

Abbots Bromley Parish Council

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The Hayloft
Marsh Farm, Uttoxeter Rd,
Abbots Bromley
Staffordshire
WS15 3EJ

To all Parish Councillors

You are hereby summoned to attend a meeting of the Abbots Bromley Parish Council to be held on Wednesday 29th November 2017 at **7.00 pm** in the Memorial Room at the Village Hall, Abbots Bromley when the following business will be transacted.

Mrs Sarah Meads

12th November 2017

1. Apologies for absence

To receive and, if appropriate, accept apologies for absence.

2. Councillor Vacancy - Co-option of New Councillor

3. Public session

4. Declarations of Interests

- *Declarations relating to this meeting*

5. Minutes of Previous Meetings

- Meeting held on 25th October 2017

Enclosed

6. Matters of report

- Parish Surgery
- Goat's Head
- SCC Rights of Way Consultation
- Village Car Parking Provision

7. Planning

• **Applications**

To agree responses to recently received planning applications:

• **Decisions**

To receive details of planning decisions as included on the enclosed planning summary.

• **Other Planning Matters**

- Neighbourhood Plan Governance
- Neighbourhood Plan Update

8. Financial Matters

• **Report on payments made since last meeting**

To approve the list of payments made since the last meeting

• **Payments to be made**

To receive and if considered appropriate, approve the list of payments to be made

• **Receipts**

- **Monthly Finance Report**
- **Finance Officer**
- **Grounds Maintenance Tenders**
- **Budget planning,**
 - Items to include in budget, set date for finance group to meet.

9. Group reports

Unless otherwise stated, to receive a report from the relevant Working Group or Officer.

- **Recreation** – football shelter
- **Village Property** – bench outside Richard Clarke
- **Traffic, Parking, Highways**
- **Competitions**
- **Newsletter**
- **Village Hall**
- **ABSA**

10. Correspondence, bulletins and reports

11. Ratification of the following Parish Council documents:-

- Standing Order,
- Risk Assessment
- Financial Regulations

12. 2018 Meeting and Surgery Dates

13. HS2

14. Agenda items for next meeting

15. Date, time and place of future meetings

January Budget Meeting	7.00pm	Wed, 3rd January 2018	Village Hall
January Parish Council Meeting	7.00pm	Wed, 31st January 2018	Village Hall

ABBOTS BROMLEY PARISH COUNCIL
Minutes of the Parish Council Meeting
 Held on Wednesday, 27th September 2017 at 7.00 pm
 At the Village Hall, Abbots Bromley, pursuant to notice having been given

Present: Cllrs P Charles (Chair); J Houlihan; R Jarman, Mrs M Moore; Mrs R Robb; P Ryan

In attendance: Mrs S Meads (Clerk),

Members of the Public Attending: 4

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117. Apologies for absence
 Cllrs B Walters and Mrs A Appleby

118. Public Session

Mr and Mrs Jolly said that they had just moved in to the area and wanted to find out more and how the Parish Council worked. Mr David Denny said that he was interested in the Councillor Vacancy and if there would be an election. The Clerk said we were still waiting to hear back from ESBC as to whether an election would be called, it would be most likely that the council would be given the go-ahead to Co-opt at new member. Mr Denny asked about HS2. Cllr R Jarman and Mrs Moore updated on how this would affect the village before and after construction. They advised that it would cause disruption on the roads during the construction phase and would be close enough to be heard when operating.

PCSO P Bradbury joined the meeting. He asked if there were any issues that needed to be raised. Volume of traffic by the buildings works at the school was raised and parents parking.

An update on the homeless lady on Hobb Lane was provided by PCSO Bradbury, he advised that she had now left the area but authorities are aware of her and try to help.

He advised that residents need to call 101 if they have any concerns in the village, particularly following recent break-ins. It was suggested that PCSO Bradbury should provide an article for the forthcoming newsletter to advise people on how to keep their properties safe and numbers to call if they are concerned.

Mr Denny raised concerns over gun shots behind his house and said that they were very close to properties. PCSO Bradbury advised that he should call 101 when this happens and someone will come out and investigate.

119. Declarations of Interests

None

120. Minutes of Previous Meetings

RESOLVED: *that the minutes of meetings held on 27th September be approved with two amendments.*

121. Matters of Report

i. **War Memorial**

The Clerk reported that she had received feedback from Highways and they had confirmed that they did not own the area around the Memorial so the Parish Council could go ahead with the work. They would need to be notified so that the electricity could be disconnected. This was discussed and agreed that work should be schedule for spring 2018.

ii. **Goats Head Car Park**

The Clerk reported that the pot hole on the car park is now getting bigger and it would be worthwhile getting the hole filled as it could be some time before Punch complete the work on the car park.

RESOLVED: *that the Clerk should source quotations for filling the hole.*

The gable end of the pub was also discussed. Cllr Ryan said that planning and listed building consent had now been passed so the work could be completed.

RESOLVED: *that the Clerk should send Punch Taverns and the planning department photographs of the exposed gable end.*

iii. **Village Grounds Maintenance**

The Clerk advised that the Village Grounds Maintenance contract is currently being advertised as it is due for a three year review. The mowing of the Church Yard was also discussed.

RESOLVED: *that the Clerk should ask contractors that are tendering for the Parish Council work to also provide costs for mowing of the Church Yard so that this would give a guide on costs. Proposed Cllr Jarman, seconded Cllr Mrs Moore. The Clerk advised that she would also contact ABPCC and advise them that there were still concerns over the mowing.*

iv. **Councillor Vacancy**

The Clerk reported that she was still waiting for feedback from ESBC as to whether an election would be required.

122. Planning

Applications

1101 - P/2017/01170: Peelers House , Uttoxeter Road, Abbots Bromley, Staffordshire , WS15 3EQ Erection of single storey linked granny annex and guest suite and terracing of rear garden

Received: 06/10/17 Reply due: 27/10/17 No Objections

1102 - P/2017/01309: adj The Willows, Hobb Lane, Marchington Woodands, ST14 8RG
Erection of an agricultural building

Received: 20/10/17 Reply due: 10/11/17 Does this conflict with national planning policy, sustainable business need?

