

ERW JOINT COMMITTEE

8TH FEBRUARY 2019

FINANCIAL REGULATIONS AND CONTRACT PROCEDURE RULES

Purpose:

Adoption of the Pembrokeshire County Council revised Financial Regulations and Contract Procedure Rules, for use by ERW.

RECOMMENDATIONS / KEY DECISIONS REQUIRED:

The Joint Committee:

- Adopt the Pembrokeshire County Council revised Financial Regulations, for use by ERW.
- Adopt the Pembrokeshire County Council Contract Procedure Rules, for use by ERW.
- Approve the ERW Chair (or Vice Chair in her absence) as the Independent Cabinet Member for the purposes of the Financial Regulations and Contract Procedure Rules.

REASONS:

Compliance with ERW Joint Agreement (Contract Procedure Rules) and ERW Joint Committee Resolution on 25 July 2014 (Financial Regulations).

Report Author:
Jon Haswell

Designation:
ERW Section 151 Officer

Tel No. 01437 775836

E. Mail:
haswellj@pembrokeshire.gov.uk



EXECUTIVE SUMMARY ERW JOINT COMMITTEE

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FINANCIAL REGULATIONS AND CONTRACT PROCEDURE RULES

BRIEF SUMMARY OF PURPOSE OF REPORT

Financial Regulations

The ERW Joint Agreement does not refer to Financial Regulations, so the Section 151 Officer reported on this matter to the first meeting of the ERW Joint Committee on 25 July 2014. The Joint Committee resolved that the “Lead Authority responsible for Finance shall operate within the confines of its own Financial Regulations”. As Pembrokeshire County Council has been the Lead Authority responsible for Finance, its Financial Regulations have been used by ERW. They were circulated to all Local Authorities in July 2014 for information.

In December 2018, revised Financial Regulations (see attached) were approved by Pembrokeshire County Council, now incorporating Individual Cabinet Member Delegations.

The Joint Committee is requested to adopt the revised Pembrokeshire County Council Financial Regulations, for use by ERW, and to approve the ERW Chair (or Vice Chair in her absence) as the Independent Cabinet Member for the purposes of the Financial Regulations.

Contract Procedure Rules

Section 5.8 of the ERW Joint Agreement states “The Lead Authority responsible for Contracts and Procurement will act as the contracting authority for and on behalf of the Consortium, and in accordance with that Authorities Contract Procedure Rules”. From 2014 to 2018, Powys County Council were the Lead Authority for Contracts and Procurement, however, during 2018 the ERW Managing Director approached Pembrokeshire County Council to undertake this function (via an SLA) as Powys were unable to continue.

The Contract Procedure Rules (see attached) were approved by Pembrokeshire County Council in December 2018, and incorporate Individual Cabinet Member Delegations.

The Joint Committee is requested to adopt the Pembrokeshire County Council Contract Procedure Rules, for use by ERW, and to approve the ERW Chair (or Vice Chair in her absence) as the Independent Cabinet Member for the purposes of the Contract Procedure Rules.

DETAILED REPORT ATTACHED?

NO



IMPLICATIONS

Policy, Crime & Disorder and Equalities	Legal	Finance	Risk Management Issues	Staffing Implications
NONE	YES	YES	YES	NONE
<p>1. Legal Compliance with the ERW Joint Agreement (Contract Procedure Rules) and ERW Joint Committee Resolution on 25 July 2014 (Financial Regulations).</p>				
<p>2. Finance Adoption of the Financial Regulations and Contract Procedure Rules is required for the effective financial management and governance of ERW.</p>				
<p>3. Risk Management Failure to adopt the Financial Regulations and Contract Procedure Rules could lead to ambiguity over the financial decision making and transactions of ERW.</p>				

CONSULTATIONS

N/A

Section 100D Local Government Act, 1972 – Access to Information
List of Background Papers used in the preparation of this report:
THERE ARE NONE

