



<b>Report To:</b>	Council
<b>Date:</b>	28 <sup>th</sup> January 2026
<b>Subject:</b>	Proposed Amendments to the Council's Contract Procedure Rules
<b>Purpose:</b>	To introduce a new updated version of the Contract Procedure Rules
<b>Key Decision:</b>	N/A
<b>Portfolio Holder:</b>	Councillor Thomas Kemp – Portfolio Holder for Finance
<b>Report Of:</b>	John Medler – Assistant Director for Governance and Monitoring Officer
<b>Report Author:</b>	Martin Gibbs – Head of Procurement & Contracts
<b>Ward(s) Affected:</b>	ALL
<b>Exempt Report:</b>	NO

### Summary

The purpose of this report is to present to Council a revised draft set of Contract Procedure Rules.

The Audit & Governance Committee considered the proposed amendments to the Contract Procedure Rules at its meeting on the 19<sup>th</sup> November 2025 and recommended them for adoption by the Council.

Executive Board approved the Delegation to Officers at **Appendix 2** on the 8<sup>th</sup> December 2025, subject to the Contract Procedure Rules being approved at Council. The Executive also recommended that the draft revised Contract Procedure Rules at **Appendix 1a** be adopted by the Council.

### Recommendations

That the Council:

1. Agrees to adopt the revised Contract Procedure Rules at **Appendix 1a** to this report.

## Reasons for Recommendations

- To ensure that the Council has robust, up-to-date Contract Procedure Rules that provide clarity to officers, members, and potential suppliers.
- To ensure a clear and consistent approach in the award of contracts and safeguard the public's trust and confidence and promote public accountability and procurement practice.
- To help avoid governance failures in the Council's procurement activity.

## Other Options Considered

To do nothing – which would result in the retention of the existing Contract Procedure Rules. This would not be deemed best practice as the Contract Procedure Rules have not been reviewed or updated for 3 years.

## 1. Report

- 1.1. In accordance with Section 135 of the Local Government Act 1972 every Local Authority must adopt standing orders with respect to the making by them or on behalf of contracts for the supply of goods or materials or for the execution of works.
- 1.2. The basic principles in relation to public procurement require all procurement procedures must:
  - 1.2.1. Ensure all stages of the procurement process are open and clearly documented, allowing stakeholders to understand how decisions are made.
  - 1.2.2. Ensure fairness and equal treatment in allocating public contracts.
  - 1.2.3. Be consistent with the highest standards of integrity.
  - 1.2.4. Achieve best value for public money spent.
  - 1.2.5. Comply with all legal requirements
  - 1.2.6. Support the Council's corporate and departmental aims and aligns with the Council's corporate Procurement Strategy and other relevant policies.
- 1.3. The draft Contract Procedure Rules at **Appendix 1a (Clean Version) and 1b (Tracked Changes)** to this report seek to ensure, as a minimum, the Council meets these basic principles.
- 1.4. The Council's current Contract Procedure Rules were approved by Council in December 2022. Public procurement legislation has changed since then (with the implementation of the Procurement Act 2023 in February 2025).
- 1.5. The intention is to seek adoption of the amended CPR (shown at **Appendix 1a**) and the Delegations to Officers (shown at **Appendix 2**) across the three Councils that make up the South & East Lincolnshire Councils Partnership (SELCP) to ensure continued alignment of the Contract Procedure Rules, as they currently are. The adoption of the proposed Rules ensure the Council has Rules that reflect the current public procurement legislation. The CPRs also set out clarity of the

appropriate authority aligned to the value of the contract, and these are reflected in the Delegated Decisions (shown at **Appendix 2**).

1.6. Following recent Audit & Governance committee meetings across the SELCP, there have been minor amendments made to **Appendix 1a**. The first of these being at Section 1.5 where the wording has been revised to clarify that there is a section within the Contract Procedure Rules that refers to exclusive of VAT figures. The second change is at Section 1.6 which now confirms that breaches must be reported promptly.

1.7. The only amendment to **Appendix 2** is aligning values with the proposed CPR thresholds.

1.8. The key changes being proposed are explained fully at **Appendix 3** of this report.

## **Implications**

### **South and East Lincolnshire Councils Partnership**

The revised rules provide an opportunity to continue to work more collaboratively across the SELCP through the proposed continued alignment of the Rules.

### **Corporate Priorities**

The Contract Procedure Rules are essential components of the Council's governance framework which underpins delivery of its corporate strategy priorities.

### **Staffing**

None

### **Workforce Capacity Implications**

None

### **Constitutional and Legal Implications**

By virtue of Section 135 of the Local Government Act 1972 every Local Authority must adopt standing orders with respect to the making by them, or on their behalf, of contracts for the supply of goods or materials or for the execution of works.

It is imperative that the CPRs are kept under review and reflect current legal requirements.

### **Data Protection**

None

### **Financial**

The financial implications and specifically the procurement thresholds are referenced throughout the draft Contract Procedure Rules, and the Delegations to Officers.

## **Risk Management**

By reviewing the CPRs and updating them to reflect current best practice, the Council can seek to mitigate against the risk of acting unlawfully in respect of its procurement activity.

## **Stakeholder / Consultation / Timescales**

The SELCP Senior Leadership Team have been consulted and approved the proposed CPRs to go through the governance process for review / approval.

The Portfolio Holder for Finance and the Constitutional Working Group have been consulted regarding the proposed amendments.

The Audit and Governance Committee, at a meeting held on 19th November 2025, reviewed and recommended the proposed CPR changes to Council for adoption.

The Executive Board, at a meeting held on 8<sup>th</sup> December 2025, reviewed and recommended the proposed CPR changes to Council for adoption.

## **Reputation**

Improper procurement activity can have a direct impact on the reputation of the Council, officers, and Members. It is important therefore, that the Council adopts up to date, robust CPRs, to mitigate against this potential for adverse reputational impact.

## **Contracts**

None

## **Crime and Disorder**

None

## **Equality and Diversity / Human Rights / Safeguarding**

None

## **Health and Wellbeing**

None

## **Climate Change and Environment Impact Assessment**

Not undertaken

## **Acronyms**

CPR – Contract Procedure Rules

SELCP – South & East Lincolnshire Councils Partnership

## **Appendices**

Appendices are listed below and attached to the back of the report:

Appendix 1a	Proposed Contract Procedure Rules – Clean Version
Appendix 1b	Proposed Contract Procedure Rules – Tracked Changes
Appendix 2	Revised Delegations to Officers
Appendix 3	Key Changes document

### **Background Papers**

No background papers as defined in Section 100D of the Local Government Act 1972 were used in the production of this report.

### **Chronological History of this Report**

<b>Name of Body</b>	<b>Date</b>
Audit & Governance	19 <sup>th</sup> November 2025
Executive Board	8 <sup>th</sup> December 2025

### **Report Approval**

Report author:	Martin Gibbs, Head of Procurement & Contracts – <a href="mailto:martin.gibbs@pspsl.co.uk">martin.gibbs@pspsl.co.uk</a>
Signed off by:	John Medler – Assistant Director – Governance & Monitoring Officer – <a href="mailto:john.medler@e-lindsey.gov.uk">john.medler@e-lindsey.gov.uk</a>
Approved for publication:	Councillor Thomas Kemp – Portfolio Holder for Finance – <a href="mailto:Thomas.Kemp@boston.gov.uk">Thomas.Kemp@boston.gov.uk</a>