1103 - P/2017/01272: South Hill Farm, Glass Lane, Bromley Hurst, Abbots Bromley, WS15 3BG Conversion and extension to agricultural building to form a single dwelling

Received: 17/10/17 Reply due: 07/11/17 More than a conversion, more of a new building in the countryside, contrary to planning policy.

Decisions

Agreed

1081 - P/2017/00694: St Helens, Uttoxeter Road, Abbots Bromley, WS15 3EG Felling of 1 horse chestnut tree

1087 - P/2017/00782: Coleshill Lodge, Lichfield Road, Abbots Bromley, Staffordshire, WS15 3DN Demolish garage and all single storey elements to facilitate the erection of two storey front and rear extensions, single storey front and rear extensions, single storey side extensions and creation of a balcony

1088 - P/2017/00808: Barkley House, Pinfold Lane, Bromley Hurst, Abbots Bromley, WS15 3AF Demolition of detached garage to facilitate the erection of single storey front, two storey side and two storey and single storey rear extensions

1090 - P/2017/00762: Blythfields Farm, Poplar Farm Road, Bromley Hurst, Abbots Bromley, Staffordshire, WS15 3AY Listed building application for the installation of 5 No. conservation roof lights, roof insulation and internal plastering of roof planes necessitating the temporary removal of tiles and re-instatement on completion of the works along with brickwork repointing works (including remedial/mitigation works)

1095 - P/2017/01087: Broom House, Bagot Street, Abbots Bromley, Staffordshire, WS15 3DB Remove one Silver Birch tree

1096 - P/2017/01030: Yeatsall Cottage, Uttoxeter Road, Abbots Bromley, Staffordshire, WS15 3BR Retention of a panel fence and associated landscaping scheme

1100 - P/2017/00939: Land to the rear of, Bromley House Uttoxeter Road, Abbots Bromley, Staffordshire, WS15 3EG Erection of a dwelling and detached garage

Refused

1085 - P/2017/00697: Willow Brook Farm, Pinfold Lane, Bromley Hurst, Abbots Bromley, Staffordshire Prior approval for the conversion of an agricultural building to form a dwelling.

1063 - P/2017/00233: Land to the rear of Argyll House, High Street, Abbots Bromley, WS15 3BW Erection of a detached dwelling and associated parking

Withdrawn

1089 - P/2017/00600: Abbots Bromley Cricket Club, Lichfield Road, Abbots Bromley Siting of two portacabins to provide temporary changing facilities

ii. Neighbourhood Plan Update

As Cllr Walters ill then no update available. Cllr Mrs Moore raised concerns as to whether the consultation on Horn Dance Day should have been communicated to the PC beforehand. This was discussed. Cllr Mrs Robb and Mr Ryan said that they would feed this back to the Neighbourhood Planning Group.

123. Financial Matters

B Record of payments for which authorisation will be sought at meeting

<i>Vch/Chq</i>	<i>Payee</i>	<i>Amount</i>	<i>Details</i>
158/1718	Mrs Sarah Meads	403.06	Salary and taxable expenses
159/1719	Mrs Sarah Meads	11.80	Non Taxable expenses
160/1720	SCC Pensions	137.91	October Employee and Employer contribution
161/1721	J H Bradbury	788.00	Painting the Nuttery
162/1722	PWLB	1661.25	Village Hall Loan

RESOLVED : that the above payments be made. Proposed Cllr Jarman, seconded Cllr Mrs Moore.

ii. Finance Report to 30th September 2017

The Clerk presented the financial report up to the end of September 2017

124. Group Reports

i. Recreation

The Clerk reported that Mr J Bradbury had painted the Nuttery. One complaint had been received about the slippery surface at The Nuttery. Mr McCulloch to clean down the wetpour. Cllr Houlihan said that he had spoken to Eddie Glew about putting in a maze in the area of the Nuttery, possibly end of February/March. It was reported that the bird spikes were now worn, the Clerk to purchase new ones.

ii. Village Property

Village Toilets; the Clerk reported that she had contacted ESBC regarding provision of disabled but was still awaiting feedback.

iii. Traffic, Parking & Highways

It was reported that there were lots of dirty signs and some covered with vegetation.

RESOLVED: the Clerk to follow up these issues with Highways.

.iv. Competitions

Cllr Appleby had received the cheque as the prize money for BKV. This was passed to the Clerk by Cllr Charles.

v. Newsletter

RESOLVED: that the next newsletter should be published in November and to include articles on HS2, ABSA, Neighbourhood Plan, Police Report, Youth Club, Churchyard cleaning.

vi. Village Hall

Cllr Mrs Robb asked if anyone had come up with ideas to use the field at the back of the Village Hall

vii. ABSA

Cllr P Ryan reported that Phase 1 had now been completed. Phase 2 would commence at the beginning of next year at a cost of £270,000. At present there is a shortfall of £50,000. Phase 3 would be completed in 2019. It would be 2 years before the pitches are playable.

125. Correspondence, bulletins and reports

Nothing to report

126. HS2

RESOLVED: to keep on the agenda

127. Agenda Items for the next meeting

*RESOLVED: that the following items be added to the next agenda:-
HS2, Budget Planning, Parish Surgery, Finance Officer*

128. Date, time and place of future meetings

November Parish Council Meeting, 29th November 2017, – Village Hall

There being no other business the Chair declared the meeting closed at 8.35pm

Signed _____ Date 29th November 2017

ABBOTS BROMLEY PARISH COUNCIL

Monthly Planning Report November 2017

Applications

1104 - P/2017/01381: 11 Cecil Payton Close, Abbots Bromley, WS15 3EZ
Provision of block paving to the front of the property

Received: 08/11/17 Reply due: 29/11/17

1105 - P/2017/01399: Ashbrook Farm, Orange Lane, Bromley Hurst, Abbots Bromley, Staffordshire, WS15 3AX Prior approval for the conversion of agricultural building to form dwelling.

