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**NORTHAM TOWN COUNCIL**

**TOWN HALL**

**WINDMILL LANE**

**NORTHAM**

**DEVON**

**EX39 1BY**

Town Clerk: Mrs Jane Mills BA(Hons) PSLCC

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Following the Local Government and Accountability Act 2014 the Council now has a policy on filming and recording of Local Council and Committee meetings which will be on view in the Council Chamber or Committee Room as appropriate. Those attending meetings are deemed to have consented to the filming, recording or broadcasting of meetings. Those exercising the rights to film, record and broadcast must respect the rights of other people attending under the Data Protection Act 1998. Members of the public may not wish to be recorded and the Chair of the meeting will ensure insofar as is possible that any request not to be recorded will be respected.

To: All Members of the Northam Town Council

**You are hereby summoned to attend a meeting of the Town Council which will be held on Wednesday 10th April 2024 in the Town Hall Windmill Lane, Northam at 6.30 pm. The agenda for the meeting is set out below.** **Members of the public are welcome to attend the meeting.**

M J Mills

Jane Mills BA (Hons) Community Governance, FSLCC, MILCM

Town Clerk

Date of issue: 4th April 2024

***Members and attendees are requested to switch off their mobile phones.***

**Prayers will be said at 6.25pm for those wishing to attend,**

**AGENDA**

**1 Apologies**

**2 Chair’s announcements**

**3 Declarations of interest**

 *Members are reminded that all interests must be declared prior to the item being discussed*

**4 To agree the agenda between Part A and Part B** *(confidential information)*

**5 To confirm and sign the minutes of Full Town Council Meeting held on 28th February 2024** *(herewith)*

**6 To note and adopt the reports of minutes and resolutions contained therein from Committees and Sub-Committees (Items contained in Part B to be noted and adopted under Part B)** *(herewith under separate cover)*

* Finance & HR – 31st January and 6th March 2024 (considered draft until committee meets 10am 10th April 2024)
* Northam Neighbourhood Plan – 22nd November 2023
* Planning – 22nd February 2024
* Town Projects and Asset Management – 25th January 2024
* Review Committee – 7th February 2024

**7 Action Points** *(herewith)*

**8 Public Participation**

*We welcome Parishioners speaking or making representations, asking questions or giving evidence at the meeting of the Full Council in respect of any issue affecting the Northam Town Council area. A period of twenty minutes is allocated for this unless directed by the Chair of the meeting and a member of the public shall not speak for more than 4 minutes.*

*A question shall not receive a response at the meeting nor start a debate on the*

*question. The chair of the meeting may direct that a written or oral response be given.*

**9 To consider continuing with membership of the Rural Services Network (RSN) Rural Market Towns Group upon the ending of the free trial (on 31st March 2024), at a cost of £137 (exVAT) for year 2024-25.**

**10 To consider quotes for water supply at Northam Hall** *(to follow)*

**11 To consider the draft Procurement Strategy and Policy, as revised by the Review Committee** *(herewith)*

**12 To receive an update on the work of PETROC HNC students in relation to the design of Westward Ho! Park Pavilion** *(herewith under separate cover)*

**13 To consider the draft ‘Your guide to Northam Town Council services and support’ – note meeting details are to be confirmed** *(herewith under separate cover)*

**14 To consider arrangements for the beacon lighting at Northam for D Day 6 June at 21.45 as discussed at previous council meeting last year.**

**15 To consider correspondence from Appledore RNLI requesting a free car parking day 4/5/25 for their bicentenary** *(Cllr Tait)*

**16 Correspondence: none has been received.**

**17 To note Street Matters: All street matters circulated by the Town Clerk by email.**

**18 To receive a summary report from the County Councillor**

**19 To receive a summary report from a District Member** *(3 minutes)*

**PART B**

**20 To** **resolve: that under section 1(2) of the Public Bodies (Admission to Meetings) Act 1960 that the public and press be excluded from the meeting.**

**21 To confirm and sign the minutes of the Town Council Meeting 28th February 2024 (Part B)** *(herewith)*

**22 To note and adopt the reports of Part B minutes and resolutions contained therein from Committees and Sub-Committees** *(herewith)*

