

**MEETING: GOVERNANCE AND AUDIT COMMITTEE**

**DATE: 6 FEBRUARY 2025**

**TITLE: CONTRACT PROCEDURE RULES**

**PURPOSE: Updating the Committee on the changes to the Contract Procedure Rules taking place as a result of the Procurement Act 2023**

**OPERATION: Acceptance of the amended Contract Procedure Rules, which will come into force on the date the new legislation comes into force**

**CABINET MEMBER: COUNCILLOR LLIO ELENID OWEN**

**LIAISON OFFICER: IWAN EVANS,  
HEAD OF LEGAL SERVICES AND MONITORING OFFICER**

**ARWEL EVANS – PROCUREMENT MANAGER**

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1. Since the United Kingdom left the European Union, the Government (UK) has recognised this as an opportunity to review legislation related to public sector procurement. They have passed the Procurement Act 2023 and the Act was originally due to come into force on 28 October 2024 but was pushed and now comes into force on 24 February 2025. In addition, the Welsh Government has passed the Social Partnership and Public Procurement (Wales) Act 2023 which places more responsibilities and duties on public sector organisations in Wales that are also involved in procurement.
2. In light of the new legislation, the Procurement department has been preparing the Council for the change in forthcoming legislation. As part of doing this the Legal department, in consultation with the Procurement department, has been reviewing the Council's internal arrangements within the Contract Procedure Rules covered by section 17 of the Constitution.
3. The purpose of the Contract Procedure Rules is to set out the process the Council should follow when carrying out a procurement exercise and in particular a procurement exercise which does not fall under the Act or Regulations. The Rules set out the different methods and when they should be used. The Rules need to be updated to reflect the change in procurement legislation and to ensure compliance by reviewing the Council's procurement processes. It is also an opportunity to ensure that the Contract Procedure Rules are flexible enough to allow officers to carry out procurement practice in the most efficient and effective way. In addition, it ensures that there is control to any procurement exercise and ensures value for money for the Council.
4. Not reviewing and amending the Rules would raise a significant risk to the Council and the Council would be open to legal challenge for failing to comply with the legislation, and also likely to receive criticism from auditors and regulators.

**Appendix 1: Amended section 17 (Welsh)**

**Appendix 2: Amended Section 17 (English)**