

## **MINUTES OF A MEETING OF THE ESTABLISHMENT COMMITTEE HELD ON WEDNESDAY 27 SEPTEMBER 2023 AT 7.00PM IN THE COUNCIL CHAMBER, GREENACRE CENTRE, STOTFOLD.**

---

### Committee Members present:

S Buck (Chairman), Mrs M Cooper, S Hayes, Mrs J Hyde, J Smith, D Matthews, J Talbot.

### Also present:

E Payne, Town Clerk

1 Member of Public

---

### **70/23 APOLOGIES FOR ABSENCE**

Apologies were received from Councillor Saunders

### **71/23 DISCLOSURE OF MEMBERS INTERESTS ON MATTERS CONTAINED IN THE AGENDA**

Cllr Talbot declared an interest in item 78/23 as he is a member of the PPG. He left the meeting for the vote.

Cllr Hayes and Hyde declared an interest in item 78/23 as they are on the board of The H.O. Roe Charity. They left the meeting for the vote.

### **72/23 PUBLIC PARTICIPATION – QUESTIONS, COMMENTS & RESPONSES**

A member of Larksfield PPG addressed the meeting regarding their grant application.

### **73/23 MINUTES OF PREVIOUS MEETING**

Members received the minutes of the Establishment Committee meeting held on 26th July 2023 and it was **RESOLVED** that:

*The minutes are a true record of the meeting.*

### **74/23 CLERK'S REPORT, CORRESPONDENCE RECEIVED & MATTERS ARISING FOR INFORMATION**

- a) Two screens have been installed for all staff in the office. Thanks for Cllr Buck and Smith for their efforts in the installation.
- b) It is planned to phase out PCs, replaced by them existing laptops. This will reduce the number of devices being maintained by the new IT provider. The laptops will need to be upgraded as part of a phased programme of IT upgrades.
- c) The Town Council Chromebooks have been donated to Etonbury School
- d) SMG (new IT provider) are working on the system migration.
- e) Rialtis migration to Cloud was progressed on 26 September and all staff are now online.
- f) A grant feedback form received from Magpas thanking the Town Council for the grant and inviting Councillors to attend their new facility at Alconbury Weald. Please ask the Clerk if you are interested in visiting.

### **75/23 ITEMS FOR INFORMATION PURPOSES, RELEVANT TO THIS COMMITTEE ONLY**

There were none.

### **76/23 UPDATE BANK MANDATE – UNITY TRUST**

Members received a report on the current signatories for the Council bank. Members noted that the Unity Trust bank mandate had been arranged with one main signatory

(Cllr Hyde) with two other signatories. Members considered that this was restrictive if Cllr Hyde was not available, which had recently been the case. It was **RESOLVED** that:

***All Members of the Establishment Committee are bank signatories on all Town Council bank mandates.***

#### **77/23 INVESTMENT POLICY**

Members received a proposed investment policy which is in line with the previously adopted policy. This was last reviewed in 2018. It was **RESOLVED** to:

- a) Recommend the Investment Policy is adopted by Council.***
- b) The Clerk, with one Councillor, will investigate further investment opportunities for consideration at the next meeting.***

#### **78/23 GRANT APPLICATIONS**

Members received grant applications relating to Larksfield PPG and The H.O. Roe Charity. A member of the PPG spoke regarding their application and Cllrs Hyde and Hayes spoke regarding the application from The H.O. Roe Charity. It was **RESOLVED** to award the following grants:

- a) Larksfield Surgery PPG - £750 for the production of a newsletter***
- b) The H.O. Roe Charity - £1500 for supplies to fit out the new kitchen in the refurbished Roecroft Centre.***

***Cllr Talbot declared an interest in this item and left the meeting for the vote on the PPG grant application.***

***Cllr Hayes and Hyde declared an interest in this item and left the meeting for the vote on The H.O. Roe grant application.***

#### **79/23 WORK PROGRAMME**

Members received the work programme for this committee and noted that it can be used as a forward planner for projects to be considered by this committee. Members asked that this was available for them to view. It was **RESOLVED** to:

***Note the work programme.***

#### **80/23 EXCLUSION OF PRESS AND PUBLIC**

Members resolved to exclude the Press and Public for the consideration of the following items under the Public Bodies (Admissions to Meetings) Act 1960.

##### **a) Staff Leave**

Members received a verbal report on this item regarding the allocation of additional leave at Christmas time for staff. It was **RESOLVED** to:

- a) Maintain the status quo.***
- b) Review the staff contracts of employment in 2024.***
- c) Town Rangers will work between Christmas and New Year on light duties.***

**81/23 DATE OF NEXT MEETING**

25 October 2023

The meeting closed at 1945.

**MINUTES APPROVED (date):**

**SIGNED BY CHAIRMAN:**

**MINUTES OF AN EXTRA MEETING OF THE ESTABLISHMENT COMMITTEE  
HELD ON FRIDAY 20 OCTOBER 2023 AT 7.00PM IN THE COUNCIL CHAMBER,  
GREENACRE CENTRE, STOTFOLD.**

---

Committee Members present:

S Hayes (Vice Chairman), Mrs M Cooper, Mrs J Hyde, J Smith, D Matthews, B Saunders, J Talbot.

Also present:

E Payne, Town Clerk

---

**82/23 APOLOGIES FOR ABSENCE**

Apologies were received from Councillor Buck

**83/23 DISCLOSURE OF MEMBERS INTERESTS ON MATTERS CONTAINED IN THE  
AGENDA**

There were no disclosures of interest.

**84/23 PUBLIC PARTICIPATION – QUESTIONS, COMMENTS & RESPONSES**

A member of the public addressed the meeting regarding a possible breach of the Code of Conduct. They were advised that the Town Council has not received any report from the Monitoring Officer regarding a breach.

**85/23 CONFIDENTIAL ITEM**

Members resolved to exclude the Press and Public for the consideration of the following items under the Public Bodies (Admissions to Meetings) Act 1960.

**a) Staff Matters**

Members received a confidential report regarding a staffing matter. It was **RESOLVED** to:

***Proceed with the negotiations on the basis of recommendations contained within the report from Worknest.***

**193786/23 DATE OF NEXT MEETING**

25 October 2023

The meeting closed at 1937.

**MINUTES APPROVED (date):**

**SIGNED BY CHAIRMAN:**

## **STOTFOLD TOWN COUNCIL**

**COMMITTEE:** ESTABLISHMENT

**DATE:** 25 OCTOBER 2023

**OFFICER RESPONSIBLE:** EMMA PAYNE, TOWN CLERK

**SUBJECT:** REVIEW OF STANDING ORDERS AND FINANCIAL REGULATIONS

### **1. SUMMARY**

- 2.1 It is a requirement of the Annual Governance Statement that Standing Orders and Financial Regulations are reviewed.

### **2. RECOMMENDATION**

- 2.1 Members are asked to:
- a) Review any proposed changes to these governance documents
  - b) Subject to these changes being approved, recommend to Council that these documents are adopted.

### **3. BACKGROUND**

- 3.1 The Joint Panel of Accountability and Governance is responsible for issuing proper practices about the governance and accounts of smaller authorities. It consists of representatives from NALC, SLCC amongst others. The Practitioner's Guide is issued by JPAG to support the preparation by authorities in England of statutory annual accounting and governance statements found in the Annual Governance and Accountability Return (AGAR).
- 3.2 Assertion 2 of the AGAR covers internal control. Authorities should ensure that they are working from the latest model of Standing Order and Financial Regulations, which are provided by NALC. Item 5.39 states that this should be reviewed and minuted annually. This was undertaken at the Annual Council Meeting in May and a resolution was made to refer them to Establishment Committee for a review. The latest edition of these documents was adopted in May 2021.
- 3.3 Financial Regulations should include a limit for the purchase of goods and services above which three estimates or quotes should be invited from persons or firms competent to do the work. Standing Orders will state a higher value above which competitive tenders by sealed bid should be invited. It is the responsibility of authorities to determine their own limits, but they should not exceed the model except in the very largest authorities.
- 3.4 At this Committee's meeting on 12 July 2023, it was resolved, in confidential session, to abandon the £25,000 limit to go to tender and change to euro conversion of anything over £213,477. A new limit of £200,000 was proposed and this was recommended to Council. There is no record of this being undertaken.

- 3.5 Any proposed amendments are added in italics. Deletions are marked by being crossed through. Where the Town Council's adopted Standing Orders vary from the NALC model version, these have been highlighted in yellow.

#### **4. FINANCIAL**

- 4.1 There are no financial implications, other than the management of risk.



# STANDING ORDERS

Stotfold Town Council

Reviewed: October 2023

# INDEX

Standing Order		Page		Standing Order		Page
<b>1</b>	<b>Rules of debate</b>	<b>2</b>		<b>17</b>	<b>Code of conduct complaints</b>	<b>15</b>
<b>2</b>	<b>Disorderly conduct at meetings</b>	<b>4</b>		<b>18</b>	<b>Proper Officer</b>	<b>16</b>
<b>3</b>	<b>Meetings generally</b>	<b>4</b>		<b>19</b>	<b>Responsible Financial Officer</b>	<b>17</b>
<b>4</b>	<b>Committees and sub-committees</b>	<b>7</b>		<b>20</b>	<b>Accounts and accounting statements</b>	<b>17</b>
<b>5</b>	<b>Advisory committees</b>	<b>8</b>		<b>21</b>	<b>Financial controls and procurement</b>	<b>18</b>
<b>6</b>	<b>Ordinary Council meetings</b>	<b>8</b>		<b>22</b>	<b>Canvassing of and recommendations by councillors</b>	<b>19</b>
<b>7</b>	<b>Extraordinary meetings of the Council, committees and sub-committees</b>	<b>10</b>		<b>23</b>	<b>Handling staff matters</b>	<b>20</b>
<b>8</b>	<b>Annual Town Meeting</b>	<b>10</b>		<b>24</b>	<b>Responsibilities to provide information</b>	<b>20</b>
<b>9</b>	<b>Previous resolutions</b>	<b>11</b>		<b>25</b>	<b>Responsibilities under data protection legislation</b>	<b>20</b>
<b>10</b>	<b>Voting on appointments</b>	<b>11</b>		<b>26</b>	<b>Relations with the press/media</b>	<b>21</b>
<b>11</b>	<b>Motions for a meeting that require written notice to be given to the Proper Officer</b>	<b>11</b>		<b>27</b>	<b>Execution and sealing of legal deeds</b>	<b>21</b>
<b>12</b>	<b>Motions at a meeting that do not require written notice</b>	<b>12</b>		<b>28</b>	<b>Communicating with district and county or unitary authorities</b>	<b>21</b>
<b>13</b>	<b>Questions</b>	<b>13</b>		<b>29</b>	<b>Restrictions on councillor activities</b>	<b>22</b>
<b>14</b>	<b>Management of information</b>	<b>13</b>		<b>30</b>	<b>Representatives on outside bodies</b>	<b>22</b>
<b>15</b>	<b>Draft minutes</b>	<b>14</b>		<b>31</b>	<b>Standing orders generally</b>	<b>22</b>
<b>16</b>	<b>Code of conduct and dispensations</b>	<b>14</b>				

This document has been produced using the NALC model standing orders 2018. Standing orders in **bold type** should not be ignored or substantively amended unless the legislation out of which they are born changes. Any amendments must not have the effect of undermining, overriding or conflicting with statutory requirements. Standing orders not highlighted in bold type do not incorporate statutory requirements.

## 1. RULES OF DEBATE

- a. Motions on the agenda shall be considered in the order that they appear unless the order is changed at the discretion of the chairman of the meeting.
- b. A motion (including an amendment) shall not be progressed unless it has been moved and seconded.
- c. A motion on the agenda that is not moved by its proposer may be treated by the chairman of the meeting as withdrawn.
- d. If a motion (including an amendment) has been seconded, it may be withdrawn by the proposer only with the consent of the seconder and the meeting.
- e. An amendment is a proposal to remove or add words to a motion. It shall not negate the motion.
- f. If an amendment to the original motion is carried, the original motion (as amended) becomes the substantive motion upon which further amendment(s) may be moved.
- g. An amendment shall not be considered unless early verbal notice of it is given at the meeting and, if requested by the chairman of the meeting, is expressed in writing to the chairman.
- h. A councillor may move an amendment to his own motion if agreed by the meeting. If a motion has already been seconded, the amendment shall be with the consent of the seconder and the meeting.
- i. If there is more than one amendment to an original or substantive motion, the amendments shall be moved in the order directed by the chairman of the meeting.
- j. Subject to standing order 1(k), only one amendment shall be moved and debated at a time, the order of which shall be directed by the chairman of the meeting.
- k. One or more amendments may be discussed together if the chairman of the meeting considers this expedient but each amendment shall be voted upon separately.
- l. A councillor may not move more than one amendment to an original or substantive motion.
- m. The mover of an amendment has no right of reply at the end of debate on it.
- n. Where a series of amendments to an original motion are carried, the mover of the original motion shall have a right of reply (~~not exceeding 3 minutes~~) either at the end of debate on the first amendment or at the very end of debate on the final substantive motion immediately before it is put to the vote.
- o. Any amendment to a motion shall be either:
  - i. to leave out words;

- ii. to add words;
  - iii. to leave out words and add other words.
- p. Unless permitted by the chairman of the meeting, a councillor may speak once in the debate on a motion except:
  - i. to speak on an amendment moved by another councillor;
  - ii. to move or speak on another amendment if the motion has been amended since he last spoke;
  - iii. to make a point of order;
  - iv. to give a personal explanation; or
  - v. to exercise a right of reply.
- q. During the debate on the motion, a councillor may interrupt only on a point of order or a personal explanation and the councillor who was interrupted shall stop speaking. A councillor raising a point of order shall identify the standing order which he considers has been breached or specify the other irregularity in the proceedings of the meeting he is concerned by.
- r. A point of order shall be decided by the chairman of the meeting and *their* decision shall be final.
- s. With the consent of the seconder and the meeting, a motion or amendment may be withdrawn by the proposer. A councillor shall not speak upon the said motion or amendment unless permission for the withdrawal of the motion or amendment has been refused.
- t. When a motion is under debate, no other motion shall be moved except:
  - i. to amend the motion;
  - ii. to proceed to the next business;
  - iii. to adjourn the debate;
  - iv. to put the motion to a vote;
  - v. to ask a person to be no longer heard or to leave the meeting;
  - vi. to refer a motion to a committee or sub-committee for consideration;
  - vii. to exclude the public and press;
  - viii. to adjourn the meeting; or
  - ix. to suspend particular standing order(s) excepting those which reflect mandatory statutory or legal requirements.
- u. Before an original or substantive motion is put to the vote, the chairman of the meeting shall be satisfied that the motion has been sufficiently debated and that the mover of the motion under debate has exercised or waived his right of reply.
- v. Excluding motions moved under standing order 1(q), the contributions or speeches by a councillor shall relate only to the motion under discussion and shall not exceed 3 minutes without the consent of the chairman of the meeting. Members shall address the Chairman.

