

AMENDMENTS TO THE CONTRACT PROCEDURE RULES

Report of Angela Lax, Cabinet Member for Legal & Regulatory Services

Date: 15 October 2019

Officer Title: Agenda Item 15

Officer Title: Christie Tims – Head of Corporate Services and Interim
Monitoring Officer

Local Ward
Members N/A

Council

1. Executive Summary

- 1.1 The Lichfield District Council Constitution was comprehensively reviewed in 2018 and updated to reflect recent changes in legislation, clarify delegations and process and also to make it easier to navigate.
- 1.2 Part 4 Section 7 details the Contract Procedure Rules, which govern how we procure works, goods and services to achieve best value. These have been reviewed to increase efficiency and be in line with best practice.
- 1.3 The changes recommended to these procedures are detailed in **Appendix A**. These have been reviewed by Audit and Member Standards Committee, who have also recommended the clarification of approvals required for extensions to contract

2. Recommendations

- 2.1 To approve the adoption of updated Contract Procedure Rules as part 4 section 7 of Lichfield District Council's Constitution.

3. Background

- 3.1 The Constitution consists of 7 parts: Summary and Explanation, Articles, Responsibility for Functions, Rules of Procedure, Codes and Protocols, Councillors Remuneration Scheme and Governance Structure.
- 3.2 Part 4 details Rules of Procedure and Section 7 details the Council's Contract Procedure Rules. Amendments are summarised as:
 - Recognising the provision and advice offered by the Procurement Service to alleviate pressure on the Monitoring Officer in determining procurements
 - Clarifying the publication of the contract (and the values that this will apply to)
 - Allowing the use of procurement cards for low value transactions (below £1,000)
 - Streamlining the process of moderate and intermediate spend (£1,000 to £75,000)
 - Clarify the use of frameworks
 - Clarify the requirement for Cabinet member approval for extensions to contracts that fall over the key decision limit but remain within budget
- 3.3 These changes are to ensure the clarification and efficiency of procedure rules.

Alternative Options	Not to update the Constitution in line with recommendations from the Procurement Service. To not do so could lead to inefficiency and confusion.
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Consultation	All changes to CPRs have been agreed by the Audit and Members Standards Committee to keep in line with prevailing legislation and the needs of the organisation.
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Financial Implications	None; there are no implications for the changes themselves.
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Contribution to the Delivery of the Strategic Plan	Proposals will assist with compliance with the legal requirements and efficiency thus the Council's ability to deliver the services required and Fit for the Future.
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Equality, Diversity and Human Rights Implications	None
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Crime & Safety Issues	None
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GDPR/Privacy Impact Assessment	Yes – all data collected and collated in the preparation and operation of the constitution has been impact assessed with the appropriate controls in place.
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	Risk Description	How We Manage It	Severity of Risk (RYG)
			State if risk is Red (severe), Yellow (material) or Green (tolerable) as determined by the Likelihood and Impact Assessment (post intervention).
1	Legal challenge as constitution is not up to date	Update Constitution	Green

Background documents Current and revised draft Constitution
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Relevant web links https://democracy.lichfielddc.gov.uk/ieListDocuments.aspx?CId=190&MId=304&Ver=4&info=1
