

REPORT FROM: DIRECTOR OF RESOURCES

TO: COUNCIL

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UPDATED CONTRACT PROCEDURE RULES AND FINANCIAL PROCEDURE RULES

PURPOSE OF REPORT

To put forward for adoption an updated Contract Procedure Rules and Financial Procedure Rules to provide the framework for the governance of the Council under the new Executive Function.

RECOMMENDATION

That the updated Contract Procedure Rules and Financial Procedure Rules be adopted.

REASON FOR RECOMMENDATION

To provide the framework for the governance of the Council and to reflect the new Executive Function

ISSUE

1. At its meeting in May 2023, Council adopted a new Constitution to reflect the move to an Executive function. The Contract Procedure Rules (CPR) and Financial Procedure Rules (FPR) have been updated to reflect this change.
2. Both the CPR and FPR should be read with the rest of the Constitution as agreed by Council.

Contract Procedure Rules (CPR)

3. The main processes and procedures remain unchanged, but the values have been amended to reflect to reflect procurement rules post Brexit and also the Key Decision value of £100,000. The document also reflects changes in the senior management structure within the Council.
4. Within a procurement context, there is some cross over between and the threshold beyond which formal tendering is required under UK law (£177,898 excluding VAT) and the

Executive Key Decision figure of £100,000. This is set out in the document in paragraph 18.2 (Page 17) of the CPR.

5. The CPR also clarifies the process for obtaining an Exemption to procurement Rules and includes a pro-forma for Officers to complete when making such a request. All exemptions are reported to the Accounts and Audit Committee.
6. The updated Contract Procedure Rules are included in Appendix A.

Financial Procedure Rules (FPR)

7. The Financial Procedure Rules provide the framework for managing the Council's financial affairs. They apply to every Councillor and Officer of the Council and anyone acting on its behalf identifying the financial responsibilities of the full Council, the Executive, the Head of Paid Service (Chief Executive), the Monitoring Officer (Head of Legal & Democratic Services), the Section 151 Officer (Director of Resources), the Director of Place and other members of the Corporate Management Team.
8. The changes are mostly cosmetic with formatting changes made to simplify the document and to bring information previously held in the appendices into the body of the report.
9. The FPR now mirrors the Key Decision limit of £100,000 used by Executive and this figure is used in respect of Budget virements (2.13), Supplementary Revenue Estimates (2.17), Supplementary Capital Estimates (3.38) and Budget Slippage (2.20).
10. Financial limits for ordering and paying invoices have also been amended as set out in 5.11 (Page 36) of the FPR.
11. A Capital Appraisal form has been added to the FPR.
12. The updated Financial Procedure Rules are included in Appendix A of this report.

IMPLICATIONS

Policy: There are no policy implications arising directly from the contents of this report.

Financial: The financial implications arising are as set out in this report.

Legal: There are no legal implications arising from the contents of this report.

Risk Management: The risk management implications are as set out in this report.

Health and Safety: There are no health and safety issues arising directly from the contents of this report.

Sustainability: There are no sustainability issues arising directly from the contents of this report.

Community Safety: There are no community safety issues arising from this report.

Equality and Diversity:

There are no equality and diversity issues arising from this report.

APPENDICES

Appendix A – Contract Procedure Rules (September 2023)

Appendix B – Financial Procedure Rules (September 2023)