

REPORT OF THE CORPORATE GOVERNANCE COMMITTEE

A. PROPOSED CHANGES TO THE CONTRACT PROCEDURE RULES

Introduction

1. This report concerns a review of the operation of the Contract Procedure Rules and recommended revisions to those rules.

Background

2. Article 15 of the County Council's Constitution gives the Chief Executive a duty to monitor and review the operation of the Constitution to ensure the aims and principles of the Constitution are given full effect.
3. Rule 8 (Annual Reporting) of the Constitution's Contract Procedure Rules stipulates that the Director of Corporate Resources, in consultation with the County Solicitor, shall at least once in each financial year submit a report to the Corporate Governance Committee in relation to the operation of these Rules. This includes amongst other things any departures from or proposed revisions to the Rules and/or changes required to accommodate the requirements of UK and EU procurement law as may be necessary from time to time.
4. The Constitution requires that changes to these Rules must be approved by the Council after consideration of recommendations of the Corporate Governance Committee.

Proposed Revisions to the Rules

5. In February, 2015 the UK Government transposed the new EU procurement directive into UK law. The Public Contracts Regulations 2015 introduced substantial changes to the practice of public procurement, requiring a comprehensive review of the Council's Contract Procedure Rules. The new regulations aim to:-
 - a) Facilitate participation by small and medium enterprises (SME's) in the public procurement process;
 - b) Enable procurers/commissioners to make better use of procurement in support of community goals.
6. Should the County Council approve the draft revised Contract Procedure Rules, they will be published on the Council's intranet and internet sites and communicated to all relevant managers and staff within the Council, including via newsletters and presentations. The recommended revisions to the Contract Procedure Rules are highlighted in Appendix 1 to this report.

7. The Corporate Governance Committee considered this matter at its meeting on 17th November 2015 and its recommendation is set out in the motion which appears below.

(Motion to be moved:-

That the proposed amendments to the Contract Procedure Rules, set out in Appendix 1 to the report of the Corporate Governance Committee, be approved.)

17th November 2015

**A M Kershaw
Chairman**

Background Papers

Joint report of the Director of Corporate Resources and County Solicitor to the meeting of the Corporate Governance Committee on 17th November 2015 on Proposed Changes to the Contract Procedure Rules.

<http://ow.ly/UQjJ9>

Appendix

Appendix 1 - Proposed amendments to the Contract Procedure Rules