

**OPEN**

APPENDIX 3 – Not for publication by virtue of paragraph(s) 3 of Part 1 Schedule 12A of the Local Government Act 1972.

**Finance Sub Committee**

**10 September 2025**

**Procurement Pipeline**

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**Report of: Ashley Hughes, Executive Director of Resources (S151)**

**Report Reference No: FSC/31/25-26**

**Ward(s) Affected: All**

**For Decision**

**Purpose of Report**

- 1 The purpose of this report is to enable Finance Sub Committee to fulfil its responsibilities in relation to the oversight of the procurement pipeline of the Council. This report provides an update of the pipeline of procurement activity, an update on the contracts awarded this financial year, and an update on the number of cases where and reasons why procurement activity has required the use of waivers.
- 2 This report supports the Council in being an effective and enabling council.

**Executive Summary**

- 3 The report provides an overview of procurement activity across the council. This includes the pipeline of high value (over £1m) procurement activity, all contracts awarded since 1<sup>st</sup> April 2025, the number and reasons for waivers to the Contract Procedure Rules and the number of non-adherences to the Contract Procedure Rules.

**RECOMMENDATIONS**

The Finance Sub Committee is recommended to:

1. Approve the 14 pipeline projects in Appendix 1 column G as business as usual.
2. Note the reason for 12 waivers approved between 1<sup>st</sup> December 2024 and 31<sup>st</sup> July (18 in total in 2024/25 and 5 for 2025/26).
3. Note the contracts awarded since April 2025, Appendix 2.
4. Note that this paper be presented to the next meeting of the Audit and Governance Committee on 29 September 2025 for assurance with regards procurement waiver compliance and reporting.

## Background

- 4 The sub-committee has responsibility for the oversight of procurement. Procurement is the process of acquiring goods, works or services from third parties. The process spans the whole commissioning cycle and is covered by the Procurement Act 2023 and the Provider Selection Regime for health services.
- 5 To ensure compliance with the Procurement Act, the Constitution and the Commissioning Framework a procurement pipeline of work is maintained which the Committee should review as part of their responsibilities. This is attached at Appendix 1.
- 6 The procurement pipeline provides a list of all the Council's scheduled procurement activity above £1m. The Committee should be reassured that significant decisions are managed and therefore consider reviewing important or valuable contracts. The pipeline is also available on the [Cheshire East Transparency Pages](#).
- 7 A Significant Decision is ““A decision which is likely to result in the local authority incurring non-routine expenditure which is, or the making of non-routine savings which are, significant having regard to the Council's budget for the service or function to which the decision relates; and / or is likely to be significant in terms of its effects on communities living or working in an area comprising one or more wards or electoral divisions in the area of the Council. For these purposes, savings and expenditure are ‘significant’ if they are equal to or greater than £1,000,000, unless the context requires otherwise”.
- 8 Significant Decisions are decisions that need to go to committee. The definition was simplified to a decision over £1m but this was causing unnecessary activity as the Council has regular ‘business as usual’ decisions over £1m which would still have required routine reports to committee. To ensure transparency the Sub-Committee has responsibility to oversee the procurement pipeline, this means members are sighted on all procurement activity and in addition specifically approve any procurement which is classified as business as usual in column G to ensure the process remains proportionate. The procurements requiring approval are shown in Appendix 1.
- 9 The Local Government Transparency Code was published in 2015 which details, amongst other things, the procurement information local authorities are required to publish. Cheshire East Council publishes a monthly spend report detailing the previous months spend and quarterly reports for contracts awarded, the procurement pipeline and purchase card spend. This is all available on the Councils transparency pages. Appendix 2 provides a list of all contracts awarded over £5000 since April 2025. The Council also complies with the Procurement Act 2023 and publishes all contracts above £25k on Find a Tender.