Received: 09/11/17 Reply due: 30/11/17

1106 - P/2017/01371: Ashleigh, Uttoxeter Road, Abbots Bromley, Staffordshire, WS15 3EQ Erection of a single storey side and rear link extension, first floor rear extension and detached double garage

Received: 14/11/17 Reply due: 06/12/17

Decisions

Agreed

1091 - P/2017/00940: Davant House, Church Lane, Abbots Bromley, Staffordshire, WS15 DD Demolition of existing workshop and erection of a building to form ancillary living accommodation.

1097 - P/2017/00621: Goats Head Market Place Abbots Bromley WS15 3BP
Listed Building application for the repair of the external timber framework to the south gable

ABBOTS BROMLEY PARISH COUNCIL

STANDING ORDERS

Meetings

1. (a) Meetings of the Council shall be held at the Village Hall, when available, normally on a Wednesday at 7:00p.m. unless the Council otherwise decides at a previous meeting.

(b) The Chairman may, for certain special or urgent matters, call additional meetings of the Council on such day and at such hour as he may determine.

(c) Special meetings of a Committee may be called by the Clerk at the request of the Chairman of the Committee or on the request of a quarter of the whole number of the Committee delivered in writing to the Clerk. The summons to a special meeting shall set out the business to be discussed and no other business shall be considered at the meeting

The Statutory Annual Meeting

2. (a) In an election year this shall be held on the Wednesday, next following the fourth day after the ordinary day of elections to the Council

(b) In a year which is not an election year, this shall be held on the last Wednesday in May, or as near to the end of May as is practically possible.
3. The other statutory meetings shall be held on the last Wednesday in the months of June, July, September, October, November, January, February, March and April unless the Council otherwise decides at a previous meeting.
4. The Parish meeting shall assemble annually on some day between 1 March and 1 June, both inclusive, in every year and shall be held on such days and at such times as may be fixed by the Parish Council.

Chairman of Meeting

5. The person presiding at the meeting may exercise all the powers and duties of the Chairman in relation to the conduct of the meeting.

Proper Offices

6. Where a statute, regulation or order confers functions or duties on the proper officer of the Council in the following cases, he shall be the Clerk:-
 - (a) to receive declarations of acceptance of office
 - (b) to receive and record notices disclosing pecuniary interests
 - (c) to receive and retain plans and documents
 - (d) to sign notices or other documents on behalf of the Council
 - (e) to receive copies of byelaws made by a Borough Council
 - (f) to certify copies of byelaws made by the Borough Council
 - (g) to sign summonses to attend meetings of the council

Quorum

7. Three members shall constitute a quorum, but a motion to suspend standing orders shall not be moved without written notice signed by twice as many members as constitute the quorum.
8. If a quorum is not present when the Council meets or if during a meeting the number of Councillors present falls below the quorum, the business not transacted at that meeting shall be transacted at the next meeting or on such other day as the Chairman may fix.

Voting

9. Members shall vote by show of hands, or, if at least two members so request, by signed ballot.
10. If a member so requires, the Clerk shall record the names of the members who voted on any question so as to show whether they voted for or against it.
11. (1) Subject to 2 and 3 below, the Chairman may give an original vote on any matter put to the vote.

(2) Subject to 3 below the Chairman may not give an original vote in the election of the Chairman on any occasion when he will himself immediately after such election retire from the Council.

(3) In any case of an equality of votes, the Chairman may give a casting vote provided always that he has rendered an original vote.

Order of Business

(In an election year Councillors should execute Declarations of Acceptance of Office in each others presence, or in the presence of a proper officer previously authorised by the Council to take such declaration, before the annual meeting commences)

12. At each Annual Meeting the first business shall be:-
 - (a) To elect a Chairman
 - (b) To receive the Chairman's Declaration of Acceptance of Office, or if not then received, to decide when it shall be received.
 - (c) To elect a Vice-Chairman
 - (d) To appoint a school governor
 - (e) To appoint statutory or standing committees
 - (f) To consider the payment of any subscriptions falling to be paid annually, and all bills and financial matters which need to be dealt with before the next ordinary meeting.
 - (g) To inspect any deeds and trust instruments in the custody of the Council, and shall thereafter follow the order set out in Standing Order 15
13. At every meeting other than the Annual Meeting the first business shall be to appoint a Chairman if the Chairman and Vice-Chairman be absent and to receive such declarations of acceptance of office (if any) as are required by law to be made or if not then received to decide when they shall be received.
14. At the second annual meeting after the ordinary elections the first business shall include consideration of the question whether the pay and conditions of service of existing employees of the Council shall be reviewed. (See Standing Order 38)
15. After the first business has been completed, the order of business and that of all ordinary meetings, unless the Council otherwise decides on the grounds of expediency, shall be as follows:
 - (a) To read and consider the minutes, provided that if a copy has been circulated to each member not later than the day of issue of the summons to attend the meeting, the Minutes may be taken as read.
 - (b) After consideration to approve the signature of the Minutes by the presiding Chairman as a correct record.
 - (c) To deal with business expressly required by statute to be done
 - (d) To receive such communications as the presiding Chairman may wish to lay before the Council.
 - (e) To answer questions
 - (f) To dispose of business, if any, remaining from the last meeting
 - (g) To receive and consider reports and minutes of committees and advisory committees
 - (h) To receive and consider reports from officers of the Council

- (i) To authorise the sealing of documents
- (j) To authorise the signing of orders for payment
- (k) To consider motions or recommendations in the order in which they have been notified
- (l) Any other business specified in the summons. (See Standing Order 37)

16. A motion to vary the order of business on the ground of expediency
- (a) may be proposed by the Chairman or by any member and, if proposed by the Chairman, may be put to the vote without being seconded, and
 - (b) shall be put to the vote without discussion

Resolutions Moved on Notice

17. Except as provided by these Standing Orders, no resolution may be moved unless the mover has given notice in writing of its terms and has delivered the notice to the Clerk at least 7 clear days before the next meeting of the Council.
18. The Clerk shall date every notice of motion or recommendation when received by him, shall number each notice in the order in which it was received and shall enter it in a book which shall be open to the inspection of every member of the Council.
19. The Clerk shall insert in the summons for every meeting all notices of motion or recommendation properly given in the order in which they have been received unless the member giving a notice of motion has stated in writing that he intends to move at some later meeting or that he withdraws it.
20. If a resolution or recommendation specified in the summons be not moved, it shall, unless postponed by the Council, be treated as withdrawn and shall not be moved without fresh notice.
21. If the subject matter of a resolution 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.
22. Every resolution or recommendation shall be relevant to some question over which the Council has power or which affects its area.

