

TITLE: Constitutional Update

Committee: Finance and Assets Committee

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Author: Director, Finance

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Contact Officer: Ian Smith, Director Finance
ian.smith@eastcamb.gov.uk 01353 616470

1.0 Issue

1.1. The Council's Contract Procedure Rules, part of the Constitution, need to be updated to reflect changes in relation to the Procurement Act 2023.

2.0 Recommendations

2.1. Members are asked to recommend to Full Council that the updated Contract Procedure Rules, at Appendix 1 of this report, be approved as an update to the Council's Constitution.

3.0 Background

3.1. The Procurement Act 2023 is due to come into force on 24 February 2025 and requires a number of changes to the Council's Contract Procedure Rules. The Act itself is the biggest change in procurement rules since 2006.

3.2 The main changes are:

All procurements valued between £30,000 and the relevant UK Procurement Threshold

- Must have regard to the barriers faced by SMEs and consider whether those barriers can be reduced or removed.
- Can only be a one-stage (open) tender – no pre-selection allowed.
- Have to be run electronically using the Council's e-procurement system.
- Within 90 days of contract award, a Contract Details (award) Notice must be published on the Central Digital Platform.

There's a huge increase in transparency requirements so more people know what's happening. Including a lot more notices that need to be published through the procurement

- Planned procurement notice
- Preliminary market engagement notice
- Tender notice
- Transparency notice
- Assessment summaries
- Contract details notice
- Contract award notice

It regulates contract management for the first time.

- 3.3 A training session for officers on the new rules was provided by Cambridgeshire County Council staff on the 17 September 2024 as part of our SLA with them for procurement support.

4.0 Additional Implications Assessment

- 4.1 In the table below, please put Yes or No in each box:

Financial Implications No	Legal Implications No	Human Resources (HR) Implications No
Equality Impact Assessment (EIA) No	Carbon Impact Assessment (CIA) No	Data Protection Impact Assessment (DPIA) No

5.0 Appendices

Appendix 1 – Updated Contract Procedure Rules