## 2. DISORDERLY CONDUCT AT MEETINGS

- a. No person shall obstruct the transaction of business at a meeting or behave offensively or improperly. If this standing order is ignored, the chairman of the meeting shall request such person(s) to moderate or improve their conduct.
- b. If person(s) disregard the request of the chairman of the meeting to moderate or improve their conduct, any councillor or the chairman of the meeting may move that the person be no longer heard or be excluded from the meeting. The motion, if seconded, shall be put to the vote without discussion.
- c. If a resolution made under standing order 2(b) is ignored, the chairman of the meeting may take further reasonable steps to restore order or to progress the meeting. This may include temporarily suspending or closing the meeting.

## 3. MEETINGS GENERALLY

Full Council meetings (cncl)

Committee meetings (cmte)

Sub-committee meetings (s-cmte)

(cncl)

- a. **Meetings shall not take place in premises which at the time of the meeting are used for the supply of alcohol, unless no other premises are available free of charge or at a reasonable cost.**

(cncl)

- b. **The minimum three clear days notice of a meeting does not include the day on which the notice was issued, the day of the meeting, a Sunday, a day of the Christmas break, a day of the Easter break or of a bank holiday or a day appointed for public thanksgiving or mourning.**

(cmte)

- c. **The minimum three clear days public notice for a meeting does not include the day on which the notice was issued or the day of the meeting unless the meeting is convened at shorter notice**

(cncl & cmte)

- d. **Meetings shall be open to the public unless their presence is prejudicial to the public interest by reason of the confidential nature of the business to be transacted or for other special reasons. The public's exclusion from part or all of the meeting shall be by a resolution which shall give reasons for the public's exclusion:**~~Resolved that the press and public are temporarily excluded whilst matters pertaining to staff/commercial issues are discussed and that they are instructed to withdraw from the meeting.~~
- e. Members of the public may make representations, answer questions and give evidence at a meeting which they are entitled to attend in respect of the business on the agenda. Councillors may question that evidence, but no debate is permitted.

- f. Public participation will be allowed at the beginning of individual agenda items on the basis set out in standing order 3(e) after advising the Clerk prior to the meeting, of their intention to speak. In accordance with standing orders 3(h) and 3(i), speakers will be permitted to speak for no more than three minutes, with no more than 3 public speakers on each agenda item. No further comments may be made by the public during discussion and voting.
- g. The period of time designated for public participation at a meeting in order with standing order 3(e) shall not exceed 15 minutes unless directed by the chairman of the meeting.
- h. Subject to standing order 3(g), a member of the public may speak only once, and shall not speak for more than 3 minutes.
- i. No more than three speakers will be allowed to speak on any one subject and groups of speakers for or against an issue will be encouraged to appoint a spokesperson.
- j. In accordance with standing order 3(e), a question shall not require a response at the meeting or start a debate on the question. The chairman of the meeting may direct that a written or oral response be given.
- k. Notice of questions/statements need not be submitted in writing, but questions of which notice has been given are likely to receive a more detailed reply. Speakers will, however be required to arrive ten minutes before the start of the meeting and to indicate their wish to speak to the Clerk. The order of speaking shall be in the order in which requests to speak are received.
- l. Questions/comments should relate to matters over which the Council has powers or duties or which affect the town and should be relevant to the responsibilities of the Council/committee at which asked.
- m. A record of a public participation session at a meeting shall be included in the minutes of that meeting, and shall briefly outline content of their participation.
- n. A person who speaks at a meeting shall direct his comments to the chairman of the meeting.
- o. Only one person is permitted to speak at a time. If more than one person wants to speak, the chairman of the meeting shall direct the order of speaking.

(cncl & cmte)

- p. **Subject to standing order 3(q), a person who attends a meeting is permitted to report on the meeting whilst the meeting is open to the public. To “report” means to film, photograph, make an audio recording of meeting proceedings, use any other means for enabling persons not present to see or hear the meeting as it takes place or later or to report or to provide oral or written commentary about the meeting so that the report or commentary is available as the meeting takes place or later to persons not present.**

(cncl & cmte)

- q. **A person present at a meeting may not provide an oral report or commentary about a meeting as it takes place without permission.**

(cncl & cmte)

- r. **The press shall be provided with reasonable facilities for the taking of their report of all or part of a meeting at which they are entitled to be present.**

(cncl)

- s. **Subject to standing orders which indicate otherwise, anything authorised or required to be done by, to or before the Chairman of the Council may in his absence be done by, to or before the Vice-Chairman of the Council (if there is one).**

(cncl)

- t. **The Chairman of the Council, if present, shall preside at a meeting. If the Chairman is absent from a meeting, the Vice-Chairman of the Council (if there is one) if present, shall preside. If both the Chairman and the Vice-Chairman are absent from a meeting, a councillor as chosen by the councillors present at the meeting shall preside at the meeting.**

(cncl, cmte & s-cmte)

- u. **Subject to a meeting being quorate, all questions at a meeting shall be decided by a majority of the councillors and non-councillors with voting rights present and voting.**

(cncl, cmte & s-cmte)

- v. **The chairman of a meeting may give an original vote on any matter put to the vote, and in the case of an equality of votes may exercise his casting vote whether or not he gave an original vote.**

*See standing orders 6(h) and (i) for the different rules that apply in the election of the Chairman of the Council at the annual meeting of the Council.*

(cncl)

- w. **Unless standing orders provide otherwise, voting on a question shall be by a show of hands. At the request of a councillor, the voting on any question shall be recorded so as to show whether each councillor present and voting gave his vote for or against that question.** Such a request shall be made before moving on to the next item of business on the agenda.

- x. ~~A member shall stand when speaking at full Council meetings unless permitted by the Chairman to sit on account of infirmity.~~

~~i. if two or more members rise, the Chairman shall call upon one of them to speak and the others shall resume their seats~~

~~ii. whenever the Chairman rises during a debate all other members shall be seated and silenced~~

~~Members are not required to stand at committee, sub-committee or advisory committee meetings.~~

- y. The minutes of a meeting shall include an accurate record of the following:

- i. the time and place of a meeting;
  - ii. the names of councillors who are present and the names of councillors who are absent;
  - iii. interests that have been declared by councillors and non-councillors with voting rights;
  - iv. the grant of dispensations (if any) to councillors and non-councillors with voting rights;
  - v. whether a councillor or non-councillor with voting rights left the meeting when matters that they held interests in were being considered;
  - vi. if there was a public participation session; and
  - vii. the resolutions made.
- z. Information and updates may be given on previous minutes by way of an agenda item 'matters arising for information purposes only'. No decision may be taken on these updates. Similarly, information on general matters relating to the committee or Council may be given under 'items for information purposes only'. No decision may be taken on these items.

(cncl, cmte & s-cmte)

- aa. **A councillor or a non-councillor with voting rights who has a disclosable pecuniary interest or another interest as set out in the Council's code of conduct in a matter being considered at a meeting is subject to statutory limitations or restrictions under the code on his right to participation and vote on that matter.**
- bb. **No business may be transacted at a meeting unless at least one-third of the whole number of members of the Council are present and in no case shall the quorum of a meeting be less than three.**

*See standing order 4d(vii) for the quorum of a committee or sub-committee meeting.*

- cc. **If a meeting is or becomes inquorate no business shall be transacted** and the meeting shall be closed. Any outstanding business on the agenda shall be adjourned to another meeting.
- dd. Meetings shall not exceed a period of 2 hours, unless agreed by resolution and a finish time determined. Any business not completed after this time shall be deferred to another meeting.
- ee. **All mobile phones and other similar devices must be switched to silent or turned off.**

#### **4. COMMITTEES AND SUB-COMMITTEES**

- a. **Unless the Council determines otherwise, a committee may appoint a sub-committee whose terms of reference and members shall be determined by the committee.**
- b. **The members of a committee may include non-councillors unless it is a committee which regulates and controls the finances of the Council.**
- c. **Unless the Council determines otherwise, all the members of an advisory committee and a sub-committee of the advisory committee may be non-councillors.**

- d. The Council may appoint standing committees or other committees as may be necessary, and:
  - i. shall determine their terms of reference, detailing delegated responsibilities;
  - ii. shall determine the number and time of the ordinary meetings of a standing committee up until the date of the next annual meeting of the Council;
  - iii. shall permit a committee, other than in respect of the ordinary meetings of a committee, to determine the number and time of its meetings;
  - iv. shall, subject to standing orders 4(b) and (c), appoint and determine the terms of office of members of such a committee;
  - v. shall, after it has appointed the members of a standing committee, appoint the chairman of the standing committee;
  - vi. shall permit a committee other than a standing committee, to appoint its own chairman at the first meeting of the committee.
  - vii. shall determine the place, notice requirements and quorum for a meeting of a committee and a sub-committee which, in both cases, shall be one half of its members, with the exception of the planning committee where four members shall constitute a quorum;
  - viii. shall determine if the public may participate at a meeting of a committee;
  - ix. shall determine if the public and press are permitted to attend the meetings of a sub-committee and also the advance public notice requirements, if any, required for the meetings of a sub-committee;
  - x. shall determine if the public may participate at a meeting of a sub-committee that they are permitted to attend; and
  - xi. may dissolve a committee or sub-committee
- e. The chairman and vice-chairman of Council ex-officio shall be members of every committee.
- f. The chairman and vice-chairman of the committee shall be members of every sub-committee appointed by it, unless they signify that they do not wish to serve.
- g. A non-member of a committee may attend any meeting of a committee or sub-committee and at the discretion of the chairman may speak but not vote.

## **5. ADVISORY COMMITTEES**

- a. The Council may appoint advisory committees comprised of a number of councillors and non-councillors, whose names shall be recorded.
- b. Advisory committees and any sub-committees may consist wholly of persons who are non-councillors.
- c. The Proper Officer shall inform the members of each advisory committee of the terms of reference of the committee, and of the Council's standing orders, which they are required to follow.
- d. An advisory committee shall make recommendations and give notice thereof to the Council.

## **6. ORDINARY COUNCIL MEETINGS**

- a. **In an election year the annual meeting of the Council shall be held on or within 14 days following the day on which the councillors elected take office.**
- b. **In a year which is not an election year, the annual meeting of the Council shall be held on such day in May as the Council decides.**
- c. **If no other time is fixed, the annual meeting of the Council shall take place at 6pm.**  
The Stotfold Town Council annual meeting will commence at 7.00pm.
- d. **In addition to the annual meeting of the Council, at least three other ordinary meetings shall be held in each year on such dates and times as the Council decides.**
- e. **The first business conducted at the annual meeting of the Council shall be the election of the Chairman and Vice-Chairman (if there is one) of the Council.**
- f. **The Chairman of the Council, unless he has resigned or becomes qualified, shall continue in office and preside at the annual meeting until his successor is elected at the next annual meeting of the Council.**
- g. **The Vice-Chairman of the Council, if there is one, unless he resigns or becomes disqualified, shall hold office until immediately after the election of the Chairman of the Council at the next annual meeting of the Council.**
- h. **In an election year, if the current Chairman of the Council has not been re-elected as a member of the Council, he shall preside at the annual meeting until a successor Chairman of the Council has been elected. The current Chairman of the Council shall not have an original vote in respect of the election of the new Chairman of the Council but shall give a casting vote in the case of an equality of votes.**
- i. **In an election year, if the current Chairman of the Council has been re-elected as a member of the Council, he shall preside at the annual meeting until a new Chairman of the Council has been elected. He may exercise an original vote in respect of the election of the new Chairman of the Council and shall give a casting vote in the case of an equality of votes.**
- j. Following the election of the Chairman of the Council and Vice-Chairman (if there is one) of the Council at the annual meeting, the business shall include:
  - i. **in an election year, delivery by the Chairman of the Council and councillors of their acceptance of office forms unless the Council resolves for this to be done at a later date. In a year which is not an election year, delivery by the Chairman of the Council of his acceptance of office form unless the Council resolves for this to be done at a later date;**
  - ii. confirmation of the accuracy of the minutes of the last meeting of the Council;
  - iii. receipt of the minutes of the last meeting of a committee;
  - iv. consideration of the recommendations made by a committee;

- v. review of delegation arrangements to committees, sub-committees, staff and other local authorities;
- vi. review of the terms of reference for committees;
- vii. appointment of members to existing committees;
- viii. appointment of any new committees in accordance with standing order 4;
- ix. review and adoption of appropriate standing orders and financial regulations;
- x. review of arrangements (including legal agreements) with other local authorities, not-for-profit bodies and businesses;
- xi. review of representation on or work with external bodies and arrangements for reporting back;
- xii. in an election year, to make arrangements with a view to the Council becoming eligible to exercise the general power of competence in the future;
- xiii. review of inventory of land and other assets including buildings and office equipment;
- xiv. confirmation of arrangements for insurance cover in respect of all insurable risks;
- xv. review of the Council's and/or staff subscriptions to other bodies;
- xvi. review of the Council's complaints procedure;
- xvii. review of the Council's policies, procedures and practices in respect of its obligations under freedom of information and data protection legislation (see also standing orders 14, 24 and 25);
- xviii. review of the Council's policy for dealing with the press/media;
- xix. review of the Council's employment policies and procedures;
- xx. review of the Council's expenditure incurred under s.137 of the Local Government Act 1972 or the general power of competence;
- xxi. determining the time and place of ordinary meetings of the Council and committees up to and including the next annual meeting of the Council.

