all Councillors and the Community Officer and Police.

- that Councillors are welcome to contact both Amanda Bird and Inspector Karen Hughes directly on issues in their Wards.
- The Chair had written to Deloitte but had yet to receive a response. This had been followed up and should be received in due course.
- The action to explore possible funding opportunities to assist in the preventing of fraud and scams in the District had not been resolved and remained outstanding.
- It was confirmed that the Internal Audit Actions spreadsheet had been updated as requested.

288. EXTERNAL AUDIT UPDATE - 20/21 ACCOUNTS UPDATE

Laura Rogers from the Council's external auditor Deloitte provided a verbal update on the current position of the Council's external audit.

It was confirmed that FY20 had been signed off before the previous meeting of the Committee and FY21 was now progressing well with no significant issues to report currently.

It was noted that, in respect of FY22, a formal audit plan would be presented at the next committee meeting on 5 July 2022. Staff had been booked to undertake FY22 and contingency had been built in to attempt to avoid any delays similar to those experienced with other recent audits.

The Chair noted that a written response to his letter of complaint regarding the FY20 audit was still outstanding and asked that this be followed up.

289. INTERNAL AUDIT PROGRESS REPORT - MARCH 2022

Natalie Jerams presented a report which provided an overview of:

- the current status of live internal audit reports;
- an update on progress against the annual audit plan;
- a summary of internal audit performance, planning and resourcing issues; and
- a summary of significant issues that impact on the Chief Internal Auditors annual opinion.

The subsequent discussion on this report included reference to the following issues:

- It was confirmed that the Business Continuity and Emergency Planning audit reviews had previously been scheduled for Quarter 4 and scoping meetings were staggered throughout the quarter to allow for adequate resourcing for both SIAP and the Council. It was still expected that the audit would be completed by year end;
- In respect of the adjustment to the internal audit plan, it was confirmed that the Main Accounting item was being moved for capacity issues within the Finance Team whilst roles and responsibilities were being realigned;

- It was mentioned by the Chair that he had provisionally agreed the amendment to the internal audit plan following a referral by the Interim Chief Finance Officer. The Chair had since been made aware that this may have constituted a significant change and therefore should have been referred to the Committee to agree. The recommendation to the Committee would be amended accordingly.
- It was noted that the Chief Internal Auditor had a duty to inform of any significant changes to the Audit Plan but there was no requirement for the Committee to approve all variations. It was agreed that a definition of 'significant' would be included in the Internal Audit Charter to aid future referrals for adjustments to the Internal Audit Plan.
- The Chief Executive stated that resourcing issues would be addressed as part of restructure of the Senior Management Team as part of the Future Tandridge Programme. It was also noted that outstanding internal audit actions were being discussed weekly by the Management Team.
- The reference to grant certification in the rolling work programme referred to an internal audit check to confirm that money distributed under the LGCS and the Compliance & Enforcement Grant had been spent in line with the relevant scheme/grant conditions.
- In respect of the Outstanding Management Actions document, it was noted that the audit actions for the HR Policies and Procedures were now contained within the Future Tandridge Programme and should be completed by 31 March.
- It was the view of the Chief Internal Auditor that there had not been any significant change in the number of audit items becoming overdue but there was a hope that the ongoing transformation programmes would help to address a number of the outstanding audit concerns. It was noted that true and realistic completion dates should be included in the Outstanding Management Actions document.

RESOLVED – that the Internal Audit Progress Report for February 2022 is noted and approves the plan variation as set out in section 8 of report.

ACTIONS –

	Action	Responsible Person	Deadline
1.	To revise the Internal Audit Charter to reflect what is a “significant change” that requires Audit & Scrutiny approval.	Neil Pitman	27 June 2022
2.	In respect of the Outstanding Management Actions: <ul style="list-style-type: none"> - revisit forecast dates to check they are realistic - review if the assessed priority for each item reflects the risk to the Council - incorporate a metric to identify whether the number of open audit items is decreasing 	Melanie Thompson	27 June 2022

	Action	Responsible Person	Deadline
3	TDC Legal to revise the Audit & Scrutiny terms of reference to reflect that the Committee must approve all significant changes to an Audit Plan	Legal Department	Not specified

290. INTERNAL AUDIT CHARTER 2022-23

The Charter defined the internal audit activity’s purpose, authority and responsibility. The report established the role of internal audit within the Council and was presented to the Committee for approval in accordance with the requirements of the Public Sector Internal Audit Standards. It was confirmed that there had been no changes to the standards over the course of the year and therefore the Charter was substantially the same as approved in 2020/21, save for an addition of a two new stakeholders to the client portfolio. It was noted that, in accordance with the action recorded under minute number 289, wording would be added to the Charter to define the meaning of ‘significant’ with regards to referring audit plan adjustments to the Committee.

As discussion took place in respect of the wording of the Internal Audit Resources section of the Charter. It was agreed by the Chief Internal Auditor that the wording of this section would be updated to address the concerns of the Committee.

RESOLVED – the Committee approve the Internal Audit Charter 2022-23, subject to the amendments by SIAP to paragraphs 1 and 4 at page 4 of the Charter.

291. INTERNAL AUDIT PLAN 2022-23

A draft Internal Audit Plan for 2022-23 was presented to Committee. The Plan provides the mechanism through which the Chief Internal Auditor can ensure the most appropriate use of internal audit resources to provide a clear statement of assurance on risk management, internal control and governance arrangements. Natalie Jerams provided an overview of the areas that would be included within the plan, which included some areas which had a limited audit review in previous years.

The subsequent discussion included the following issues:

- the clarification of the term “plan variation” referred to in the report.
- why the likely inability of meeting the key priority referred to in the Council Strategic Plan 2020/21 to 2023/24 of “*Creating the homes, infrastructure and environment we need*” was not reflected in the Council Risk Register. The Chief Internal Auditor agreed to review the audit plan to potential add an item that could address this issue.
- how the proposed timing of audit reviews are agreed between Internal Audit and the Council and how this does not impact on the relevant assurance opinion. It was noted that items were included in the plan on a 3-year cyclical basis and currently there were no preconceived or significant concerns relating to any area of the Council which would require an adjustment of the audit plan.

- the Chief Internal Auditor agreed to respond in writing to areas of concern raised about the audit plan (including the timing of the savings realisation and payroll audit and the absence of project management and debt management in the plan)

RESOLVED – that

- A. the Committee note and approve the Internal Audit Plan 2022-23, and
- B. the Chief Internal Auditor completes a review of the Internal Audit Plan to take into account the specific items raised by the Committee (such review and any changes to be approved by the Committee).

In accordance with Standing Order 25, Councillor Allen wished it recorded that he abstained from voting on the resolution.

ACTIONS –

	Action	Responsible Person	Deadline
1.	To review the Internal Audit Plan and to advise if any items could be added to address the possible issue of the Council not meeting the strategic plan priority of <i>“Creating the homes, infrastructure and environment we need”</i> .	Neil Pitman	27 June 2022
2.	To speak with the Housing Chair to enquire about the absence of the entry on the Council Risk Register regarding the likely failure to meet the strategic plan priority of <i>“Creating the homes, infrastructure and environment we need”</i> .	Councillor Langton	5 July 2022
3.	To review specific queries relating to the audit plan, including the timing of the savings realisation and payroll audit and the absence of project management and debt management in the current plan.	Neil Pitman	27 June 2022

292. FINANCE TRANSFORMATION PROGRAMME UPDATE - MARCH 2022

The Interim Chief Finance Officer, Ricky Fuller and Janyce Danielczyk provided a detailed verbal update in respect of the current status of the Tandridge Finance Transformation (“TFT”), including:

- a review of the key stages of the TFT;
- an overview of progress of the TFT, including a presentation on the progress on the four main workstreams (New Finance Model, Deliver the Budget, Organisational Development and Exchequer Transformation);

- confirmation that the Accounts Payable and Accounts Receivable services were currently undergoing an audit, during which SIAP would review all work undertaken to date; and
- explaining the activities that would be included within phase two of the TFT and how this will transition into the Future Tandridge Programme.

It was confirmed that an end of programme review would be presented at the next Audit & Scrutiny Committee meeting.

293. 2019/20 AUDIT FINDINGS REPORT

Barry Strafull and Laura Rogers (Deloitte) presented an report that contained Deloitte’s update to the Audit & Scrutiny Committee following finalisation of the audit for the year ended 31 March 2020. Laura Rogers provided a verbal update on the contents on the updated report. It was noted that Deloitte had:

- issued an unqualified opinion on the 2019/20 financial statements; and
- issued a Value for Money assessment that was qualified and may remain so for a least a further two audits due to the identification of the pensions budget mismanagement in the 2020/21 and 2021/22 budgets.

It was noted that the Tandridge Finance Transformation (“TFT”) was seeking to address and mitigate the issues raised by Deloitte in respect of planning finances effectively and managing risks. In response to concerns raised about the impact of the TFT, the Chief Executive noted that lessons had been learnt from past transformation programmes and these would be implemented in order to ensure the positive transformation is achieved.

In response to a question on whether Deloitte should follow CIPFA guidance in respect of the Goodwin judgement, it was noted that this was not a significant enough issue and reference to this was only included for transparency purposes.

It was noted that the scale fee (as defined in Deloitte’s report) had not yet been agreed and would be approved by the Committee.

RESOLVED – that the Committee approves the findings outlined in Deloitte’s Audit Findings Report.

ACTIONS –

	Action	Responsible Person	Deadline
1.	To map the findings from the external audit for 19/20 against actions taken in the Tandridge Finance Transformation programme to show that weaknesses identified in the Deloitte report have been addressed.	Mark Hak-Sanders	27 June 2022

	Action	Responsible Person	Deadline
2.	That the proposed variation to the scale fee (as defined in Deloitte's report) be brought back to the Audit & Scrutiny Committee prior to its approval.	Mark Hak-Sanders	27 June 2022

294. ANNUAL GOVERNANCE STATEMENT ACTION PLAN UPDATE - MARCH 2022

The Chief Executive presented a report which set out the progress made against the Annual Governance Statement action plan for 2021/22.

The Chair noted that, although Officer workload was currently high and was taken into account, the improvements set out against the Corporate Improvement Plan were modest. It was hoped that the current transformation programme would assist with increasing the level of improvements.

RESOLVED – that the Committee:

- A. notes the progress made against the Annual Governance Statement action plan for 2021/22; and
- B. notes the Local Code of Corporate Governance 2020/21.

ACTION –

	Action	Responsible Person	Deadline
1.	To revise the forecast dates and reconsider the prioritisation of actions in the Annual Governance Statement action plan.	Lidia Harrison	27 June 2022

295. FUTURE TANDRIDGE PROGRAMME UPDATE

The Chief Executive presented a verbal update on the Future Tandridge Programme. Since the last Committee presentation in January 2022, the service review programme had been set up and tranche 1 had now commenced, which included Communications, Legal, Building Control, Statutory Housing and Locality Team.

The reviews were being undertaken by Heads of Service but would be subject to robust challenge in the process. Any business cases to changes in service levels will be presented at the relevant committee in June 2022 before tranche 2 is started.

It was confirmed that a more robust system of staff appraisals would be reintroduced in order to improve performance and accountability and to promote and offer development and training opportunities.

It was noted that a new Strategic Plan would be commenced later in the year as the current document was not fit for purpose in respect of setting long term priorities for the Council.

The Chairman stated that in future committee meetings, the Future Tandridge Programme must be allowed more time on presenting and discussing the project status.

296. PROJECT MANAGEMENT REVIEW - MARCH 2022 UPDATE

The Executive Head of Communities presented a report that set out a Project Management Action Plan which was intended to improve project management processes within the Council. The report also provided details of current projects and set out Lead Project Officer's skills and experience that would enable them to deliver the projects.

It was confirmed that a Project Management Working Group had been set up to monitor and deliver best practices for the Council and to ensure that project management documentation is in place and that report monitoring is up to date and reviewed at the relevant project board meetings.

It was noted that there was an intention to ensure that project management responsibilities were embedded across the Council in the future, for both management and staff. The Committee also suggested that the introduction of project management software should also be considered.

RESOLVED – that the Committee notes the actions outlined in the priority action plan and supports the progressing of listed active projects using the resource available.

ACTIONS –

	Action	Responsible Person	Deadline
1.	Produce information for the Committee to assess the resources required for all future Council projects and report back to the next Audit & Scrutiny meeting.	Alison Boote	27 June 2022
2.	To provide specific information in respect of which training options would be offered to staff in order to fill training gaps within the Council	Alison Boote	27 June 2022

297. COMPLAINTS AND FREEDOM OF INFORMATION REQUESTS UPDATE

The Head of Communications & Customer Experience presented report that set out details of the complaints and Freedom of Information requests received by the Council in the last quarter. The report also set out an update on the Council's approach to managing complaints and what lessons had been learnt from recent experiences.

It was confirmed that no data was held in respect of the cost to the Council in dealing with complaints. As dealing with complaints formed a part of Officer roles, it was difficult to accurately quantify. However, the Committee requested that an estimate of costs should be provided.

The Committee also requested comparative complaint data from other Local Authorities for benchmarking purposes. It was noted that this had been previously considered but it appeared that all neighbouring authorities recorded complaints differently which made comparison difficult.

It was noted that the £50 goodwill compensation would only be paid in exceptional circumstances and only where a fundamental service failure has been identified.

RESOLVED – that the Committee note and accept the report.

ACTION –

	Action	Responsible Person	Deadline
1.	That an overall estimate of costs incurred as a result of dealing with complaints be provided to the Committee.	Giuseppina Valenza	7 July 2022

Rising 10.19 pm

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TANDRIDGE DISTRICT COUNCIL

HOUSING COMMITTEE

Minutes and report to Council of the meeting of the Committee held in the Council Chamber, Council Offices, Station Road East, Oxted on the 24th March 2022 at 7:30pm.

PRESENT: Councillors Pursehouse (Chair), Lockwood (Vice-Chair), Connolly (substitute in place of Hammond), Gaffney, Gillman, Mills, Morrow, Ridge, Shiner, Steeds and Swann.

ALSO PRESENT: Councillor Duck

APOLOGIES FOR ABSENCE: Councillors Groves and Hammond

298. MINUTES OF THE MEETING HELD ON THE 25TH JANUARY 2022

These minutes were approved and signed as a correct record.

