

Executive Board 20th June 2016

Subject: Consultation on Procurement Regulation in Wales.

Purpose: To highlight areas of concern regarding the proposals for new procurement regulation in Wales.

Recommendations / key decisions required:

To consider the Draft Response to the Welsh Government Consultation Document

Reasons:

- WLGA are co-ordinating an All Wales response on behalf of Welsh Local Government but Members felt that this should be supported by a direct response from this Authority due to the significance of procurement to the local economy.
- The Policy & Resources Scrutiny Member Focus Group established to assist in the development of a new Procurement Strategy requested that a report be presented to Executive Board.

Relevant Scrutiny Committee to be consulted:

Discussed at Policy & Resources Members Focus Group (Procurement). Agreed the issue needed to be referred to Executive Board. (Deadline for Responses to Welsh Government is 28th June 2016)

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|------------------------------|-----|
| Exec Board Decision Required | YES |
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| Council Decision Required | NO |
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EXECUTIVE BOARD MEMBER PORTFOLIO HOLDER:- Cllr. David Jenkins

Directorate: Corporate
Services

Head of Service: Phil Sexton

Report Author: Alan Aitken

Designations:

Head of Audit, Risk &
Procurement

Procurement Manager

Tel: 01267 246217/ email:
PSexton@carmarthenshire.gov.uk

Tel: 01267 246236/ email:
AAitken@carmarthenshire.gov.uk

EXECUTIVE SUMMARY

Executive Board

20th June 2016

Welsh Government Consultation Document: Consultation on Procurement Regulation in Wales.

In August 2015, Welsh Government acquired new powers to make Regulations governing public sector procurement in Wales. On 5th April 2016 Welsh Government published a Consultation Document with 7 proposals for new Procurement Regulation in Wales. The end date for responses is 28th June 2016.

Attached is the proposed consultation response to the 7 questions for Executive Board approval.

These increased regulations will take away the freedom and control within Local Government of managing their procurement responsibility and will also add an additional burden and potential cost to Local Government.

DETAILED REPORT ATTACHED?

YES

IMPLICATIONS

I confirm that other than those implications which have been agreed with the appropriate Directors / Heads of Service and are referred to in detail below, there are no other implications associated with this report :

Signed: Phil Sexton

Head of Audit, Risk Management and Procurement

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|---|------------|------------|-------------|------------------------|-----------------------|-----------------|
| Policy, Crime & Disorder and Equalities | Legal | Finance | ICT | Risk Management Issues | Staffing Implications | Physical Assets |
| NONE | YES | YES | NONE | NONE | NONE | NONE |

Legal

New Procurement Regulations impose additional duties on the Authority without any additional funding or guarantee of savings.

Finance

The cost of complying with the proposed additional Regulations may far outweigh any financial savings. As the Regulations are intended to be mandatory, the Authority will be required to commit resource to meet the Regulations.

CONSULTATIONS

I confirm that the appropriate consultations have taken in place and the outcomes are as detailed below

Signed: Phil Sexton

Head of Audit, Risk Management and Procurement

1. Scrutiny Committee – Discussed at Policy & Resources Scrutiny Members Focus Group which focuses on the development of a new Procurement Strategy (6 Members)

2. Local Member(s) N/A

3. Community / Town Council N/A

4. Relevant Partners N/A

5. Staff Side Representatives and other Organisations N/A

Section 100D Local Government Act, 1972 – Access to Information

List of Background Papers used in the preparation of this report:

| Title of Document | File Ref No. | Locations that the papers are available for public inspection |
|---|--------------|---|
| Welsh Government– Consultation on Procurement Regulation in Wales. | N/A | http://gov.wales/docs/finance/consultation/160405-procurement-consultation-eng.pdf |