* Finance & HR – 31st January and 6th March 2024 (considered draft until committee meets 10am 10th April 2024)

**23 To consider an offer of land in Westward Ho! from a member of the public** *(herewith – confidential)*

**24 To consider staffing issues referred from the Finance and HR Committee** *(to follow and verbal)*

**25 To resolve to readmit members of the press and public.**

full council

*Action Points APRIL 2024*

|  |  |
| --- | --- |
| **Chairmans Announcements.**  | Notify TDC that Cllr Brading has offered to serve on TDC Standards. |
| **Presentation from Community Engagement Officer (TDC).** | Following the presentation a task and finish group was appointed: Cllr Hodson, Cllr Bach and Cllr Brading and the Community Engagement Officer will be invited to meetings. |
| **To consider a proposal that Northam Town Council becomes a member of the Northern Devon Railway Alliance.** | Notified the group of the Council’s decision. |
| **To consider how the Town Council wishes to move forward with planting around the fencing of the football pitch at Burrough Farm.** | Agreed to plant native hedging and maintain, notify Northam Lions.Planting along the western side completed 27th Match 2024. Free hedgerow sets to be sought for autumn planting along the northern side from organisations such as the Woodland Trust. The Council has a small number of beech trees that have been grown on by a member of the team and will be planted at the corners and ends of the hedge run in due course. |
| **To consider a request from Torridge Pilot Gig Club to have a free parking day at Churchfields car park on 14th July 2024 for their regatta.** | Notify Torridge Gig Club their application has been refused and advise them to approach TDC for help and to contact their local TDC councillors for funding. |

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**Northam Town Council**

**Draft procurement strategy**

The Council will strive to attain best value for all goods, materials and services which it purchases. “Best Value” will be defined as a balance of price, quality of product and supplier services.

The Council will operate a transparent procurement process in accordance with its Financial Regulations, Standing Orders and Standing Orders for Contracts.

**Parish Council Contracts: the new £25,000 Contracts Rule**

When Northam Town Council lets a contract for over £25000 excluding VAT

* If we advertise an Invitation to Tender ("ITT") for such a contract anywhere at all, we must (within 24 hours) also advertise it on the Government's Contracts Finder Website and we must then have the contract details available on the internet AND
* We cannot have a Pre-qualification stage in such a contract.
* After we have awarded the contract, whether or not we advertised it on Contracts Finder at the Invitation To Tender stage, we must publish on the UK Government's Contracts Finder Website:
	+ the name of the contractor;
	+ the date on which the contract was entered into;
	+ the value of the contract; and
	+ whether the contractor is an SME or a VCSE (small to medium enterprise or voluntary community & social enterprise)

**Parish Council Contracts: the new 30-Day Payment Rule:**

Every public contract which Northam Town Council awards must contain the following 'suitable provisions':

* The authority must pay the contractor within 30 days of getting a valid and undisputed invoice. (And undue delay in considering and verifying an invoice is not to be regarded as sufficient justification for failing to regard an invoice as valid and undisputed.)
* Every contract which permits sub-contracting must contain similar 30-day-payment provisions - and the same for sub-sub-contracts.

**The process of public procurement**

A basic step by step guide to public procurement

* Make an estimate of the total cost of the procurement (excluding VAT)
* Work out what category the procurement is in (Works, Supplies, Services or perhaps a mixture of them.
* Work out whether our proposed procurement is above any of the relevant thresholds. The thresholds are fixed by the EU in Euros, but the UK government translates those values into Pounds Sterling or GBP every two years. These can be found on the Cabinet Office website.

If our Council's contract is over the relevant threshold (£181302, £625,050 or £455413), we have to follow the Rules for the Category. Broadly, the Rules are:

* + We must advertise the proposed procurement (a) in the Official Journal of the EU (OJEU) and (b) on the UK Government's "Contracts Finder" website.
	+ We must publish all of the contract documents (notably the specification of the works, the duration etc) on our own website.
	+ We must use the Timetable set out in the Public Contracts Regulations 2015.
	+ We must invite tenders without any pre-qualification test.
	+ We must choose the successful contractor by applying fair assessment procedures and (usually) award it to one who offers the lowest or the highest price or use a MEAT (Most Economically Advantageous Tender) analysis.
	+ We must publish the name and (usually) the accepted price of the successful contractor and lots of other details, sometimes in the OJEU and always on the UK Government's Contracts Finder website.
	+ We must keep records of what we did.