Resolutions Moved Without Notice

23. Resolutions dealing with the following matters may be moved without notice:
- (a) To appoint a Chairman of the meeting
 - (b) To correct the minutes
 - (c) To approve the minutes
 - (d) To alter the order of business
 - (e) To proceed to the next business
 - (f) To close or adjourn the debate
 - (g) To refer a matter to a committee
 - (h) To appoint a committee or any members thereof
 - (i) To adopt a report
 - (j) To authorise the sealing of documents
 - (k) To receive bills and authorise payments required to be paid within 30 days
 - (l) To amend a motion
 - (m) To give leave to withdraw a motion or an amendment
 - (n) To extend the time limit for speeches
 - (o) To consider otherwise than in committee a question affecting an employee of the Council
(The two following resolutions are governed by the Standing Orders on the admission of public to meetings)
 - (p) To exclude the press

- (q) To exclude the public
(The next resolution is governed by the Standing Order on Disorderly Conduct)
- (r) To silence or eject from the meeting a member named for misconduct
(The next resolution is governed by the Standing Order on members interested in contracts and other matters)
- (s) To invite a member having an interest in the subject matter under debate to remain
- (t) To give the consent of the Council where such consent is required by these Standing Orders

Questions

- 24. A member may ask the Chairman any questions concerning the business of the Council.
- 25. A member with or without notice may ask the Chairman of a Committee any question upon the proceedings of the Committee then before the Council if the question is put before the Council's consideration of those proceedings is finished.
- 26. Every question shall be put and answered without discussion.
- 27. A person to whom a question has been put may decline to answer.

Rules of Debate

- 28. No discussions shall take place upon the Minutes except upon their accuracy. Corrections to the Minutes shall be made by resolution and must be initialled by the Chairman.
- 29.
 - (a) A resolution or amendment shall not be discussed unless it has been proposed and seconded
 - (b) A member when seconding a resolution or amendment may, if he then declares his intention to do so, reserve his speech until a later period of the debate
 - (c) A member shall direct his speech to the question under discussion or to a personal explanation or to a question of order.
 - (d) No speech shall exceed 10 minutes, except by consent of the Council (The mover of a resolution is sometimes allowed a longer time than others)
 - (e) An amendment shall be either:
 - i) To leave out words
 - ii) To leave out words and insert or add others
 - iii) To insert or add words
 - (f) An amendment shall not have the effect of negating the motion before the Council
 - (g) If an amendment be carried, the resolution, as amended, shall take the place of the original resolution and shall become the resolution upon which any further amendment may be moved
 - (h) A further amendment shall not be moved until the Council has disposed of every amendment previously moved.
 - (i) The mover of a resolution or of an amendment shall have a right of reply.
 - (j) A member, other than the mover of a resolution, shall not, without leave of the Council, speak more than once on any resolution except to move an amendment or further amendment, or on an amendment, or on a point of order, or in personal explanation, or to move the closure.
 - (k) A member may rise to make a point of order or a personal explanation A personal explanation shall be confined to some material part of a former speech by him which may have been misunderstood. A member rising for these purposes shall be heard forthwith.
 - (l) A motion or amendment may be withdrawn by the proposer with the unanimous consent of the Council, which shall be signified without discussion, and no member may speak upon it after permission has been asked for its withdrawal unless such permission has been refused.
 - (m) When a resolution is under debate no other resolution shall be moved except the following:
 - i) To amend the resolution
 - ii) To proceed to the next business
 - iii) To adjourn the debate

- iv) That the question be now put
- v) That a member named be not further heard
- vi) That a member named to leave the meeting
- vii) That the resolution be referred to a committee
- viii) To exclude the public or the press or both
- ix) To adjourn the meeting

30. (a) The ruling of the Chairman on a point of order or on the admissibility of a personal explanation shall not be discussed
 (b) Members shall address the Chairman
 (c) If two or more members rise, the Chairman shall call upon one of them to speak

Closure

31. At the end of any speech a member may, without comment, move “that the question be now put”, “that the debate be now adjourned” or “that the Council do now adjourn”. If such motion is seconded and if the Chairman is of the opinion that the question before the Council has been sufficiently debated (but not otherwise), he shall forthwith put the motion. If the motion “that the question be now put” is carried, he shall call upon the mover to exercise or waive his right of reply and shall put the question immediately after that right has been exercised or waived. The adjournment of a debate or of the Council shall not prejudice the mover’s right of reply at the resumption.

Disorderly Conduct

32. (a) No member shall misconduct himself at a meeting by persistently disregarding the ruling of the Chairman, by wilfully obstructing business, or by behaving irregularly, offensively, improperly or in such a manner as to scandalise the Council or bring it into contempt or ridicule.
 (b) If, in the opinion of the Chairman, a member has so misconducted himself the Chairman shall express that opinion to the Council and thereafter any member may move that the member named be no longer heard or that the member named do leave the meeting, and the motion, if seconded, shall be put forthwith and without discussion.
 (c) If either of the motions mentioned in paragraph b) is disobeyed, the Chairman may suspend the meeting or take such further steps as may reasonably be necessary to enforce them.

Right of Reply

33. The mover of a resolution shall have a right to reply immediately before the resolution is put to the vote. If an amendment is proposed the mover of the amendment shall be entitled to reply immediately before the amendment is put to the vote. A member exercising a right of reply shall not introduce new matters. After the right of reply has been exercised or waived, a vote shall be taken without further discussion.