299. HOUSING COMMITTEE - 2022/23 BUDGET – TRANCHE 2 PRESSURE AND SAVINGS DISTRIBUTION

As explained during the previous cycle of meetings, the following approach had been taken to the allocation of pressures and savings to the respective policy committees as part of the 2022/23 budget setting process:

Tranche 1 – savings and pressures which were straightforward to allocate (these had been agreed by the respective policy committees during the previous cycle of meetings)

Tranche 2 – pressures regarding inflation (£174k), salary increments / National Insurance staffing costs (£193k) which were being held as ‘corporate items’, pending allocation to policy committees during the March / April 2022 cycle of meetings

Tranche 3 – the more complex cross-cutting savings (also being held as ‘corporate items’) which would require service reviews and business cases to ensure accurate distribution to policy committees during the June 2022 cycle of meetings.

A report was submitted which proposed that this Committee’s:

- share of Tranche 2 pressures be £8k as per Appendix A; and
- fees and charges be as per Appendix B.

The recommended fees and charges had, where appropriate, been uplifted by inflation.

It was noted that paragraph 3.1 should have read ‘Housing’ instead of ‘Community Service’s’.

In response to Members' question, it was confirmed that:

- uncertainty existed around future funding from Central Government, due to the delay of a Government Funding Review, which affected future budget years. There was no impact on 2022/23.
- following the Committee's decision in June 2021 to set an application fee for Mobile Home Sites, this fee had been split up in the proposed fees and charges. These were calculated in line with other local authorities and had been set on a cost basis.
- usually the fees and charges would have been brought to Committee during the setting of the budget in January and February. Capacity constraints made that difficult to achieve this year. However, the budget had been set on finite funding and relied upon the proposed fees and charges.

RESOLVED – that:

- A. subject to further consideration by the Strategy & Resources Committee on the 7th April 2022 regarding the overall allocation of Tranche 2 pressures and savings, the revised 2022/23 net budget for the Housing General Fund Committee at **Appendix A** be approved; and
- B. the uplifted Fees & Charges for the Housing General Fund Committee (**Appendix B**) be approved.

In accordance with Standing Order 25, Councillors Connolly, Gaffney, Morrow, Ridge and Steeds wished it recorded that they abstained from voting on resolution B above.

300. HOUSING COMMITTEE Q3 2021-2022 PERFORMANCE REPORT

Members were presented with an analysis of progress against the Committee's key performance indicators, together with an updated risk register for the third quarter of 2021/22 and an update on the Council's House Building programme.

Officers drew the Committee's attention to:

- the omission of KPIs HO7 – HO10 relating to the repairs service. This was due to a systems issue which meant it had not been possible to extract the data. This issue had been resolved with a permanent fix and officers were working through the data to update the systems. An update would be circulated to Members in April and full details would be included in the Quarter 4 update in June.
- a new risk, H4, relating to the Council's gas contract with Gazprom.

In answer to Members questions about the Council's gas contract, it was confirmed that:

- the contract was set to expire in September 2024. There was no immediate mechanism to end the contract earlier than this date. If the Council were to terminate the contract in advance, it would be in breach of contract and would be liable for the full fixed term costs.

- if the Government were to terminate all Gazprom contracts, the Council would incur costs through an emergency procurement exercise to source an alternative provider.
- the budget set aside for the gas contract was £148,000 for 2021/22. Not all of that related to the Housing General Fund. The budget set aside for electricity was £460,000. This covered central and communal facilities and residencies which had one central heating system.
- a report would be brought to the September meeting of the Committee to give Members an opportunity to look in more detail at the Council's gas and electricity contracts.

In response to Member's observations, it was confirmed that:

- the high RAG rating for risk H1 (overspend on housing repairs) was related to the systems issue. Officers were able to monitor the bottom line spend on housing repairs, but not allocate these to budget heads. Following comments from Members, the RAG rating would be reviewed and reduced prior to the next meeting.
- in relation to the mitigating actions for risk H1, external contractors supplemented the work of Council staff, but it was not felt that there was an over reliance on third party contractors.
- in relation to the affordable rented scheme at Dormansland station, a decision was due from the Planning Authority over whether the change of tenure from rented to low cost home ownership would satisfy the test for very special circumstances. The proposals did meet the definition for affordable housing.
- the Council is on track to deliver the Council's current house building programme.

Councillor Morrow proposed an additional resolution to confirm that the Committee had considered risk H3 and noted that a solution to the issue was being worked on that would resolve the issue imminently.

RESOLVED – that:

- A. the Quarter 3 2021-2022 performance and risks for the Housing Committee be noted; and
- B. the Committee had considered risk H3 and notes that a solution to the issue was being worked on that would resolve the issue imminently.

301. INCOME MANAGEMENT POLICY REVIEW

A report was presented to the Committee to consider updates to the income management policy. The report highlighted areas that were recently reviewed, along with recommendations made to maximise income to the Housing Revenue Account. During the review, new legislation and supporting processes had been assessed to ensure they were fit for purpose.

The updated policy would prevent the build-up of rent arrears over a prolonged period of time, allowing officers to focus on proactive income management.

In response to a question from a Member it was confirmed that there would be no extra work for officers in relation to the requirement to issue a different notice when seeking possession of a property for flexible tenancies.

RESOLVED – that:

- A. the content of the report be noted; and
- B. the updates to the income management policy be agreed.

302. COUNCIL HOUSE BUILDING PROGRAMME - NEW SCHEME UPDATE

A report was presented which recommended Officers prepare proposals for a new scheme at Pelham House, Caterham. The report also sought approval for land appropriation at Pelham House and an increase in budget for the proposed Featherstone, Blindley Heath development due to increasing construction costs.

Officers explained that, to facilitate the re-development of Pelham House, it was proposed that Pelham House residents be re-housed and those with a sheltered housing need would be moved to Wadey Court, the new sheltered housing scheme at the Bronzeoak site, which was due for completion in the autumn.

Members welcomed the proposal to redevelop Pelham House and noted that Wadey Court would provide modern accommodation better suited to the needs of sheltered housing residents.

In response to a question from a Member, Officers explained that Lingfield and Dormansland had been grouped together in the Housing Strategy to identify a sheltered housing scheme to serve both areas.

RESOLVED – that:

- A. officers prepare proposals for and seek pre-application planning advice for the redevelopment of Pelham House, Caterham for a mix of 1, 2 and 3-bedroom dwellings making best use of the site; and approve a budget for the pre-application stage of £50,000.
- B. the approved budget for the proposed Featherstone development be increased by £350,000 from £4,759,030 to £5,109,030 to reflect the increase in build costs since the original approval following advice by the Council's external building surveyor.
- C. in the case of recommendation A, approval to proceed includes the appointment of an architect, Employers Agent and other specialist consultants and surveyors to act for, or advise, the Council and commissioning of necessary reports to take the proposal to pre-application advice stage, all subject to the Council's Standing Orders and Financial Regulations.
- D. in the case of recommendation A, authority also be given for Officers to commence the process of appropriating the land from housing to planning purposes in accordance with Section 122 (1) of the Local Government Act 1972.

303. HOUSING STRATEGY 2019-2023 - ACTION PLAN UPDATE

The Committee considered a progress report against the Housing Strategy action plan agreed in 2019. In working towards the agreed actions, there had been cross departmental working and collaboration between Officers. Officers highlighted that the Strategy is for a 5 year period and some of the actions had not been progressed since the last update. Members would continue to be informed of progress annually.

In response to Members' questions, Officers commented on particular action points as follows:

No. 1 – Monitor the number of new homes, affordable homes, size of new homes (number of bedrooms), type of new homes and specialist units through the Authority's Monitoring Report.

It was noted that the targets in the action plan were set by planning and monitoring was in response to planning applications. The outcome wasn't balanced, but it showed the importance of the Council's house building programme. Officers would seek further advice from the Planning department and report back directly to Members.

No. 7 – Support Registered Providers to reduce rents below Local Housing Allowance (LHA) levels (and/or including social rented housing) and consider reflecting the additional cost through a reduction in the percentage of affordable units for rent required on a site. In addition (and where applicable) seek funds from Homes England to support development.

Officers confirmed that rents relating to new housing association properties were within the LHA levels. This requirement was secured within Section 106 applications. Registered Providers were aware of the financial circumstances of tenants and kept their rents at a level which meant that if a resident was made redundant, assistance would ensure their rent could be continued to be paid.

No. 17 – Explore opportunities to develop/improve the database recording facility and review the data capture processes relating to private sector.

Officers confirmed that the new platform for monitoring stock condition across the private sector was run by Mole Valley District Council as part of the shared environmental health service. It was hoped that Officers would have use of that system in the future. Officers would clarify the data that had been captured on the system so far and would circulate it to Members following the meeting.

No. 20 – Develop an Empty Homes Strategy and targeted action plan.

Officers confirmed that a draft Strategy would be presented to the Committee for consideration no later than September 2022. The Committee were informed that 3 owners had recently confirmed they would be interested in renting their empty properties, which had bolstered the private sector landlord stock.

No. 23 – Explore the introduction of an accredited property scheme.

No. 24 – Explore ways to reach out to private landlord fora and groups to make even stronger connections with them. This could include the Council setting up a lettings agency.

Officers confirmed that resource and in-house expertise had delayed actions 23 and 24. Officers had been diverted to other projects and priorities but it was hoped that progress would be made within the next year. This would include consideration of how the Council's housing company could be utilised to progress these actions. The Council was working well with private landlords.

It was noted that it was necessary for the Committee to ensure attention was paid to stock condition due to increasing financial challenges. Officers confirmed that a new Community Surveyor would be starting employment in April, with new posts also being recruited to.

RESOLVED – that the Committee notes the contents of the report and progress made to date.

Rising 8.42 pm

Appendix A - Revenue Budget 2022/23

Housing General Fund Budget

	2021/22 Updated Annual Budget £k	2022/23 Tranche 1 Budget £k	Movement £k	2022/23 Tranche 2 Budget £k
Meadowside Mobile Homes	(117)	(127)	(4)	(131)
Westway	100	50	0	50
Private Sector Enabling	111	111	10	121
Housing of the Homeless	110	110	4	114
Other Housing Renewal Functions	65	65	0	65
Syrian Refugees	15	15	0	15
Afghan Refugees	0	10	0	10
Redstone House	(49)	0	0	0
Housing Benefits	233	233	(2)	231
Care In The Community	1	1	0	1
Other Variances less than £10k	0	0	0	0
Alarm Systems	0	0	0	0
Housing General Fund	469	468	8	476

	Tranche 2:			
	Pay £k	Non Pay £k	Income £k	Net Budget £k
Organisational:				
Meadowside Mobile Homes	3	44	(178)	(131)
Westway		50		50
Private Sector Enabling	37	215	(131)	121
Housing of the Homeless	174	201	(261)	114
Other Housing Renewal Functions	13	55	(3)	65
Syrian Refugees		15		15
Afghan Refugees		10		10
Redstone House				0
Housing Benefits	300	18,041	(18,110)	231
Care In The Community		1		1
Other Variances less than £10k				0
Alarm Systems				0
Housing General Fund	527	18,632	(18,683)	476

Appendix B: Fees & Charges

Housing Services - Fees & Charges	Gross Charges (incl VAT if applicable) Current Charges 2021-22 £	Proposed Gross Charges (incl VAT if applicable) 2022-23 £	Percentage Increase 2022-23 %	Budgeted Income 2021-22 £	Proposed Budget 2022-23 £	Statutory /Discretionary Service
Meadowside Plot Fees (per week)	32.43	33.76	4.1%	120,600	125,500	D
Meadowside Garages (per week)	7.53	7.84	4.1%	11,000	11,500	D
Total Budgeted Income Meadowside				131,600	137,000	
HMO Licence Fee (Private Sector Housing)	450.00	700.00	55.6%	0	0	D
Caravan Site Licensing Fees	386.00			0	0	D
Change of charge Method						
New Site Licence Application		486.75	n/a	n/a		
New Site Licence Application - Additional Fee per unit		2.87	n/a	n/a		
Annual Licence Fee		294.42	n/a	n/a		
Annual Licence Fee - Additional Fee per unit		2.15	n/a	n/a		
Variation of the Licence Conditions		264.92	n/a	n/a		
Variation of the Licence Conditions - Additional Fee per Unit		1.08	n/a	n/a		
Transfer of Licence to a New Owner		150.00	n/a	n/a		
Deposit of Site Rules		34.00	n/a	n/a		
Total Housing Services Fees and Charges				131,600	137,000	

TANDRIDGE DISTRICT COUNCIL

STRATEGY & RESOURCES COMMITTEE

Minutes and report to Council of the meeting of the Committee held in the Council Chamber, Council Offices, Station Road East, Oxted on the 7th April 2022 at 7.30pm.

PRESENT: Councillors Bourne (Chair), Langton (Vice-Chair), Bloore, Cooper, Davies, Elias, Gillman, Morrow (substitute in place of Caulcott) and Pursehouse

PRESENT (Virtually): Councillors Botten and Stamp

ALSO PRESENT: Councillors Ridge and Steeds

ALSO PRESENT (Virtually): Councillors Crane, Farr, Lockwood and Mills

APOLOGIES FOR ABSENCE: Councillors Black and Caulcott

304. MINUTES OF THE MEETING HELD ON THE 1ST FEBRUARY 2022

These minutes were confirmed and signed as a correct record.

305. QUESTION SUBMITTED UNDER STANDING ORDER 30

A question was submitted by Councillor Gillman, a copy of which is attached at Appendix A, together with the response from the Chair.

306. STRATEGY & RESOURCES COMMITTEE - 2022/23 BUDGET – TRANCHE 2 PRESSURE AND SAVINGS DISTRIBUTION

As explained during the previous cycle of meetings, the following approach had been taken to the allocation of pressures and savings to the respective policy committees as part of the 2022/23 budget setting process:

Tranche 1 – savings and pressures which were straightforward to allocate (these had been agreed by the respective policy committees during the previous cycle of meetings)

Tranche 2 – pressures regarding inflation (£174k), salary increments / National Insurance staffing costs (£193k) which were being held as 'corporate items', pending allocation to policy committees during the March / April 2022 cycle of meetings - a £200k saving associated with staff vacancies would also be distributed across the four policy committees

Tranche 3 – the more complex cross-cutting savings (also being held as 'corporate items') which would require service reviews and business cases to ensure accurate distribution to policy committees during the June 2022 cycle of meetings.

