

Name of meeting: Corporate Governance & Audit Committee

Date: 22nd April 2021

Title of report: Proposed Revisions to Contract Procedure Rules

Purpose of report; To provide information on proposed changes to Contract Procedure Rules for the municipal year 2021/22

Key Decision - Is it likely to result in spending or saving £250k or more, or to have a significant effect on two or more electoral wards?	Not applicable
Key Decision - Is it in the Council's Forward Plan (key decisions and private reports)?	Not applicable
The Decision - Is it eligible for "call in" by Scrutiny?	Not applicable
Date signed off by Director & name	J Muscroft Service Director - Legal Governance and Commissioning
Is it also signed off by the Service Director for Finance, IT & Transactional Services	Yes 14.04.2021
Is it also signed off by the Service Director - Legal Governance and Commissioning?	Yes 14.04.2021
Cabinet member portfolio	Not applicable

Electoral wards affected: All

Ward councillors consulted: Not applicable

Have you considered GDPR; Yes

Public

1. Summary

- 1.1 This report sets out information on proposed changes to Contract Procedure Rules for the year 2021/22
- 1.2 The council's contract procedure rules (CPRs) were last updated in June 2019
- 1.3 These changes reflect further changes following the UK's departure from the EU.
- 1.4 The areas proposed for amendment relate to; decision making, clarity about when bonds are required, a new appendix in relation to grants, considering and encouraging social value in procurement, encouraging local suppliers to bid for contracts, updated section on use of presentations and interviews, demonstrating value for money when undertaking a direct award, updated procurement thresholds.
- 1.5 A more fundamental review of the CPRs will be undertaken at the appropriate time (either 2022 and/ or 2023) in line with any legislative changes relating to the outcome of Green Paper; Transforming Public Procurement. The government's goal is to speed up and simplify our procurement processes, place value for money at their heart, and unleash opportunities for small businesses, charities and social enterprises to innovate in public service delivery.

2. Information required to take a decision

- 2.1 The detail is contained within a summary schedule, Appendix 1.
- 2.2 The new CPRs ensure that the Council is acting in line with current legislation and other developments in public law when conducting procurements.
- 2.3 The main change is the amendment to reflect the changes to procurement following the UK's departure from the EU.
- 2.4 All the text changes are marked in Appendix 2 by track changes. There are a number of smaller changes and additions to improve clarity of existing arrangements or to simplify and improve existing arrangements. The other main change is the addition of a new section at 1.5 relating to recording of decisions.

3. Implications for the Council

- 3.1 **Working with People** – None directly
- 3.2 **Working with Partners** – None directly
- 3.3 **Place Based Working** – None directly
- 3.4 **Improving outcomes for children**– None directly
- 3.5 **Climate change and air quality**- None directly
- 3.6 **Other (eg Legal/Financial or Human Resources)**- Although each of the sub categorisations above suggest no direct implications, these Contract Procedure Rules covers all aspects of the councils operations. These updated CPRs reflect good procurement practice which in turn supports the Council Plan by using procurement activity to help achieve the Council's wider objectives and outcomes. The legal obligation to have CPR's is to comply with Section 135 Local Government Act 1972 and the Public Contracts Regulations 2015

4. Consultees and their opinions

- 4.1 Consultation has been carried out with the Head of Audit and Risk, Head of Corporate-Legal and officers in the Procurement Service. All Heads of Service have had the opportunity to comment and feedback via a short survey.

5. Next steps & Timelines

- 5.1 This matter will go forward to Annual Council for consideration.

6. Officer recommendations and reasons

- 6.1 Members are asked to consider the proposed changes to Contract Procedure Rules and recommend them to Annual Council for approval.

7. Cabinet portfolio holder recommendation

- 7.1 Not applicable.

8. Contact officer

Jane Lockwood, Head of Procurement (01484 221000)

9. Background Papers and History of Decisions

The attached document includes track changes. The 2019 version of CPRs is available as a part of the council constitution

10. Service Director responsible

Julie Muscroft, Service Director- Legal, Governance and
Commissioning
Eamonn Croston, Service Director-Finance