



PAPER A – PROCUREMENT POLICY

**POLICY AND RESOURCES
COMMITTEE**

PAPER A

20 FEBRUARY 2025

The purpose of this Report is to recommend Members agree to consider the options for a Procurement Policy.

1) Background

- a) It was noted at the Buildings Maintenance Committee of 3 July 2024 that Ventnor Town Council does not have a Procurement Policy. It was agreed at the Buildings Maintenance Committee meeting of 3 July 2024 to refer to Policy & Resources Committee the outstanding matter of a new Procurement Policy for the Council, and ask that the Buildings Maintenance Committee be consulted during the development of any such policy.
- b) Section 20 of Ventnor Town Council's Standing Orders address the matter of Procurement, a copy of which is appended to this report.
- c) The [Procurement Act 2023](#) will introduce changes to public sector procurement and the Policy created for Ventnor Town Council will need to include tendering and awarding processes, transparency and dealing with conflicts of interest.

2) Recommendation

Members consider how they wish to proceed with the development of the Procurement Policy noting that this falls within the remit of the Policy and Resources Committee but a request has been made for the Buildings Maintenance Committee to be consulted during the process.

Extract from Ventnor Town Council's Standing Orders adopted 2021

Financial Controls and Procurement

- a) The Council will consider and approve financial regulations drawn up by the Responsible Financial Officer, which will include detailed arrangements in respect of:
 - 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 will 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.
- b) Financial regulations must 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 20(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 must be advertised and added to the Contracts Finder web site in accordance with Standing Order 20(c).
- e) All contracts with an estimated value in excess of £5,000 but less than £25,000 will be 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, will 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 must include, as a minimum, the following steps:
 - i) a specification for the goods, materials, services or the execution of works will be drawn up;
 - ii) an invitation to tender will 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 must be opened by the Proper Officer in the presence of at least one councillor after the deadline for submission of tenders has passed;

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- 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 government within its 'Find a Tender' process) must comply with the relevant procurement procedures and other requirements in the Public Contracts Regulations 2015 which include advertising the contract opportunity on the Contracts Finder website.
 - 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 government) must comply with the relevant procurement procedures and other requirements in the Utilities Contracts Regulations 2016.