A report was submitted which proposed that this Committee's:

- share of Tranche 2 pressures and savings be £107k net as per Appendix B; and
- fees and charges be as per Appendix C.

The report also included a summary of the allocations of tranche 2 pressures and savings, as agreed by the other three policy committees at their respective March 2022 meetings.

Upon introducing the report, the Chief Finance Officer explained that the proposed 2022/23 court costs at the end of Appendix C could not be implemented as the necessary consultation process had not been undertaken with HM Court Services. Those fees, which could not be set unilaterally by the Council, would have to remain at the 2021/22 levels and could not be adjusted 'in-year'. There was no budgetary impact.

In response to Members questions, it was confirmed that:

- the non-implementation of the court fees, as referred to above, was not a reflection of the Northgate software system and that the necessary dialogue with HM Court Services regarding updated 2023/24 fees would begin in the Autumn of 2022 with a view to ensuring implementation from April 2023;
- the interface issues between the Orchard and Agresso software systems (which had prevented the correct allocation of Council housing repair costs) had been resolved.

RESOLVED – that:

- A. the revised 2022/23 net budget for the Strategy & Resources Committee and corporate items at Appendix B be approved;
- B. subject to the court costs having to remain at 2021/22 levels, the uplifted fees & charges for the Strategy & Resources Committee at Appendix C be approved; and
- C. in light of A above and the decisions of the other policy committees at their respective March 2022 meetings, the overall Tranche 2 budget, as set out at Appendix D be noted.

307. STRATEGY & RESOURCES Q3 2021-2022 PERFORMANCE REPORT

The Committee was presented with an analysis of progress against its key performance indicators, together with updated risk registers, for the third quarter of 2021/22.

Upon introducing the item, the Chief Executive acknowledged that the process for reporting performance and risk management to Members would need to be improved, including a review of KPIs with achievable targets and ensuring that relevant managers were accountable for performance outturns. In this respect, Members commented that KPIs should focus on issues that the Council could realistically influence.

Regarding actions to mitigate risk, it was suggested that these should be refreshed on a regular basis in view of prevailing circumstances, including pro-active measures to reduce risks during the short to medium term where possible.

The Chief Executive also explained the priorities and challenges associated with:

- reducing the proportion of sickness absences attributed to mental health related illnesses; and
- addressing staff recruitment and retention challenges, especially in respect of the planning (development management) service.

In response to other questions, Members were advised that:

- measures were in place to improve performance against processing targets for the housing / council tax benefits service;
- the forthcoming service review of the procurement function would assess alternative delivery options, including the potential for joint working with other councils to achieve greater staffing resilience;
- the rating for Risk CS6 regarding the waste collection service could be reduced.

RESOLVED – that the Quarter 3 (2021/22) performance and risks for the Strategy & Resources Committee be noted.

308. FUTURE TANDRIDGE PROGRAMME - PROGRESS UPDATE

The Committee received a presentation about the progress of the Future Tandridge Programme since the beginning of February. This confirmed that the project team was now in place, comprising both Tandridge and Surrey County Council staff and external specialists. The Programme sought to engage Tandridge staff throughout and to enable them to shape the Council's future, while utilising external support as and when necessary. The presentation also included:

- an analysis of risks and associated mitigations
- reference to the management restructure, which was currently the subject of a consultation process, and the rationale for developing a new strategic plan (both comprising the 'leadership' workstream) and its role in:
 - informing service planning and individual staffing objectives
 - identifying the role of partners in delivering the Council's priorities
 - providing an effective recruitment tool
- a timeline and process framework for the 'service review' workstream, which would be conducted against robust assessment criteria, including:
 - the need to achieve financial savings
 - identification of alternative service delivery options, including 'what can we stop', partnership / outsourcing opportunities, and how retained functions could be improved
- emerging themes from the current review of enabling/support services, including the need for:
 - support services to provide 'added value' to front line services

- more effective and efficient support systems and procedures
 - a better understanding of front line service requirements with clear service specifications to reflect corporate priorities
 - a training and management development programme to be aligned with the new management structure
- an explanation of the 'organisational and workforce change' workstream and the intention to reinstate a staff appraisal regime, with objective setting and personal development plans
 - an overview of the 'finance and benefits delivery' workstream.

Members' comments included the importance of staff being engaged throughout the process and being utilised and appreciated for 'what they are good at'. The proposed restoration of an effective staff appraisal system was welcomed.

309. PROCUREMENT UPDATE / CONTRACT STANDING ORDERS

The Committee considered a report which proposed updates to the Council's Contract Standing Orders (CSOs) and presented additional information regarding:

- progress against procurement related KPIs
- waivers from CSOs since December 2020
- the procurement improvement project.

The most significant CSO amendments included changes to contract value thresholds following Brexit and a requirement to include VAT in the estimated value of contracts above the 'Find-a-Tender' Service (FTS) threshold. Members were also advised that anticipated changes to government public procurement regulations could require a more significant revision of CSOs in future.

Officers explained the rationale for the £5,000 contract value threshold and confirmed that all contracts were subjected to the same processes relative to value (i.e. regardless of contract type).

Further measures to improve the transparency of the waiver process were suggested, including a metric for reporting the value of contracts for which CSOs had been waived as a percentage of the aggregate value of all contracts. Officers agreed to provide such analysis in future. The report explained that waivers from CSOs (e.g. seeking a single supplier or extending a contract term) are agreed by the Corporate Procurement Board. A table of such waivers since October 2020 was provided at Appendix B to the report.

RESOLVED – that:

- A. the procurement performance referred to in Section 2 of the report be noted;
- B. the volume and value of waivers from CSOs at Appendix B to the report be noted; and
- C. the progress of the Procurement Improvement Plan at Appendix C to the report be noted.

ACTION:

		Officer responsible for ensuring completion	Deadline
1	Future reporting of waivers from Contract Standing Orders to include a metric showing the proportionate value of such contracts, expressed as a percentage relative to the total value of all contracts.	John McGeown	Publication of the next procurement report to the committee
2	Summaries of waivers from Contract Standing Orders (as per Appendix B to the report, subject to the future addition of the metric referred to in 1 above) be circulated to Committee members on a quarterly basis.	John McGeown	TBC

COUNCIL DECISION
(subject to ratification by Council)

RECOMMENDED – that the changes to the Contract Standing Orders, as set out in Appendix E be agreed.

310. PROPOSED CONSULTATION ON THE COUNCIL ELECTION CYCLE

The Committee was invited to consider the merits of undertaking a public consultation about whether the Council should:

- (i) change its election cycle to whole Council elections every four years; or
- (ii) continue to elect a third of its Members in three out of every four years.

This was in light of the imminent review of the Council's ward boundaries to be conducted by the Local Government Boundary Commission for England.

The officer report explained that the Commission was required to begin its review with a presumption in favour of a uniform pattern of three-Member wards throughout the District. Any departure from such a pattern would only be permitted in exceptional circumstances with regard to statutory criteria. While the three-Member ward presumption would not apply if the Council chose to move to a four-year cycle of whole Council elections, changes to warding arrangements would still arise if deemed necessary (e.g. to reflect demographic changes since the Commission's previous ward boundary review).

The report provided a comparative analysis of electoral arrangements in other Surrey authorities; the advantages and disadvantages of the two alternative electoral cycles (including financial implications); and the impact of moving to whole Council elections upon future polls to 2029, including the fact that Parish Council elections would also mirror the same four-year cycle. The report also explained the legislative process for changing the electoral cycle, as defined by the Local Government & Public Involvement in Health Act 2007. This included a requirement to consult interested parties, culminating in a special Full Council meeting to consider the change at which two-thirds of Members present would need to vote in favour. It was envisaged that should the consultation exercise proceed, a report, informed by the responses, would be presented to the Committee on the 30th June 2022. Any recommendation to switch to a four-year election cycle would then be submitted to a special Council meeting during the following month.

Councillor Pursehouse, seconded by Councillor Gilman, proposed that the merits of moving to whole Council elections every four years should be the subject of a statutory public consultation. Opposing views on the relative merits of this proposal were expressed, including reservations that it was premature to consult at this stage without supporting information about the likely impact upon ward boundaries. The Chair expressed the view that, should the current process of electing by thirds be retained, it was highly unlikely that the Commission would be persuaded to accept special circumstances to justify retention of single or two Member Wards and that the presumption of three Member wards throughout the District would prevail. This was based on advice given by the Commission's review team at recent Member briefings.

Arising from discussions about the consultation process, it was confirmed that:

- paper copies of reply forms would be available for those unable to engage on-line
- the Electoral Commission document, "*The cycle of local government elections in England*" would not be included
- the material would be based on the proposed consultation methodology at Appendix C to the report
- additional information would be included to summarise the implications of the two options before the Council, i.e. whether to switch to all out elections every four years or retain the existing process of electing by thirds.

Upon being out to the vote, the proposal to undertake a public consultation on the two options was carried.

RESOLVED – that a consultation process be commenced (in accordance with the Local Government & Public Involvement in Health Act 2007) on whether the Council should:

- (i) change its election cycle to whole Council elections every four years from 2024; or
- (ii) retain the current scheme of elections by thirds.

Rising 9.48 pm

APPENDIX A

APPENDIX A

Standing Order 30 questions submitted by Councillor Gillman

At the Strategy & Resources meeting on 1st February 2022, the proposed IT capital programme was presented. While the total sum of money to be spent was given, no details were provided as to what the money was being used for and an action was placed (Action 2 in the minutes) to provide committee members with full details. I was disappointed that this data was not presented on 1st February as elected members were being asked to support the proposals 'blind' and were not in a position to make an informed and evidence-based decision.

The details were provided on 7th February and, given the financial position of the council, I was horrified to see some of what is proposed. On the basis that the machines are 3 years old, it is proposed to replace 243 laptop computers at an estimated cost of £148K, 10 desktop computers at an estimated cost of 4.5K, 22 tablets, with a life of 2 years, at an estimated cost of £11.2K. Also on the basis they are 2 years old, 100 smartphones at an estimated cost of £13.2K.

In addition to the capital costs there also needs to be added the cost of staff time setting up the new equipment and decommissioning the old equipment which has not be included.

The spending of council tax payers' money should always be done with great care to ensure any spend is wise and justified. In times of great financial pressure, like those the council is currently facing, these criteria must be applied even more vigorously. Policies must be looked at to ensure they remain appropriate and it is not acceptable to mechanically apply a policy without considering if the policy remains appropriate to the present conditions. Residents do not, as a matter of policy, replace their mobile phones every 2 years or a laptop computer every 3 years, just because it has reached a certain age and I suspect council staff in their private lives act the same. If the device is still working they will keep using it, especially when budgets are tight. The council needs to act likewise.

Does the Chair agree that, until a full business case is submitted to this committee for formal approval by Councillors, these purchases should be put on hold and that new items are only purchased to replace those broken or damaged?

Does the Chair also agree that, in future years, a full breakdown of the items to be purchased under the capital programmes should be provided to this committee when the budget is submitted?

Response from Councillor Bourne:

Councillor Bourne began by reading the following extract from information supplied by Officers in respect of Councillor Gillman's question:

"Prior to the capital bid in 2020, there was no lifespan cycle management. Therefore we built in a rolling programme of replacement client and infrastructure hardware which includes laptops, servers, switches, firewalls etc.

Most industry experts estimate a laptop's lifespan to be three to five years. We have already opted to replace at every five years.

Laptops may survive longer than that, but its utility will be limited as the components become less capable of running advanced applications

We hold a very small stock of new laptops, and we always recycle from leavers to new starters. However, it is proving challenging and very time consuming trying to repair when invariably some other component then breaks. From a resource point of view it is preferable to issue new laptops on a rolling basis, as a bespoke project, over a period of a couple of months, rather than the challenge of repairing, rebuilding or issuing new in the current unplanned ad hoc manner.

Replacing items that are broken or damaged only, will not protect us against security vulnerabilities and associated risks. However, we can prepare a business case for S&R on 30th June if this is the committee's preference.

In regards to the second question, a full detailed list was shared with Cllrs at the original capital budget meeting, in November 2019. A number of detailed questions were asked regarding the cyclical nature of the replacements for each element of hardware (by Cllr Langton). When the next capital bid is submitted for the future replacement programme, a full breakdown of items to be purchased will be included."

Councillor Bourne then addressed Councillor Gillman's two questions (repeated below) as follows:

Does the Chair agree that, until a full business case is submitted to this committee for formal approval by Councillors, these purchases should be put on hold and that new items are only purchased to replace those broken or damaged?

"Yes I do. I think we should be doing exactly that and I will be addressing this with Mark Hak-Sanders when he takes up post as Chief Finance Officer in two weeks' time."

Does the Chair also agree that, in future years, a full breakdown of the items to be purchased under the capital programmes should be provided to this committee when the budget is submitted?

"Yes I do, and I'm sure the Chief Finance Officer will do that in future. This has been an exceptional year with so many other problems to overcome and perhaps some of these details didn't get the attention they deserved. I remember asking several questions about the items in the IT capital budget back in November 2019, and I wasn't particularly happy. We were assured then that each item would come back to Members when they were ready to be spent. From memory, there were nine separate programs that added up to just under £1million. I will be bringing that up with the Chief Finance Officer and Chief Executive and will ensure that none of the items are considered to be accepted until they come back to Committee for approval."

