

## **Review of Contract Procedure Rules**

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**Portfolio:** Finance & Resources

**Ward(s) Affected:** All

### **Purpose of the Report:**

To propose a number of changes to the Council's Contract Procedure Rules.

### **Recommendations:**

1. FRAG to recommend to Council the amended Contract Procedure Rules attached as Appendix A.

### **1 Background**

- 1.1 The Contract Procedure Rules set out how the Council procures goods and services, in order to achieve Value for Money and comply with legal requirements.
- 1.2 The main procurement regulations that Councils have to follow are the Public Contract Regulations 2015.
- 1.3 The Contract Procedure Rules were last approved in July 21, and are therefore due a review.

## 2 Proposed changes

2.1 The Contract Procedure Rules have been reviewed and the main changes proposed are detailed in the table below:

Change	Reason
Added reference to reducing carbon emissions in criteria (In Statement of Intent)	To reflect the increasing importance of this area.
Removed reference to European Union Law (Para 1.2)	To reflect current laws and regulations.
Amended authority level from Director to Assistant Director where appropriate (Various places in document)	To reflect that Assistant Directors are operationally responsible for their services.
Amended wording on use of frameworks (Para 3.2 and 19.3)	To provide clarity to ensure that where frameworks are used we still operate in the spirit of ensuring fair, transparent, and proportionate procurement practices are followed.
Changes to clarify that ultimate procurement responsibility lies with the contract owner (para 4.2 and 9.8)	To provide clarity
Added new contract approval level of £100k-£200k for CLT in consultation with the relevant Portfolio Holder (table 15.1)	An increasing number of contracts are over £100,000 (particularly refuse vehicle purchases) and thus aiming to streamline the approval process.
Disposal limits increased from £20k to £25k. (para 25.2 and table 25.3)	To reflect inflationary increases.

2.2 Appendix A shows all the proposed changes in red.

## 3 Other options

3.1 The FRAG Committee has the ability to propose alternative changes to the Contract Procedure Rules.

3.2 However, as far as possible, it is helpful for the BDC and the SNC Contract Procedure Rules to align as the One Team often carry out joint procurements covering both BDC and SNC.

## **4 Issues and risks**

- 4.1 **Resource Implications** – Up to date Contract Procedure Rules help ensure Value for Money from our procurements.
- 4.2 **Legal Implications** – The Council has to follow the Public Contract Regulations 2015.
- 4.3 **Equality Implications** – Procurements shall be undertaken in a fair and transparent way.
- 4.4 **Environmental Impact** – The Contract Procurement Rules include an intent to focus on protecting the environment using environmental and carbon conscious criteria in contracts.
- 4.5 **Crime and Disorder** – No direct implications.
- 4.6 **Risks** – Having Contract Procedure Rules, and following these, helps minimise the risk of inappropriate procurement.

## **5 Recommendations**

- 5.1 FRAG to recommend to Council the amended Contract Procedure Rules attached as Appendix A.

## **Background papers**

None