

Thorpe on the Hill Parish Council

Minutes of the Extraordinary meeting held on 15 November 2023 at 18:30 in The Oliver Roper Parish Meeting Room

23.123 Councillor Bindley chaired the meeting and welcomed everyone.

23.124 Public time – No public in attendance

23.125 Parish Council – Members, present, apologies for absence, declarations of interest, declarations of gifts/hospitality, training.

1. Membership: Cllrs R Sheldon MBE, N Williams, N Lyons, M Bindley (Chair), J Bramford (Vice-Chair), Z Ives, C Owen

2. Present: Cllrs R Sheldon MBE, N Lyons, M Bindley, Z Ives, J Bramford, Z Ives, C Owen, K Vickers (Parish Clerk)

3. Apologies: Councillor Williams

4. Declaration of interest: None

5. Declaration of gifts and hospitality over £25: None

23.126 Standing Orders and Financial Regulations

It was unanimously agreed to amend the following policies in line with the Public Contracts Regulations 2015 Regulation 110(5)(b) and the UK tendering thresholds set by Parliament 01/01/2022.

Standing Orders

17 Financial Controls and Procurement c, d(iv) and f as per Appendix A

Financial Regulations

Summary of section 11 requirements as per Appendix B

Meeting closed at 18:36

17. FINANCIAL CONTROLS AND PROCUREMENT

- 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 17(f) is subject to Regulations 109-114 of the Public Contracts Regulations 2015 which include a requirement on the Parish Council to advertise the contract opportunity on the Contracts Finder website regardless of what other means it uses to advertise the opportunity.**
- d.** Subject to additional requirements in the financial regulations of the Parish 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 Parish Council's specification (ii) the time, date and address for the submission of tenders (iii) the date of the Parish 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. the invitation to tender shall be advertised in a local newspaper and in any other manner that is appropriate
 - iv. tenders are to be submitted in writing in a sealed marked envelope addressed to the Proper Officer
 - v. 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
 - vi. tenders are to be reported to and considered by the appropriate meeting of the Parish Council or a committee with delegated responsibility
 - vii. **New point here**
- f. 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 2 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 Contracts Finder website and in OJEU.**
- g. 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 2 years and published in OJEU) shall comply with the relevant procurement procedures and other requirements in the Utilities Contracts Regulations 2016.**

Proposed

- c. A public contract regulated by the Public Contracts Regulations 2015 with an estimated value in excess of £25,000 + VAT but less than the relevant thresholds referred to in standing order 17(f) is subject to the “light touch” arrangements under Regulations 109-114 of the Public Contracts Regulations 2015 unless it proposes to use an existing list of approved suppliers (framework agreement).
- d. Subject to additional requirements in the financial regulations of the Parish 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 Parish Council’s specification (ii) the time, date and address for the submission of tenders (iii) the date of the Parish 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. the invitation to tender shall be advertised in a local newspaper and in any other manner that is appropriate
 - iv. tenders are to be submitted in writing in a sealed marked envelope addressed to the Proper Officer
 - v. 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
 - vi. tenders are to be reported to and considered by the appropriate meeting of the Parish Council or a committee with delegated responsibility.
 - vii. as an alternative to (d)iii, the Parish Council may opt to make the opportunity available only to a number of specific contractors who have been selected for that purpose, provided that the value of the contract is less than the relevant thresholds referred to in standing order 17(f)

f. Where the value of a contract is likely to exceed the threshold specified by the Office of Government Commerce from time to time, the Council must consider whether the Public Contracts Regulations 2015 or the Utilities Contracts Regulations 2016 apply to the contract and, if either of those Regulations apply, the Council must comply with procurement rules.

Appendix B

Existing

Summary of section 11 requirements

Amount	Contract	Action
Up to £500	Auditors	Delegated authority to RFO
Over £500	Auditors	Parish Council
£0 - £4000	Services as outlined in a) i - vi	Contractual regulations do not apply
£4000 - £25000	Services as outlined in a) i - vi	Contractual regulations do not apply. However 3 estimates should be sort
Over £25000	Services as outlined in a) i - vi	The contract must go out for tender as defined by The Public Contract Regulations 2012.

Proposed

Summary of section 11 requirements

Amount	Contract	Action
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Over £500	Auditors	Parish Council
£0 - £4000	Services as outlined in a) i - vi	Contractual regulations do not apply
£4000 - £25000	Services as outlined in a) i - vi	Contractual regulations do not apply. However 3 estimates should be sort
Over £25000	Services as outlined in a) i - vi	A public contract regulated by the Public Contracts Regulations 2015 with an estimated value in excess of £25,000 + VAT but less than the relevant thresholds referred to in Standing Order 17(f) is subject to the "light touch" arrangements under Regulations 109-114 of the Public Contracts Regulations 2015 unless it proposes to use an existing list of approved suppliers (framework agreement).