Appendix B - Strategy and Resources Revenue Budget 2022/23

	2021/22 Annual Budget £k	2022/23 Tranche 1 Budget £k	Movement £k	2022/23 Tranche 2 Budget £k
Legal Services	531	551	24	575
Human Resources	587	543	(79)	464
Leadership Team	370	350	(90)	261
Information Technology	1,328	1,328	55	1,383
Democratic Services	567	564	(2)	562
Communications	401	381	(8)	374
Financial Services	903	996	23	1,019
Office Services	320	237	49	286
Asset Management	159	159	(17)	142
Revenues & Benefit Services	194	201	53	254
Communities Executive Projects	107	107	26	133
Customer Services	645	645	57	702
Emergency Planning & Community Safety	226	231	15	246
Wellbeing Prescription	0	0	0	0
Strategy & Resources	6,338	6,294	107	6,401

	Pay £k	Non Pay £k	Income £k	2022/23 Tranche 2 Budget £k
Legal Services	595	43	(62)	575
Human Resources	276	189	0	464
Leadership Team	167	94	0	261
Information Technology	552	834	(4)	1,383
Democratic Services	214	348	0	562
Communications	310	63	0	374
Financial Services	760	259	0	1,019
Office Services	89	503	(306)	286
Asset Management	142	0	0	142
Revenues & Benefit Services	528	54	(328)	254
Communities Executive Projects	133	0	0	133
Customer Services	597	106	0	702
Emergency Planning & Community Safety	158	88	0	246
Wellbeing Prescription	408	109	(518)	0
Strategy & Resources	4,928	2,691	(1,218)	6,401

Note: Whilst updating the pay budgets, some posts have been realigned within the committee

Corporate Items Budget

	2021/22 Updated Annual Budget £k	2022/23 Tranche 1 Budget £k	Movement £k	2022/23 Tranche 2 Budget £k
Interest Payable	1,163	1,163	0	1,163
Interest Receivable & Investment Income	(1,418)	(1,498)	0	(1,498)
Property Income	(920)	(745)	0	(745)
Non GF Support recharges & Bank charges ¹	(1,894)	(2,026)	(31)	(2,057)
Minimum Revenue Provision (MRP)	871	1,179	0	1,179
Pension - Actuarial top up, Added Years, & Compensation	1,489	1,485	0	1,485
Pension provisions	(921)	0	0	0
Write Offs and Bad Debt Provision	22	22	0	22
Pressures and Saving on behalf of committees		(289)	(173)	(462)
Contribution to Income Equalisation Reserve	100	(85)	0	(85)
General Fund Balances	700	100	0	100
Partnership & Transformation Reserve	0	0	0	0
Contingency	117	117	0	117
Corporate Items	(690)	(576)	(204)	(780)

Note 1 – £31k Movement: charges to subsidiary consolidated within Corporate Items including £24k from Legal Services and £6k from Finance

	Pay £k	Non Pay £k	Income £k	Net Budget £k
Interest Payable		1,163		1,163
Interest Receivable & Investment Income			(1,498)	(1,498)
Property Income			(745)	(745)
Non GF Support recharges & Bank charges		(2,057)		(2,057)
Minimum Revenue Provision (MRP)		1,179		1,179
Pension - Actuarial top up, Added Years, & Compensation		1,485		1,485
Pension provisions		0		0
Write Offs and Bad Debt Provision		22		22
Pressures and Saving on behalf of committees ²		(462)		(462)
Contribution to Income Equalisation Reserve		(85)		(85)
General Fund Balances		100		100
Partnership & Transformation Reserve		0		0
Contingency		117		117
Corporate Items	0	1,462	(2,243)	(780)

Appendix C - Strategy and Resources Fees & Charges 2022/23

Fees and Charges	Gross Charges Current Charges 2021/22	Proposed Gross Charges 2022/23	Percentage Increase 2022/23	Budgeted Income 2021/22	Actual YTD at Feb 22	Expected Outturn 2021/22	Proposed Budget 2022/23
	£	£	%	£	£	£	£

<u>Legal Charges (Per Hour) *</u>							
Head of Legal & Monitoring Officer	266.00	280.00	5.3%				
Principal Solicitor, Assistant Solicitor, Senior Lawyer (Per Hour)	251.00	264.00	5.2%				
Clerical Assistant, Legal Assistant (Per Hour)	186.00	196.00	5.4%				
Legal Assistant / Interns/ Case Officers	102.00	108.00	5.9%				
Support Officer / Apprentices	51.00	54.00	5.9%				
Drafting a simple licence	520.00	547.00	5.2%				
Drafting a simple wayleave agreement/ lease	1248.00	1310.00	5.0%				
Renewal of simple licence	312.00	328.00	5.1%				
Renewal of simple wayleave agreement/ lease	728.00	765.00	5.1%				
Right to Buy; Request for a management pack	208.00	219.00	5.3%				
Lease Notice	102.00	108.00	5.9%				
*Charities/ Community Groups may be eligible for a 50% discount on legal fees							
Total Budgeted Income				83,400	88,576	91,188	62,000

<u>Court Costs (subject to confirmation from courts)</u>							
Council Tax Summons Charges	62.50	66.00	5.6%				
Council Tax Liability Order	30.00	32.00	6.7%				
NNDR Summons Charges	102.50	108.00	5.4%				
NNDR Liability Order	20.00	21.00	5.0%				
Total Budgeted Income				128,500	-	59,569	137,662

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Appendix D – Overall & Committee Revenue Budget 2022/23

	2021/22 Updated Annual Budget £k	2022/23 Tranche 1 Budget £k	Movement £k	2022/23 Tranche 2 Budget £k
Community Services	3,993	3,975	76	4,051
Housing Services General Fund	469	468	8	476
Planning Policy	1,185	1,190	14	1,204
Strategy & Resources	6,338	6,294	107	6,401
Corporate Items	(690)	(576)	(204)	(780)
General Fund	11,295	11,351	0	11,351
<u>Funded by:</u>				
Council Tax	(8,657)	(8,934)		(8,934)
Business Rates	(1,459)	(1,633)		(1,633)
General Government Grants:				0
Specific Government Grants COVID-19	(498)	0		0
Specific Government Grants	(681)	(784)		(784)
Funded by	(11,295)	(11,351)	0	(11,351)

	Budget 2022/23			Net Budget £k
	Pay £k	Non Pay £k	Income £k	
Community Services	1,309	5,640	(2,899)	4,051
Housing Services General Fund	527	18,632	(18,683)	476
Planning Policy	1,800	2,088	(2,684)	1,204
Strategy & Resources	4,928	2,691	(1,218)	6,401
Corporate Items	0	1,462	(2,243)	(780)
General Fund	8,564	30,513	(27,726)	11,351
<u>Funded by:</u>				
Council Tax			(8,934)	(8,934)
Business Rates			(1,633)	(1,633)
General Government Grants:				0
Specific Government Grants COVID-19			0	0
Specific Government Grants			(784)	(784)
Funded by	0	0	(11,351)	(11,351)
Overall total	8,564	30,513	(39,077)	0

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CONTRACT STANDING ORDERS

(April 2022)

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Forms for CSO waivers and procurement activity requests to be appended

GENERAL

1. Introduction

- 1.1. The purpose of these Contract Standing Orders (**CSOs**) is to establish clear rules for the procurement of all the Council's goods, works and services as required by section 135 of the Local Government Act 1972. They apply to all Council staff and external consultants ("Officers") with responsibility for letting Contracts.
- 1.2. The CSOs are put in place to ensure that the Council gets value for money for residents, complies with all legal requirements, minimises the risk of challenge/undue criticism, supports social value and sustainability and provides transparency as to how it spends public money.
- 1.3. All procurement and resulting Contracts made by or on behalf of the Council must comply with these rules as well as:
 - all applicable statutory provisions;
 - the UK Regulations 2015 and as of January 2021 the 'Public Contracts Regulations 2015 as amended by the Public Procurement (Amendment etc.) (EU Exit) Regulations 2019 and Public Procurement (Amendment etc. (EU Exit) (No.2) Regulations 2019 ('Withdrawal Regulations')
 - the Council's constitution, including the Financial Regulations and the Scheme of Delegation to Officers.
- 1.4. These CSOs have been written to reflect the current legislative requirements; however, in the event of any inconsistencies between these CSOs and the requirements of the UK Regulations the latter will take precedence.
- 4.4-1.5. The Thresholds referred to in these CSOs and the appropriate process to follow are set out in **Table 1**.
- 4.5-1.6. These CSOs are supported by the Procurement Toolkit which provides practical and more detailed advice about how to undertake a procurement exercise, including access to a suite of template documentation.
- 4.6-1.7. The Procurement Specialist is responsible for ensuring the CSOs are up to date and reflect current legislation.
- 4.7-1.8. Any query regarding the application or interpretation of these CSOs must be referred in the first instance to the Procurement Specialist.
- 1.9. For the purposes of these CSOs, where there is a requirement for communication to be in writing, this shall be deemed to include e-mail as well as hard-copy.
- 4.8-1.10. Words or phrases that begin with an initial capital letter, initialisms and acronyms are defined in the CSOs.

2. Scope

2.1. A Contract for the purposes of these CSOs is any arrangement made by, or on behalf of the Council ~~for~~ regardless of value including Concession Contracts):

- 2.1.1. The supply of goods
- 2.1.2. Execution of works
- 2.1.3. The delivery of services
- 2.1.4. The hire, rental, repair, maintenance or lease of goods or equipment.

2.2. [Sections 12-30 of T](#)these CSOs do not apply to:

- 2.2.1. Contracts of employment for members of staff including members of staff sourced through employment agencies.
- 2.2.2. Contracts for the purchase or sale of land (including leasehold interest)
- 2.2.3. Grants given by the Council either where the Council is giving or receiving a grant
- 2.2.4. Loans to or from banks or other financial institutions
- 2.2.5. Provision of emergency accommodation as required by the Homeless Act 2002
- 2.2.6. Subscriptions to magazines/publications/online resources/professional journals/professional memberships
- 2.2.7. Call-offs from Contracts procured in compliance with these CSOs
- 2.2.8. Where there is a joint procurement with one or more public sector authority or where the Council is part of a public-sector consortium where the Council is not the lead authority and the Contract complies with the lead authority's CSOs
- 2.2.9. Collaborative proposals for joint working or shared services with other public authorities which the CPB has approved as meeting the conditions set out below, where the principal activity of the collaborative arrangement is the provision of services back to the participating authorities:
 - The collaborating public authorities when acting together exercise the same kind of control over the service provision as they would over inhouse service provision and
 - There is no independent or private sector partner involved in the collaborative arrangement
- 2.2.10. ~~Requests for Counsel's opinion (up to £10k) without the need to advertise or seek alternative quotes where the Head of Legal Services is satisfied that the appropriate specialism is not obtainable elsewhere and that value for money is achieved. External legal advice. The Head of Legal Services and Monitoring Officer commissions all external solicitors, counsel, experts within Legal Proceedings (actual or contemplated) and arbitrators /adjudicators. The engagement of barristers, experts and adjudicators/arbitrators in construction disputes shall be subject to completion of a formal letter, contract of appointment or brief. The barrister, expert or arbitrator /adjudicator or chambers must either be named in the relevant Contract or be on an approved list maintained by the Head of Legal Services and Monitoring Officer for this purpose and the appointment shall be approved by the Head of Legal Services and Monitoring Officer. Where there is no approved list, then the Head of Legal Services and Monitoring Officer will determine the method of selection, likely to be appointed from a list maintained by a third party. The engagement of external solicitors shall be made via the Surrey Legal Alliance Solicitors Framework. In appropriate cases the Head of Legal Services and Monitoring Officer may dispense with the requirement to appoint from the Surrey Legal Alliance Solicitors Framework. Appointment shall be made by formal letter or appointment contract, once approved by the Head of Legal Services and Monitoring Officer. In exceptional cases the Head of Legal Services and Monitoring Officer may authorise the use of external solicitors not on the Surrey Legal Alliance Solicitors Framework. Requests for such advice (up to £10k) can be obtained without the need to advertise or seek alternative quotes subject to the Head of Legal Services and Monitoring Officer being satisfied that the appropriate specialism is not obtainable elsewhere and that value for money is achieved.~~

2.3. All other Contracts made by or on behalf of the Council must comply with these CSOs unless there is an Exception (CSO 4).

2.4. [All contracts are subject to the provisions of clause 301 – 35.](#)

2.5. Under the Local Government (Contracts) Act 1997, local authorities can enter into contracts with third parties in connection with any of their functions. However, first the Chief Officer must be able to demonstrate there is a business need for the proposed Contract.

2.3-2.6.

3. Compliance

- 3.1. All ~~members of staff~~Officers procuring goods or services on behalf of the Council must comply with these CSOs (except where Exceptions are obtained in advance) and the requirements of all relevant and applicable legislation.
- 3.2. Failing to comply with these CSOs when letting Contracts could result in legal challenge. Therefore, ~~employees~~Officers have a duty to remain familiar with these CSOs and to adhere to them at all times.
- 3.3. Breach of the CSOs will be taken very seriously as they are intended to both protect public money and demonstrate that the Council takes its role as a guardian of public money extremely seriously. Should an ~~officer~~Officer be found to be in breach of these rules then it may be treated as gross misconduct and could result ultimately in the dismissal of the ~~employee~~Officer. Similarly, anyone having knowledge of a failure to follow these rules must report a breach of these rules to the relevant ~~Chief Officer~~Management Team as soon as possible afterwards. Any failure to report a breach by ~~a member of staff~~an Officer may also be treated as gross misconduct and could result in the ~~officer~~Officer being dismissed. Concerns can also be raised via the procedures set out in the Council's Whistleblowing Policy or the ~~Anti Money Laundering Guidelines~~ Money Laundering Policy set out ~~in in~~ the Council's ~~Conditions of Services~~sharepoint page – Policies and Protocol and the Hub.
- 3.4. Procuring Officers must comply with all staff policies and must not invite or accept any gift or reward in respect of the award or performance of any Contract. It will be for the Officer to prove that anything received was not received corruptly. High standards of conduct are mandatory. Corrupt behaviour may lead to dismissal.
- 3.5. Staff must not deliberately break down a Contract with the intention of disaggregating spend for the purpose of avoiding the appropriate governance.

3.5-3.6. Any ~~staff member~~Officer who is unclear as to the requirements of these CSOs should contact the Procurement Officer or the Legal Team to discuss.

4. Exceptions and Waivers

- 4.1. The following circumstances represent permitted exceptions from all or part of CSOs provided that the CPB has given prior approval by means of a CSO waiver, where:
 - 4.1.1. only one supplier is able to carry out the works or services and where no satisfactory alternative is available because of:
 - technical or artistic reasons or because of exclusive rights
 - statutory undertakers that have a monopoly
 - the specialised nature of the work or service
 - 4.1.2. there is a variation (additional work) to an existing Contract where the variation is outside the scope of the Contract, but it would be inappropriate to offer the additional work to competition.
 - 4.1.3. there is an extension to the duration of an existing Contract provided that it is on the same terms and adequate budget provision has been made.
 - 4.1.4. there is a demonstrable and justifiable need to waive or vary one or more of the CSOs on the grounds of urgency, when, for example it is likely that not making the proposed exception to CSOs will lead to personal injury, damage to property or to the Council incurring additional liability or missing an opportunity to secure best value.
- 4.2. Lack of forward procurement planning does not represent a permitted exception.