All purchasing must comply with the Council’s Financial Regulations Standing Orders and tendering process. These regulations cover, amongst other things

The number of quotations to be sought -Tendering procedures:-( Appendix 1)

The purpose of this policy/strategy is to provide guidance on the factors that will be taken into account when purchasing goods and services.

1. The Council recognises the benefits to the economy of using local businesses and will seek out local contractors and suppliers wherever possible.
2. All contractors and suppliers working on Council sites will be required to comply with the Council’s Health & Safety policy and any rules specific to the site of operation.

 Provision of suitable risk assessments and method statements will be a condition of all

 such contracts.

1. The Council requires all contractors working on Council sites and projects to maintain adequate insurance, including but not limited to Public Liability insurance for £5 million.

The Council would retain the right to increase this requirement for specific jobs and/or contracts where the risk is perceived to be greater.

1. All procurement will be in accordance with the Council’s Equality Policy.
2. The Council recognises the importance of sustainability and will take into account the

environmental, social and economic impacts of its purchasing decisions. (see Appendix C)

1. The Council recognises its duty to protect biodiversity under Section 40 of the Natural Environment and Rural Communities (NERC) Act 2006. To meet this duty the Council will wherever possible purchase products that protect biodiversity, for example peat-free compost. (see Appendix C)
2. The Council will, wherever possible, purchase goods that meet international Fairtrade

 standards (or similar).

1. The Council understands the importance of paying suppliers promptly and will wherever possible settle accounts within a maximum of 30 days, or earlier, by agreement.

 In order to comply with current legislation all payments (apart from petty cash payments)

 are made by BACS transfer, Direct Debit, or cheque.

1. The Council needs to have access to pre-approved contractors to supply **routine** services or who can be called on to provide emergency services, including but not limited to:

Electricians

General builders

Glaziers

Groundworkers

Locksmiths

Memorial masons

Plant hirers

Play equipment repairers

Plumbing and heating engineers

Tree surgeons

Vehicle and machinery service engineers

Contractors wishing to be included on the Council’s register of approved contractors will be required to complete a registration form (See Appendix B).

The register of approved contractors will be periodically reviewed.

1. In accordance with Standing Order 18(e) the Council is not obliged to accept the lowest of any tender, quotation or estimate, but must give valid reasons for not doing so.

(11) The Council maintains monthly accounts with suppliers of regular purchases.

All purchases on Council accounts may only be made by authorised Council officers who must be provided with a receipt. Limits will be set on each account on the maximum value of individual purchases and the overall balance on the account.

 Expenditure over these limits must be authorised in advance

(12) This policy will be monitored and reviewed by the Council’s Finance Committee annually,

 or in response to changes in legislation.

**Appendix A: Standing Orders (derived from NALC Model Standing Orders 2018 [England] updated April 2022).**

1. Financial controls and procurement
2. 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:
3. the keeping of accounting records and systems of internal controls;
4. the assessment and management of financial risks faced by the Council;
5. 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;
6. the inspection and copying by councillors and local electors of the Council’s accounts and/or orders of payments; and
7. whether contracts with an estimated value below **£25,000** due to special circumstances are exempt from a tendering process or procurement exercise.
8. Financial regulations shall be reviewed regularly and at least annually for fitness of purpose.
9. **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 referred to in standing order 18(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).**
10. 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:
11. a specification for the goods, materials, services or the execution of works shall be drawn up;
12. 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;
13. the invitation to tender shall be advertised in a local newspaper and in any other manner that is appropriate;
14. tenders are to be submitted in writing in a sealed marked envelope addressed to the Proper Officer;
15. 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;
16. tenders are to be reported to and considered by the appropriate meeting of the Council or a committee or sub-committee with delegated responsibility.
17. Neither the Council, nor a committee or a sub-committee with delegated responsibility for considering tenders, is bound to accept the lowest value tender.
18. **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. NALC’s procurement guidance contains further details.**