- 10 The contract procedure rules set out the necessary controls that are used to manage related spending. There are occasions where it is appropriate to waive these rules with the proper authority. Waivers are pre-approved variations from the Contract Procedure Rules, and these form part of the procurement process.
- 11 All waivers approved in the periods between Finance Sub-Committees will be presented to the next Committee meeting. The number of waivers to be reported to this committee is 12, 7 from 2024/25 and 5 for 2025/6 financial year. The waiver is set out in Part 2 of the agenda.

| <b>Waivers</b> | <b>2020 - 2021</b> | <b>2021- 2022</b> | <b>2022- 2023</b> | <b>2023- 2024</b> | <b>2024- 2025</b> | <b>2025 - 2026</b> |
|----------------|--------------------|-------------------|-------------------|-------------------|-------------------|--------------------|
|                | 25                 | 37                | 24                | 6                 | 18                | 5                  |

| ID  | Category          | Contract Title  | Contract Start Date | Contract Expiry Date | Contract Value | Provider(s)                 |
|-----|-------------------|---|---------------------|----------------------|----------------|-----------------------------|
| 108 | D - Compatibility | Property Inspector Solution   | 19/10/2025          | 18/04/2026           | £5,000.00      | Destin Solutions            |
| 105 | D - Compatibility | Learning Management System (LMS) and Authoring System   | 01/07/2025          | 30/06/2027           | £85,656.56     | Learning Pool Ltd           |
| 97  | D - Compatibility | Accident Reporting Software System  | 01/09/2025          | 30/08/2028           | £41,520.00     | Acclaim Safety Systems Ltd  |
| 96  | E - Knowledge     | Safeguarding Adults Board Independent Chair   | 19/05/2025          | 18/05/2027           | £24,000.00     | Kevin Bennett               |
| 94  | A - Emergency     | Relationship Support Service  | 01/04/2025          | 31/03/2026           | £15,000.00     | Tavistock Relationships     |
| 93  | C - Unique        | CIPFA Finance Professional Competency Model   | 11/04/2025          | 10/07/2025           | £60,000.00     | CIPFA                       |
| 91  | A - Emergency     | Strategic Communications Support  | 24/03/2025          | 30/09/2025           | £100,000.00    | Grayling Communications Ltd |
| 85  | C - Unique        | Thinking Differently for Disadvantaged Learners Training Resources                                | 04/02/2025          | 03/02/2030           | £21,194.10     | Challenging Education       |
| 79  | H – Other         | To supply, install and maintain advertising and non-advertising bus shelters within Cheshire East | 12/01/2025          | 11/01/2027           | £0.00          | Clear Channel Uk Ltd        |
| 78  | H – Other         | Further Provision of Xmas Food Hampers  | 11/12/2024          | 01/02/2025           | £66,000.00     | Changing Lives Together     |
| 76  | H - Other         | Provision of Xmas Food Hampers  | 11/12/2024          | 01/02/2025           | £44,000.00     | Changing Lives Together     |
| 75  | E - Knowledge     | International Recruitment Partner   | 20/12/2024          | 19/12/2025           | £95,000.00     | Morgan Hunt                 |

- 12 Any breach of, or non-adherence to, the Contract Procedure Rules is reported to the S151 Officer and Monitoring Officer on discovery. The relevant Director or their delegated representative are required to outline the reasons for the breach and the steps taken to prevent recurrence. The number of non-adherences to present to this meeting is 0.

| <b>Non-Adherence</b> | <b>2020-2021</b> | <b>2021-2022</b> | <b>2022-2023</b> | <b>2023-2024</b> | <b>2024 - 2025</b> | <b>2025 - 2026</b> |
|----------------------|------------------|------------------|------------------|------------------|--------------------|--------------------|
|                      | 3                | 3                | 4                | 1                | 3                  | 0                  |

## **Consultation and Engagement**

- 13 Consultation and engagement have been undertaken with Cheshire East Council staff who have a role within Commission, Procuring and Contract Managing goods, services or works for the Council.