- 4.3. Where a proposed Contract is likely to exceed the UK Find a Tender Threshold (previously OJEU), the Council has no authority to waive these CSOs.
- 4.4. For all waivers from CSOs written approval must be obtained by use of the CSO Waiver Form (Appendix A).
- 4.5. The named supplier on the exemption must be invited to submit their quotation through the Council's e-tendering portal.
- 4.6. All exemptions and waivers and the reasons for them, must be recorded in a register and reported annually to the S&R Committee.

5. e-Procurement

- 5.1. Electronic tendering is the mandated method of carrying out a Tender or Request for Quote (RFQ) exercise for procurements with an Estimated Total Contract Value exceeding £5,000.
- 5.2. The South East Shared Services portal on the In-tend platform is the Council's approved e-procurement platform.
- 5.3. A full user guide is provided in the Procurement Toolkit, a link can be found [in the Council's sharepoint page on the hub](#).

6. Transparency

- 6.1. In accordance with the Local Government Transparency Code 2015 local authorities must publish details of any Contract, commissioned activity, purchase order, framework agreement and any other legally enforceable agreement with a value that exceeds £5,000.

- 6.2. This information is held in the Contracts Register, and an export is uploaded to the Council's public website quarterly.

- 6.3. In order to capture contract information in the Contracts Register all Contracts over £5,000 must be published on In-tend.

- 6.3-6.4. All Contracts valued over £25,000 must also be advertised on Contracts Finder unless a Closed group is used (Closed group –refers to the use of a selected shortlist of suppliers e.g. a Constructionline shortlist).

- 6.4.6.5. All Contract awards over £25,000 must also be published on Contracts Finder, whether advertised or not.

- 6.5-6.6. Contracts over the current UK Find a Tender Threshold (previously OJEU) additionally must be advertised via the Find a Tender Service (FTS).

7. Freedom of Information

- 7.1. In accordance with the Freedom of Information Act (FOIA) 2000 and Environmental Information Regulations (EIR) 2004, we have an obligation to publish specific information and to provide information to members of the public upon request.

- 7.2. By exception confidential or commercially sensitive information may be withheld. Suppliers should be given the opportunity to identify areas of their tender submission they do not wish to be disclosed.

8. Conflict of Interest

- 8.1. Officers must avoid any conflict between their own interests and the interests of the Council. This is a requirement of the Council's Code of Conduct for Staff and includes:

- 8.1.1. not accepting gifts or hospitality from organisations or suppliers that the Council has dealings with;
- 8.1.2. not working for organisations or suppliers that the Council has dealings with;

- 8.1.3. notifying the CPB in writing if an ~~Officer~~ has links with an organisation or supplier who is tendering or quoting for a Contract with the Council or already has a Contract with the Council. (For example, a family member or close friend works for the organisation).
- 8.2. Token gifts of a very small value like pens marked with a company name, or calendars, which might be seen as advertisements, are acceptable.
- 8.3. Officers and Councillors should notify the Head of HR and the Head of Legal Services and Monitoring Officer of any gifts received 'out of the blue' other than the token gifts outlined in CSO 8.2. The Head of Legal Services and Monitoring Officer and the Head of HR respectively will record receipt of the gift and decide whether the gift should be returned or forwarded to a local charity.
- 8.4. An ~~officer's-Officer's~~ and ~~councillor's-Councillor's~~ interests shall not conflict with their public duty. An official position or information acquired in the course of employment or public office should not be used to further personal interests or for the interests of others.
- 8.5. All contract conditions need to contain robust terms that will allow the Council to terminate a contract where there have been acts relating to fraud, bribery, or corruption as defined under the Bribery Act 2010, and/or section 117(2) of the Local Government Act 1972; and/or the contractor/supplier has committed an act which is an offence under the Enterprise Act 2002. More information about the Bribery Act is available in the Council's Anti-Fraud and Corruption Policy.
- ~~8.5. The following clause (or suitable alternative drafted by the Council's Legal department/Team) shall be put in every written Council contract:~~
- ~~"The Council may terminate this contract and recover all its loss if the Contractor, its employees or anyone on the Contractor's behalf does any of the following:~~
- ~~i. Offer, give or agree to give to anyone, any inducement or reward in respect of this or any other Council contract (even if the Contractor does not know what has been done);~~
~~or~~
~~ii. Commit an offence under the Bribery Act 2010 or Section 117 (2) of the Local Government Act 1972;~~
~~iii. Commit any fraud in connection with this or any other Council contract whether alone or in conjunction with Council members, contractors or employees~~
~~iv. Any clause limiting the Contractor's liability shall not apply to this clause."~~
- 8.6. If a ~~councillor-Councillor~~ or an ~~officer-Officer~~ has an interest, financial ~~or~~, otherwise, in a Contract, or proposed Contract, he/she must declare it in writing immediately to the Head of Legal Services and Monitoring Officer and Head of HR as soon as he/she becomes aware of the interest. A ~~councillor-Councillor~~ or ~~officer-Officer~~ who has an interest in a Contract must not take part in the procurement or management of that Contract.
- 8.7. Failure to comply with CSOs 8.3 is a breach of Council's Code of Conduct for Staff and Councillors and an offence in accordance with section 117 of the Local Government Act 1972.
- 8.8. The Head of Legal Services and Monitoring Officer must maintain a record of all declarations of interest notified by ~~councillors-Councillors~~ and HR team of ~~officers-Officers~~.
- 8.9. All Consultants engaged to act on behalf of the Council must declare that they will avoid any conflict between their own interests or those of any of their other clients and the interests of the Council.
- 8.10. If a Member or an Officer of the Council or a Consultant working on the Council's behalf becomes aware that a Contract in which they have an interest is being re-tendered, they shall immediately give written notice to the Head of Legal Services and Monitoring Officer. Such written notice is required, irrespective of whether the pecuniary interest is direct or indirect. Consideration will then be given as to the appropriate action.
- ~~8.9.~~

9. Social Value

- 9.1. Social value is the term used to describe the additional value created in the delivery of a Contract which has a wider community or public benefit. This extends beyond the social value delivered as part of the primary Contract activity.
- 9.2. Social Value is the means by which the Council aims to meet its Climate Change objectives detailed in the Procurement Strategy.
- 9.3. Under the terms of the Social Value Act 2012 contracting authorities are obliged to consider wider social and environmental objectives alongside price and cost when evaluating tenders for services which are valued over the FTS Procurement Thresholds
- 9.4. The Council has extended this obligation to all Contracts valued over £100k.
- 9.5. The Council's procurement approach covers the following areas:
 - 9.5.1. Economic - boost to local economy including use of local suppliers, and creation of apprenticeships
 - 9.5.2. Environmental - including carbon reduction, recycling of materials, and use of sustainable materials
 - 9.5.3. Social and Well-Being - Engagement with local Voluntary, Community and Faith (VCFS) partners
- 9.6. The Procurement Activity Request Form identifies where Social Value criteria should apply to a proposed procurement.
- 9.7. Where the inclusion of Social Value opportunities has been identified, the relevant key performance indicators (KPIs) must be included within specifications and evaluation criteria, and monitoring and reporting of performance and achievements against the KPIs must be undertaken.

10. TUPE

- 10.1. When an employee of the authority or of a supplier providing a service may be affected by any transfer arrangement, Officers must ensure that the Transfer of Undertakings (Protection of Employment) Regulations 2006 (TUPE) issues are considered and obtain advice from HR before proceeding with Tenders or Quotations.

11. Information Governance and Data Protection

- 11.1. Procuring Officers must consider the information governance requirements of the Contract if they anticipate any Personal Data is to be processed as part of the Contract e.g. data protection, security of information, records management.
- 11.2. Where Personal Data may be processed as part of the Contract Procuring Officers must seek further advice from their [Legal Support Team](#).
- 11.3. Where Personal Data may be processed as part of the Contract, a Data Protection Impact Assessment tool must be completed. This will help the Council identify the most effective way to comply with its data protection obligations.
- 11.4. Where requirements are identified by the Data Protection Assessment, Procuring Officers must ensure that any requirements are considered and built into the Contract, and assessed where appropriate as part of the evaluation.

PREPARING FOR PROCUREMENT

12. Pre-Procurement

- 12.1. Before commencing a procurement process, officers must first check with the Procurement Specialist if there is an existing Contract in place for the goods, works or services required. If a Contract exists it must be used and no further quotations or tenders are required.

- 12.2. Where no such Contract exists Procuring Officers must ensure that:
- [12.2.1. They have approval from their Head of Service in principle for the proposed procurement exercise and that Finance have been consulted to confirm there are no financial matters which may impact the procurement proceeding in principle](#)
 - ~~12.2.1.~~ [12.2.2. They have conducted an options appraisal and identified that a procurement is required](#)
 - ~~12.2.2.~~ [12.2.3. There is adequate budgetary provision for the goods, services or works that they are procuring](#)
 - ~~12.2.3.~~ [12.2.4. a specification is prepared](#)
 - ~~12.2.4.~~ [12.2.5. An assessment, appropriate to the scale and scope of the Contract, of associated risks shall be undertaken by competent officers or Consultants to include, but not limited to, technical, commercial, health and safety and reputational risks posed to the Council.](#)
- 12.3. Procuring Officers may consult potential suppliers prior to the issue of a Request for Quote or Invitation to Tender in general terms about the nature, level and standard of the supply, Contract packaging and other relevant matters. Records must be kept of this consultation.
- 12.4. Procuring Officers may seek or accept technical advice on the preparation of a specification from anyone who may have a commercial interest in bidding for the Contract provided that it does not prejudice the equal treatment of all potential Tenderers and distort competition.

13. Identification of potential suppliers

- 13.1. All procurement opportunities are advertised on the Council's tendering portal, and Contracts Finder if over £25,000.
- 13.2. All suppliers providing a Quote or Tender must be registered on the Council's tendering portal.
- 13.3. Constructionline should be used to identify suppliers for Works related Contracts.
- 13.4. Where a Closed Group of suppliers is to be invited to bid the CPB must be satisfied that only suitably qualified and capable suppliers are chosen.

14. Calculating Contract Value

- 14.1. Prior to commencing a procurement exercise Procuring Officers must estimate the aggregate value of the Contract. This will determine which Threshold the procurement falls under.
- 14.2. The total value of the Contract should be calculated by reference to the following (where one or more apply use the higher value):-
 - 14.2.1. for fixed term Contracts the total price expected to be paid during the whole of the Contract period, including possible extensions.
 - 14.2.2. where the Contract period is uncertain, multiply the price expected to be paid each month by 48 (where the value exceeds the FTS Threshold, other rules apply and you should seek advice from Legal Services);
 - 14.2.3. if the Contract involves a series of separate transactions for the same type of item, the total value of the Contract is the expected aggregate value of all those transactions in the coming 12 months.
 - 14.2.4. for feasibility studies, when the Contractor may potentially also carry out the work, it is the value of the scheme or Contract which may be awarded as a result.
- 14.3. Contracts must not be artificially separated so as to circumvent the application of any part of CSOs or UK Regulations.
- [14.4. Subject to CSO 14.5 the estimated total Contract value must exclude Value Added Tax \(VAT\) but must include all other taxes and duties.](#)
- [14.5. The estimated total Contract value for Contracts at threshold 5 and above must include Value Added Tax \(VAT\) and all other taxes and duties.](#)
- ~~14.4.~~ [14.6. The suggested, but not prescriptive, default for calculating VAT is to add an equal amount to the standard rate of VAT \(currently 20%\) to the contract estimation net amount. This would remove any problems of underestimating the contract value.](#)

15. Approval

- 15.1. Before commencing on a formal procurement process at Threshold 2 or above, approval must be sought from the Corporate Procurement Board ('CPB').
- 15.2. To seek approval a Procurement Activity Request (Appendix B) form must be completed and submitted to the CPB for approval to proceed.
- 15.3. Where the Contract value is above the FTS Threshold for goods and services (Threshold 5) approval must also be obtained from the relevant Committee.
- 15.4. Where the final contract award is greater than the value approved by the CPB, the award must be approved by the CPB.

FINANCIAL THRESHOLDS

16. Financial Thresholds and Minimum Procurement Requirements

There are 5 financial Thresholds that determine the minimum procurement process to be followed, detailed below and summarised in **Table 1**.

16.1. Threshold 1 – Below £5,000

- 16.1.1. A minimum of 1 written quote must be sought, this is only a required minimum and best practices dictates that multiple quotes be sought to prove value for money.
- 16.1.2. Quotes can be sourced via In-tend or e-mail.
- 16.1.3. Local suppliers should be asked to quote where appropriate.
- 16.1.4. Approval required from relevant SLT member
- 16.1.5. An official purchase order may constitute the Contract [if appropriate](#)

16.2. Threshold 2 – From £5,000 - £24,999

- 16.2.1. A minimum of 3 quotes must be sought.
- 16.2.2. All quotes must be obtained via In-tend.
- 16.2.3. CPB must approve the route to market.
- 16.2.4. An official purchase order may constitute the Contract
- 16.2.5. A Contract must be signed by an approved Contract signatory

16.3. Threshold 3 - £25,000 - £99,999

- 16.3.1. A minimum of 3 quotes or tenders must be sought.
- 16.3.2. The decision whether to use Request for Quote or a Tender is dependent on the complexity of the requirement. As a rule, a RFQ is to be used for Goods and a Tender for Services.
- 16.3.3. All opportunities must be published on In-tend and Contracts Finder.
- 16.3.4. For Works related Contracts Constructionline can be used to select a closed shortlist of suitable Contractors. If selecting from a Closed Group of suppliers there is no requirement to advertise on Contracts Finder
- 16.3.5. CPB must approve the route to market.
- 16.3.6. The Contract must be signed by an approved Contract signatory

16.4. Threshold 4 - £100,000 – FTS Threshold (previously EU)

- 16.4.1. A minimum of 4 tenders must be sought.
- 16.4.2. The Invitation to Tender process must be followed.
- 16.4.3. All opportunities must be published on In-tend and Contracts Finder.
- 16.4.4. For Works related Contracts Constructionline can be used to select a closed shortlist of suitable Contractors. If selecting from a 'Closed' group of suppliers there is no requirement to advertise on Contracts Finder.
- 16.4.5. CPB must approve the route to market
- 16.4.6. The Contract must be signed by an approved Contract signatory

16.5. Threshold 5 - Over FTS Threshold (currently [£189,330](#)[213,477](#) and [£4,733,252](#)[536,937](#) for Works)

- 16.5.1. A minimum of 5 suppliers must be invited to tender
- 16.5.2. All tenders must be advertised on In-tend and Contracts Finder.
- 16.5.3. The opportunity must also be published on FTS.
- 16.5.4. One of the four prescribed routes (Open, Restricted, Competitive Dialogue or Competitive Procedure with Negotiation) must be used.
- 16.5.5. Relevant Committee and CPB must approve the route to market.
- 16.5.6. The Contract must be signed by an approved Contract signatory

16.6. Contracts Sourced via a Framework

- 16.6.1. The above Thresholds also apply where a Contract is sourced via a Framework or Dynamic Purchasing System, but there are key differences relating to the minimum number of quotes/tenders that must be sought. Refer to **CSO 18**.