## **7. EXTRAORDINARY MEETINGS OF THE COUNCIL, COMMITTEES AND SUB-COMMITTEES**

- a. **The Chairman of the Council may convene an extraordinary meeting of the Council at any time.**
- b. **If the Chairman of the Council does not call an extraordinary meeting of the Council within seven days of having been requested in writing to do so by two councillors, any two councillors may convene an extraordinary meeting of the Council. The public notice giving the time, place and agenda for such a meeting shall be signed by the two councillors.**
- c. The chairman of a committee (or a sub-committee) may convene an extraordinary meeting of the committee (or sub-committee) at any time.
- d. *If the chair of a committee [or a sub-committee] does not call an extraordinary meeting within ( ) days of having been requested to do so by ( ) members of the committee [or the sub-committee], any ( ) members of the committee [or the sub-committee] may convene an extraordinary meeting of the committee [or a sub-committee].*

## **8. ANNUAL TOWN MEETING**

- a. **Proceedings shall not begin before 6pm.**

- b. The Chairman of the Council shall preside.
- c. If the Chairman is absent, the Vice-Chairman shall preside.
- d. If the Chairman and Vice-Chairman are absent, the meeting shall appoint a chairman before it proceeds to any other business.
- e. The Clerk shall record the proceedings of Town Meetings.
- f. If the Clerk is absent, the person presiding at the meeting may record the proceedings or may appoint another to do so.
- g. As soon as the chair has been filled and provision made for recording the proceedings the minutes of the previous meeting shall be read, considered and if correct signed by the person presiding at the meeting.
- h. To receive a crime report from a representative of Bedfordshire Constabulary for the period since the last Town Meeting.
- i. To receive the accounts of the parochial charities together with comments of the Trustees.
- j. To receive a statement of the Council's accounts for the year ended the previous 31<sup>st</sup> March, and to receive the Council's observations on its finances for the current year.
- k. To receive the chairman's report on the Council's activities over the previous year.
- l. To receive an address from invited speakers.
- m. To receive an address from a District, County or Unitary Authority ward member on matters pertaining to Stotfold.
- n. To consider motions from members of the public.

## **9. PREVIOUS RESOLUTIONS**

- a. A resolution shall not be reversed within six months except either by a special motion, which requires written notice by at least 5 councillors to be given to the Proper Officer in accordance with standing order 11, or by a motion moved in pursuance of the recommendation of a committee or sub-committee.
- b. When a motion moved pursuant to standing order 9(a) has been disposed of, no similar motion may be moved for a further six months.

## **10. VOTING ON APPOINTMENTS**

- a. Where more than two persons have been nominated for a position to be filled by the Council and none of those persons have received an absolute majority of votes in their favour, the name of the person having the least number of votes shall be struck off the

list and a fresh vote taken. This process shall continue until a majority of votes is given in favour of one person. A tie in votes may be settled by the casting vote exercisable by the chairman of the meeting.

b. All co-options in connection with casual vacancies shall take place by secret ballot.

**11. MOTIONS FOR A MEETING THAT REQUIRE WRITTEN NOTICE TO BE GIVEN TO THE PROPER OFFICER**

- a. A motion shall relate to the responsibilities for which it is tabled and in any event shall relate to the performance of the Council's statutory functions, powers and obligations or an issue which specifically affects the Council's area or its residents.
- b. No motion may be moved at a meeting unless it is on the agenda and the mover has given written notice of its wording to the Proper Officer at least 7 clear days before the meeting. Clear days do not include the day of the notice or the day of the meeting.
- c. The Proper Officer may, before including a motion on the agenda received in accordance with standing order 11(b), correct obvious grammatical or typographical errors in the wording of the motion.
- d. If the Proper Officer considers the wording of a motion received in accordance with standing order 11(b) is not clear in meaning, the motion shall be rejected until the mover of the motion resubmits it, so that it can be understood, in writing, to the Proper Officer at least 4 clear days before the meeting.
- e. If the wording or subject of a proposed motion is considered improper, the Proper Officer shall consult with the chairman of the forthcoming meeting or, as the case may be, the councillors who have convened the meeting, to consider whether the motion shall be included in the agenda or rejected.
- f. The decision of the Proper Officer as to whether or not to include the motion on the agenda shall be final.
- g. Motions received shall be recorded and numbered in the order that they are received.
- h. Motions rejected shall be recorded with an explanation by the Proper Officer of the reason for rejection.
- i. If the subject matter of a motion comes within the province of a committee of the Council, it shall, upon being moved and seconded, stand referred without discussion to such committee or to such other committee as the Council may determine for report; provided that the Chairman, if he considers it to be a matter of urgency, may allow it to be dealt with at the meeting at which it was moved.

**12. MOTIONS AT A MEETING THAT DO NOT REQUIRE WRITTEN NOTICE**

- a. The following motions may be moved at a meeting without written notice to the Proper Officer:

- i. to correct an inaccuracy in the draft meetings of a meeting;
  - ii. *to move to a vote;*
  - iii. to defer consideration of a vote;
  - iv. to refer a motion to a particular committee or sub-committee, or **delegation to an employee;**
  - v. to appoint a person to preside at a meeting;
  - vi. **to approve the absences of councillors;**
  - vii. to change the order of business on an agenda;
  - viii. to proceed to the next order of business on the agenda;
  - ix. *to require a written report;*
  - x. to appoint a committee or sub-committee and their members;
  - xi. to appoint representatives to outside bodies and to make arrangements for those representatives to report back the activities of outside bodies;
  - xii. to note the minutes of a meeting of a committee or sub-committee;
  - xiii. to consider a report made by a committee or a sub-committee
  - xiv. to consider a report made by an employee, professional advisor, expert or consultant;
  - xv. to extend the time limits for speaking;
  - xvi. to silence or exclude from the meeting a councillor or a member of the public for disorderly conduct;
  - xvii. to not hear further from a councillor or a member of the public;
  - xviii. to exclude the press or public for all or part of a meeting;
  - xix. to temporarily suspend the meeting;
  - xx. **to authorise payment of monies up to £2,500 where the expenditure was considered urgent and executive action was taken by the Clerk;**
  - xxi. **to authorise legal deeds to be signed by two councillors and witnessed by the Proper Officer;**
  - xxii. **to give the consent of the Council if such consent is required by standing orders;**
  - xxiii. to suspend a particular standing order (unless it reflects mandatory statutory or legal requirements);
  - xxiv. to adjourn the meeting; or
  - xxv. to close the meeting.
- b. **If a motion falls within the terms of reference of a committee or sub-committee or within the delegated powers conferred on an employee, a referral of the same may be made to such committee or sub-committee or employee provided that the chairman may direct for it to be dealt with at the present meeting for reasons of urgency or expediency.**

### **13. QUESTIONS**

- a. **A councillor may seek an answer to a question concerning any business of the Council provided 4 clear days notice of the question has been given to the Proper Officer.**
- b. **Questions not related to items of business on the agenda for a meeting shall only be asked during the part of the meeting set aside for such questions.**
- c. **Every question shall be put and answered without discussion.**
- d. **A person to whom a question has been put may decline to answer.**

#### 14. MANAGEMENT OF INFORMATION

*See also standing order 24.*

- a. **The Council shall have in place and keep under review, technical and organisational measures to keep secure information (including personal data) which it holds in paper and electronic form. Such arrangements shall include deciding who has access to personal data and encryption of personal data.**
- b. **The Council shall have in place, and keep under review, policies for the retention and safe destruction of all information (including personal data) which it holds in paper and electronic form. The Council's retention policy shall confirm the period for which information (including personal data) shall be retained or if this is not possible the criteria used to determine that period (e.g. the Limitation Act 1980).**
- c. **The agenda, papers that support the agenda and the minutes of a meeting shall not disclose or otherwise undermine confidential information or personal data without legal justification.**
- d. **Councillors, staff, the Council's contractors and agents shall not disclose confidential information or personal data without legal justification.**

#### 15. DRAFT MINUTES

Full Council meetings (cncl)  
Committee meetings (cmte)  
Sub-committee meetings (s-cmte)

- a. If the draft minutes of a preceding meeting have been served on councillors with the agenda to attend the meeting at which they are due to be approved for accuracy, they shall be taken as read.
- b. There shall be no discussion about the draft minutes of a preceding meeting except in relation to their accuracy. A motion to correct an inaccuracy in the draft minutes shall be moved in accordance with standing order 12(a)(i).
- c. The accuracy of draft minutes, including any amendment(s) made to them, shall be confirmed by resolution and shall be signed by the chairman of the meeting and stand as an accurate record of the meeting to which the minutes relate.
- d. *If the chair of the meeting does not consider the minutes to be an accurate record of the meeting to which they relate, he/she/they shall sign the minutes and include a paragraph in the following terms or to the same effect:*

*"The chair of this meeting does not believe that the minutes of the meeting of the ( ) held on [date] in respect of ( ) were a correct record but his/her/their view was not upheld by the meeting and the minutes are confirmed as an accurate record of the proceedings."*

- e. **If the Council's gross annual income or expenditure (whichever is higher) does not exceed £25,000, it shall publish draft minutes on a website which is publicly accessible and free of charge not later than one month after the meeting has taken place.**
- f. Subject to the publication of draft minutes in accordance with standing order 15(d) and standing order 24(a) and following a resolution which confirms the accuracy of the minutes of a meeting, the draft minutes or recordings of the meeting for which approved minutes exist shall be destroyed.

## 16. **CODE OF CONDUCT AND DISPENSATIONS**

*See also standing order 3(y).*

- a. All councillors and non-councillors with voting rights shall observe the code of conduct adopted by the Council.
- b. All councillors shall undertake training in the code of conduct and appropriate councillor induction training on their role within 6 months of the delivery of their acceptance of office;
- c. Unless he has been granted a dispensation, a councillor or non-councillor with voting rights shall withdraw from a meeting when it is considering a matter in which he has a disclosable pecuniary interest. He may return to the meeting after it has considered the matter in which he had the interest.
- d. Unless he has been granted a dispensation, a councillor or non-councillor with voting rights shall withdraw from a meeting when it is considering a matter in which he has another interest and if so required by the Council's code of conduct. He may return to the meeting after it has considered the matter in which he had the interest.
- e. **Dispensation requests shall be in writing and submitted to the Proper Officer** as soon as possible before the meeting, or failing that, at the start of the meeting for which the dispensation is required.
- f. A decision as to whether to grant a dispensation shall be made by the Proper Officer *or by a meeting of the Council or committee for which the dispensation is required* and that decision is final.
- g. A dispensation request shall confirm:
  - i. the description and the nature of the disclosable pecuniary interest or other interest to which the request for the dispensation relates;
  - ii. whether the dispensation is required to participate at a meeting in a discussion only or a discussion and a vote;
  - iii. the date of the meeting or the period (not exceeding four years) for which the dispensation is sought; and
  - iv. an explanation as to why the dispensation is sought.

- h. Subject to standing orders 16(e) and (g), a dispensation request shall be considered by the Proper Officer before the meeting, or if this is not possible, at the start of the meeting for which the dispensation is required.
- i. **A dispensation may be granted in accordance with standing order 16(f) if having regard to all relevant circumstances any of the following apply:**
  - i. **without the dispensation the number of persons prohibited from participating in the particular business would be so great a proportion of the meeting transacting the business as to impede the transaction of the business;**
  - ii. **granting the dispensation is in the interests of persons living in the Council's area; or**
  - iii. **it is otherwise appropriate to grant a dispensation.**

## **17. CODE OF CONDUCT COMPLAINTS**

- a. Upon notification by the District or Unitary Council that it is dealing with a complaint that a councillor or non-councillor with voting rights has breached the Council's code of conduct, the Proper Officer shall, subject to standing order 14, report this to the Council.
- b. Where the notification in standing order 17(a) relates to a complaint made by the Proper Officer, the Proper Officer shall notify the Chairman of the Council of this fact, and the Chairman shall nominate another staff member to assume the duties of the Proper Officer in relation to the complaint until it has been determined and the Council has agreed what action, if any, to take in accordance with standing order 17(e).
- c. Where a notification relates to a complaint made by an employee (not being the Proper Officer) the Proper Officer shall ensure that the employee in question does not deal with any aspect of the complaint.
- d. The Council may:
  - i. provide information or evidence where such disclosure is necessary to investigate the complaint or is a legal requirement;
  - ii. seek information relevant to the complaint from the person or body with statutory responsibility for investigation of the matter;
- e. **Upon notification by the District or Unitary Council that a councillor or non-councillor with voting rights has breached the Council's code of conduct, the Council consider shall what, if any, action to take against him. Such action excludes disqualification or suspension from office.**

## **18. PROPER OFFICER**

- a. The Proper Officer shall be either (i) the clerk or (ii) other staff member(s) nominated by the Council to undertake the work of the Proper Officer when the Proper Officer is absent.
- b. The Proper Officer shall:

- i. **at least three clear days before a meeting of the Council, a committee or a sub-committee,**
  - **serve on councillors by delivery or post at their residences or by email authenticated in such manner as the Proper Officer thinks fit, a signed summons confirming the time, place and the agenda (provided the councillor has consented to service by email), and**
  - **provide, in a conspicuous place, public notice of the time, place and agenda (provided that the public notice with agenda of an extraordinary meeting of the Council convened by councillors is signed by them).**

