

HARBOROUGH DISTRICT COUNCIL

MEETING OF THE CONSTITUTIONAL REVIEW COMMITTEE

Held in the Council Chamber, The Symington Building, Adam and Eve Street, Market Harborough

11th March 2020

commencing at 6.30 p.m.

Present:

Councillor King (Chairman)

Councillors: Rickman, Mrs Robinson, Mrs Simpson and Whelband

Officers: G. Keeping, V. Wenham and J. Ward-Langman

APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTES

Apologies were received from Cllrs Johnson and Modha (substituted by Whelband).

MINUTES

RESOLVED that: the Minutes of the Meeting of the Constitutional Review Committee held on 12 November 2019 be approved and signed by the Chairman as a true record.

DECLARATIONS OF MEMBERS' INTERESTS

There were none.

REVIEW OF THE CONSTITUTION – FINANCIAL PROCEDURE RULES

The Committee considered a report on the review of the Financial Procedure Rules, which form part of the Council's Constitution (Part 4(6)) and need to be reviewed regularly to ensure the efficient decision-making and operations of the Council. The Procedure Rules were last updated in 2013 and there was an outstanding audit recommendation that they be reviewed and updated.

The proposed Financial Procedure Rules, which were contained in Appendix A to the report and summarised within the body of the report, had generally been updated for roles, so that they could be more flexible as job roles changed.

RECOMMENDED to Council that the revised Financial Procedure Rules, set out in Appendix A to the report, be approved and adopted, subject to the following amendments:

- (i) That the following Procedure Rules be amended:
- Rule E – amend E5 to read “... or 10% of the value ...”;
 - Rule O – amend O3 to read “... (as Monitoring Officer) in consultation with The Leader, Deputy leader and the Cabinet Member for Finance”; and
 - Rule Q – amend Q48 to read “... up to and including £10,000 subject to ...”.
- (ii) That Procedure Rules G7 to G10 be amended with a view to the old rules and the revisions circulated to members of the Committee for their agreement.

REVIEW OF THE CONSTITUTION – STATEMENT OF REQUIRED PRACTICE FOR PROCUREMENT (SORP)

The Committee considered a report on the review of the Council's procurement rules. The rules required revision from time to time to reflect changes in legislation and to improve procurement practice. The Council's Procurement Statement of Required Practice (SORP), which sets out these rules, was adopted in 2013 and had subsequently been revised; further revision was now required to ensure efficiency and compliance. The findings of audits of procurement had been considered and had prompted clarification of some sections of the SORP. The proposed revisions to the SORP were included within Appendix C to the report.

The Committee was also informed that the Council's Contract Procedure Rules require revision to ensure consistency and efficiency: this could be more effectively achieved as a separate exercise once the Procurement SORP was approved.

After consideration, the Committee

RESOLVED that revision of the Council's Contract Procedure Rules, to ensure consistency with the Procurement SORP and Financial Procedure Rules, be considered at the next meeting of the Committee in November 2020 and

RECOMMENDED to Council that the proposed revised Procurement SORP, set out in Appendix C to the report, be approved and adopted, subject to the following amendments:

- (i) Paragraph 7.2.1 be amended to read "*The Lead Officer shall certify why the requirement was urgent and seek the agreement of a relevant member of CMT. The decision must be reported to the Cabinet at the first available opportunity*";
- (ii) Paragraph 16.2.3 be amended to read "*... Written quotes should be obtained in cases where the estimated value is in excess of £5,000 ...*";
- (iii) Paragraph 16.3 be amended to read "*... Value of a Contract is £5,000 or less ...*";
- (iv) Paragraph 33 be amended to read "*When the estimated Value of a Contract is between £5,000 and £50,000, it will be necessary ...*"; and
- (v) Paragraph 55.5 be amended to delete the sentence "*The Council will take into account ... procurement of the contracts*".

URGENT MATTERS

There were none.

The Meeting ended at 8.03 p.m.