

Report title: Proposed Revisions to Contract Procedure Rules 2024

Meeting	Annual Council
Date	22nd May 2024
Cabinet Member (if applicable)	Not applicable
Key Decision Eligible for Call In	Not applicable
Purpose of Report To provide information on proposed changes to Contract Procedure Rules for the municipal year 2024/25	
Recommendations <ul style="list-style-type: none"> Annual Council is asked to approve the proposed changes to Contract Procedure Rules for the municipal year 2024/25. 	
Reasons for Recommendations <ul style="list-style-type: none"> These changes were considered, and recommended, by Corporate Governance & Audit Committee on 10th May 2024. The Contract Procedure Rules ensure that the Council is acting in line with current legislation and other development in public law when conducting procurements. Minor changes are proposed for 2024, these include updates to the procurement threshold limits and updates to Rule 8 Disposals. 	
Resource Implication: There are no direct resource implications, as all the processes described should be followed already.	
Date signed off by <u>Strategic Director</u> & name	R Spencer-Henshall – Strategic Director – Corporate Strategy, Commissioning & Public Health Date; 10 May 2024
Is it also signed off by the Service Director for Finance?	K Mulvaney Service Director – Finance Date; 10 May .2024
Is it also signed off by the Service Director for Legal Governance and Commissioning?	J Muscroft Service Director - Legal Governance and Commissioning Date; 10 May 2024

Electoral wards affected: All

Ward councillors consulted: Not applicable

Public or private: Public

Has GDPR been considered? Yes, not applicable

1. Executive Summary

- 1.1 This report sets out information on proposed changes to Contract Procedure Rules for the year 2024/25.
- 1.2 The Contract Procedure Rules ensure that the Council is acting in line with current legislation and other developments in public law when conducting procurements.
- 1.3 A more fundamental review of the Contract Procedure Rules will be undertaken at the appropriate time in line with any legislative changes relating to the Procurement Act 2023.
- 1.4 Preparations for the new procurement regulations are underway and an overview of the new regulations will be presented to Corporate Governance and Audit Committee at a later date.

2. Information required to take a decision

- 2.1 The detail relating to all proposed changes is highlighted in the table below and track changes are visible in the Contract Procedure Rules document, Appendix 1;

Section of the Contract Procedure Rules	Proposed changes
Rule 8.4 Disposal	Rule 8 has been updated in relation to disposal of assets (other than land and buildings)
Appendix 1 Revised UK Thresholds	The table has been updated table to reflect the revised UK procurement threshold limits (inclusive of VAT) effective from 01 January 2024

3. Implications for the Council

- 3.1 **Working with People** – None directly
- 3.2 **Working with Partners** – None directly
- 3.3 **Place Based Working** – Non directly
- 3.4 **Climate Change and Air Quality** – Non directly
- 3.5 **Improving outcomes for children** – Non directly
- 3.6 **Financial Implications** – Non directly
- 3.7 **Legal Implications** – The legal obligation to have Contract Procedure Rules is to comply with Section 135 Local Government Act 1972 and the Public Contracts Regulations 2015.
- 3.8 **Other (e.g. Risk, Integrated Impact Assessment or Human Resources)**
Although each of the sub categorisations above suggest no direct implications, these Contract Procedure Rules cover all aspects of the councils operations. These Contract Procedure Rules reflect good procurement practice which in turn supports the Council Plan by using procurement activity to help achieve the Council's wide objectives and outcomes.

4 Consultation

Consultation has been carried out with the Head of Audit and Risk, Head of Corporate-Legal and officers in Procurement and Legal Services. All Heads of Service across the Council have had the opportunity to comment and feedback.

5 Engagement

Not undertaken

6 Options

6.1 Options Considered

The proposals are minor updates. The alternatives would be to make no changes whatsoever or to fundamentally redraft the Contract Procedure Rules.

6.2 **Reasons for recommended Option**

The proposals are minor updates. A more fundamental review of the rules will be undertaken once the new procurement regulations come into effect.

7 **Next steps and timelines**

If approved, these changes will be implemented from 23rd May 2024.

8 **Contact officer**

Jane Lockwood, Head of Procurement (01484 221000, e-mail;
JaneA.Lockwood@kirklees.gov.uk)

9 **Background Papers and History of Decisions**

[Contract Procedure Rules 2023 - Kirklees Council](#)
[Changes to CPRs 2023 Annual Council.pdf \(kirklees.gov.uk\)](#)

10 **Appendices**

Appendix 1; Contract Procedure Rules 2024 with tracked changes

11 **Service Director responsible**

Kevin Mulvaney- Service Director Finance
Julie Muscroft- Service Director Legal, Governance & Commissioning