*See standing order 3(b) for the meaning of clear days for a meeting of a full Council and standing order 3(c) for the meaning of clear days for a meeting of a committee;*

- ii. subject to standing order 11, include on the agenda all motions in the order received unless a councillor has given written notice at least 4 days before the meeting confirming his withdrawal of it;
- iii. **convene a meeting of the Council for the election of a new Chairman of the Council, occasioned by a casual vacancy in his office;**
- iv. **facilitate inspection of the minute book by local government electors;**
- v. **receive and retain copies of byelaws made by other local authorities;**
- vi. hold acceptance of office forms from councillors;
- vii. hold a copy of every councillor's register of interests;
- viii. assist with responding to requests made under freedom of information legislation and rights exercisable under data protection legislation, in accordance with the Council's relevant policies and procedures;
- ix. liaise, as appropriate, with the Council's Data Protection Officer (*if there is one*);
- x. receive and send general correspondence and notices on behalf of the Council except where there is a resolution to the contrary;
- xi. manage the organisation of, storage of, access to, security of and destruction of information held by the Council in paper and electronic form subject to the requirements of data protection and freedom of information legislation and other legitimate requirements (e.g. the Limitation Act 1980);
- xii. arrange for legal deeds to be executed; (*see also standing order 27*)
- xiii. arrange or manage the prompt authorisation, approval, and instruction regarding any payments to be made by the Council in accordance with its financial regulations;
- xiv. record every planning application notified to the Council and the Council's response to the local planning authority in a book for such purpose;
- xv. should an application require consideration and a response to the local planning authority before the next ordinary meeting of the planning committee, refer a planning application received by the Council to the chairman of the planning committee (or vice-chairman of the planning committee in his absence) for consideration and executive action to be taken in conjunction with the Clerk to return comments, or if felt necessary due to the size and nature of such an application, to schedule an additional meeting of the planning committee;
- xvi. manage access to information about the Council via the publication scheme;
- xvii. retain custody of the seal of the Council (if there is one) which shall not be used without a resolution to that effect;
- xviii. **action or undertake activity or responsibilities instructed by resolution or contained in standing orders;**

xix. in the event of urgent action being required between regular meetings, the Clerk or Proper Officer to take decisions and that wherever possible these decisions to be taken in consultation with the Chairman of the Council and/or the chairman of the relevant committee, provided that all matters dealt with or decided, and all action taken under this order shall be reported to the next ordinary meeting of the Council, committee or sub-committee concerned. Urgent action to be defined as:

- a) action that will not admit of delay;
- b) on health and safety grounds, where not to take action would put the staff or members of the public at risk and leave the Council open to prosecution for negligence;
- c) to protect the property owned by the Council. To authorise immediate repairs in order to secure Council property, or where to delay a repair would cause greater damage and therefore greater expense to occur;
- d) to take action to stop or prevent the Council from acting illegally, or taking such action as to prevent bringing the Council into disrepute.

## 19. RESPONSIBLE FINANCIAL OFFICER

- a. The Council shall appoint appropriate staff member(s) to undertake the work of the Responsible Financial Officer when the Responsible Financial Officer is absent.

## 20. ACCOUNTS AND ACCOUNTING STATEMENTS

- a. "Proper practices" in standing orders refer to the most recent version of "Governance and Accountability for Local Councils – a Practitioners' Guide".
- b. All payments by the Council shall be authorised, approved and paid in accordance with the law, proper practices and the Council's financial regulations.
- c. The Responsible Financial Officer shall supply to each councillor as soon as practicable after 30<sup>th</sup> June, 30<sup>th</sup> September and 31<sup>st</sup> December in each year a statement to summarise:
  - i. the Council's receipts and payments (or income and expenditure) for each quarter;
  - ii. the Council's aggregate receipts and payments (or income and expenditure) for the year to date;
  - iii. the balances held at the end of the quarter being reported and which includes a comparison with the budget for the financial year and highlights any actual or potential overspends.
- d. As soon as possible after the financial year end at 31<sup>st</sup> March, the Responsible Financial Officer shall provide:
  - i. each councillor with a statement summarising the Council's receipts and payments (or income and expenditure) for the last quarter and the year to date for information; and

- ii. to the Council the accounting statements for the year in the form of Section 1 of the annual governance and accountability return, as required by proper practices, for consideration and approval.
- e. The year-end accounting statements shall be prepared in accordance with proper practices and apply the form of accounts determined by the Council (receipts and payments, or income and expenditure) for the year to 31<sup>st</sup> March. A completed draft annual governance and accountability return shall be presented to all councillors at least 14 days prior to anticipated approval by the Council. The annual governance and accountability return of the Council, which is subject to external audit, including the annual governance statement, shall be presented to the Council for consideration and formal approval before 30<sup>th</sup> June.

## 21. 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
  - v. whether contracts with an estimated value below **£25,000** due to special circumstances are exempt from a tendering process or procurement exercise.
- b. Financial regulations shall be reviewed regularly and at least annually for fitness of purpose.
- c. The Council's financial regulations may make provision for the authorisation of the payment of money in exercise of any of the Council's functions to be delegated to a committee, sub-committee or to an employee.
- d. *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).*  
  
~~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 21(g) 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.~~

- e. 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. 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 Council or a committee or sub-committee with delegated responsibility.
- f. Neither the Council, nor a committee or sub-committee with delegated responsibility is bound to accept the lowest value tender, quote or estimate.
- g. **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.**

~~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 be comply with the relevant procurement procedures and other requirements in the Public Contracts Regulations 2015 which include advertising the contract opportunity on the Contract Finders website and in OJEU.~~

- h. ~~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.~~

## **22. CANVASSING OF AND RECOMMENDATIONS BY COUNCILLORS**

- a. Canvassing councillors or members of a committee or sub-committee, directly or indirectly, for appointment to or by the Council shall disqualify the candidate from such an appointment. The Proper Officer shall disclose the requirements of this standing order to every candidate.
- b. A councillor or member of a committee or sub-committee shall not solicit a person for appointment to or by the Council or recommend a person for such appointment or for promotion; but nevertheless, any such person may given written testimonial of a candidate's ability, experience or character for submission to the Council with an application for appointment.
- c. If a candidate for any appointment under the Council is to his knowledge related to any member of, or the holder of, any office under the Council, he and the person to whom he is related shall disclose the relationship in writing to the Proper Officer. A candidate who fails to do so shall be disqualified for such appointment, and, if appointed may be dismissed without notice. The Proper Officer shall report to the Council or to the appropriate committee any such disclosure. Where relationship to a member is disclosed, standing orders 22(b) and 16 (re interests) shall apply. The Proper Officer shall make known the purport of this standing order to every candidate.
- d. Standing orders 22(a), 22(b) and 22(c) above shall apply to tenders as if the person making the tender were a candidate for an appointment.

## 23. HANDLING STAFF MATTERS

- a. A matter personal to a member of staff that is being considered by a meeting of Council or committee with staff – Establishment, Buildings Management, Recreation Grounds, Public Lands and Lighting is subject to standing order 14.
- a. *Subject to the Council's policy regarding absences from work, the Council's most senior member of staff shall notify the chair of [the ( ) committee] OR [the ( ) sub-committee] or, if he/she/they is not available, the vice-chair (if there is one) of [the ( ) committee] OR [the ( ) sub-committee] of absence occasioned by illness or other reason and that person shall report such absence to [the ( ) committee] OR [the ( ) sub-committee] at its next meeting.*
- b. *The chair of [the ( ) committee] OR [the ( ) sub-committee] or in his/her/their absence, the vice-chair shall upon a resolution conduct a review of the performance and annual appraisal of the work of [the member of staff's job title]. The reviews and appraisal shall be reported in writing and are subject to approval by resolution by [the ( ) committee] OR [the ( ) sub-committee].*
- c. *Subject to the Council's policy regarding the handling of grievance matters, the Council's most senior member of staff (or other members of staff) shall contact the chair of [the ( ) committee] OR [the ( ) sub-committee] or in his/her/their absence, the vice-chair of [the ( ) committee] OR [the ( ) sub-committee] in respect of an informal or formal grievance matter, and this matter shall be reported back and progressed by resolution of [the ( ) committee] OR [the ( ) sub-committee].*
- d. *Subject to the Council's policy regarding the handling of grievance matters, if an*

*informal or formal grievance matter raised by [the member of staff's job title] relates to the chair or vice-chair of [the ( ) committee] OR [the ( ) sub-committee], this shall be communicated to another member of [the ( ) committee] OR [the ( ) sub-committee], which shall be reported back and progressed by resolution of [the ( ) committee] OR [the ( ) sub-committee].*

- b. Any persons responsible for all or part of the management of staff shall treat as confidential the written records of all meetings relating to their performance, capabilities, grievance or disciplinary matters.
- c. In accordance with standing order 14(a), persons with line management responsibilities shall have access to staff records referred to in standing order 23(b).

#### **24. RESPONSIBILITIES TO PROVIDE INFORMATION**

*See also standing order 25.*

- a. **In accordance with freedom of information legislation, the Council shall publish information in accordance with its publication scheme and respond to requests for information held by the Council.**
- b. **If gross annual income or expenditure (whichever is the higher) exceeds £200,000, the Council shall publish information in accordance with the requirements of the Local Government (Transparency Requirements) (England) Regulations 2015.**

#### **25. RESPONSIBILITIES UNDER DATA PROTECTION LEGISLATION**

*See also standing order 14.*

- a. The Council may appoint a Data Protection Officer.
- b. **The Council shall have policies and procedures in place to respond to an individual exercising statutory rights concerning his personal data.**
- c. **The Council shall have a written policy in place for responding to and managing a personal data breach.**
- d. **The Council shall keep a record of all personal data breaches comprising the facts relating to the personal data breach, its effects and the remedial action taken.**
- e. **The Council shall ensure that information communicated in its privacy notice(s) is in an easily accessible and available form and kept up to date.**
- f. **The Council shall maintain a written record of its processing activities.**

#### **26. RELATIONS WITH THE PRESS/MEDIA**

- a. Requests from the press or other media for an oral or written comment or statement from the Council, its councillors or staff shall be handled in accordance with the Council's policy in respect of dealing with the press and/or other media.
- b. In accordance with the Council's policy in respect to dealing with the press or other media, councillors shall not, in their official capacity, provide oral or written statements or written articles to the press or other media.

## 27. EXECUTION AND SEALING OF LEGAL DEEDS

*See also standing orders 18(b)(xii) and (xvii).*

- a. A legal deed shall not be executed on behalf of the Council unless authorised by a resolution.
- b. **Subject to standing order 27(a), any two councillors may sign, on behalf of the Council, any deed required by law and the Proper Officer shall witness their signatures.**

## 28. COMMUNICATING WITH DISTRICT AND COUNTY OR UNIARY COUNCILLORS

- a. An invitation to attend a meeting of the Council shall be sent, together with the agenda, to ward councillor(s) of the District, County or Unitary Council representing the area of the Council.
- b. Ward members for Stotfold shall be requested to report to the Council on any matters discussed at the District, County or Unitary Council that are relevant to Stotfold. They should be prepared to answer any questions of fact concerning such business put to them by councillors at the end of their report, although such answers may be deferred to the next meeting if such information is not immediately available. These questions will be minuted.

### c. Guidelines to be followed:

- i. the ward members may wish to collaborate over who reports and on what with a view to eradicating duplication and unnecessary attendance.
- ii. reports should be brief, informative and objective. Unless there are a large number of items where a significant amount of detail on an important issue is to be reported, reports should be no longer than 10 minutes, and in normal circumstances, less.
- iii. matters only of relevance to Stotfold should be included in the report which may encompass peripheral matters, general District, County or Unitary authority matters. Party political comments will not be allowed.
- iv. questions of fact should be answered immediately where possible. Where this is not possible, as in the need to gather information, the answer should be made at the next Council meeting.
- v. town councillors should only ask questions of fact concerning District, County or Unitary authority business. Party political comments will not be allowed.
- vi. the chairman of the meeting is expected to intervene where items ii., iii., and v. are contravened.

## **29. RESTRICTIONS ON COUNCILLOR ACTIVITIES**

- a. Unless duly authorised no councillor shall:
  - i. inspect any land and/or premises which the Council has a right or duty to inspect;  
or
  - ii. issue orders, instructions or directions.

## **30. REPRESENTATIVES ON OUTSIDE BODIES**

- a. All town Council representatives on outside bodies shall report back to the Council subsequent to a meeting of such body. The Proper Officer to be informed by the representative not later than the Friday prior to a meeting of such a report so that it can be included on the agenda for the Council meeting.

## **31. STANDING ORDERS GENERALLY**

- a. All or part of a standing order, except one that incorporates mandatory statutory or legal requirements, may be suspended by resolution in relation to the consideration of an item on the agenda for a meeting.
- b. A motion to add or to vary or revoke one or more of the Council's standing orders, except one that incorporates mandatory or legal requirements, shall be proposed and seconded and a recommendation made by the Establishment Committee on amendments and shall be put to the next Council meeting.
- c. The Proper Officer shall provide a copy of the Council's standing orders to a councillor as soon as possible.
- d. The decision of the chairman of a meeting as to the application of standing orders at the meeting shall be final.
- e. A councillor's failure to observe standing orders more than 3 times in one meeting may result in him being excluded from the meeting in accordance with standing orders.



