

CONTRACTS PROCEDURE RULES

Council - 20 July 2021

Report of: Monitoring Officer

Status: For Consideration

Also considered by:

- Governance Committee - 22 June 2021

Key Decision: No

Executive Summary: This item is for the Committee to approve the revised Contracts Procedure Rules and recommend to Council that they be adopted.

Portfolio Holder: Cllr. Fleming

Contact Officer: Martin Goodman, Ext. 7245

Recommendation to Governance Committee: That

- (a) The revised Contracts Procedure Rules be approved by the Governance Committee;
- (b) The revised Contracts Procedure Rules be recommended to Council for approval and adoption.

Recommendation to Council: That

- a) The revised Contracts Procedure Rules be approved and adopted;
- b) The Monitoring Officer be given authority to amend the Contracts Procedure Rules as from time-to-time may become necessary.

Reason for recommendation: To update the Contracts Procedure Rules in line with legislation and best practice.

Introduction and Background

- 1 The terms of reference of the Governance Committee set out that it may advise the Council on all matters relating to any review of the Council's Constitution.
- 2 It is necessary to revise the Council's Contracts Procedure Rules in line with legislation and best practice. The attached revised rules take into account

changes since the last revision, including the impact of leaving the European Union on purchasing rules.

- 3 In addition to the revisions to the Contracts Procedure Rules, the Council will be adjusting internal working documents to ensure procurement and contracting arrangements are efficient and fit for purpose.
- 4 In particular, it is important that where possible the threshold limits set out in the Rules are accurate. These are the limits beyond which full procurement processes must take place. Currently, for 'works' the limit is £4,733,252 and for 'goods and services' £189,330.
- 5 The next review of the thresholds will be implemented by January 2022 by amendments to the public procurement regulations. In order to ensure that these variable figures are kept up-to-date, along with any other detail, the Monitoring Officer requests authority to amend the rules from time-to-time as becomes necessary.

Key Implications

Financial

None. Although the subject of this report relates to contracts, Members are only asked to consider the governance implications of updating the Contracts Procedure Rules in line with legislation and best practice.

Legal Implications and Risk Assessment Statement

No relevant legal implications or Risk Assessment. The amendments to the Contracts Procedure Rules set out in this report were drafted taking into account the Public Contracts Regulations 2015 as amended by the Public Procurement (Amendment etc.) (EU Exit) Regulations 2020.

Equality Assessment

The decisions recommended through this paper have a remote or low relevance to the substance of the Equality Act. There is no perceived impact on end users.

Conclusions

This report seeks the approval and adoption of the revised Contracts Procedure Rules.

Appendices

Appendix A - Current Contracts Procedure Rules ('CPR') (Appendix E)

Appendix B - New Contracts Procedure Rules ('CPR') (Appendix E)

Background Papers

None

Martin Goodman

Monitoring Officer