

South Ayrshire Council

Report by Assistant Director - Place to Leadership Panel of 23 November 2021

Subject: Annual Procurement Report 2021

1. Purpose

- 1.1 The purpose of this report is to seek approval for the publication of the Council's Annual Procurement Report 2021 which details the Council's procurement activity between 1 April 2020 and 31 March 2021.

2. Recommendation

2.1 It is recommended that the Panel:

- 2.1.1 **approves the Annual Procurement Report 2021 attached as [Appendix 1](#); and**
- 2.1.2 **requests that officers forward this report to the Scottish Government before it is published on the Council's website.**

3. Background

- 3.1 To comply with [Section 18\(1\) of the Procurement Reform \(Scotland\) Act 2014](#) the Council, which is obliged to prepare or revise a procurement strategy in relation to its financial year, must also prepare and publish an annual procurement report on its regulated procurement activities as soon as is reasonably practicable after the end of its financial year. A regulated procurement is any procurement for supplies or services with a value over £50,000 and for works contracts with a value of over £2 million.
- 3.2 The annual procurement report must include:
- 3.2.1 a summary of the regulated procurements that have been completed during the year covered by the report;
- 3.2.2 a review of whether those procurements complied with the contracting authority's procurement strategy;
- 3.2.3 a summary of any community benefit requirements imposed as part of regulated procurements and any steps taken to facilitate the involvement of supported businesses in regulated procurements; and
- 3.2.4 a summary of the regulated procurements the authority expects to commence in the next two financial years.

3.3 If approved by the Panel and in accordance with the Scottish Government's requirements, the Council's annual procurement report must be sent, by e-mail, to the Scottish Government and then made publicly available, online.

4. Proposals

4.1 The Council's Annual Procurement Report 2021 (Appendix 1) summarises the performance and achievements of the Council in delivering its Procurement Strategy and covers the period between 1 April 2020 and 31 March 2021.

4.2 The Council's Annual Procurement Report 2021 (Appendix 1) includes Performance Indicators highlighting improvements in the following areas since publication of the Council's last annual procurement report in 2020:

4.2.1 an increase in the number of regulated procurements awarded from 81 in 2019/20 to 92 in 2020/21;

4.2.2 an increase in the number of Council contracts which contained a community benefit from 34 in 2019/20 to 69 in 2020/21.

4.3 It is proposed that Leadership Panel approves the Annual Procurement Report 2021 and agree that it is sent to the Scottish Government before being published on the Council's website.

5. Legal and Procurement Implications

5.1 Legal implications arising from this report are that the Council must prepare an annual procurement report that complies with [Section 18\(1\) of the Procurement Reform \(Scotland\) Act 2014](#).

5.2 Procurement Implications arising from this report are that the Council's Procurement Service have prepared the Council's Annual Procurement Report 2021 and are satisfied that the updated annual procurement report meets all of the requirements of Section [18\(1\) of the Procurement Reform \(Scotland\) Act 2014](#).

6. Financial Implications

6.1 Not applicable.

7. Human Resources Implications

7.1 Not applicable.

8. Risk

Risk Implications of Adopting the Recommendations

8.1.1 There are no risks associated with adopting the recommendations.

8.2/

8.2 **Risk Implications of Rejecting the Recommendations**

8.2.1 Rejecting the recommendation may limit the Council's ability to achieve Best Value, impact on the reputation of the Council and/ or may give rise to breach of statute, legal challenge or Council liability.

9. **Equalities**

9.1 The proposals in this report have been assessed through the Equality Impact Assessment Scoping process. There are no significant potential positive or negative equality impacts of agreeing the recommendations and therefore an Equalities Impact Assessment is not required. A copy of the Equalities Scoping Assessment is attached as [Appendix 2](#).

10. **Sustainable Development Implications**

10.1 **Considering Strategic Environmental Assessment (SEA)** - This report does not propose or seek approval for a plan, policy, programme or strategy or document otherwise described which could be considered to constitute a plan, programme, policy or strategy.

11. **Options Appraisal**

11.1 An options appraisal has not been carried out in relation to the subject matter of this report.

12. **Link to Council Plan**

12.1 The matters referred to in this report contribute to Commitment 4 of the Council Plan: South Ayrshire Works/ Make the most of the local economy.

13. **Results of Consultation**

13.1 There has been no public consultation on the contents of this report.

13.2 Consultation has taken place with Councillor Brian McGinley, Portfolio Holder for Resources and Performance, and Councillor Chris Cullen, Portfolio Holder for Economy and Culture, and the contents of this report reflect any feedback provided.

14. **Next Steps for Decision Tracking Purposes**

14.1 If the recommendations above are approved by Members, the Assistant Director - Place will ensure that all necessary steps are taken to ensure full implementation of the decision within the following timescales, with the completion status reported to the Leadership Panel in the 'Council and Leadership Panel Decision Log' at each of its meetings until such time as the decision is fully implemented:

<i>Implementation</i>	<i>Due date</i>	<i>Managed by</i>
Publication of Annual Procurement Report 2021	30 November 2021	Service Lead - Procurement

Background Papers **None**

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