# FINANCIAL REGULATIONS

Stotfold Town Council

# INDEX

<b>Financial Reg.</b>		<b>Page</b>
<b>1</b>	<b>General</b>	<b>2</b>
<b>2</b>	<b>Accounting and Audit (internal and external)</b>	<b>4</b>
<b>3</b>	<b>Annual Estimates (budgets) and forward planning</b>	<b>5</b>
<b>4</b>	<b>Budgetary control and authority to spend</b>	<b>5</b>
<b>5</b>	<b>Banking arrangements and authorisation of payments</b>	<b>6</b>
<b>6</b>	<b>Instructions for the making of payments</b>	<b>8</b>
<b>7</b>	<b>Payment of salaries</b>	<b>10</b>
<b>8</b>	<b>Loans and investments</b>	<b>11</b>
<b>9</b>	<b>Income</b>	<b>12</b>
<b>10</b>	<b>Orders for work, goods and services</b>	<b>12</b>
<b>11</b>	<b>Contracts</b>	<b>13</b>
<b>12</b>	<b>Payments under contracts for building or other construction works</b>	<b>14</b>
<b>13</b>	<b>Stores and equipment</b>	<b>14</b>
<b>14</b>	<b>Assets, properties and estates</b>	<b>15</b>
<b>15</b>	<b>Insurance</b>	<b>15</b>
<b>16</b>	<b>Risk management</b>	<b>16</b>
<b>17</b>	<b>Suspension and revision of Financial Regulations</b>	<b>16</b>

This document has been produced using the NALC model financial regulations 2016.

## **1. GENERAL**

- 1.1 These financial regulations govern the conduct of financial management by the council and may only be amended or varied by resolution of the council. Financial regulations are one of the council's three governing policy documents providing procedural guidance for members and officers. Financial regulations must be observed in conjunction with the council's standing orders and any individual financial regulations relating to contracts.
- 1.2 The council is responsible in law for ensuring that its financial management is adequate and effective and that the council has a sound system of internal control which facilitates the effective exercise of the council's functions, including arrangements for the management of risk.
- 1.3 The council's accounting control systems must include measures:
- for the timely production of accounts;
  - that provide for the safe and efficient safeguarding of public money;
  - to prevent and detect inaccuracy and fraud; and
  - identifying the duties of officers.
- 1.4 These financial regulations demonstrate how the council meets these responsibilities and requirements.
- 1.5 At least once a year, prior to approving the Annual Governance Statement, the council must review the effectiveness of its system of internal control which shall be in accordance with proper practices.
- 1.6 Deliberate or wilful breach of these regulations by an employee may give rise to disciplinary proceedings.
- 1.7 Members of Council are expected to follow the instructions within these regulations and not to entice employees to breach them. Failure to follow instructions within these regulations brings the office of councillor into disrepute.
- 1.8 The Responsible Financial Officer (RFO) holds a statutory office to be appointed by the council. The Clerk has been appointed as RFO for this council and these regulations will apply accordingly.
- 1.9 The RFO:
- acts under the policy direction of the council;
  - administers the council's financial affairs in accordance with all Acts, Regulations and proper practices;
  - determines on behalf of the council its accounting records and accounting control systems;
  - ensures the accounting control systems are observed;
  - maintains the accounting records of the council up to date in accordance with proper practices;
  - assists the council to secure economy, efficiency and effectiveness in the use of its resources; and

- produces financial management information as required by the council.
- 1.10 The accounting records determined by the RFO shall be sufficient to show and explain the council's transactions and to enable the RFO to ensure that any income and expenditure account and statement of balances, or record of receipts and payments and additional information, as the case may be, or management information prepared for the council from time to time comply with the Accounts and Audit Regulations.
- 1.11 The accounting records determined by the RFO shall in particular contain:
- entries from day to day of all sums of money received and expended by the council and the matters to which the income and expenditure or receipts and payments account relate;
  - a record of the assets and liabilities of the council; and
  - wherever relevant, a record of the council's income and expenditure in relation to claims made, or to be made, for any contribution, grant or subsidy.
- 1.12 The accounting control systems determined by the RFO shall include:
- procedures to ensure that the financial transactions of the council are recorded as soon as reasonably practicable and as accurately and reasonably as possible;
  - procedures to enable the prevention and detection of inaccuracies and fraud and the ability to reconstruct any lost records;
  - identification of the duties of officers dealing with financial transactions and division of responsibilities of those officers in relation to significant transactions;
  - procedures to ensure that uncollectable amounts, including any bad debts are not submitted to the council for approval to be written off except with the approval of the RFO and that the approvals are shown in the accounting record; and
  - measures to ensure that risk is properly managed.
- 1.13 The council is not empowered by these regulations or otherwise to delegate certain specified decisions. In particular any decision regarding:
- setting the final budget or the precept (council tax requirement);
  - approving the accounting statements;
  - approving an annual governance statement;
  - borrowing;
  - writing off bad debts;
  - declaring eligibility for the General Power of Competence; and
  - addressing recommendations in any report from the internal or external auditors, shall be a matter for the full council only.
- 1.14 In addition the council must:
- determine and keep under regular review the bank mandate for all council bank accounts;
  - approve any grant or a single commitment in excess of £10,000; and
  - in respect of the annual salary for any employee have regard to recommendations about annual salaries of employees made by the relevant committee in accordance with its terms of reference.
- 1.15 In these financial regulations, references to the Accounts and Audit Regulations or 'the regulations' shall mean the regulations issued under the provisions of section 27 of the

Audit Commission Act 1998, or any superseding legislation, and then in force unless otherwise specified.

In these financial regulations the term ‘proper practice’ or ‘proper practices’ shall refer to guidance issued in *Governance and Accountability for Local Councils – a Practitioners’ Guide (England)* issued by the Joint Practitioners Advisory Group (JPAG), available from the websites of NALC and the Society of Local Council Clerks (SLCC).

## **2. ACCOUNTING AND AUDIT (INTERNAL AND EXTERNAL)**

- 2.1 All accounting procedures and financial records of the council shall be determined by the RFO in accordance with the Accounts and Audit Regulations, appropriate guidance and proper practices.
- 2.2 On a regular basis, at least once in each quarter, and at each financial year end, a member other than the Chairman (or a cheque signatory) shall be appointed to verify bank reconciliations (for all accounts) produced by the RFO. The member shall sign the reconciliations and the original bank statements (or similar document) as evidence of verification. This activity shall on conclusion be reported, including any exceptions, to and noted by the council.
- 2.3 The RFO shall complete the annual accounting statement, annual report and any related documents of the council contained in the Annual Governance and Accountability Return (as specified in proper practices) as soon as practicable after the end of the financial year and having certified the accounts shall submit them and report thereon to the council within the timescales set by the Accounts and Audit Regulations.
- 2.4 The council shall ensure that there is an adequate and effective system of internal audit of its accounting records, and of its system of internal control in accordance with proper practices. Any officer or member of the council shall make available such documents and records as appear to the council to be necessary for the purpose of the audit and shall, as directed by the council, supply the RFO, internal auditor, or external auditor with such information and explanation as the council considers necessary for that purpose.
- 2.5 The internal auditor shall be appointed by and shall carry out the work in relation to internal controls required by the council in accordance with proper practices.
- 2.6 The internal auditor shall:
- be competent and independent of the financial operations of the council;
  - report to council in writing, or in person, on a regular basis with a minimum of one annual written report during each financial year;
  - to demonstrate competence, objectivity and independence, be free from any actual or perceived conflicts of interest, including those arising from family relationships; and
  - have no involvement in the financial decision making, management or control of the council.
- 2.7 Internal or external auditors may not under any circumstances:
- perform any operational duties for the council;

- initiate or approve accounting transactions; or
  - direct the activities of any council employee, except to the extent that such employees have been appropriately assigned to assist the internal auditor.
- 2.8 For the avoidance of doubt, in relation to internal audit the terms ‘independent’ and ‘independence’ shall have the same meaning as is described in proper practices.
- 2.9 The RFO shall make arrangements for the exercise of electors’ rights in relation to the accounts including the opportunity to inspect the accounts, books, and vouchers and display or publish any notices and statements of account required by Audit Commission Act 1998, or any superseding legislation, and the Accounts and Audit Regulations.
- 2.10 The RFO shall, without undue delay, bring to the attention of all councillors any correspondence or report from internal or external auditors.

### **3. ANNUAL ESTIMATES (BUDGET) AND FORWARD PLANNING**

*[3.1. Each committee (if any) shall review its three-year forecast of revenue and capital receipts and payments. Having regard to the forecast, it shall thereafter formulate and submit proposals for the following financial year to the council not later than the end of [November] each year including any proposals for revising the forecast.]*

- 3.1 The RFO must each year, by no later than end of November, prepare detailed estimates of all receipts and payments including the use of reserves and all sources of funding for the following financial year in the form of a budget to be considered by each relevant committee. Budget proposals for each committee are to be reviewed by the Establishment committee and submitted to the January Council meeting in each year for consideration as a recommended budget and precept proposal.
- 3.2 The council shall consider annual budget proposals in relation to the council’s three year forecast of revenue and capital receipts and payments including recommendations for the use of reserves and sources of funding and update the forecast accordingly.
- 3.3 The council shall fix the precept (council tax requirement), and the relevant basic amount of council tax to be levied for the ensuing financial year not later than the end of January each year. The RFO shall issue the precept the billing authority and shall supply each member with a copy of the approved annual budget.
- 3.4 The approved annual budget shall form the basis of financial control for the ensuing year.

### **4. BUDGETARY CONTROL AND AUTHORITY TO SPEND**

- 4.1 Expenditure on revenue items may be authorised up to the amounts included for that class of expenditure in the approved budget. This authority is to be determined by:
- the council for all items over £10,000
  - a duly delegated committee of the council for items over £10,000; or
  - the Clerk, in conjunction with the Chairman of Council or Chairman of the appropriate committee, for any items below £1,000.

- 

Such authority is to be evidenced by a minute or by an authorisation slip duly signed by the Clerk, and where necessary also by the appropriate Chairman.

Contracts may not be disaggregated to avoid controls imposed by these regulations.

- 4.2 No expenditure may be authorised that will exceed the amount provided in the revenue budget for that class of expenditure other than by resolution of the council, or duly delegated committee. During the budget year and with the approval of the council having considered fully the implications for public services, unspent and available amounts may be moved to other budget headings or to an earmarked reserve as appropriate ('virement').
- 4.3 Unspent provisions in the revenue or capital budgets for completed projects shall not be carried forward to a subsequent year. Unspent provision may be placed in an alternative earmarked reserve by resolution of the relevant committee.
- 4.4 The salary budgets are to be reviewed at least annually in October for the following financial year and such review shall be evidenced by a hard copy schedule signed by the Clerk and the Chairman of the Council or relevant committee. The RFO will confirm committees of any changes impacting on their budget requirement for the coming year in good time.
- 4.5 In cases of extreme risk to the delivery of council services, the Clerk may authorise revenue expenditure on behalf of the council which in the Clerk's judgement it is necessary to carry out. Such expenditure includes repair, replacement or other work, whether or not there is any budgetary provision for the expenditure, subject to a limit of £5,000. The Clerk shall report such action to the chairman as soon as possible and to the council as soon as practicable thereafter.
- 4.6 No expenditure shall be authorised in relation to any capital project and no contract entered into or tender accepted involving capital expenditure unless the council is satisfied that the necessary funds are available and the requisite borrowing approval has been obtained.
- 4.7 All capital works shall be administered in accordance with the council's standing orders and financial regulations relating to contracts.
- 4.8 The RFO shall regularly provide the council with a statement of receipts and payments to date under each head of the budgets, comparing actual expenditure to the appropriate date against that planned as shown in the budget. These statements are to be prepared at least at the end of each financial quarter and shall show explanations of material variances. For this purpose "material" shall be in excess of 20% of the budget.
- 4.9 Changes in earmarked reserves shall be approved by council as part of the budgetary process.

## **5. BANKING ARRANGEMENTS AND AUTHORISATION OF PAYMENTS**

- 5.1 The council's banking arrangements, including the bank mandate shall be made by the RFO and approved by the council; banking arrangements may not be delegated to a committee. They shall be regularly reviewed for safety and efficiency.
- 5.2 The RFO shall prepare a schedule of payments requiring authorisation, forming part of the Agenda for the Meeting and, together with the relevant invoices, present the schedule to council. The council shall review the schedule for compliance and, having satisfied itself shall authorise payment by a resolution of the council. The approved schedule shall be ruled off and initialled by the chairman of the meeting. A detailed list of all payments shall be disclosed within or as an attachment to the minutes of the meeting at which payment was authorised. Personal payment (including salaries, wages, expenses and any payment made in relation to the termination of a contract of employment) may be summarised to remove public access to any personal information.
- 5.3 All invoices for payment shall be examined, verified and certified by the RFO to confirm that the work, goods or services to which each invoice relates has been received, carried out, examined and represents expenditure previously approved by the council.
- 5.4 The RFO shall examine invoices for arithmetical accuracy and analyse them to the appropriate expenditure heading. The RFO shall take all steps to pay all invoices submitted, and which are in order, at the next available council meeting.
- 5.5 The Clerk and RFO shall have delegated authority to authorise the payment of items only in the following circumstances:
- a) if a payment is necessary to avoid a charge to interest under the Late Payment of Commercial Debts (Interest) Act 1998, and the due date for payment is before the next scheduled meeting of council, where the Clerk and RFO certify that there is no dispute or other reason to delay payment, provided that a list of such payments shall be submitted to the next appropriate meeting of council;
  - b) an expenditure item authorised under 5.6 below (continuing contracts and obligations) provided that such a list of payments shall be submitted to the next appropriate meeting of council;
  - c) fund transfers within the councils banking arrangements up to the sum of £50,000, provided that a list of such payments shall be submitted to the next appropriate meeting of council.
- 5.6 For each financial year the Clerk and RFO shall draw up a list of due payments which arise on a regular basis as the result of a continuing contract, statutory duty, or obligation (such as not exclusively) salaries, PAYE and NI, superannuation fund and regular maintenance contracts and the like for which council may authorise payment for the year provided that the requirements of regulation 4.1 (Budgetary Controls) are adhered to, provided also that a list of such payments shall be submitted to the next appropriate meeting of council.
- 5.7 A record of regular payments made under 5.6 above shall be drawn up and be signed by two members on each and every occasion when payment is authorised – thus controlling the risk of duplicated payments being authorised and/or made.
- 5.8 In respect of grants a duly authorised committee shall approve expenditure within any limits set by council and in accordance with any policy statement approved by council.