Alteration of Resolution

34. A member may, with the consent of his seconder, move amendments to his own resolution.

Rescission of Previous Resolution

35. (a) A decision (whether affirmative or negative) of the Council shall not be reversed within six months save by a special resolution, the written notice whereof bears the names of at least three members of the Council
 (b) When a special resolution has been disposed of, no similar resolution may be moved within a further six months.
 (c) This Standing Order shall not apply to resolutions moved in pursuance of the report or recommendation of a committee.

Voting On Appointments

36. Where more than two persons have been nominated for any position to be filled by the Council, and of the votes given, there is not an absolute majority in favour of one person, the name of the person having the least number of votes shall be struck off the list and a fresh vote taken, and so on until a majority of votes is given in favour of one person.

Discussions and Resolutions Affecting Employees of the Council

37. If any question arises at a meeting of the Council or of a committee thereof
- (a) relating to the appointment, promotion, disposal, salary or conditions of service or as to the conduct of any persons represented by the Council, or
 - (b) relating to an identifiable individual, or
 - (c) which would be prejudicial to the public interest if discussed in public,
- a motion to exclude the press and public shall be moved forthwith by the Chairman and put without debate.

Resolutions on Expenditure

38. Any motion which if carried, would in the opinion of the Chairman, substantially increase the expenditure upon any service which is under the management of or reduce the revenue at the disposal of any committee, or which would involve capital expenditure, shall, when proposed and seconded, stand adjourned without discussion to the next ordinary meeting of the Council, and any committee affected by it shall consider whether it desires to report thereon.

Expenditure

39. Orders for the payment of money shall be authorised by resolution of the Council and signed by three members.

Sealing of Documents

40. (a) A document shall not be sealed on behalf of the Council unless its sealing has been authorised by a resolution
(b) The Chairman and Clerk may seal on behalf of the Council, any document required by law to be issued under seal.

Committees

41. The Council may at the Annual Meeting appoint standing committees and may at any other time appoint such other committees as are necessary, but subject to any statutory provision in that behalf:-
- (a) shall not appoint any member of a committee so as to hold office later than the next Annual meeting, and
 - (b) may at any time dissolve or alter the membership of a committee
42. The Chairman and Vice-Chairman shall be members of every committee
43. Every committee shall at its first meeting before proceeding to any other business, elect a Chairman and may elect a Vice-Chairman who shall hold office until the next Annual Meeting of the Council.
44. The Chairman of a committee or the Chairman of the Council may summon a special meeting of that committee at any time. A special meeting shall also be summoned on the requisition in writing of not less than a quarter of the members of the committee The summons shall set out the business to be considered at the special meeting and no other business shall be transacted at that meeting.
45. Every committee may appoint sub-committees for purposes to be specified by the committee.
46. The Chairman and Vice-Chairman of the committee shall be members of every subcommittee

appointed by it unless they signify that they do not wish to serve

47. Except where ordered by the Council in the case of a committee or by the Council or by the appropriate committee in the case of a sub-committee, the quorum of a committee or sub-committee shall be one-half of its members.
48. The Standing Orders on rules of debate (except those parts relating to standing and to speaking more than once) and the Standing Order on interests of members in contracts and other matters shall apply to committee and sub-committee meetings insofar as they are appropriate.

Voting in Committees

49. Members of committees and sub-committees shall vote by show of hands.
50. Chairman of committees and sub-committees shall have a second or casting vote

Presence of Non-Members of Committees at Committee Meetings

51. A member who has proposed a motion which has been referred to any committee of which he is not a member, may explain his motion to the committee but shall not vote 52 Any Council member shall, unless the Council otherwise orders, be entitled to be present as a spectator at the meetings of any committee or sub-committee of which he is not a member.

Financial Regulations

53. The Council will adopt Financial Regulations that govern the conduct of the financial transactions of the Council and may only be amended or varied by resolution of the Council.
54. It shall be the duty of the Council to review the Financial Regulations from time to time.

Interests

55. If any member has a personal or prejudicial interest in any matter to be discussed within the meaning of the Local Government Act 2000, then he/she is under obligation to declare that fact and, if the interest is prejudicial, to withdraw from the meeting room.
56. The Clerk shall maintain a register of interests declared by members of the Council which will be available at all meetings of the Council. The register shall be open during reasonable hours of the day for inspection by any member of the public.
57. 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 Clerk. A candidate who fails so to do shall be disqualified from such appointment, and, if appointed, may be dismissed without notice. The Clerk shall report to the Council or to the appropriate committee any such disclosure. Where relationship to a member is disclosed the Standing Orders on interests of members in contracts and other matters shall apply. The Clerk shall make known the purport of this Standing Order to every candidate.

Canvassing of and Recommendations by Members

58. (a) Canvassing of members or of any committee, directly or indirectly, for any appointment under the Council shall disqualify the candidate for such appointment The Clerk shall make known the purport of this sub-paragraph of this Standing Order to every candidate.
(b) A member of the Council shall not solicit for any person any appointment under the Council or recommend any person for such appointment or for promotion but, nevertheless, a member may give a written testimonial of a candidate's ability, experience or character for submission to the Council with an application for appointment.
59. Standing Orders No 57 and 58 shall apply to tenders as if the person making the tender were a candidate for an appointment.

Inspection of Documents

60. A member may for the purpose of his duty as such (but not otherwise) inspect any document in possession of the Council or a committee, and if copies are available shall, on request, be supplied for the like purpose with a copy
61. In accordance with the Freedom of Information Act 2000, the Council has published a scheme whereby members of the public may inspect specified documents and, on payment of the set charge, receive a copy of the same.

Unauthorised Activities

62. No member of the Council or of any committee or sub-committee shall in the name of or on behalf of the Council:
 - (a) inspect any lands or premises which the Council has a right or duty to inspect; or
 - (b) issue orders - unless authorised to do so by the Council or the relevant committee or sub-committee.

Admission of the Public and Press to Meetings

63. The public and the press shall be admitted to all meetings of the Council and its committees and sub-committees, which may, however, temporarily exclude the public or the press or both.
64. The Clerk shall afford to the press reasonable facilities for taking their report of any proceedings at which they are entitled to be present.
65. If a member of the public interrupts the proceedings at any meeting, the Chairman may, after warning, order that s/he be removed from the Council Chamber or that the part of the Chamber open to the public be cleared.

