

TELFORD & WREKIN COUNCIL

COUNCIL CONSTITUTION COMMITTEE – 8TH JUNE, 2010

**REVISION OF FINANCIAL REGULATIONS AND CONTRACT
PROCEDURE RULES**

REPORT OF THE HEAD OF GOVERNANCE

1.0 PURPOSE

- 1.1 To request the Committee to agree the proposed changes to the Financial Regulations and the Contract Procedure Rules within the Constitution, as set out in the report, and recommend their approval to full Council.

2.0 RECOMMENDATIONS

That the Committee recommend to Council approval of:

- 2.1 **The changes to the Part 4 – Section 6 Financial Regulations as shown in Annex A of the report;**
- 2.2 **The changes to Part 4 – Section 7 - Contract Procedure Rules as shown in Annex B of the report.**

3.0 SUMMARY

- 3.1 The Contract Procedure Rules have been rewritten to ensure that they reflect the rules on procurement rather than as guidance on the procurement process.
- 3.2 The Financial Regulations have been amended to reflect the proposed changes to the Contract Procedure Rules.

4.0 PREVIOUS MINUTES

- 4.1 Council – 30 September, 2009 (Minute No. 44)
Council Constitution Committee – 8 December, 2009 (Minute No. CCC-10)
Council – 28 January, 2010 (Minute No. 79)
Council Constitution Committee 13th April, 2010 (Minute No. CCC-14)
~~Council – 29th April, 2010 (Minute No. 106)~~

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5.0 PART 4 – SECTION 6- FINANCIAL REGULATIONS

Proposed changes to Paragraphs 11, 12 and 13 – Purchasing Arrangements, Schemes Financed Partly or Wholly by External Funding and Orders for Work, Goods and Services

- 5.1 Paragraphs 11,12 and 13 of the Financial Regulations have been amended to reflect the proposed changes to the Contract Procedure Rules.
- 5.2 The current section reflects and duplicates what is written in the Contract Procedure Rules. Although these sections should overlap and refer to each other, the information should only be presented in one place. Therefore, paragraphs 11, 12 and 13 of the Financial Regulations have been added to and amended, in order to delete any duplication.
- 5.3 The proposed changes have been tracked as shown in Annex A.

6.0 PART 4 – SECTION 7 – CONTRACT PROCEDURE RULES

6.1 Contract Procedure Rules – Part 4 Section 7 of the Constitution

The Contract Procedure Rules have been completely re-written in order to ensure they reflect the rules on procurement rather than guidance on how to do procurement. The track changes function has not been used as text in the original document has been amended, moved around or deleted in such a way that tracking it would be impossible.

- 6.2 All detail on how to conduct a procurement has been deleted and replaced with a flow diagram. The re-write is a great improvement on the original as the document now flows logically, is concise, avoids duplication and includes hyperlinks to relevant pieces of guidance. The links are included in order to ensure that there is consistency throughout the Authority on the procurement process. The section has been reduced from 64 pages to 27 pages. Major changes or additions to the Contract Procedure Rules are detailed in Annex B. A copy of the whole document if available from the Corporate Procurement Unit on 83998.

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7.0 OTHER INFORMATION

Equality & Diversity	The business of the Committee considers equality and diversity in an appropriate manner.
Environmental Impact	None arising directly from this report.
Legal Comment	The Local Government Act 2000 requires the Council to have a Constitution. This Committee has been established to review the Constitution and to provide advice and guidance to

	the Council on any proposed changes.
Links with Corporate Priorities	The Council seeks to deliver its objectives of providing leadership, accountability and high standards in local democracy.
Opportunities & Risks	The opportunities and risks associated with these proposals have been identified and assessed. Arrangements will be put in place to manage the risks and maximise the opportunities that have been identified.
Financial Implications	There are no financial impact implications arising from this report and any changes can be met from within existing budgets.
Ward Implications	Borough wide

8.0 **BACKGROUND PAPERS**

Council Constitution
Local Government and Public involvement in Health Act 2007
(Schedule 4, Part 1, section 3)

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