Any revenue or capital grant in excess of £5,000 shall before payment, be subject to ratification by resolution of the council.

- 5.9 Members are subject to the Code of Conduct that has been adopted by the council and shall comply with the Code and Standing Orders when a decision to authorise or instruct payment is made in respect of a matter in which they have a disclosable pecuniary or other interest, unless a dispensation has been granted.
- 5.10 The council will aim to rotate the duties of members in these regulations so that onerous duties are shared out as evenly as possible over time.
- 5.11 Any changes in the recorded details of suppliers, such as bank account records, shall be approved in writing by a member.

## **6. INSTRUCTIONS FOR THE MAKING OF PAYMENTS**

- 6.1 The council will make safe and efficient arrangements for the making of its payments.
- 6.2 Following authorisation under Financial Regulation 5 above, the council, a duly delegated committee or, if so delegated, the Clerk or RFO shall give instruction that a payment shall be made.
- 6.3 All payments shall be affected by cheque or other instructions to the council's bankers, or otherwise, in accordance with a resolution of the council.
- 6.4 Cheques or orders for payment drawn on the bank account shall be in accordance with the schedule as presented to council or committee shall be signed by two members of council, and countersigned by the Clerk (or other duly appointed officer approved by council), in accordance with a resolution instructing that payment. A member who is a bank signatory, having a connection by virtue of family or business relationships with the beneficiary of a payment, should not, under normal circumstances, be a signatory to the payment in question.
- 6.5 To indicate the agreement of the details shown on the cheque or order for payment with the counterfoil and the invoice or similar documentation, the signatories shall each also initial the cheque counterfoil.
- 6.6 Cheques or orders for payment shall not normally be presented for signature other than at a council or committee meeting (including immediately before or after such a meeting). Any signatures obtained away from such meetings shall be reported to the council at the next convenient meeting.
- 6.7 If thought appropriate by the council, payment for utility supplies (energy, telephone and water) and any National Non-Domestic Rates may be made by variable direct debit provided that the instructions are signed by two members and any payments are reported to council as made. The approval of the use of a variable direct debit shall be renewed by resolution of the council at least every two years.
- 6.8 If thought appropriate by the council, payment for certain items (principally salaries) may be made by banker's standing order provided that the instructions are signed, or

otherwise evidenced by two members are retained and any payments are reported to council as made. The approval of the use of a banker's standing order shall be renewed by resolution of the council at least every two years.

- 6.9 If thought appropriate by the council, payment for certain items may be made by BACS or CHAPS methods provided that the instructions for each payment are signed, or otherwise evidenced, by two authorised signatories, are retained and any payments are reported to council as made. The approval of the use of BACS or CHAPS shall be renewed by resolution of the council at least every two years.
- 6.10 If thought appropriate by the council payment for certain items may be made by internet banking transfer provided evidence is retained which members approved the payment.
- 6.11 Where a computer requires use of a personal identification number (PIN) or other password(s), for access to the council's records on that computer, a note shall be made of the PIN and passwords and shall be handed to and retained by the Chairman of the Council in a sealed dated envelope. This envelope may not be opened other than in the presence of two other councillors. After the envelope has been opened, in any circumstances, the PIN and/or passwords shall be changed as soon as practicable. The fact that the sealed envelope has been opened, in whatever circumstances shall be reported to all members immediately and formally to the next available meeting of the council. This will not be required for a member's personal computer used only for remote authorisation of bank payments.
- 6.12 No employee or councillor shall disclose any PIN or password, relevant to the working of the council or its bank accounts, to any person not authorised in writing by the council or a duly delegated committee.
- 6.13 Regular back-up copies of the records on any computer shall be made and shall be stored securely away from the computer in question, and preferably off-site.
- 6.14 The council, and any members using computers for the council's financial business, shall ensure that anti-virus, anti-spyware and firewall software with automatic updates, together with a high level of security, is used.
- 6.15 Where internet banking arrangements are made with any bank, the Clerk/RFO shall be appointed as the Service Administrator. The bank mandate approved by the council shall identify a number of councillors who will be authorised to approve transactions on those accounts. The bank mandate will state clearly the amounts of payments that can be instructed by the use of the Service Administrator alone, or by the Service Administrator with a stated number of approvals.
- 6.16 Access to any internet banking accounts will be directly to the access page (which may be saved under "favourites"), and not through a search engine or e-mail link. Remembered or saved passwords facilities must not be used on any computer used for council banking work. Breach of this regulation will be treated as a very serious matter under these regulations.

- 6.17 Changes to account details for suppliers, which are used for internet banking may only be changed on written hard copy notification by the supplier and supported by a hard copy authority for change signed by the Clerk/RFO. A programme of regular checks of standing data with suppliers will be followed.
- 6.18 Any debit card issued for use will be specifically restricted to the Clerk/RFO and will also be restricted to a single transaction maximum value of £500 unless authorised by council in writing before any order is placed.
- 6.19 A pre-paid debit card may be issued to employees with varying limits. These limits will be set by the council. Transactions and purchases made will be reported to the council and authority for topping-up shall be at the discretion of the council.
- 6.20 Any corporate credit card or trade card account opened by the council will be specifically restricted to use by the Clerk/RFO and shall be subject to automatic payment in full at each month-end. Personal credit and debit cards of members or staff shall not be used in any circumstances.
- 6.21 The RFO may provide petty cash to officers for the purposes of defraying operational and other expenses. Vouchers for payments made shall be forwarded to the RFO with a claim for reimbursement.
- (a) The RFO shall maintain a petty cash float of £100 for the purpose of defraying operational and other expenses. Vouchers for payments made from petty cash shall be kept to substantiate the payment.
  - (b) Income received must not be paid into the petty cash float but must be separately banked, as provided elsewhere in these regulations.
  - (c) Payments to maintain the petty cash float shall be shown separately on the schedule of payments presented to council under 5.2 above.

## **7. PAYMENT OF SALARIES**

- 7.1 As an employer, the council shall make arrangements to meet fully the statutory requirements placed on all employers by PAYE and National Insurance legislation. The payment of all salaries shall be made in accordance with payroll records and the rules of PAYE and National Insurance currently operating, and salary rates shall be as agreed by council, or duly delegated committee.
- 7.2 Payment of salaries and payment of deductions from salary such as may be required to be made for tax, national insurance and pension contributions, or similar statutory or discretionary deductions may be made in accordance with the payroll records and on the appropriate dates stipulated in employment contracts, provided that each payment is reported to the next available council meeting, as set out in these regulations above.
- 7.3 The payment of salaries, wages, HM Revenue & Customs and Pension contributions shall be made from the council's Imprest account.
- 7.4 No changes shall made to any employee's pay, emoluments, or terms and conditions of employment without the prior consent of the council or relevant committee.

- 7.5 Each and every payment to employees of net salary and to the appropriate creditor of the statutory and discretionary deductions shall be recorded in a separate confidential record (confidential cash book). This confidential record is not open to inspection or review (under the Freedom of Information Act 2000 or otherwise) other than:
- (a) By any councillor who can demonstrate a need to know;
  - (b) By the internal auditor;
  - (c) By the external auditor; or
  - (d) Any person authorised under Audit Commission Act 1998, or any superseding legislation.
- 7.6 The total of such payments in each calendar month shall be reported with all other payments as made as may be required under these financial regulations, to ensure that only payments due for the period have actually been paid.
- 7.7 An effective system of personal performance management should be maintained for the senior officers.
- 7.8 Any termination payments shall be supported by a clear business case and reported to the council. Termination payments shall only be authorised by council.
- 7.9 Before employing interim staff the council must consider a full business case.

## **8. LOANS AND INVESTMENTS**

- 8.1 All borrowings shall be effected in the name of the council, after obtaining any necessary borrowing approval. Any application for borrowing approval shall be approved by council as to terms and purpose. The application for borrowing approval, and subsequent arrangements for the loan shall only be approved by full council.
- 8.2 Any financial arrangement which does not require formal borrowing approval from the Secretary of State/Welsh Assembly Government (such as Hire Purchase or Leasing of tangible assets) shall be subject to approval by the full council. In each case a report in writing shall be provided to council in respect of value for money for the proposed transaction.
- 8.3 The council will arrange with the council's banks and investment providers for the sending of a copy of each statement of account to the chairman of the council at the same time as one is issued to the Clerk or RFO.
- 8.4 All loans and investments shall be negotiated in the name of the council and shall be for a set period in accordance with council policy.
- 8.5 The council shall consider the need for an Investment Strategy and Policy which, if drawn up, shall be in accordance with relevant regulations, proper practices and guidance. Any Strategy and Policy shall be reviewed at least annually.
- 8.6 All investments of money under the control of the council shall be in the name of the council.

- 8.7 All investment certificates and other documents relating thereto shall be retained in the custody of the RFO.
- 8.8 Payments in respect of short term or long term investments, including transfers between bank accounts held in the same bank, or branch, shall be made in accordance with Regulation 5 (Authorisation of payments) and Regulation 6 (Instruction for payments).

## **9. INCOME**

- 9.1 The collection of all sums due to the council shall be the responsibility of and under the supervision of the RFO.
- 9.2 Particulars of all charges to be made for work done, services rendered or goods supplied shall be agreed annually by the council, notified to the RFO and the RFO shall be responsible for the collection of all accounts due to the council.
- 9.3 The council will review all fees and charges at least annually, following a report of the Clerk.
- 9.4 Any sums found to be irrecoverable and any bad debts shall be dealt with in accordance with council's Credit Control & Bad Debt Policy, and reported to the council and shall be written off in the year.
- 9.5 All sums received on behalf of the council shall be banked intact as directed by the RFO. In all cases, all receipts shall be deposited with the council's bankers with such frequency as the RFO considers necessary.
- 9.6 The origin of each receipt shall be entered on the paying-in slip.
- 9.7 Personal cheques shall not be cashed out of money held on behalf of the council.
- 9.8 The RFO shall promptly complete any VAT Return that is required. Any repayment claim due in accordance with VAT Act 1994 section 33 shall be made at least annually coinciding with the financial year end.
- 9.9 Where any significant sums of cash are regularly received by the council, the RFO shall take such steps as are agreed by the council to ensure that more than one person is present when the cash is counted in the first instances, that there is a reconciliation to some form of control such as ticket issues, and that appropriate care is taken in the security and safety of individuals banking such cash.

## **10. ORDERS FOR WORK, GOODS AND SERVICES**

- 10.1 An official order or letter shall be issued for all work, goods and services unless a formal contract is to be prepared or an official order would be inappropriate. Copies of orders shall be retained.
- 10.2 Order books shall be controlled by the RFO.

- 10.3 All members and officers are responsible for obtaining value for money at all times. An officer issuing an official order shall ensure as far as reasonable and practicable that the best available terms are obtained in respect of each transaction, usually by obtaining three or more quotations or estimates from appropriate suppliers, subject to any *de minimis* provisions in regulation 11.1 below:
- 10.4 A member may not issue an official order or make any contract on behalf of the council.
- 10.5 The RFO shall verify the lawful nature of any proposed purchase before the issue of any order, and in the case of new or infrequent purchases or payments, the RFO shall ensure that the statutory authority shall be reported to the meeting at which the order is approved so that the minutes can record the power being used.

## **11. CONTRACTS**

11.1 Procedures as to contracts are laid down as follows:

- (a) Every contract shall comply with these financial regulations, and no exceptions shall be made otherwise in an emergency provided that this regulation need not apply to contracts which relate to items (i) and (vi) below:
- i. For the supply of gas, electricity, water, sewerage and telephone services;
  - ii. For specialist services as are provided by solicitors, accountants, surveyors and planning consultants;
  - iii. For work to be executed or goods or materials to be supplied which consist of repairs to or parts for existing machinery or equipment or plant;
  - iv. For work to be executed or goods or materials to be supplied which constitute an extension of an existing contract by the council;
  - v. For additional audit work of the external auditor up to an estimated value of £1,000 (in excess of this sum the Clerk and RFO shall act after consultation with the chairman and vice-chairman of council); and
  - vi. For goods or materials proposed to be purchased which are proprietary articles and/or are only sold at a fixed price.
- (b) Where the council intends to procure or award a public supply contract, public service contract or public works contract as defined by The Public Contracts Regulations 2015 ("the Regulations") which is valued at £25,000 or more, the council shall comply with the relevant requirements of the Regulations<sup>1</sup>.
- (c) The full requirements of The Regulations, as applicable, shall be followed in respect of the tendering and award of a public supply contract, public service contract or public works contract which exceed thresholds in The Regulations set by the Public Contracts Directive 2014/24/EU (which may change from time to time).
- (d) When applications are made to waive financial regulations relating to contracts to enable a price to be negotiated without competition the reason shall be embodied in a recommendation to council.

---

<sup>1</sup> The Regulations require councils to use the Contracts Finder website to advertise the contract opportunities, set out the procedures to be followed in awarding new contracts and to publicise the award of new contracts.

