



STANDING ORDERS

TOWN COUNCIL MEETING

REPORT 83/20

12 OCTOBER 2020

The purpose of this Report is to ask Members to adopt an updated version of the Town Council's Standing Orders.

No. DETAILS

1) BACKGROUND

- a) The Town Council's Standing Orders need revising to ensure compliance with the latest regulations.
 - b) An initial draft was considered at the September meeting when discussion focused on the arrangements for procurement processes.
 - c) Minute 92/20 of that meeting resolved to:
 - i) agree to include in the draft Standing Orders clauses to:
 - o develop and apply a Tender Evaluation Scheme
 - o include a reference to the *Public Services (Social Value) Act* and incorporate it in provisions in the Tender Evaluation Scheme; and
 - o add a requirement to secure three tenders for all contract of value between £5,000 and £25,000;
 - ii) agree that contracts in excess of £25,000 be advertised and, consequently, added to the Contract Finder database; and
 - iii) ask the Clerk, in discussion with the Mayor and Councillor Colm Watling, to draft appropriate clauses to reflect the above decisions.
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2) REVISED VERSION

- a) Following discussions with Councillor Colm Watling, amendments to Standing Order 18 on Procurement have been agreed and the amended version is attached to this Report.
 - b) A complete version of the Standing Orders, including the revised standing Order 18, is available by clicking this [link](#).
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3) RECOMMENDATION

Members are recommended to adopt the revised Standing Orders.



VENTNOR TOWN COUNCIL

STANDING ORDER 18

PROCUREMENT

FINANCIAL CONTROLS AND PROCUREMENT

- a) The Council shall consider and approve financial regulations drawn up by the Responsible Financial Officer, which shall include detailed arrangements in respect of the following:
 - i) the keeping of accounting records and systems of internal controls
 - ii) the assessment and management of financial risks faced by the Council;
 - iii) the work of the independent internal auditor in accordance with proper practices and the receipt of regular reports from the internal auditor, which shall be required at least annually;
 - iv) the inspection and copying by councillors and local electors of the Council's accounts and/or orders of payments; and
 - b) Financial regulations shall be reviewed regularly and at least annually for fitness of purpose.
 - c) A public contract regulated by the Public Contracts Regulations 2015 with an estimated value in excess of £25,000 but less than the relevant thresholds in standing order 18(j) is subject to Regulations 109-114 of the Public Contracts Regulations 2015 which include a requirement on the Council to advertise the contract opportunity on the Contracts Finder website regardless of what other means it uses to advertise the opportunity unless it proposes to use an existing list of approved suppliers (known as a framework agreement – a procurement process will apply to suppliers to become part of any framework) .
 - d) All contracts with an estimated value in excess of £25,000 shall be advertised and added to the Contracts Finder web site in accordance with Standing Order 18 (c) above.
 - e) All contracts with an estimated value in excess of £5,000 but less than £25,000 shall be the awarded on the basis of three tenders.
 - f) An evaluation scheme for scoring received tenders, including appropriate references to the Public Services (Social Value) Act 2012, shall be agreed by the Council.
 - g) Subject to additional requirements in the financial regulations of the Council, the tender process for contracts for the supply of goods, materials, services or the execution of works shall include, as a minimum, the following steps:
 - i) a specification for the goods, materials, services or the execution of works shall be drawn up;
 - ii) an invitation to tender shall be drawn up to confirm (i) the Council's specification (ii) the time, date and address for the submission of tenders (iii) the date of the Council's written response to the tender and (iv) the prohibition on prospective contractors contacting councillors or staff to encourage or support their tender outside the prescribed process;
 - iii) tenders are to be submitted in writing in a sealed marked envelope addressed to the Proper Officer;
 - iv) tenders shall be opened by the Proper Officer in the presence of at least one councillor after the deadline for submission of tenders has passed;
 - v) tenders are to be reported to and considered by the appropriate meeting of the Council or a committee or sub-committee with delegated responsibility.
 - h) Neither the Council, nor a committee or a sub-committee with delegated responsibility for considering tenders, is bound to accept the lowest value tender.
 - i) A public contract regulated by the Public Contracts Regulations 2015 with an estimated value in excess of £181,302 for a public service or supply contract or in excess of £4,551,413 for a public works contract (or other thresholds determined by the European Commission every two years and published in the Official Journal of the European Union (OJEU)) shall comply with the relevant procurement procedures and other requirements in the Public Contracts Regulations 2015 which include advertising the contract opportunity on the Con+tracts Finder website and in OJEU.
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- j) A public contract in connection with the supply of gas, heat, electricity, drinking water, transport services, or postal services to the public; or the provision of a port or airport; or the exploration for or extraction of gas, oil or solid fuel with an estimated value in excess of £363,424 for a supply, services or design contract; or in excess of £4,551,413 for a works contract; or £820,370 for a social and other specific services contract (or other thresholds determined by the European Commission every two years and published in OJEU) shall comply with the relevant procurement procedures and other requirements in the Utilities Contracts Regulations 2016.++
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