**Appendix B:** **List of Suggested Pre-approved Contractors**

* Electricians
	+ Ashtons Electrical
	+ Cook Electrical
	+ J P S Electrics
* General builders
	+ Horrell Builders
	+ Pascoe Builders
	+ Hockin A W Ltd
* Glaziers
	+ N J Martin Windows
	+ ATA Windows
	+ Windows Direct
* Groundworkers
	+ Atlantic Highways Ground Works
	+ Environmental South West
	+ A&B Contractors
* Locksmiths
	+ Atlantic Locksmiths
	+ M J S Locksmiths
	+ North Devon Locksmiths
* Memorial masons
	+ Orchard Stone Masons
	+ Stonescript Memorials
	+ Devon Memorials
* Plant hirers
	+ Eagle Plant
	+ S E L Clarke Plant Hire
* Play equipment repairers
	+ Tk Play
	+ Alvian
* Plumbing and heating engineers
	+ Steve Arnold
	+ JD Plumbing & Heating
	+ D Prouse Plumbing and Heating Ltd
* Tree surgeons
	+ Wills Tree Services
	+ Acacia Arb
	+ Taw & Torridge Tree Services Ltd

Where possible, works are carried out by the Maintenance Men. If you have any suggestions for contractors to be added to this list, please bring it to the meeting.

**Appendix C: Sustainable Procurement**

**Northam Town Council Sustainable Procurement Policy**

Our Sustainable Procurement Policy is part of the Council’s wider policy on procurement which fundamentally seeks to drive a culture of securing good value for money from our contracting activities and one that ensures best outcomes for residents and customers.

Sustainable Procurement means improving the efficiency of our commercial spend to deliver major social and environmental benefits within the local community and nationally; to the extent that we can use our purchasing power, either unilaterally or by combining with other public sector organisations, to influence the supply market. Furthermore, it is the process that takes account of the economic, social and environmental impacts of our purchased goods, services and works on people and communities whilst still delivering value to these communities.

Within this policy we are making it clear that we intend to significantly improve our contracting approach and change the way we engage with the market. Whilst there are situations where contracting with a ‘big’ supplier to deliver a service will provide better control and process efficiencies, we also recognise that contracting with smaller, medium size organisations can enhance quality of service and provide better options for service users. It is for this reason that we are strengthening our commitment to work more closely with local and SME suppliers and we seek to deliver more innovative solutions through this approach

Before making a purchasing decision the Council will always assess the need for making the purchase, aiming to avoid unnecessary consumption and if a purchase is then deemed necessary to then investigate the possibilities of re-use, repair or recycling.

The Council’s Sustainable Procurement Policy is based on three main themes –Environmental, Economic and Social Sustainability - and will seek to adhere to the following principles:

Environmental

* Reduce carbon emissions and mitigate the impacts of climate change
* Increase the proportion of renewable energy and the use of energy efficient products
* Increase the percentage of reused, recycled and sustainable or ethically sourced materials, resources and products
* Reduce the percentage of waste to incineration
* Reduce water use
* Promote biodiversity
* Promote food and agricultural practices that enhance the health and welfare of people and animals

Economic:

* Promote use of local products and services
* Create job opportunities for local people, including NEETS, and increase the number of apprentices in employment
* Address the issue of worklessness through providing training and job opportunities
* Engage effectively with the third sector, SMEs, and HE and FE institutions
* Influence the supply chain to deliver sustainable procurement

Social

 • Freedom of association and the right to collective bargaining

 • No discrimination is practised;

 • Employment is freely chosen;

 • Working conditions are safe;

 • Good health is promoted;

 • Working hours are not excessive;

 • Wages meet at least national legal standards;

 • Regular employment is provided;

 • Training is provided;

 • Clear dispute procedures are in place;

 • Child labour is eliminated;

 • No inhumane treatment is allowed;

 • Acting with integrity and transparency

(This policyfollows the principles of the Ethical Trading Initiative (ETI) Base Code, which was founded on the conventions of the International Labour Organisation (ILO) and is an internationally recognised code of labour practice.)