- (e) Such invitation to tender shall state the general nature of the intended contract and the Clerk shall obtain the necessary technical assistance to prepare a specification in appropriate cases. The invitation shall in addition state that tenders must be addressed to the Clerk in the ordinary course of post. Each tendering firm shall be supplied with a specifically marked envelope in which the tender is to be sealed and remain sealed until the prescribed date for opening tenders for that contract.
- (f) All sealed tenders shall be opened at the same time on the prescribed date by the Clerk in the presence of at least one member of council.
- (g) Any invitation to tender issued under this regulation shall be subject to Standing Order 21e and shall refer to the terms of the Bribery Act 2010.
- (h) When it is to enter into a contract of less than £25,000 in value for the supply of goods or materials or for the execution of works or specialist services other than such goods, materials, works or specialist services as are excepted as set out in paragraph (a) the Clerk or RFO shall obtain 3 quotations (priced descriptions of the proposed supply); where the value is below £5,000, regulation 10.3 above shall apply.
- (i) The Council shall not be obliged to accept the lowest or any tender, quote or estimate.
- (j) Should it occur that the council, or duly delegated committee, does not accept any tender, quote or estimate, the work is not allocated and the council requires further pricing, provided that the specification does not change, no person shall be permitted to submit a later tender, estimate or quote who was present when the original decision making process was being undertaken.

## **12. PAYMENTS UNDER CONTRACTS FOR BUILDING OR OTHER CONSTRUCTION WORKS (PUBLIC WORKS CONTRACTS)**

- 12.1 Payments on account of the contract sum shall be made within the time specified in the contract by the RFO upon authorised certificates of the architect or other consultants engaged to supervise the contract (subject to any percentage withholding as may be agreed in the particular contract).
- 12.2 Where contracts provide for payment by instalments the RFO shall maintain a record of all such payments. In any case where it is estimated that the total cost of work carried out under a contract, excluding agreed variations, will exceed the contract sum of 5% or more a report shall be submitted to the council.
- 12.3 Any variation to a contract or addition to or omission from a contract must be approved by the council and Clerk to the contractor in writing, the council being informed where the final cost is likely to exceed the financial provision.

## **13. STORES AND EQUIPMENT**

- 13.1 The officer in charge of each section shall be responsible for the care and custody of stores and equipment in that section.

- 13.2 Delivery notes shall be obtained in respect of all goods received into store or otherwise delivered and goods must be checked as to order and quality at the time delivery is made.
- 13.3 Stocks shall be kept at the minimum levels consistent with operational requirements.
- 13.4 The RFO shall be responsible for periodic checks of stocks and stores at least annually.

#### **14. ASSETS, PROPERTIES AND ESTATES**

- 14.1 The Clerk shall make appropriate arrangements for the custody of all title deeds and Land Registry Certificates of properties held by the council. The RFO shall ensure a record is maintained of all properties held by the council, recording the location, extent, plan, reference, purchase details, nature of the interest, tenancies granted, rents payable and purpose for which held in accordance with Accounts and Audit Regulations.
- 14.2 No tangible moveable property shall be purchased or otherwise acquired, sold, leased or otherwise disposed of, without the authority of the council, together with any other consents required by law, save where the estimated value of any one item of tangible moveable property does not exceed £250.
- 14.3 No real property (interests in land) shall be sold, leased or otherwise disposed of without the authority of the council, together with any other consents required by law. In each case a report in writing shall be provided to council in respect of valuation and surveyed condition of the property (including matters such as planning permissions and covenants) together with a proper business case (including an adequate level of consultation with the electorate).
- 14.4 No real property (interests in land) shall be purchased or acquired without the authority of full council. In each case a report in writing shall be provided to council in respect of valuation and surveyed condition of the property (including such matters as planning permissions and covenants) together with a proper business case (including an adequate level of consultation with the electorate).
- 14.5 Subject only to the limit set in Regulation 14.2 above, no tangible moveable property shall be purchased or acquired without the authority of the full council. In each case a report in writing shall be provided to council with a full business case.
- 14.6 The RFO shall ensure that an appropriate and accurate Register of Assets and Investments is kept up to date. The continued existence of tangible assets shown in the Register shall be verified at least annually, possibly in conjunction with a health and safety inspection of assets.

#### **15. INSURANCE**

- 15.1 Following the annual risk (per Regulation 17), the RFO shall effect all insurances and negotiate all claims on the council's insurers.

- 15.2 The RFO shall keep a record of all insurances effected by the council and the property and risks covered thereby and annually review it.
- 15.3 The RFO shall be notified of any loss liability or damage or of any event likely to lead to a claim, and shall report these to council at the next available meeting.
- 15.4 All appropriate members and employees of the council shall be included in a suitable form of security or fidelity guarantee insurance which shall cover the maximum risk exposure as determined annually by the council, or a duly delegated committee.

## **16. RISK MANAGEMENT**

- 16.1 The council is responsible for putting in place arrangements for the management of risk. The Clerk shall prepare, for approval by the council, risk management policy statements in respect of all activities of the council. Risk policy statements and consequential risk management arrangements shall be reviewed by the council at least annually.
- 16.2 When considering any new activity, the Clerk shall prepare a draft risk assessment including risk management proposals for consideration and adoption by the council.

## **17. SUSPENSION AND REVISION OF FINANCIAL REGULATIONS**

- 17.1 It shall be the duty of the council to review the Financial Regulations of the council from time to time. The Clerk shall make arrangements to monitor changes in legislation or proper practices and shall advise the council of any requirement for a consequential amendment to these Financial Regulations.
- 17.2 The council may, by resolution of the council duly notified prior to the relevant meeting of the council, suspend any part of these Financial Regulations provided that reasons for the suspension are recorded and that an assessment of the risks arising has been drawn up and presented in advance to all members of council.

		Last Year's Actuals	Actual YTD (mth 6)	Current Annual Budget	Variance	Forecast for 2023/24	Proposed Budget 2024/25
<b>ESTABLISHMENT</b>							
<b><u>61 ESTABLISHMENT</u></b>							
6003	Income Miscellaneous	98	20	50	30	50	50
6004	Income - Interest	19,239	11,375	2,500	-8,875	17,000	20,000
6008	Income - Mayor Event	11	240	0	-240	300	300
Total Income		19,348	11,635	2,550	-9,085	17,350	0
601	Staff Salaries	136,793	85,587	230,000	144,413	230,000	2,420,000
602	Employers NI	12,861	7,354	34,500	27,146	15,000	15,000
603	ER Pension Cont	36,660	16,157	3,500	-12,657	38,200	40,000
604	Staff Training	4,052	1,809	5,000	3,191	5,000	5,000
605	Clerk's Expenses	261	0	1,500	1,500	500	500
607	Photocopier Costs	559	212	1,000	788	750	750
608	Telephone/Fax/ISDN	3,754	1,880	5,000	3,120	4,000	4,000
609	Postage	481	178	600	422	600	600
610	Stationery	3,856	350	2,500	2,150	2,500	2,750
611	Insurances	7,347	9,002	7,000	-2,002	9,002	10,000
612	Audit Fees	1,850	150	3,000	2,850	1,900	2,000
613	Legal Fees	2,433	0	5,000	5,000	5,000	5,000
614	Advertising	3,405	937	6,000	5,063	6,000	6,000
615	Maintenance/IT	14,897	4,336	12,000	7,664	12,000	12,000
618	Subscription/Licence	12,879	11,608	12,000	392	12,000	13,000
619	PWLB Loan Repayments	19,520	8,366	20,000	11,634	20,000	20,000
620	Civic Allowance	1,323	276	1,500	1,224	1,500	1,500
621	Bank Charges	529	187	600	413	600	600
627	Travel Expenses	73	74	250	176	250	250
630	Grants	5,650	7,107	15,000	7,893	15,000	15,000
631	Councillor Training/Mileage	89	0	1,000	1,000	1,000	1,000
Total Exp		269,272	155,570	366,950	211,380	380,802	2,574,950
Net Exp over Inc		-249,924	-143,935	-364,400	-220,465	-363,452	2,574,950
<b><u>62 PRECEPT</u></b>							
6004	Precept	638,610	456,963	913,926	456,963	913,926	914,000
Total Income		638,610	456,963	913,926	456,963	913,926	914,000
Net Income		638,610	456,963	913,926	456,963	913,926	914,000
<b><u>71 TOWN STRATEGY</u></b>							
701	Town Strategy	5,165	0	4,000	0	4,000	5,000
Total Exp		5,165	0	4,000	0	4,000	5,000
Net Exp over Inc		5,165	0	4,000	0	4,000	5,000

	Opening Balance	Transfers	Closing Balance	Capital Reserve 2024/25
<b>Ear Marked Reserves</b>				
9004 Mossman	4,457		4,457	4,457
9006 Building Fund	130,428		130,428	130,428
9025 GAC Sinking Fund	122,735		122,735	122,735
9025 S106 GAC	199,510		199,510	199,510
				<u>457,130</u>

## Detailed Income &amp; Expenditure by Budget Heading 23/10/2023

Month No: 8

## Cost Centre Report

	Actual Current Mth	Actual Year To Date	Current Annual Bud	Variance Annual Total	Committed Expenditure	Funds Available	% Spent	Transfer to/from EMR
<b>61 Establishment</b>								
6003 Income - Miscellaneous	0	20	50	30			40.0%	
6004 Income - Interest Received	0	25,126	2,500	(22,626)			1005.0%	
6008 Income - Mayor Event	0	240	0	(240)			0.0%	
Establishment :- Income	<b>0</b>	<b>25,386</b>	<b>2,550</b>	<b>(22,836)</b>			<b>995.5%</b>	<b>0</b>
601 Staff Salaries	0	100,054	230,000	129,946		129,946	43.5%	
602 Employers NI	0	8,465	34,500	26,035		26,035	24.5%	
603 Ers Pension Contrib	0	18,846	3,500	(15,346)		(15,346)	538.5%	
604 Staff Training	0	2,760	5,000	2,240		2,240	55.2%	
605 Clerk's Expenses	0	0	1,500	1,500		1,500	0.0%	
607 Photocopier Costs	0	212	1,000	788		788	21.2%	
608 Telephone/Fax/ISDN	0	2,248	5,000	2,752		2,752	45.0%	
609 Postage	0	232	600	368		368	38.7%	
610 Stationery	0	402	2,500	2,098		2,098	16.1%	
611 Insurances	0	9,002	7,000	(2,002)		(2,002)	128.6%	
612 Audit Fees	0	2,250	3,000	750		750	75.0%	
613 Legal Fees	0	0	5,000	5,000		5,000	0.0%	
614 Advertising	0	1,237	6,000	4,763		4,763	20.6%	
615 Maintenance & Repairs/IT	0	6,460	12,000	5,540		5,540	53.8%	
618 Subscription/Licence	0	12,012	12,000	(12)		(12)	100.1%	
619 PWLB Loan Repayments	0	8,366	20,000	11,634		11,634	41.8%	
620 Civic Allowance	0	366	1,500	1,134		1,134	24.4%	
621 Bank Charges	0	271	600	329		329	45.2%	
627 Travel Expenses	0	74	250	176		176	29.8%	
630 Grants	0	7,107	15,000	7,893		7,893	47.4%	
631 Councillor Training/Mileage	0	0	1,000	1,000		1,000	0.0%	
Establishment :- Indirect Expenditure	<b>0</b>	<b>180,364</b>	<b>366,950</b>	<b>186,586</b>	<b>0</b>	<b>186,586</b>	<b>49.2%</b>	<b>0</b>
<b>Net Income over Expenditure</b>	<b>0</b>	<b>(154,979)</b>	<b>(364,400)</b>	<b>(209,422)</b>				
<b>62 Precept</b>								
6005 Precept	0	913,926	913,926	0			100.0%	
Precept :- Income	<b>0</b>	<b>913,926</b>	<b>913,926</b>	<b>0</b>			<b>100.0%</b>	<b>0</b>
<b>Net Income</b>	<b>0</b>	<b>913,926</b>	<b>913,926</b>	<b>0</b>				
<b>71 Town Strategy</b>								
701 Town Strategy	0	0	4,000	4,000		4,000	0.0%	
Town Strategy :- Indirect Expenditure	<b>0</b>	<b>0</b>	<b>4,000</b>	<b>4,000</b>	<b>0</b>	<b>4,000</b>	<b>0.0%</b>	<b>0</b>
<b>Net Expenditure</b>	<b>0</b>	<b>0</b>	<b>(4,000)</b>	<b>(4,000)</b>				

## Detailed Income &amp; Expenditure by Budget Heading 23/10/2023

Month No: 8

## Cost Centre Report

	Actual Current Mth	Actual Year To Date	Current Annual Bud	Variance Annual Total	Committed Expenditure	Funds Available	% Spent	Transfer to/from EMR
<b>85 Earmarked Reserves</b>								
8002 Income EMR - Cemetery	0	10,068	0	(10,068)			0.0%	10,068
8008 Pitch Power Football Pitch Gra	0	11,784	0	(11,784)			0.0%	11,784
<b>Earmarked Reserves :- Income</b>	<b>0</b>	<b>21,852</b>	<b>0</b>	<b>(21,852)</b>				<b>21,852</b>
802 EMR-Working Capital	0	1,137	0	(1,137)		(1,137)	0.0%	1,137
809 EMR - PCemetery Projects/Paths	0	3,433	0	(3,433)		(3,433)	0.0%	3,433
815 EMR-Rec Ground Rolling Improve	0	37,360	0	(37,360)		(37,360)	0.0%	37,360
818 EMR Rec MUGA	0	26,336	0	(26,336)		(26,336)	0.0%	26,336
821 EMR-Estab election Fund	0	220	0	(220)		(220)	0.0%	220
826 EMR Youth Work	0	3,740	0	(3,740)		(3,740)	0.0%	3,740
836 EMR- Facilities Team Setup	0	1,290	0	(1,290)		(1,290)	0.0%	1,290
<b>Earmarked Reserves :- Indirect Expenditure</b>	<b>0</b>	<b>73,515</b>	<b>0</b>	<b>(73,515)</b>	<b>0</b>	<b>(73,515)</b>		<b>73,515</b>
<b>Net Income over Expenditure</b>	<b>0</b>	<b>(51,663)</b>	<b>0</b>	<b>51,663</b>				
9000 plus Transfer from EMR	0	73,515						
9001 less Transfer to EMR	0	21,852						
<b>Movement to/(from) Gen Reserve</b>	<b>0</b>	<b>0</b>						
<b>Grand Totals:- Income</b>	<b>0</b>	<b>961,164</b>	<b>916,476</b>	<b>(44,688)</b>			<b>104.9%</b>	
<b>Expenditure</b>	<b>0</b>	<b>253,879</b>	<b>370,950</b>	<b>117,071</b>	<b>0</b>	<b>117,071</b>	<b>68.4%</b>	
<b>Net Income over Expenditure</b>	<b>0</b>	<b>707,285</b>	<b>545,526</b>	<b>(161,759)</b>				
plus Transfer from EMR	0	73,515						
less Transfer to EMR	0	21,852						
<b>Movement to/(from) Gen Reserve</b>	<b>0</b>	<b>758,948</b>						

Caroline Jenkins – Acting Town Clerk  
Stotfold Town Council  
Greenacre Centre, Valerian Way  
Stotfold, Hitchin, Herts  
SG5 4HG

26<sup>th</sup> September 2023

Dear Caroline,

**VAT Partial Exemption 2022/23**

We have now completed our calculations of your Partial Exemption position for 2022/23 in accordance with your instructions.

