

Title: Election Count Venue – Code of Procurement Practice Exemption  
Lead Officer: Graham Leach (01926 456114)  
Portfolio Holder: Councillor Day  
Wards of the District directly affected: All

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### **Summary**

The report requests an exemption from the Code of Procurement Practice to enter a contract with Grandstand - Stoneleigh Events Limited for the provision of an election count venue (in May 2023, May 2024 and up to one other occasion) along with associated ancillary services for the venue hire.

### **Recommendation(s)**

- (1) That Cabinet approves an exemption to the code of procurement practice of up to £150,000 for the Council to enter into a contract with Grandstand Stoneleigh events for the provision of an election count venue (in May 2023, May 2024 and up to one other occasion) along with associated ancillary services for the venue hire.
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## **1 Background/Information**

- 1.1 The Council's Code of procurement Practice requires a competitive process for all contracted spend above £25,000. However, CPV code 75111200.9 for Legislative services within the Light Touch Regime of the Public Contract Regulations 2015 (PCR2015) provides flexibility procuring contracts with a total spend below £552,950 +VAT, giving discretion to the Council to award without going out to competition if it is deemed not beneficial to do so, as long as the decision-making process is fair, open and transparent.
- 1.2 The provision of the Count venue is the responsibility of the returning officer for each election. The elections project board has considered options for the delivery of the election count in both 2023 and 2024 and the potential venues for this.
- 1.3 The Returning Officer established a principle that they wish for the Count to be held in a single venue, that had significant experience in handling large events, good internet and power supplies and well-lit hard standing car parking, ideally supported by safe traffic routes for the delivery of ballot boxes (i.e. no impact on the highway from queues as previously experienced when at the town hall).
- 1.4 In 2023 the Returning Officer will have District Council and Parish /Town Council elections. These are the elections with the most candidates, agents and guests involved and equally, the ones where most space is required.
- 1.5 The Chief Executive has also agreed to be the Police Area Returning Officer in May 2024. This is the anticipated time for a General Election to be held as well. This requires additional space, but also a greater logistical challenge with one count expected overnight and the other to be combined across Warwickshire.

1.6 To secure such space as is required, advanced booking and discussions are required. This is because while elections are significant events for the District Council, other events at the same time provide significantly more income for the venue. An assessment of venues has been undertaken, based on working space for previous elections and the points requested by the Returning Officer. There is only one venue within or close to Warwick District which is capable of hosting the Count. While there are limited travel options to the venue (other than by car/taxi) there are very limited options available with the absence of an alternative suitable venue. In respect of journey time, it should also be noted that the average journey time from polling stations within Warwick District to the Count is just over 13 minutes and the longest is 23 minutes. Therefore, while it is set to one side of the District, overall the connections to it by car are relatively good.

1.7 In addition, the contract would make provision for a third election between its start and 2025 at the same basic rate. This is in allowance for the general election to be held on an alternative date. Unlike the contract for 2023 and 2024, the Council would not be bound to pay this unless a date and hall booking are required.

## **2 Alternative Options available to (name of Committee/Cabinet etc.)**

2.1 The Returning Officer had considered alternative venues and methods of operation, but these were not considered appropriate for the delivery of this significant event for the Council.

## **3 Consultation and Member's comments**

3.1 Councillor Day was content with the report but asked for the expenditure with the supplier for the 2021 election to be detailed in the report.

## **4 Implications of the proposal**

### **4.1 Legal/Human Rights Implications**

4.1.1 There are no further legal matters to consider other than those set out in the report.

### **4.2 Financial**

4.2.1 The budget for elections is set as a reserve that is built up over three years then spent. The costs for the hire (or part of) for non-Warwick District Council elections (i.e. Town/Parish, County Council, Parliament or any referendums) will be charged back to the relevant party. Those costs provided are on par with those of previous elections when recognising increases due to inflation.

4.2.2 For reference, the expenditure with the provider for the delivery of the WCC/PCC elections in 2021 was just over £42,000.

### **4.3 Council Plan**

4.3.1 The report does not directly contribute to the Council Plan.

### **4.4 Environmental/Climate Change Implications**

4.4.1 With the limited options available, it is challenging for the Council to draw benefit for the climate from using any specific venue. However, in the hired services there will be work on making these more sustainably sourced. For example, the Council moved away from single use plastic water bottles at the count to the provision of water fountains; and the majority of equipment (pens pencils, paperclips) is reusable for many elections.

### **4.5 Analysis of the effects on Equality**

4.5.1 The report does not impact on equality.

#### 4.6 **Data Protection**

4.6.1 There are no data protection considerations for this procurement.

#### 4.7 **Health and Wellbeing**

4.7.1 The report provides no direct benefit to the district in respect of health and wellbeing. The location is specifically chosen to provide sufficient working space as well as appropriate rest areas for both the officers and guests of the Returning Officer.

### **5 Risk Assessment**

5.1 The primary risk associated with the report is not having an election venue in place for May 2023. This on its own would require an exemption to the procurement code of practice based on total cost to the Council from the venue provider. The failure to secure an agreement for a venue would leave the Council without one for delivering the Count in May 2023.

### **6 Conclusion/Reasons for the Recommendation**

6.1 The proposals are lawfully sound and provide the only current venue for such an event that meet the criteria of the Returning Officer, hence the recommendation.

**Background papers:** Confidential detailed quotes from Grandstand - Stoneleigh Events Limited for the proposed period and invoices from previous election.

**Supporting documents:** - None

### Report Information Sheet

Please complete and submit to Democratic Services with report

<b>Committee / Date</b>	Cabinet 3 November 2022	
<b>Title of report</b>	Election Count Venue – Code of Procurement Practice Exemption	
<b>Officer / Councillor Approval *required</b>	<b>Date</b>	<b>Name</b>
<b>Ward Members(s)</b>		
<b>Portfolio Holder</b>	13/10/22	Andrew Day
<b>Financial Services *</b>	6/10/22	Chris Elliott
<b>Legal Services</b>		
<b>Other Services</b>		
<b>Chief Executive</b>	6/10/22	Chris Elliott
<b>Head of Service*</b>	3/10/22	Andrew Jones
<b>Section 151 Officer</b>	6/10/22	Chris Elliott
<b>Monitoring Officer</b>	3/10/22	Andrew Jones
<b>Leadership Co-ordination Group (WDC)</b>		
<b>Procurement</b>	30/9/2022	Rebecca Reading
<b>Final decision by this Committee or rec to another Cttee / Council?</b>	Yes	
<b>Contrary to Policy / Budget framework?</b>	No	
<b>Does this report contain exempt info/Confidential? If so, which paragraph(s)?</b>	No	
<b>Does this report relate to a key decision (referred to in the Cabinet Forward Plan)?</b>	Yes, Forward Plan item – 1,289	
<b>Accessibility Checked?</b>	Yes	