Confidential Business

66. No member of the Council or of any committee or sub-committee shall disclose to any person not a member of the Council any business declared to be confidential by the Council, the committee or the sub-committee as the case may be.

Planning Applications

67. The Clerk shall, as soon as it is received, record the following particulars of every planning application notified to the Council:
 - (i) the date on which it was received
 - (ii) the name of the applicant
 - (iii) the place to which it relates
 - (iv) a summary of the nature of the application.
68. The aforementioned information is recorded on hard copy and also on a computerised system. Once recorded an email is generated to all councillors providing information on the planning application and a link to the on-line planning application system at East Staffordshire Borough Council. Councillors can then view all the plans and supporting documents prior to the next Parish Council meeting.
69. Planning Applications will normally be considered in the course of regular meetings. However, where the time between the receipt of an application and its return, normally three weeks, prevents such discussion taking place then the Clerk will request that councillors respond to the aforementioned email with their comments. On receipt of this feedback the Clerk, s/he will prepare a response based on councillors' comments, discuss with the Chairman if there are any opposing views to be resolved, and then despatch it to the Planning Department of the Borough.

Variation, Revocation and Suspension of Standing Orders

70. Any one or more of the Standing Orders in any case of emergency or upon motion made or on notice duly given, may be suspended at any meeting so far as necessary, and business at such a meeting, provided that the majority of the members of the Council present or voting shall so decide.
71. A motion permanently to vary or revoke a Standing Order shall when proposed and seconded, stand adjourned without discussion to the next ordinary meeting of the Council.

Authority to Act between Meetings

72. At the beginning of each year, the Council may decide that executive powers be delegated to the clerk of the council for matters which require a decision before the next ordinary meeting. Under these powers the Clerk may, following consultation with the Chairman or Vice-Chairman of the Council or committee as appropriate, deal with urgent business. No such action may involve expenditure not already agreed in the budget or be in conflict with agreed Council policy. All actions taken under executive powers must be reported to the next meeting of the Council.

Standing Orders to be given to Members

73. A printed copy of these Standing Orders and the Financial Regulations shall be given to each member by the Clerk upon delivery to him of the member's declaration of acceptance of office.

Most recently amended: September 2012

APPENDIX A: Code of Conduct

The Council resolved to adopt the following code of conduct at the meeting on 25th July 2012, minute ref 99

The Ten General Principles

The general principles governing your conduct are set out below:

Selflessness

1. Councillors should serve only the public interest and should never improperly confer an advantage or disadvantage on any person.

Honesty and Integrity

2. Councillors should not place themselves in situations where their honesty and integrity may be questioned, should not behave improperly and should on all occasions avoid the appearance of such behaviour.

Objectivity

3. Councillors should make decisions on merit, including when making appointments, awarding contracts, or recommending individuals for rewards or benefits.

Accountability

4. Councillors should be accountable to the public for their actions and the manner in which they carry out their responsibilities, and should co-operate fully and honestly with any scrutiny appropriate to their particular office.

Openness

5. Councillors should be as open as possible about their actions and those of their authority, and should be prepared to give reasons for those actions.

Personal Judgement

6. Councillors may take account of the views of others, including their political groups, but should reach their own conclusions on the issues before them and act in accordance with those conclusions.

Respect for Others

7. Councillors should promote equality by not discriminating unlawfully against any person, and by treating people with respect, regardless of their race, age, religion, gender, sexual orientation or disability. They should respect the impartiality and integrity of the authority's statutory officers, and its other employees.

Duty to Uphold the Law

8. Councillors should uphold the law and, on all occasions, act in accordance with the trust that the public is entitled to place in them.

Stewardship

9. Councillors should do whatever they are able to do to ensure that their authorities use their resources prudently and in accordance with the law.

Leadership

10. Councillors should promote and support these principles by leadership, and by example, and should act in a way that secures or preserves public confidence.

Code of Conduct for Parish Councils

Introduction

Pursuant to section 27 of the Localism Act 2011, Abbots Bromley Parish Council ('the Council') has adopted this Code of Conduct to promote and maintain high standards of behaviour by its members and co-opted members whenever they conduct the business of the Council, including the business of the office to which they were elected or appointed, or when they claim to act or give the impression of acting as a representative of the Council.

This Code of Conduct is based on the principles of selflessness, integrity, objectivity, accountability, openness, honesty, and leadership.

Definitions

For the purposes of this Code, a 'co-opted member' is a person who is not a member of the Council but who is either a member of any committee or sub-committee of the Council, or a member of, and represents the Council on any joint committee or joint sub-committee of the Council, and who is entitled to vote on any question that falls to be decided at any meeting of that committee or sub-committee.

For the purposes of this Code, a 'meeting' is a meeting of the Council, any of its committees, sub-committees, joint committees or joint sub-committees.

For the purposes of this Code, and unless otherwise expressed, a reference to a member of the Council includes a co-opted member of the Council.

Member obligations

When a member of the Council acts, claims to act or gives the impression of acting as a representative of the Council, he/she has the following obligations.

1. He/she shall behave in such a way that a reasonable person would regard as respectful.
2. He/she shall not act in a way which a reasonable person would regard as bullying or intimidatory.
3. He/she shall not seek to improperly confer an advantage or disadvantage on any person.
4. He/she shall use the resources of the Council in accordance with its requirements.
5. He/she shall not disclose information which is confidential or where disclosure is prohibited by law.

Registration of interests

6. Within 28 days of this Code being adopted by the Council, or the member's election or the co-opted member's appointment (where that is later), he/she shall register with the Monitoring Officer the interests which fall within the categories set out in Appendices A(1) and (2).
7. Upon the re-election of a member or the re-appointment of a co-opted member, he/she shall within 28 days re-register with the Monitoring Officer any interests in Appendices A(1) and (2).
8. A member shall register with the Monitoring Officer any change to interests or new interests in Appendices A(1) and (2) within 28 days of becoming aware of it.
9. A member need only declare the existence but not the details of any interest which the Monitoring Officer agrees is a 'sensitive interest'. A sensitive interest is one which, if disclosed on a public register, could lead the member or a person connected with the member to be subject to violence or intimidation.