## **Reasons for Recommendations**

- 14 To ensure compliance with the Procurement Act 2023, the Constitution and the Commissioning Framework a procurement pipeline of work is maintained which the Committee should review as part of their responsibilities. This is attached at Appendix 1.
- 15 Column G of the pipeline identifies which procurements are categorised as business as usual and which are categorised as Significant Decisions and require service committee approval. This is due to them incurring non-routine expenditure or having a significant effect on communities.
- 16 The Contract Procedure Rules set out the necessary controls that are used to manage related spending. There are occasions where it is appropriate to waive these rules with the proper authority.
- 17 Waivers are pre-approved variations from the Contract Procedure Rules, and these form part of the procurement process.

## **Other Options Considered**

- 18 There is an option not to publish a pipeline of procurement activity that classifies business as usual activity and significant decisions. This option would lead to all procurement activity requiring detailed reports to Committees in addition to the existing oversight from the Finance Sub-Committee. This would cause additional work for officers having to draft routine reports for committee for business-as-usual expenditure. This option is not recommended as the Finance Sub-Committee can provide suitable assurance that spending is, or is not, routine and within the Budget and Policy Framework.

- 19 The responsibility of the Sub-Committee is to establish a procurement forward plan, which is provided at Appendix 1. Other information such as the past spend, review of waivers and approval of significant decisions could therefore be removed from this report as an alternative option. This option is not recommended as the Corporate Plan supports transparency which is enhanced by providing additional context around procurement activity.

## **Implications and Comments**

### *Monitoring Officer/Legal/Governance*

- 20 The Council's commercial legal team will work with procurement and seek to ensure that the Council's procurement activity complies with the Procurement Act 2023 and the Council's contract rules; and will look to advise on the appropriate form of contracts to be used.

### *Section 151 Officer/Finance*

- 21 The recommendations in this report do not impact on the Council's Medium Term Financial strategy (MTFS).

### *Human Resources*

- 22 There are no direct implications for HR.

### *Risk Management*

- 23 Contract and supplier risks and issues will be managed through the Contract Management System ensuring supply chain risks are monitored and managed appropriately with visibility across the Council.

### *Impact on other Committees*

- 24 This report will save service committees time in not reviewing business as usual expenditure over £1m.

### *Policy*

- 25 New policies regarding the Procurement Act 2023, Contract Management and the roles and responsibilities.

### *Equality, Diversity and Inclusion*

- 26 All tenders issued by the Council include a Selection Questionnaire which asks bidders to confirm obligations in environmental, social and labour laws. This is a self-declaration which provides a formal statement that the organisation making the declaration has not breached any of the exclusion grounds, including Equality Legislation. If a serious misrepresentation is found in the Selection Questionnaire, bidder may be excluded from the procurement procedure, and from bidding for other contracts for three years.

- 27 All Cheshire East Council contracts have a clause to ensure contracts are delivered in accordance with all applicable equality law and the Council's equality and diversity policy.

### *Consultation*

| <b>Name of Consultee</b>               | <b>Post held</b>          | <b>Date sent</b> | <b>Date returned</b> |
|--|---------------------------|------------------|----------------------|
| <i>Statutory Officer (or deputy) :</i> |                           |                  |                      |
| Ashley Hughes                          | S151 Officer              | 26/08/25         | 27/08/25             |
| Kevin O'Keefe                          | Acting Monitoring Officer | 26/08/25         | 27/08/25             |
| <i>Legal and Finance</i>               |                           |                  |                      |
| Julie Gregory                          | Head of Legal             | 18/08/25         | 18/08/25             |
| Chris Benham                           | Director of Finance       | 18/08/25         | 18/08/25             |

| <b>Access to Information</b> |  |
|------------------------------|--|
| Contact Officer:             | Lianne Halliday, Head of Procurement<br>Lianne.halliday@cheshireeast.gov.uk  |
| Appendices:                  | Appendix 1 Pipeline (spreadsheet)<br>Appendix 2 Contracts (spreadsheet)<br>Appendix 3 CPR Waiver and Categorisations: PART 2 |
| Background Papers:           | None   |