TABLE 1.
Procurement Thresholds and Contract Award Procedure Summary

The table sets out the general rules applying to the choice of procedure for Contracts at the stated financial values:

Aggregate Value	£0 - £4,999	£5,000 - £24,999	£25,000 - £99,999	£100,000 - FTS Threshold*	Above FTS Threshold	Additional / Different Requirement if Procured via a Framework	
						Below FTS Threshold	Above FTS Threshold
Threshold	1	2	3	4	5	2-4	5
Procedure	Quote	Quote	Open (or Closed*)	Open (or Closed*)	Open, Restricted, CD, CPN,	Framework	Framework
Process	RFQ or email	RFQ	RFQ or Tender	Tender	Tender	Direct Award or Mini Competition or Direct Award	Direct Award or Mini Competition or Direct Award
Minimum No. of quotes / tenders that must be sought	1	3	3	4	5	As per specific Framework rules	As per specific Framework rules
In-tend - Advert	No	Yes	Yes	Yes	Yes	No	No
Contracts Finder - Advert	No	No	Yes	Yes	Yes	No	No
Contracts Finder - Award Notice	No	No	Yes	Yes	Yes	Yes	Yes
FTS	No	No	No	No	Yes	No	No
Approval	SLT Member	CPB	CPB	CPB	Relevant Committee	CPB	Relevant Committee
Required Contract Type (unless otherwise advised by the Legal Team)	PO with standard TDC T&C	PO with standard TDC T&C	TDC contract (Works = JCT*)	TDC contract (Works = JCT*)	TDC contract (Works = JCT*)	Framework Call off	Framework Call off
Contract Award	Delegated Officer	Head of Service	Head of Service	Head of Service	Committee	Head of Service	Committee
Contract signed by	Approved Signatory	Approved signatory	Approved signatory	Approved signatory	Approved signatory	Approved signatory	Approved signatory

Aggregate Value	Additional / Different Requirement if Procured via a Framework						
	£0 - £4,999	£5,000 - £24,999	£25,000 - £99,999	£100,000 - FTS Threshold*	Above FTS Threshold	Below FTS Threshold	Above FTS Threshold
Threshold	1	2	3	4	5	2-4	5
Procedure	Quote	Quote	Open (or Closed*)	Open (or Closed*)	Open, Restricted, CD, CPN,	Framework	Framework
Process	RFQ or email	RFQ	RFQ or Tender	Tender	Tender	Direct Award or Mini Competition or Direct Award	Direct Award or Mini Competition or Direct Award
Minimum No. of quotes / tenders that must be sought	1	3	3	4	5	As per specific Framework rules	As per specific Framework rules
In-tend - Advert	No	Yes	Yes	Yes	Yes	No	No
Contracts Finder - Advert	No	No	Yes	Yes	Yes	No	No
Contracts Finder - Award Notice	No	No	Yes	Yes	Yes	Yes	Yes
FTS	No	No	No	No	Yes	No	No
Approval	SLT Member	CPB	CPB	CPB	Relevant Committee	CPB	Relevant Committee
Required Contract Type	PO with standard TDC T&C	PO with standard TDC T&C	TDC contract (Works = JCT*)	TDC contract (Works = JCT*)	TDC contract (Works = JCT*)	Framework Call off	Framework Call off
Contract Award	Delegated Officer	Head of Service	Head of Service	Head of Service	Committee	Head of Service	Committee
Contract signed by	PO	Approved signatory	Approved signatory	Approved signatory	Approved signatory	Approved signatory	Approved signatory

For below FTS (previously EU) Threshold procurements (£5k - £213,477,489k)

- Minimum of three quotes or tenders sought (can be Closed, Restricted or Open)
- For Works related projects Constructionline can be used to select shortlist of suitable Contractors
- If selecting from a 'Closed' group of suppliers (whether on Framework or not) there is no requirement to advertise on Contracts Finder
- An Open tender (above £25k) must be advertised on Contracts finder.
- All Contract awards above £25k must be published on Contracts Finder regardless of whether the opportunity was advertised*or not.

*FTS – refers to the FTS Thresholds detailed in 16.7 below.

*JCT – refers to the Joint Contracts Tribunal suite of construction related Contracts

*Closed – refers to the use of a selected shortlist of suppliers e.g. a Constructionline shortlist

16.7. FTS Thresholds as of January 2021

Table 2

Supplies	Services	Works	Concession Contracts	Light Touch Regime
£189,330,213,477	£189,330,213,477	£4,733,255,336,937	£4,733,252,336,937	£663,540

FTS thresholds are inclusive of VAT.

The financial Thresholds are updated every 2 years.

PROCEDURAL STEPS OF PROCUREMENT

17. Procurement Procedures Overview

17.1. General

- 17.1.1. The Council may apply any procedure that conforms to the UK Regulations in its procurement process.
- 17.1.2. Subject to CSO 4 (Exceptions and Waivers) the appropriate process set out in Table 1 must be followed for each procurement determined by the estimated value of that Contract.
- 17.1.3. Invitations to Tender or Requests for Quotations must be issued electronically (via email for Threshold 1 and via the Council's e-tendering portal for Threshold 2 and over).
- 17.1.4. All tenders or quotations must be returned to the Council electronically (via email for Threshold 1 and via the Council's e-tendering portal for all procurements at Threshold 2 or over).
- 17.1.5. A **Procurement Activity Request** must be completed and stored on e-tendering portal for each tender or quotation within or exceeding Threshold 2

17.2. Below FTS Threshold (Thresholds 1-4) - There are 3 available procurement routes:

- Framework; Invitation to Mini Competition or Direct Award (CSO 18)
- Request for Quote – (CSO 19) -£5k - £100k
- Open Procedure (CSO20) -over £25k

17.3. Above FTS Threshold (Threshold 5) - There are 5 available Procurement Procedures

- Framework; Invitation to Mini Competition or Direct Award (CSO 15)
- Open (CSO20)
- Restricted (CSO21)
- Competitive Dialogue (CSO22)
- Competitive Procedure with Negotiation (CSO23)
- Light Touch Regime (CSO 24)

18. Frameworks and Dynamic Purchasing Systems (DPS)

18.1. A Framework Agreement is a Contract that has been officially tendered for by another local authority, public sector organisation, Purchasing Consortium, or central Government.

18.2. A Dynamic Purchasing System is a fully electronic open Framework.

18.3. The Council encourages the use of Framework Agreements as it obviates the need for the Council to undertake a full tender process reducing timescales and the resource burden of procurement activity.

18.4. Contracts based on Framework Agreements must always be awarded in accordance with the rules set out within the Framework Agreement documentation. This may be either by:

- 18.4.1. undertaking a 'direct call-off' from the Framework Agreement, where the terms are sufficiently precise to cover the particular call-off requirements without re-opening competition and a Contract can be award directly to a Framework Supplier; or
- 18.4.2. By holding a 'further competition' in accordance with the rules set out in the framework, where the requirements are provided to the Framework Suppliers in the relevant lot of the framework, and the Framework Suppliers provide their responses and price in return.
- 18.4.3. If both options are available 'further competition' should be used.

18.5. In-tend must be used to run a Mini-Competitions.

18.6. Procuring Officers must ensure they are fully conversant with the rules, stipulations and eligibility of the Council to use the framework, as stated within the Framework Agreement. Failure to comply with the rules of a Framework Agreement could result in the Council being found in breach of the Regulations. If these rules are not sufficiently detailed for the Procuring Officer to be assured of the eligibility and requisite process, the Procuring Officer must engage with [the Procurement Specialist](#) to seek advice on the validity of the Framework Agreement.

~~18.6-~~18.7. [Utility procurement: Due to the volatility of the energy market, prices of water, diesel, electricity, gas, oil and petroleum fluctuate on a daily basis and the sums quoted by central purchasing bodies in this sector require immediate acceptance. In order to achieve the Best Value for the Council all decisions relating to energy procurement including award and/or the variation of contracts may be approved jointly by the Head of Finance and Executive Head of Communities. All decisions relating to the award of or variation of energy related contracts will be reported to the CPB for information purposes only.](#)

19. Request for Quotation (RFQ)

- 19.1. This procedure only applies for procurement ~~below~~ at Threshold 4 or below, where suppliers are requested to submit a quote for the requirements.
- 19.2. This process is simpler and shorter than the Invitation to Tender process reflecting a less complex requirement.
- 19.3. The decision whether to use Request for Quote or a Tender is dependent on the complexity of the requirement. As a rule, a RFQ is to be used:
 - for the procurement of Goods or Works rather than Services
 - Where Price is the only evaluation criteria
- 19.4. The RFQ must include;
 - A description of the works, goods or services being procured
 - A specification indicating the outcome required
 - Standard TDC Terms and Conditions
 - The evaluation criteria including any weightings
 - The Cost (pricing) mechanism and instructions for completing the tender sum response
 - The Quality and Service requirements and associated response form if applicable
 - The form and content of any method statements to be provided of applicable
- 19.5. RFQs may be published to a Closed Group of suppliers where it can be established that the Open Procedure will attract too many responses to be adequately evaluated and responded to.
- 19.6. A minimum of 3 suppliers must be asked to provide a quotation.
- 19.7. Suppliers should be selected in line with CSO13.
- 19.8. Quotations must be submitted via in-tend if over £5k.

20. Open Procedure (ITT)

- 20.1. This is a single stage process where all suppliers expressing an interest are invited to respond to an ITT. A pre-qualification stage is not permitted where the Contract value is below the FTS Threshold for Goods or Services. This procedure shall apply where:
 - the value of the Contract award will be below the FTS Threshold;
 - the value of the Contract award will be above the FTS Threshold and the Council has decided that a single stage tender is appropriate.
- 20.2. The ITT must include:
 - A description of the works, goods or services being procured
 - A specification indicating the outcome required
 - Terms and conditions of Contract
 - The evaluation criteria including any weightings
 - The Cost (pricing) mechanism and instructions for completing the tender sum response
 - The Quality and Service requirements and associated response form
 - Where there is a potential transfer of employees, the Council's view on whether TUPE will apply
 - The form and content of any method statements to be provided
- 20.3. For Works related Contracts where it can be demonstrated that the response to an open advertisement would generate such a large number of responses that the time spent in evaluating such tenders would be disproportionate to the value of the Contract Constructionline can be used to select a Closed Group of suppliers to be invited to submit tenders for below FTS Threshold Contracts.

21. Restricted Procedure (PQQ and ITT)

- 21.1. This procedure can only apply where the value of the Contract award will be above the FTS Threshold.
- 21.2. **Stage 1 – Pre-qualification**
 - 21.2.1. Suppliers respond to a Contract opportunity by submitting a Selection Questionnaire (“SQ”). This is used to establish their capability, experience and suitability.
 - 21.2.2. For any Works Contracts the national standard PQQ [PAS91 2013] must be used if you are following a restricted procedure. There is limited scope to amend this PQQ template. The PQQ can be found in the procurement toolkit.
 - 21.2.3. Upon receipt of the completed SQ the information will be evaluated.
 - 21.2.4. A minimum of 5 qualifying suppliers to be shortlisted for the next stage.
- 21.3. **Stage 2 – Invitation to Tender**
 - 21.3.1. Invitation to Tender documents published to the shortlisted suppliers from stage 1.
 - 21.3.2. If fewer than the required minimum number of suppliers either meet the minimum qualification requirements or express an interest, the CPB must be consulted to agree whether to seek additional tenderers.

22. Competitive Dialogue (Multi stage)

- 22.1. This procedure can only apply where the value of the Contract award will be above the FTS Threshold.
- 22.2. This method is used usually where the requirement is very complex and where specifications or outcomes of a solution have not yet been clearly defined. This will usually involve an initial shortlisting followed by an Invitation to Participate in Dialogue whereby initial proposals are made proceeding to various stages of dialogue to determine the final solution.
- 22.3. This is an extremely complex process and should not be undertaken without the prior approval of the CPB.

23. Competitive Procedure with Negotiation (Multi stage)

- 23.1. This procedure can only apply where the value of the Contract award will be above the FTS Threshold
- 23.2. This is a method which is used where the requirement requires design or innovation solutions which cannot be readily identified through market engagement, or dialogue is required to determine with sufficient precision the final legal and financial make up, but that minimum requirements and objectives can be identified prior to procurement. The process normally involves shortlisting of bidders who respond most robustly to the minimum requirements and objectives and then final negotiations are held on certain elements;
- 23.3. The competitive with negotiation procedure allows award following the initial ITT stage before negotiations have commenced providing this is stipulated in the tender documentation.
- 23.4. This is an extremely complex process and should not be undertaken without the prior approval of the CPB.

24. Light Touch Regime

- 24.1. This procedure can only apply where the value of the Contract award will be above the FTS Threshold
- 24.2. The Light Touch Regime (LTR) covers Health, Education and Social Care Contracts. As with all procurements, the process undertaken to award the Contract must be fair, open and provide for equal treatment.
- 24.3. This process should not be undertaken without the prior approval of the CPB.

25. Concession Contracts

- 25.1. Concession Contracts are governed by the Concession Contracts Regulations 2016 and not Contract UK Regulations.
- 25.2. They relate to the granting of a right to a third party to provide a service or an asset and transferring the opportunity to that third party to exploit the market and retain any profit it makes.
- 25.3. The granting of such Contracts should not be undertaken without the prior approval of the CPB.

