

Name of meeting: Annual Council (Reference from Corporate Governance and Audit Committee)

Date: 25th May 2022

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 2022/23

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
Is it also signed off by the Service Director - Legal Governance and Commissioning?	Yes
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 2022/23
- 1.2 These changes were considered, and recommended, by Corporate Governance & Audit Committee on 22nd April 2022.
- 1.3 The CPRs ensure that the Council is acting in line with current legislation and other developments in public law when conducting procurements. A more fundamental review of the CPRs will be undertaken at the appropriate time in line with any legislative changes relating to the outcome of Green Paper; Transforming Public Procurement.
- 1.4 The proposed changes relate to; some restructuring to make it easier to follow and locate appropriate rules in relation to preparation and process; an updated table on procurement process to reflect UK procurement thresholds and highlighting the requirement to engage with other corporate services as appropriate, a refreshed section on tender receipt following a review of our tender opening process, an addition to include novation of contracts and updated procurement thresholds.

- 2. Information required to take a decision**
 - 2.1 The detail relating to all changes is contained within a summary schedule, Appendix 1.
 - 2.2 All the text changes are marked in Appendix 2 by track changes.
 - 2.3 A clean copy of the revised contract procedure rules can be seen at Appendix 3

- 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 (e.g. 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 If approved, these changes will be implemented from 25th May 2022.

- 6. Officer recommendations and reasons**
 - 6.1 That the changes to Contract Procedure Rules, as recommended by Corporate Governance and Audit Committee, be approved.

- 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 2021 version of Contract Procedure Rules is available as a part of the Council’s Constitution.

- 10. Service Director responsible**

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