



Full council

Addendum Agenda for 28/09/26 @ 19:00

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Melksham
TOWN COUNCIL



Melksham
TOWN COUNCIL

Wednesday 23 September 2026

Dear Councillors S Rabey (Town Mayor), G Elson (Deputy Town Mayor), P Alford, P Aves, E Calland, R Cleary, J Crossley, M Drewett, A Griffin, J Oatley, T Price, C Stokes, A Westbrook, J Westbrook and A Whitlock.

Ref: Full Council Meeting, Monday 28 September 2026

Please find below an addendum agenda item for the Full Council meeting on Monday 28 September 2026

Yours sincerely,

Miss Hayley Bell
CEO

Addendum Agenda

Subject to agreement, It is intended that this addendum item will be considered between item 19, Committee Minutes and Item 20 Park Procurement

1. Procurement Working Group

For decision on the following recommendation:-

“Melksham Town Council establishes a Procurement Working Group consisting of seven councillors, operating in accordance with the attached Terms of Reference, to provide oversight and recommendations on significant procurement exercises; and that all final procurement decisions, contract awards and expenditure approvals remain the responsibility of Full Council.”



Melksham Town Council

General Working Group Terms of Reference and Proposed Terms of Reference for Procurement Working Group



Working Groups/Task & Finish Groups

Groups set up by Full Council and other Committees.

1. Membership

- 1.1 The chairman of any Committee setting up a Working Group/Task & Finish Group shall be a member of the Group. Any other members can be appointed and so can non-elected members of the public or any other representative from a properly constituted body.

2. Delegated Business: The Group has delegated authority to discuss and debate items as specified by the parent committee in a brief which should be minuted:

- 2.1 No Group shall have powers to make decisions on policy or budget commitment;
- 2.2 Recommendations shall be put before the relevant parent committee for ratification;
- 2.3 Agendas shall be put together by officers in conjunction with the Chairman.
- 2.4 Meetings will not necessarily be open to the public, but all minutes will be available once adopted by the parent committee.
- 2.5 Minutes will be made available to all members and the general public on request. They will be prepared by officers unless other arrangements have been made.
- 2.6 The general Terms of Reference can be expanded for any group if required to enable the completion of a project. Any additional Terms of Reference will be adopted by the parent committee.

Procurement Working Group

Proposed Terms of Reference

1. Name

The Working Group shall be known as the **Procurement Working Group** ("the Working Group").

2. Status

The Procurement Working Group is established by Melksham Town Council as an advisory Working Group.

The Working Group:

- Has no delegated authority to make decisions on behalf of the Council.
- Has no authority to award contracts.
- Has no authority to commit Council expenditure.
- Has no authority to enter into contractual or legally binding agreements on behalf of the Council.

All recommendations shall be referred to Full Council for decision.

3. Purpose

The purpose of the Working Group is to support the Council in achieving fair, transparent, compliant and effective procurement processes which deliver value for money and positive outcomes for the community.

The Working Group shall:

- Support officers in developing specifications and project requirements.
 - Review procurement strategies and approaches.
 - Consider project objectives, risks and desired outcomes.
 - Assist in ensuring compliance with Financial Regulations, Standing Orders and Procurement legislation.
 - Review procurement documentation prior to publication.
 - Participate in tender evaluation where authorised by Council.
 - Review procurement outcomes and recommendations.
 - Make recommendations to Council regarding contract awards and procurement matters.
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4. Objectives

The Working Group shall seek to:

- Promote transparency and accountability.
- Ensure procurement exercises are undertaken fairly and consistently.
- Support value for money.

- Encourage sustainability and social value where appropriate.
 - Reduce procurement risk.
 - Maintain public confidence in Council decision-making.
 - Support effective contract management arrangements.
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5. Membership

The Working Group shall consist of:

- **Seven Councillors appointed by Full Council.**

The membership shall remain at seven councillor members wherever reasonably practicable to ensure an odd number of members and reduce the risk of tied recommendations.

The following officers shall support the Working Group in an advisory capacity:

- Responsible Financial Officer.
- Finance Manager.
- Chief Executive Officer.
- Relevant service managers.
- Other officers as required.

External advisers, consultants, procurement specialists or technical advisers may be invited to attend meetings where specialist expertise is required.

Officers and advisers are not members of the Working Group and shall not have voting rights.

6. Chair

The Working Group shall appoint a Chair from amongst its councillor members.

The Chair shall:

- Preside over meetings.
 - Work with officers to set agendas.
 - Facilitate discussion.
 - Ensure recommendations are clearly defined.
 - Report recommendations to Council where required.
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7. Meetings

The Working Group shall meet as required by the procurement programme.