General

26. Opening of Quotations and Tenders

- 26.1. All quotes and tenders (over Threshold 1) must be submitted electronically via the SE Shared Services portal.
- 26.2. All quotes and tenders must remain locked until the specified return date.
- 26.3. Any quotation or tender received after the specified date and time will be rejected.
- 26.4. In-Tend allows for all bids to be opened and recorded within the system alleviating the need to employ a bid opening committee to sign and witness the opening of bids. For the avoidance of doubt, the Procuring Officer running the procurement exercise can proceed to open the bids using the electronic opening ceremony independently.
- 26.5. The confidentiality of quotations, tenders and the identity of contractors must be preserved at all times and the information about one contractor's response must not be given to another contractor.

27. Supplier Assessment

- 27.1. No assessment of a suppliers financial standing is needed for Contracts estimated to be within Thresholds 1 or 2 unless the goods being purchased are a proprietary item, in which case a financial assessment must be conducted.
- 27.2. A financial assessment of potential suppliers must be undertaken for all Contracts estimated to be within or above Threshold 3
- 27.3. An assessment will be made of a Supplier's:
 - 27.3.1. financial stability and resources;
 - 27.3.2. insurances;
 - 27.3.3. technical and other relevant references;
 - 27.3.4. business continuity plans;
 - 27.3.5. qualifications and experience;
 - 27.3.6. environmental, ethical and employment policies;
 - 27.3.7. previous experiences.
- 27.4. A supplier that does not meet the Council's minimum requirements will not be accepted.

28. Evaluation of Quotations and Tenders

- 28.1. Quotations or Tenders will be evaluated strictly in accordance with the evaluation criteria published in advance. The available options are:
 - 28.1.1. Price only - accept the offer from the Contractor who, having satisfied the council's minimum requirements, has offered the lowest price.
 - 28.1.2. Price / Quality – where a price quality split is stipulated, the supplier who ranks highest over-all shall be awarded the Contract, this is otherwise known as the Most Economically Advantageous Tender (M.E.A.T).
 - 28.1.3. Where the most economically advantageous tender is to be sought, an assessment criteria and associated weightings will be specified in the ITT.
 - 28.1.4. The Procuring Officer must ensure that evaluation of tenders takes place involving suitably experienced officers to form "the evaluation panel". The results of the evaluation must reflect the consensus of the panel and be approved by the CPB.

28.2. Abnormally low Tenders (ALTs)

There is no definition in the Regulations of an abnormally low tender, but in practice, it will be identified where the tenderer's price is significantly lower than other tenderers. Where such a tendered price is received an explanation from the tenderer must first be sought. Where the evidence does not provide a satisfactory explanation, the tender can be rejected.

29. Contract Award Notice

- 29.1. Award notification letters must include the following debriefing information, and no additional details should be given without taking the advice of Procurement:
- How the award criteria were applied;
 - The name of the successful Tenderer(s);
 - The score/price of the Tenderer, together with the score/price of the successful Tenderer;
 - Details of the reason for the decision, including the characteristics and relative advantages of the successful Tender; and
 - Confirmation of the date before which the Council will not enter into the Contract (i.e. the date after the end of the 'standstill period')
- 29.2. For all Contracts with a value exceeding the FTS Threshold a 10 stand-still period will apply, in compliance with PCR 2015 regulations.
- 29.3. If a decision is challenged by an unsuccessful Tenderer, after the issue of an award notification letter, the Procuring Officer must not award the Contract but immediately inform the relevant Chief Officer and the Procurement Officer and seek the advice of the Head of Legal [Services and Monitoring Officer](#).

30. Commencement of Work

- 30.1. No supply of work, supplies or services is to commence until a Contract is in place.
- 30.2. Proposed payment arrangements under a Contract must be discussed and agreed by the Chief Finance Officer in advance of any Contract being entered into. However, the Chief Finance Officer may issue guidance on approved payment arrangements.

CONTRACTS

31. Contract Sign Off and Sealing

- 31.1. A Contract can only be signed by one of the following:
- Chief Executive
 - ~~Strategic Director of Resources~~
 - Section 151 Officer
 - Head of Legal [Services](#) and Monitoring Officer
 - Legal Specialist
- 31.2. A Contract should normally be sealed where:
- the Council may wish to enforce the Contract more than six years after its end;
 - the price paid or received under the Contract is a nominal price and does not reflect the value of the goods or services;
 - where there is any doubt about the authority of the person signing for the other Contracting party;
 - some Contracts with a value at or below Threshold 3;
 - all Contracts above Threshold 3

Legal advice should be sought as to whether a Contract should be sealed. [Contracts may be sealed electronically where advised accordingly by the Legal Team.](#)

- 31.2 ~~All contracts must be signed by the Council before the contract provisions begin. Where there is the~~ hard copy contract documentation, along with confirmation of authority to enter into the contract (including any delegated urgent decision record, where appropriate) ~~this~~ must ~~therefore~~ be passed to the legal team for signing as soon as possible.

- 31.3 Where a Contract is to be signed underhand, electronic signatures may not be used where statute imposes a requirement for the document to be in writing with an original signature. Advice should be sought from the Head of Legal [Services and Monitoring Officer](#) where there is uncertainty. Examples include property transactions, transfer of securities, assignments of copyright etc.

- 31.4 Once the ~~hard copy~~ contract documentation has been signed and dated (completed), the officer must pass the documentation to the [Legal Team](#) and to the Procurement Specialist. The [Legal Team](#) will arrange for ~~the hard copy~~ documentation to be stored in the Council's strong room, in accordance with the Council's document retention policy. [Soft copy contracts will be stored in the Legal Team's document management system and a copy will be provided to the eOfficer.](#)

- 31.5 [The Legal team should be consulted on all proposed contractual arrangements. A simple contract that on the face of it appears to have no financial cost to the Council may still have financial implications or need careful consideration as to the risks involved in entering into it.](#)

- 31.6 [Every contract that the Council enters into must have a demonstrable governance audit trail. No contract may be entered into without it first being established that there is appropriate governance in place. Please contact Legal Team for guidance if required.](#)

- 31.7 [Except in exceptional circumstances with the prior written approval of the CPB all Contracts must be signed or sealed before their commencement.](#)

32. Contract Conditions / Form of Contract

All Contracts should be in writing ~~Contract~~ and on terms and conditions (including any provision for liquidated damages) as may be determined by the Head of Legal [Services and Monitoring Officer](#). [Standard contract clauses as detailed in this section 32 shall be used in all contracts, except where Officers consider that such clauses are not appropriate for the contract being considered. In these circumstances, Officers shall seek legal advice on appropriate contract clauses from the Legal Team.](#)

- 32.1. [The following clause \(or suitable alternative drafted by the Council's Legal Team\) shall be put in every written Council contract:](#)

"The Council may terminate this contract and recover all its loss if the Contractor, its employees or anyone on the Contractor's behalf (whether with or without the knowledge of the Contractor) does any of the following:

- i. Offers, gives or agrees to give to anyone, any inducement or reward for doing or forbearing to do or for having done or forborne to do any action in relation to the obtaining or execution of the Contract or any other Contract with the Council or for showing or forbearing to show favour or disfavour to any person in relation to the Contract or any other Contract with the Council (even if the Contractor does not know what has been done); or
- ii. Commit an offence under the Bribery Act 2010 or Section 117 (2) of the Local Government Act 1972 and/or the Contractor has committed an act which is an offence under the Enterprise Act 2002;
- iii. Commit any fraud in connection with this or any other Council contract whether alone or in conjunction with Council members, contractors or employees
- iv. Any clause limiting the Contractor's liability shall not apply to this clause."

~~32.1. There shall be inserted in every such written Contract a clause empowering the Council to terminate the Contract and to recover from the Contractor the amount of any loss resulting from such termination, if:~~

- ~~32.1.1. the Contractor shall have offered or given or agreed to give to any person any gift or consideration of any kind as an inducement or reward for doing or forbearing to do or for having done or forborne to do any action in relation to the obtaining or execution of the Contract or any other Contract with the Council or for showing or forbearing to show favour or disfavour to any person in relation to the Contract or any other Contract with the Council; or~~
- ~~32.1.2. the like acts shall have been done by any person employed by them or acting on their behalf (whether with or without the knowledge of the Contractor), or~~
- ~~32.1.3. in relation to any Contract with the Council, the Contractor or any person employed by them or acting on their behalf shall have committed any offence under the Bribery Act 2010 or shall have given any fee or reward, the receipt of which is an offence under Section 117 (2) of the Local Government Act 1972.~~

32.2. All Contracts shall:

- 32.2.1. specify the goods, materials or services to be supplied and/or works to be undertaken, price to be paid, payment terms and conditions, details of any discounts or penalties, the period of the Contract and any other terms and conditions that may be agreed;
- 32.2.2. provide for the payment of liquidated damages where they are appropriate;
- 32.2.3. contain details of any security that is required by the council; and
- 32.2.4. prohibit the Contractor from sub-Contracting or assigning all or any part of the Contract without the express consent of the council.
- ~~32.2.5. Except in exceptional circumstances with the prior written approval of the CPB all Contracts must be signed or sealed before their commencement.~~
- 32.2.5. Every Contract shall require compliance with current legislation with respect to health and safety at work and with all statutory requirements under the Equality Act 2010.
- 32.2.6. Sshall make provision for the Council's obligations under Freedom of Information and Data Protection legislation.

32.3. Bonds and Parent Company Guarantees

32.4.1 Procurement Officers must consult with Procurement Specialist about whether a Parent Company Guarantee or Bond is necessary when a company is:

- a subsidiary of a parent company; and
- the Total Value exceeds £50,000, or
- award is based on evaluation of the parent company, or
- there is concern about the financial stability of the Candidate.

32.4.2 Where the Contract value exceeds £1,000,000 CPB will consider whether it is appropriate to provide for performance bonds. The amount for each performance bond will be approved by the Chief Finance Officer. The bond will be in a form that is acceptable to the Chief Finance Officer and the Head of Legal Services and Monitoring Officer.

32.5 **Corruption, bankruptcy and cancellation**

- 32.5.1 Every Contract must state that the Council may cancel the Contract and recover any resulting losses if the supplier, his employees or anyone acting on his behalf, with or without his knowledge, does anything improper to influence the Council or commits an offence under Bribery Act 2010.
- 32.5.2 Every Contract must state that if the supplier enters into liquidation or administration, the Council is entitled to cancel the Contract and recover any resulting losses.
- 32.5.3 A non-collusive tendering certificate is to be included with all tender documentation which must be signed by Tenderers and included with their Tender.

32.6 **Consultants**

- 32.6.1 Any Consultant employed by the Council to let or manage Contracts must comply with these CSOs. The Contract with any Consultant must provide that all records maintained by the Consultant in relation to a Contract must be made available to the Council on request and handed over to the Council on completion of the procurement.

32.7 **Insurance**

- 32.7.1 The Procuring Officer must consider the Council's need for appropriate indemnities backed by insurance. In the case of a Contract for works or services, the Contract must require the supplier to carry Public Liability insurance to a minimum of £10m unless otherwise agreed by the Chief Finance Officer.
- 32.7.2 In the case of a Contract for professional services, the Contract must require the supplier to carry Professional Indemnity insurance to a minimum of £5m unless otherwise agreed by the Chief Finance Officer.
- 32.7.3 For all Contracts there must be a requirement for the supplier to carry Employers Liability insurance to a minimum of £10m [unless otherwise agreed by the Chief Finance Officer](#).

**Table 3
Insurance Requirements**

Type of Insurance	Minimum Value
Public Liability	£10m
Professional Indemnity	£5m
Employers Liability	£10m

33. Contract Management

33.1. For all Contracts with a value at Threshold 4 or above a Contract Manager must be appointed. Where reasonably practicable, the Contract Manager should be part of the initial procurement process. The Procuring Officer must notify the name of the Contract Manager to the supplier prior to letting of the Contract.

33.2. The role of the Contract Manager will be to manage the Contract throughout its duration, as well as enforce duties owed to the Council under Contract and to be responsible on behalf of the Council for those duties owed to the Contractor.

33.2-33.3. [The Contract Manager must check that services, goods and works have been delivered to the required standard before goods are 'receipted' and invoices approved. Officers checking and approving invoices must ensure invoices are in line with agreed Contracts and should challenge suppliers and contractors where necessary before any payments are made and ensure that any penalties or rebates are claimed.](#)

33.3-33.4. The responsibilities of the Contract Manager will include:

- [undertake appropriate risk assessments that have considered service continuity, health and safety, fraud and information management risks](#)

- maintain a risk register during the contract period
- ensure appropriate contingency measures are in place for identified risks
- formally review monthly and regularly monitor and report to the Procurement Specialist on: a Contractor's performance against the agreed level of service; the regularity of meetings held with the contractor; compliance with specification and contract costs and identifying as early as possible any potential over-spends and any Best Value requirements
- ~~monitoring performance of the supplier against the agreed level of service~~
- monitoring the continuing level of operational and financial risk to which the Council is exposed and to institute controls as appropriate
- ~~ensuring the supplier's compliance with all appropriate health and safety obligations~~
- facilitating the resolution of issues between the supplier and users of the service
- ensuring prompt payment of invoices and compliance with all financial regulations and CSOs during the lifetime of the Contract
- ensuring that appropriate arrangements are made for the termination or re-letting of the Contract at the appropriate time.

33.4.33.5. Variations.

33.4.1.33.5.1. Where the relevant Contract Manager considers an existing Contract needs to be varied (i.e. practical changes which do not alter the essential nature of the original Contract as opposed to additional works or supplies not originally envisaged) he or she may approve these subject to the proposed variation being contained within the total budget approved for the Contract. The reasons for and details of any such variation must be recorded and stored with the Contract.

33.4.2.33.5.2. Where the approved budget would be exceeded because of the variation, approval for any such variation must be sought from the CPB.

33.5.33.6. Contract Termination

33.5.1.33.6.1. Contracts may be terminated, by the relevant Head of Service, by agreement prior to the expiry date or in accordance with the Termination Provisions set out in the Contract. Advice must be sought from the Head of Legal Services and Monitoring Officer.

