

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 Director of Law and Governance, 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. It is proposed that a number of changes are made to the Council's Contract Procedure Rules, as follows
 - a. Amendments to Rule 6 and Rule 30 for exceptions, extensions, and modifications– providing more clarity and increased authorisation.
 - b. Addition of the scheme of delegation for contract signing.
 - c. Addition of the Provider Selection Regime.
6. The Government has introduced new legislation in 2024 for the UK regarding procurement – Transforming Procurement which replaces the PCR 2015. A further report will be brought to the Corporate Government Committee and Council with proposals to bring the Contract Procedure Rules in line with this legislation. This is likely to be May 2024.

7. The proposed revisions to the Rules are set out in Appendix A to this report. The revisions to the Rules are supported by the Director of Law and Governance and the Director of Corporate Resources. The Corporate Governance Committee considered this matter at its meeting on 26th January 2024 and its recommendation is set out in the motion which appears below.

8. Should the County Council approve the draft revised Contract Procedure Rules the new Rules will come into force immediately and will be published on the Council's internet and intranet sites and communicated to all relevant managers and staff within the Council as appropriate

Equality Implications

9. The Rules ensure that all potential suppliers and suppliers receive equal treatment when bidding for contracts.

Human Rights Implications

10. The Rules ensure that all procurements consider human right implications before commencing. There are no human rights implications for this report.

(Motion to be moved: -

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

26 January 2024

**Mr T. Barkley
Chairman of the Corporate
Governance Committee**

Background Papers

Joint Report of the Director of Corporate Resources and the Director of Law and Governance to the meeting of the Corporate Governance Committee on 26th January 2024 – [Contract Procedure Rules Update](#).

[The Constitution of Leicestershire County Council](#)

Appendix

Appendix A – Proposed Amendments to Contract Procedure Rules.