Declaration of interests at meetings

10. Where a matter arises at a meeting which relates to an interest in Appendix A(1) the member shall not participate in a discussion or vote on the matter. He/she only has to declare what his/her interest is if it is not already entered in the member's register of interests or if he/she has not notified the Monitoring Officer of it.
11. Where a matter arises at a meeting which relates to an interest in Appendix A(1) which is a sensitive interest, the member shall not participate in a discussion or vote on the matter. If it is a sensitive interest which has not already been disclosed to the Monitoring Officer, the member shall disclose he/she has an interest but not the nature of it.
12. Where a matter arises at a meeting which relates to an interest in Appendix A(1), the member shall not vote on the matter. He/she may speak on the matter only if members of the public are also allowed to speak at the meeting.
13. A member only has to declare his/her interest in Appendix A(2) if it is not already entered in his/her register of interests or he/she has not notified the Monitoring Officer of it or if he/she speaks on the matter. If he/she holds an interest in Appendix A(2) which is a sensitive interest not already disclosed to the Monitoring Officer, he/she shall declare the interest but not the nature of the interest.
14. Where a matter arises at a meeting which relates to a financial interest of a friend, relative or close associate (other than an interest in Appendix A(1)), the member shall disclose the nature of the interest and not vote on the matter. He/she may speak on the matter only if members of the public are also allowed to speak at the meeting. If it is a 'sensitive interest' the member shall declare the interest but not the nature of the interest.

Dispensations

15. On a written request made to the Council's proper officer, the Council may grant a member a dispensation to participate in a discussion and vote on a matter at a meeting even if he/she has an interest in Appendices A(1) and (2) if the Council believes that the number of members otherwise prohibited from taking part in the meeting would impede the transaction of the business; or it is in the interests of the inhabitants in the Council's area to allow the member to take part or it is otherwise appropriate to grant a dispensation.

Appendix A (1)

Interests described in the table below.

<i>Subject</i>	<i>Description</i>
Employment, office, trade, profession or vocation	Any employment, office, trade, profession or vocation carried on for profit or gain.
Sponsorship	This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992. Any payment or provision of any other financial benefit (other than from the Council) made to the member during the 12 month period ending on the latest date referred to in paragraph 6 above for expenses incurred by him/her in carrying out his/her duties as a member, or towards his/her election expenses.
Contracts	Any contract made between the member or his/her spouse or civil partner or the person with whom the member is living as if they were spouses/civil partners (or a firm in which such person is a partner, or an incorporated body of which such person is a director* or a body that such person has a beneficial interest in the securities of*) and the Council — (a) under which goods or services are to be provided or works are to be executed; and (b) which has not been fully discharged.

Land	Any beneficial interest in land which is within the area of the Council. 'Land' excludes an easement, servitude, interest or right in or over land which does not give the member or his/her spouse or civil partner or the person with whom the member is living as if they were spouses/civil partners (alone or jointly with another) a right to occupy or to receive income.
Licences	Any licence (alone or jointly with others) to occupy land in the area of the Council for a month or longer.
Corporate tenancies	Any tenancy where (to the member's knowledge)— (a) the landlord is the Council; and (b) the tenant is a body that the member, or his/her spouse or civil partner or the person with whom the member is living as if they were spouses/civil partners is a partner of or a director* of or has a beneficial interest in the securities* of.
Securities	Any beneficial interest in securities* of a body where— (a) that body (to the member's knowledge) has a place of business or land in the area of the Council; and (b) either— (i) the total nominal value of the securities* exceeds £25,000 or one hundredth of the total issued share capital of that body; or (ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the member, or his/her spouse or civil partner or the person with whom the member is living as if they were spouses/civil partners has a beneficial interest exceeds one hundredth of the total issued share capital of that class.

*'director' includes a member of the committee of management of an industrial and provident society.

*'securities' means shares, debentures, debenture stock, loan stock, bonds, units of a collective investment scheme within the meaning of the Financial Services and Markets Act 2000 and other securities of any description, other than money deposited with a building society.

Appendix A (2)

An interest which relates to or is likely to affect:

- (i) any body of which the member is in a position of general control or management and to which he/she is appointed or nominated by the Council;
- (ii) any body—
 - (a) exercising functions of a public nature;
 - (b) directed to charitable purposes; or
 - (c) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union)of which the member of the Council is a member or in a position of general control or management;
- (iii) any gifts or hospitality worth more than an estimated value of £50 which the member has received by virtue of his or her office.

APPENDIX B: Policies and Practices

This appendix records policies and practices, which, although they may not be required by law or formally defined in the Standing Orders, are considered by the Council to be useful statements that direct or support the effective running of meetings or other Council activities.

B1 Jubilee Cup

Each year the members of the Council will consider nominations for a recipient of the Jubilee Cup and make an award to a person from the parish who, in the opinion of the members, has made a significant contribution to the wellbeing of the parish. The Council will confirm the willingness of the proposed recipient to receive the award and the presentation will be made at the Annual Parish Assembly. Award of the cup will be recorded by the presentation of a framed certificate at the following Annual Parish Assembly.

B2 Working Groups

Although Committees and Sub-committees are permitted by Standing Orders, the normal practice of the Council will be to appoint informal Working Groups that will gather and analyse information but not take decisions. The findings and recommendations of Working Groups will be reported back to a meeting of the Council before any decision is made.

B3 Annual Parish Assembly

Minutes of the Annual Parish Assembly will be taken and produced in document form. They will only be distributed to members of the Council and any member of the public who specifically requests a copy. Minutes of the previous Assembly will not be read or reviewed at an Annual Parish Assembly.

B4 Anonymous Communications

No anonymous communication received by the Clerk or a member of the Council will be considered at a meeting. No action will be taken on any such communication unless the nature was such that ignoring it would be a breach of the law.

