

County Council Meeting – 9 February 2021

REPORT OF THE AUDIT AND GOVERNANCE COMMITTEE

Mr David Harmer (Chairman)
Mr Keith Witham (Vice Chairman)
Dr Peter Szanto
Mrs Victoria Young
Mr Stephen Cooksey
Mr Stephen Spence

REPORT OF THE GOVERNANCE REVIEW TASK GROUP

1. On 29 January 2021, the Audit and Governance Committee considered an item which proposed changes to the procurement rules within the council's constitution. Members noted that the amendment would mean that documents could be executed by either hard copy or electronic signature and would not require access to the Council's sealing machine providing a more cost effective and agile process.
2. During the item, Members agreed to amend the report by adding the following wording as paragraph 7. *'The recommendation provides that contracts which need to be executed by way of seal as a deed is preserved as determined by legal services. This will apply in a number of cases where the Council will want to enforce a contract as a deed and rely on a longer limitation period of 12 rather than 6 years, or in possible rare examples where the value paid for the contract is less than the goods received'*. The updated report is attached as Annex 1.

3. Recommendation

The Audit and Governance Committee recommends the County Council agree that paragraph 2.7.a of the Council's procurement rules be amended at column I (contracts over £500k and over £1 million) from "Over £500k: Sealed as a deed via Legal Services" to "Over £500k: executed by authorised signatory in legal services or by seal as determined by Legal Services".

David Harmer
Chairman of the Audit and Governance Committee
29 January 2021

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