We are pleased to inform you that Stotfold Town Council **does not** have any issues with partial exemption for 2022/23 as the input VAT being attributable to exempt activities was under the De-Minimis limit.

We would like to make the council aware that the final calculated partial exemption figure was close to the De-Minimis limit for 2022/23 and there could be a possibility that the De-Minimis limit will breach in future years. If this situation does occur then the simplified partial exemption calculation will need to be re-calculated which involves looking at cost centres in more depth. Please note that the cost for a detailed calculation will differ from a short form.

It is important to review the VAT position each year, particularly if you expect to incur significant capital expenditure or the nature of your activities is subject to change.

Please advise us in advance of any planned projects if you think they may impact on your De Minimis limit. It is much easier to avoid the potential of lost VAT if steps are taken before it is actually incurred.

I enclose the calculation which you should retain on file in case HMRC request it in the future.

Our invoice to follow in due course.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'DMorgan'.

David Morgan  
DCK Accounting Solutions Ltd

Enclosure

Centre	Description	PL	CB	NL	TOTAL
21	MUGA	25.2			25.2
22	Lighting	4276.47			4276.47
23	Allotments	574.22			574.22
25	Hitchin Road Rec	26.92			26.92
26	Brook Street Car Park/Toilets	288.4			288.4
27	Open Spaces	7776.11			7776.11
33	Arlesey Rd Playing Field	395.98			395.98
41	Cemetery	21509.19			21509.19
51	Simpson Centre	-157.05			-157.05
52	Memorial Hall	135.67			135.67
53	Building - General	6865.58			6865.58
55	Greenacre Centre	3606.53			3606.53
61	Establishment	7805.86			7805.86
71	Town Strategy	1430.32			1430.32
85	Earmarked Reserves	104623.83			104623.83
		£ 159,183.23	£ -	£ -	£ 159,183.23

Apportionable	Business	Non Business	Outside Scope	Exempt
		25.20		
		4,276.47		
			574.22	
		26.92		
		288.40		
		7776.11		
		395.98		
21,509.19				- 157.05
				135.67
6,865.58				
		1,442.61		2,163.92
7,805.86				
		1,430.32		
9,622.98		92300.34	2700.51	
45,803.61	-	107,962.35	3,274.73	2,142.54

	PL	CB	NL	Total	VAT Return
QTR1	19,281.58			19,281.58	19,281.58 -
QTR2	16,415.45			16,415.45	16,415.45 -
QTR3	24,088.12			24,088.12	24,088.12 -
QTR4	99,398.08			99,398.08	99,398.08 -
	159,183.23	-	-	159,183.23	159,183.23 -
£	-	£ -	£ -		
27- Open Spaces					
Income:					
Football Pitch Fees	5,000.00	4.75%	OTS		
Open Space Hire	2,287.50	2.17%	Exempt		
	7,287.50				
Expenditure					
	105,287.00				
Precept Funding	97,999.50	93.08%	Non-Business		
41 - Cemetery					
Income:					
Burials	20,680.00	46%	OTS		
Memorials & Plaques	6,031.00	13%	Business		
Chapel Lease	2,000.00	4%	Business		
Keys	275.00	1%	Business		
Plot Purchase	16,260.00	36%	OTS		
	45,246.00				
55 - Greenacre Centre					
Area %:					
Council Office	0.40				
Other	0.60				
	1.00				
Precept Funding					
Income		Expenditure	Precept Funding		
51 - Simpson Centre	8,705.00	13,421.00	35.14%		
52 - Memorial Hall	18,801.00	8,717.00	0.00%		
55 - Greenacre Centre	11,484.00	40,223.00	71.45%		

Apportion: Building - General				
Basis: Input VAT by Centre -	6,865.58			
Simpson Centre				367.13
Memorial Hall				3,451.97
Greenacre Centre				3,046.47
38,938.03	-	107,962.35	3,274.73	9,008.12
Apportion: Building - General				
Basis: Precept Funding				
Simpson Centre		129.01	-	129.01
Memorial Hall		-		-
Greenacre Centre		2,176.68	-	2,176.68
38,938.03	-	110,268.04	3,274.73	6,702.43
Apportion: Greenacre Centre				
Basis: Uccupancy Level %	347.92			- 347.92
39,285.95	-	110,268.04	3,274.73	6,354.51
Apportion: Cemetery				
Basis: Income -	21,509.19	3,948.53	17,560.66	
17,776.76	3,948.53	110,268.04	20,835.39	6,354.51
Apportion: Admin				
Basis: Input VAT -	17,776.76	496.39	13,862.22	2,619.30 798.85
-	4,444.92	124,130.26	23,454.68	7,153.37

De Minimis
£7,959
No Partial Exemption Disallowable

## **STOTFOLD TOWN COUNCIL**

<b>COMMITTEE:</b>	<b>ESTABLISHMENT</b>
<b>DATE:</b>	<b>25 OCTOBER 2023</b>
<b>OFFICER RESPONSIBLE:</b>	<b>EMMA PAYNE, TOWN CLERK</b>
<b>SUBJECT:</b>	<b>TOWN COUNCIL VEHICLE</b>

### **1. SUMMARY**

- 1.1 In June 2022, the Town Council invested in a vehicle for the Town Rangers to undertake their roles.
- 1.2 Now that the Town Rangers are more established in a working pattern, Members are asked to consider the purchase of another vehicle, to allow more independent working.

### **2. RECOMMENDATION**

- 2.1 Members are asked to consider the purchase of another vehicle as outlined in this report.

### **3. BACKGROUND**

- 3.1 The Town Council has previously invested in an Isuzu Dmax truck which cost the Town Council £27,344 plus VAT. This was purchased from EMR.
- 3.2 The Town Rangers now have an established work pattern however, their productivity could be improved with the purchase of another, larger vehicle.
- 3.3 The proposed vehicle could be Ford Transit 350 L3 Diesel Rwd 2.0 EcoBlue 130ps Double Cab Tipper [1 Way], manual. The mileage on the vehicle is 46,217.

### **4. FINANCIAL**

- 4.1 The cost of the vehicle plus warranty is £24,094 plus VAT. This would be met from EMR.
- 4.2 There would be a nominal cost for signwriting which would be met from revenue budgets.



## **STOTFOLD TOWN COUNCIL**

**COMMITTEE:** ESTABLISHMENT

**DATE:** 25 OCTOBER 2023

**OFFICER RESPONSIBLE:** EMMA PAYNE, TOWN CLERK

**SUBJECT:** THE HAVEN – CHRISTMAS TREE LOCATION

### **1. SUMMARY**

- 1.1 Following the decision to relocate the Christmas lights switch on to the High Street, negotiations have been ongoing with Grand Union regarding works to an area of land by The Haven to accommodate the Christmas tree.
- 1.2 Grand Union have agreed to proceed with the removal of the shrubs and the installation of hard surfacing, along with a socket to fit a Christmas tree.

### **2. RECOMMENDATION**

- 2.1 Members are asked to consider the information contained within the report and advise the Clerk which option for the surface they would like to proceed with.

### **3. BACKGROUND**

- 3.1 Moving the Christmas lights switch on to the High Street will mean that more residents can engage with the Town Council, increasing the Council's profile within the community. It also means that the new location will enable more people to attend. High Street businesses would also benefit from more footfall.

### **4. FINANCIAL**

- 4.1 The following costs has been received from Grand Union.

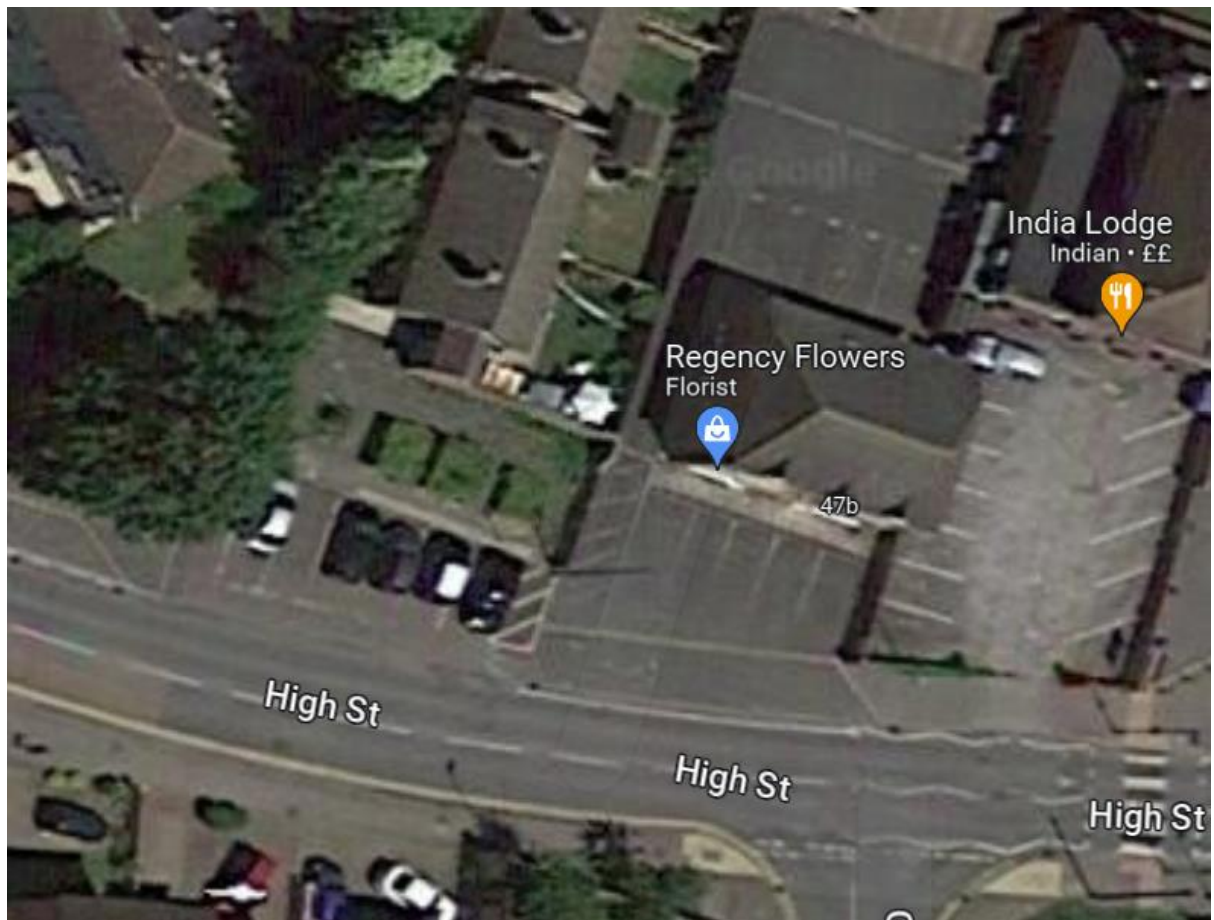
All costs are inclusive of removal of all spoil & vegetation, supply & fit new planters and supply & fit of ground socket for Christmas tree. The price for the three options are:

Concrete - £15,947.89 + VAT

Block paving - £16,697.89 + VAT

Resin bonded - £20,342.89 + VAT

- 4.2 The funding would come from EMR Rec Rolling Improvement which currently stands at £86,292.08.



## ESTABLISHMENT COMMITTEE WORK PROGRAMME 2023-24

Meeting Date	Agenda Item	Description	Neccessity
25/10/2023	Review of Financial Regulations	Review of Financial Regulations in light of decision of this committee to review procurement thresholds	Internal Control/Action from previous meeting
	Review of Standing Orders	To review the Council's adopted Standing Orders in line with NALC Model Standing Orders	Internal Control
	Investments	To consider opening an investment account with CCLA	Action from previous meeting
	Budget 2024-25	To review this Committee's budget	Internal Control
	Strategic Plan	To review the progress to date on the Council's adopted Strategic Plan	Internal Control
	Review of Q2	To review the Council's expenditure at Q2	Internal Control
	Review of VAT Partial Exemption	To receive a letter and report from DCK Accounting Solutions on this matter	Internal Control
	Town Council Vehicle	To consider the purchase of an additional Town Ranger vehicle	Internal Control
20/12/2023	Budget 2024-25	To review the Council's budget 2024-25, precept and make recommendation to Council	Internal Control
	Stotfold 50th Anniversary	To consider commemoration of 50th Anniversary of the formation of Stotfold TC.	Forward Planning
	Council Staffing Structure	To consider additional staffing resource	Budget Implications
	Mayoral Insignia	To review the Mayors and Deputy's Mayor Insignia	N/A
27/03/2024			
17/04/2024			