Meetings may be held:

- In person.
- Virtually.
- Hybrid format.

Meetings shall be arranged by the Responsible Financial Officer or nominated officer.

8. Decision Making

The Working Group is advisory only.

Recommendations shall normally be determined by a majority of councillor members present.

Where a vote is tied due to an absence or abstention, the matter shall either:

- Be deferred for further consideration; or
- Be referred to Council without a recommendation.

No casting vote shall apply.

Final decisions remain the responsibility of Full Council.

9. Role of Officers

Officers shall:

- Provide professional advice.
- Prepare procurement documentation.
- Undertake procurement exercises.
- Conduct due diligence and supplier checks.
- Obtain legal, technical and financial advice where necessary.
- Prepare evaluation reports.
- Identify procurement risks.
- Advise on Financial Regulations and legislative compliance.

Officers may advise that information is commercially sensitive and may be suitable for consideration in confidential session.

However, officers cannot determine whether a matter is heard in confidential session.

The decision to exclude the press and public remains the responsibility of Council.

10. Procurement Development

The Working Group may:

- Review project briefs.
- Review technical specifications.
- Consider budget implications.
- Review procurement timetables.
- Review evaluation methodologies.
- Consider sustainability and social value requirements.
- Review project risks.
- Provide feedback on community priorities.
- Consider draft contract requirements.

The Working Group shall not amend evaluation criteria after procurement documents have been published.

11. Tender Evaluation

Where authorised by Council, members of the Working Group may participate in tender evaluation.

Where members undertake evaluation:

- Published evaluation criteria must be followed.
- Individual scores must be recorded.
- Evaluation records must be retained.
- Moderation meetings must be documented.
- Any declared conflicts of interest must be managed appropriately.

All evaluations must be objective, evidence-based and consistent with the published procurement documents.

12. Conflicts of Interest

Members must declare any actual, potential or perceived conflicts of interest.

This includes:

- Financial interests.
- Business interests.
- Family connections.
- Personal relationships.
- Membership of organisations connected with bidders.

Where a conflict exists, the member shall withdraw from consideration of that matter unless otherwise advised by the Monitoring Officer or Responsible Financial Officer.

All declarations shall be recorded.

13. Confidentiality

Working Group members may receive commercially sensitive information.

Members must not disclose:

- Tender submissions.
- Pricing information.
- Evaluation scores.
- Supplier financial information.
- Technical proposals.
- Commercial information.
- Confidential reports.
- Information designated exempt under legislation.

Confidentiality obligations shall continue after the procurement process has ended.

14. Commercially Sensitive Information

The Council's default position shall be openness and transparency.

However, some procurement information may be commercially sensitive and disclosure may prejudice:

- The Council's commercial interests.
- Supplier commercial interests.
- Ongoing procurement processes.
- Future procurement exercises.

Officers shall provide advice to Members where information may be considered commercially sensitive.

When considering whether information should be discussed in confidential session, Members should be aware of the risks associated with public disclosure, including:

- Procurement challenges from unsuccessful bidders.
- Financial loss to the Council.
- Damage to the Council's commercial position.
- Disclosure of supplier intellectual property.
- Disclosure of pricing structures and commercial models.
- Reputational damage.
- Breach of confidentiality obligations.
- Reduced supplier confidence in future Council procurements.
- Increased likelihood of legal disputes.
- Compromise of future negotiations.

The decision to exclude the press and public remains a matter for Council and must be determined on a case-by-case basis.

15. Limitations

The Working Group shall not:

- Award contracts.
 - Approve expenditure.
 - Commit Council resources.
 - Enter into negotiations outside approved procurement procedures.
 - Change evaluation criteria after publication.
 - Make decisions reserved to Council.
 - Override professional, legal or financial advice.
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16. Reporting to Council

All recommendations shall be reported to Full Council.

Reports shall clearly identify:

- Officer recommendations.
- Working Group recommendations.
- Procurement risks.
- Financial implications.
- Council decisions required.

17. Transparency

Following Council approval, information shall be published in accordance with legislation and Council policies.

This may include:

- Name of the successful supplier.
- Contract value.
- Council resolution.
- Contract award information.
- Procurement notices.
- Other statutory transparency requirements.

Commercially sensitive information shall only be withheld where there is a lawful basis for doing so.

18. Review of Terms of Reference

These Terms of Reference shall be reviewed annually by Full Council or sooner where required by:

- Legislative changes.
- Changes to Financial Regulations.
- Procurement reforms.
- Audit recommendations.
- Governance reviews.