33.6.33.7. Contract Extension

33.6.1.33.7.1. Any Contract that expressly provides for extension may be extended in accordance with its terms provided that the CPB are satisfied that Value For Money will be achieved, and the extension is reasonable in all the relevant circumstances.

33.6.2.33.7.2. Where the Contract does not make provision for the extension of the Contract, the CPB shall not extend the Contract, unless legal advice has been sought from the Head of Legal Services and Monitoring Officer at the earliest opportunity.

33.6.3.33.7.3. For the purposes of CSO 33.67.1 an extension of a Contract includes the option to increase the amount of supplies, services or works as well as the option to lengthen the duration of the Contract.

34. Contracts Register

- 34.1. Under Government Transparency Law the Council must publish and maintain details of all "live" Contracts over £5,000. In order to achieve this requirement, Procurement will add details of all Contracts to the e-procurement systems Contract Register.
- 34.2. The e-procurement systems Contract Register allows for private documents to be stored. Procurement will add an electronic copy of the final signed / sealed Contract and any relevant documents. This will be accessible to Council officers linked to the procurement.
- 34.3. All original sealed deed Contract documents must be held centrally by Legal Services Team for the term of the Contract (including any agreed extension periods), plus the statutory limitation period (12 years for sealed deeds). They must be referenced back to the Central Register.
- 34.4. Contract Managers are responsible for ensuring that:

- the original signed/sealed copies of the Contract and any subsequent signed variations, have been stored as set out in 34.2 and 34.3;
- summary details of any Contract that has been entered into, that binds the Council to the terms and conditions of the Contract plus a pdf copy of the signed / sealed Contract is provided to Procurement to be entered on the Contracts Register administered by Procurement;
- Procurement will maintain the online Contracts Register (via the electronic procurement system) to ensure the Council complies with the obligations of the Local Government Transparency Code (2015).

34.5 The Contract information that shall be entered into the register is as follows:

- the date of the award of Contract;
- the name and address of the Contractor;
- a description of the purpose of the Contract;
- the duration of the Contract;
- the estimated value of the Contract including any extensions available;
- the start date;
- the end date for the Contract, or the circumstances in which the Contract will end;
- the duration of the potential extension periods to the Contract; and
- any other information relating to the Contract which Procurement considers to be material.

35. Purchasing Cards

- 35.1. The Council operates a purchase card facility; these are available, with the approval of the Head of Service and finance.
- 35.2. Purchase cards are to be used for low value or one-off incidental spend where it is not efficient to add the suppliers to the finance management system
- 35.3. Purchase cards must not be used to bypass corporate Contracts without the express permission of Procurement.
- 35.4. The principle of disaggregation applies to spend on purchase cards both in relation to the individual and the Council as a whole.

DEFINITIONS

Authorised Signatory List	The list of officers authorised to make financial transactions. Head of Service approval is required before an officer may be included in the list.
Award Criteria	The criteria on which the award of a Contract is based following an evaluation of Contract tenders in a procurement procedure. Award criteria must be focused on the tender and not the tenderer (which will already have been assessed at the pre-qualification stage against the relevant Selection Criteria).
Closed Group	Refers to the use of a selected shortlist of suppliers eg a Constructionline shortlist. PCR 2015 Regulation 110 states 'a contracting authority does not advertise an opportunity where it makes the opportunity available only to a number of particular economic operators who have been selected for that purpose (whether ad hoc or by virtue of their membership of some closed category such as a framework agreement), regardless of how it draws the opportunity to the attention of those economic operators'
Call-off Contracts	This term is used to describe a Contract that is entered into for a specified period but where the total value and quantity of items ordered cannot be quantified at the outset. An example might be a Contract for the supply of office stationery. Prices are specified for the duration of the Contract, subject as necessary to fluctuation according to agreed formulae.
Chief Officer(s)	The Officers defined as such in the Constitution.
Concession Contracts	As defined by the Concession Contracts Regulations 2016; Contracts for pecuniary interest concluded in writing between a Contracting authority/utility) and an economic operator/(s) Where the consideration (or "payment") is either: <ul style="list-style-type: none"> • Simply that the Contractor has the right to exploit (that is, to profit from) the works/services that are the subject of the Contract. • Where the Contractor has that right together with some payment from the Contracting authority/utility.
Constructionline	A national register of pre-qualified local and national construction and construction related Contractors and Consultants. The Council uses this register as its selection method for construction related Contracts.
Consultant(s)	Someone employed for a specific length of time to work to a defined project brief with clear outcomes to be delivered, who brings specialist skills or knowledge to the role, and where the Council has no ready access to employees with skills, experience or capacity to undertake the work
Contract	In this context, means <ul style="list-style-type: none"> (i) an agreement between parties for the supply of goods or services or the execution of works. (ii) any Framework Agreement; (iii) any agreement where no payment is made by the Council, but which is of financial value to the Contractor (e.g. a concession); but does not include (without exception): <ul style="list-style-type: none"> • an employment Contract; or • a Grant Agreement.
Contract Value	All references to Contract values refer to the estimated value unless otherwise specified. The estimated value is calculated over the entire period of the Contract, including the period of any possible extensions to the term of the Contract. Where the term of the Contract is not known, a term of 4 years must be assumed and applied when calculating the Contract value. The calculation of the value must be assessed exclusive of Value Added Tax.
Contracts Finder	A central website maintained by Government on which public

	sector tender opportunities above advertised by the Council are required to be advertised.
Contracts Manager	Those Officers authorised to carry out the day to day activities required to manage a Contract.
Contracts Register	The electronic register hosted on In-tend that must be populated, with key information about Contracts, for all Contracts awarded as required by these procedures
Corporate Management Team	The Corporate Management Team is the meeting of the Executive Director and Directors, which is advised by Heads of Service and other Officers as appropriate.
Corporate Procurement Board / CPB	This is a board made up of members of the Corporate Management Team and acts as the governance board for the Council's procurement activity. Their role is: <ul style="list-style-type: none"> • To challenge all spend and procurement activity • To ensure compliance with CSOs • To support the development of a consistent and coherent approach to procurement • Develop and sponsor a procurement strategy and procurement work plan • To take collective responsibility for driving forward best practice for procurement. • Ultimately to approve all procurement expenditure over £5k
Council	For the purposes of these CSOs, "Council" refers to Tandridge District Council
Deed	A signed and sealed Contract document.
Disaggregation	Deliberately splitting down purchases or Contracts to avoid having to undertake a full competitive exercise.
Dynamic Purchasing System (DPS)	A fully electronic compliant 'Approved List', which in effect operates as an open framework where economic operators can join at any point while the DPS is open, and they meet the Suitability Criteria
Electronic Tendering	A secure means to store and transmit all Procurement Documentation via a secure electronic vault.
Estimated Total Contract Value	The estimated value of a procurement as defined in CSO 14
EU Directives	As of January 2021 no longer applicable. Replaced by to 'PCR 2015 (as amended)'
EU Threshold / OJEU Threshold(s)	As of January 2021 no longer applicable. Thresholds are contained in to 'PCR 2015 (as amended)' The Estimated Total Contract Value at which 'PCR 2015 (as amended)' apply for the category of spend, i.e. Goods, Services and Works.
Evaluation Criteria	Detailed assessment and comparisons of each Bid against the Evaluation Criteria verifying how Bidders will meet the requirements of the Contract; measured against quality and/or price criteria
Financial Regulations	This refers to the set of rules that govern the way the council's finances are administered and controlled. They are maintained by the Section 151 Officer.
Find a Tender Service (FTS)	A new UK e-notification service "Find a Tender" (FTS) replaces OJEU as the means of publication of official procurement notices under the UK Procurement Regulations from 1 January 2021.
Framework Agreement	An agreement with Supplier Contract, to establish terms governing individual Contracts that may be awarded during a given period,
Framework Supplier(s)	An economic operator who has successfully secured a place on a public framework Contract.
Goods/Works/Services	A Contract will be in connection with the acquisition of one or more of these categories of procurements. The use of one of these terms should be taken to mean all the terms unless expressly stated to the contrary.

In-Tend	The Councils e-tendering system which must be used for all procurement exercises exceeding £5,000.
Invitation to Tender / ITT	A key document within the Procurement Toolkit which must contain or reference, the instructions for Bidders, specification, evaluation model and other relevant materials to allow the procurement activity to be concluded successfully.
JCT	The Joint Contracts Tribunal suite of construction related Contracts. The Council's preferred form of Contract for construction Contracts.
Most Economically Advantageous Tender (MEAT)	is a method of assessment used as the selection procedure for publicly-procured contracts, allowing the contracting party to award the contract based on aspects of the tender submission other than just price. Regulation 67 of the Public Contract Regulations 2015 states that: (1) Contracting authorities shall base the award of public contracts on the 'most economically advantageous tender' assessed from the point of view of the contracting authority. (2) That tender shall be identified on the basis of the price or cost, using a cost-effectiveness approach, and may include the best price-quality ratio, which shall be assessed on the basis of criteria, such as qualitative, environmental and/or social aspects, linked to the subject-matter of the public contract in question.
OJEU	The Official Journal of the European Union. As of January 2021 no longer applicable, replaced by 'FTS' or 'Find a Tender, the UK's e-notification service'
Open Procedure	A one-stage procurement where there is an open advert and any potential supplier can access and submit a tender to be evaluated
PAS 91 PQQ	Prequalification questionnaire to be used for all procurements for Works that are between the Service and Supplies Threshold and the Works Threshold where the Restricted Process is used. A template is available in the Procurement Toolkit.
Public Contract Regulations	Refer to Public Contract Regulations or PCR 2015 and from January 2021 is amended to 'PCR 2015 (as amended)' and, the first time PCR 2015 is defined, expand the definition so it reads 'Public Contracts Regulations 2015 as amended by the Public Procurement (Amendment etc.) (EU Exit) Regulations 2019 and Public Procurement (Amendment etc. (EU Exit) (No.2) Regulations 2019 ('Withdrawal Regulations)'
Procurement Toolkit	A guide to procurement providing help and advice in the procurement processes along with supplying template documents, useful forms and sample documents to assist Officers in running their own procurement projects.
Procuring Officer	Any Officer procuring a Contract on behalf of the Council.
Quotation	A quotation of price given by a supplier for a specified piece of work, goods or service (without the formal issue of an Invitation to Tender).
Relevant Director	This term is used to denote the Executive Director, Director of Finance and Resources (Section 151 Officer) or the Director of Operations in person. Where an officer from one service is working in circumstances where they are responsible to another service for the purposes of a procurement exercise, then it is that other director who is the responsible director. In some CSOs the Executive Director and the Section 151 Officer are mentioned by title; where this is done, they are not acting as the relevant director.
Relevant Head of Service	This term is used to denote the head of the service responsible for procuring a Contract.
Request for Quote / RFQ	A key document within the Procurement Toolkit which must contain or reference, the instructions for Bidders, specification, evaluation model and other relevant materials. Only to be used for procurements with a value below Threshold 4.

Restricted Procedure	A two-stage procurement, where the advert invites potential suppliers to submit a Pre-Qualification Questionnaire and only those that meet the selection criteria are then shortlisted and permitted to submit a tender for evaluation. The Regulations only permit this procedure for above FTS Threshold procurements.
Section 151 Officer	This refers to the council's Chief Finance Officer, being the officer responsible for the council's financial administration as defined by the Local Government Act 1972.
Scheme of Delegation	This term refers to the council's Scheme of Delegation, which specifies the extent to which the conduct of the council's affairs is delegated to council officers. If at any time there appears to be a conflict between the Scheme of Delegation and Contract Procurement Rules, the former shall take precedence.
Selection Criteria	The criteria by which Tenderers are chosen to be invited to submit Quotations or Tenders, where a Restricted Procedure is adopted.
Shortlisting	The process of selecting Tenderers who are to be invited to submit Quotations or Tenders or to proceed to final evaluation.
Social Value	Social value is the term used to describe the additional value created in the delivery of a Contract which has a wider community or public benefit. This extends beyond the social value delivered as part of the primary Contract activity. Under the terms of the Social Value Act 2012 contracting authorities are obliged to consider wider social and environmental objectives alongside price and cost when evaluating tenders for services which are valued over the FTS Procurement Thresholds
Specification	The use of the word 'specification' refers to a statement of the council's minimum purchase requirements. For illustrative purposes, it includes as appropriate such matters as: a) Technical drawings b) Recognised international standards c) Method of delivery d) Terms and conditions of supply and delivery e) Responsible purchasing requirements.
Standard Form of Contract	Forms of agreement to be used without variation for certain agreed areas of work with values []
Standard Selection Questionnaire	This is the questionnaire which has been developed to simplify the supplier selection process for businesses using the Restricted Procedure to procure goods or services. It has replaced the Pre-Qualification Questionnaire.
Standstill Period	Contracts over the FTS Threshold must include a 10 calendar day standstill period between the notice of intention to Award and the actual award of Contract. This allows unsuccessful Bidders to be notified of the outcome of the Evaluation provides unsuccessful Bidders with an opportunity to appeal if they believe there is a justified reason to appeal against the Award.
Supplier/Contractor	Both these terms are used to refer to a provider or potential provider of goods, works or services. Once a Contract has been placed with a supplier, that supplier may be more precisely referred to as a Contractor.
Tender	A Tenderer's proposal on price and quality submitted in response to an Invitation to Tender.
Tenderer	Any person who asks or is invited to submit a Quotation or Tender.
TUPE Transfer of Undertakings (Protection of Employment) Regulations	TUPE refers to the Transfer of Undertaking (Protection of Employment) Regulations, 1981. These regulations were introduced to ensure the protection of employees when, for example, a business is taken over by another organisation. Broadly, TUPE regulations ensure that the rights of employees are transferred along with the business.
UK Regulations	Refers to The Public Contracts Regulations 2015.

	<p>From January 2021 is amended to 'PCR 2015 (as amended)' and, the first time PCR 2015 is defined, expand the definition so it reads 'Public Contracts Regulations 2015 as amended by the Public Procurement (Amendment etc.) (EU Exit) Regulations 2019 and Public Procurement (Amendment etc. (EU Exit) (No.2) Regulations 2019 ('Withdrawal Regulations')</p>
<p>Value For Money</p>	<p>Value for Money (VfM) is not the lowest possible price; it combines goods or services that fully meet the needs, with the level of quality required, delivery at the time it is needed and at an appropriate price. (Refer to Most Economically Advantageous Tender).</p>

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