B5 Race Relations

The Council acknowledges the general duty placed on it by the Race Relations (Amendment) Act 2000. The Council will continue within its' functions and policies to have due regard to the need to eliminate discrimination, promote equality of opportunity and promote racial equality. (Resolution passed 30 April 2003 as minute 9)

B6 Grants

In general it is the policy of the Council to not provide revenue grants for qualifying organisations but to make one-off donations and capital grants to meet specific needs.

B7 Ten O'Clock Rule

When business is not completed by 10pm, any member present may ask that the Council consider adjourning part, or all, of the remaining business until the next meeting.

APPENDIX C: Protocol for Parish Councillor / Clerk Relations

The Council resolved to adopt this model protocol on 30 November 2005 (Minute 78).

- 1 A Parish Council is a Statutory Local Authority which usually employs a Clerk and may employ other Officers. Every appointment to paid employment must be on merit.
- 2 The Clerk is the Council's Proper Officer and Chief Executive. S/he should guard against inappropriate public statements, and, in particular, should not act in a party political capacity within the parish.
- 3 Officers must be politically neutral: they are employed by the Council, not by Committees or other individual Councillors. The political neutrality of Officers should be respected. They should not be asked to play any role or undertake any task that is likely to prejudice that neutrality.
- 4 All Members of the Council (Councillors) have a right of access to the Clerk (see also para. 10). Where a Member requires information, it will be provided if it is readily available, for example, in Council/Committee papers or material published on behalf of the Council. The Clerk is free to give advice on a confidential basis about procedural matters to any Member.
- 5 The Clerk must be free at all times to seek advice from the County Association of Local Councils and/or other appropriate bodies on matters concerning the proper exercise of his/her duties.
- 6 Councillors should recognise that, in order for Officers to carry out their duties properly, appropriate training and reference material are required.
- 7 Councillors and employees must understand that Council decisions can only be made by full Council, Committees or Clerks acting under delegated authority. The law does not allow for decisions relating to the discharge of any of the Council's functions to be taken by a Chairman or indeed by any other single Councillor. Councillors and employees must ensure that representations made to the Council on any matter during any stage of the formal decision making process should be directed to the Council or appropriate Committee via the Clerk.
- 8 Reports to Council and Committees should be written by the Clerk or another authorised Officer.
 - i) If the Chairman or another Member in exceptional circumstances is unhappy with its contents, it should not be amended by the Chairman or another Member, save with the express approval of the Clerk.
 - ii) In most cases, discussion between the Chairman and the Clerk will resolve any disagreement over a report; however if the Clerk's report is not regarded as appropriate by the Chairman, then exceptionally the Chairman should write his or her own report in addition to the report submitted by the Clerk. The Chairman should, under no circumstances, use undue pressure to persuade the Clerk to withdraw the original report.
- 9 Mutual respect between Officers and Councillors is essential to good local government. The Clerk may be closely related to a Councillor: they must be especially careful to ensure that their official dealings are open and transparent.
- 10 Where the Clerk works from home, Councillors must respect agreed practical arrangements for liaison with the Clerk.
- 11 In line with the Code of Conduct's reference to treating others with respect, it is important that any dealings between Councillors and Officers should observe reasonable standards of courtesy:
 - a) Neither party should seek to take unfair advantage of their position.
 - b) Employees, whether individually or collectively, should not be subject to attacks or criticism.

- c) Councillors should avoid naming individual employees, if at all possible, and neither Councillor nor employee should resort to the media to resolve a disagreement between them.
- 12 The Code of Conduct also requires the promotion of equality by not discriminating unlawfully against any person:
 - a) Council will regard as a serious offence actions by an employee or a Councillor which amount to work related bullying, harassment, discrimination against or victimisation of any employee or Councillor and particularly so where such action is on the grounds of race, gender or disability.
 - b) Bullying can take the form of shouting at an individual, making persistently negative attacks on an individual's personal or professional performance, criticising an individual in front of others, persistently setting objectives with impossible deadlines or unachievable tasks, excessive monitoring of an individual's performance or withholding information with the intent of deliberately affecting an individual's performance.
 - 13 Confidentiality is often vitally important, and must be respected by Councillors and Officers at all times. A breach of confidentiality may have serious implications for the individual Councillor/Officer who "leaks" the information.
 - 14 It is the duty of the Clerk to ensure that the work and responses of employees are conducive to and not undermining of, the foregoing general principles. They are entitled to expect Members to respect political restriction and the duties and limitations of employees.
 - 15 It is also the duty of the Clerk to arrange matters so that other employees properly understand the roles of Members and employees and the Council's required approaches to the relations between them. They are also entitled to expect Members to respect the degree of seniority of employees who are answerable to the Council via the Clerk and not an individual Councillor.
 - 16 Official correspondence on behalf of the Council should normally be sent out in the name of the appropriate Officer, rather than in the name of the Councillor. It may be appropriate in certain circumstances (eg. representations to a Government Minister, or on behalf of the Chairman in his/her Civic capacity) for a letter to appear in the name of the Councillor, but this should be the exception rather than the norm. Letters which for example, create obligations or give instructions on behalf of the Council, should never be sent out in the name of a Councillor.
 - 17 Complaints of alleged breaches of this protocol will be dealt with under the Council's Complaints Procedure. The Councillor concerned may be censured and/or reported to the Standards Board for breach of the Code of Conduct. The employee concerned may face disciplinary action.

Document History

Current issue

This issue of Standing Orders was prepared following discussions at the June and July 2012 Council meeting and incorporates the following changes

- Amendment to the planning applications process – item numbers 68 and 69
- Inclusion of replacement Appendix A, A(1) and A(2) containing the revised Model Code of Conduct for Parish Councils as adopted at the Council meeting in July 2012 (pursuant to section 27 of the Localism Act 2011) (minute ref 99)

Checked and approved at meeting on 25th January 2017 with no amendments made.

November 2007 issue

Proposed changes to Standing Orders were discussion at the November 2007 Council meeting and incorporated the following changes:

- Inclusion of replacement Appendix A containing the revised Model Code of Conduct for Parish Councils as adopted at the Council meeting in April 2007 (Minute 10)
- Revision of Appendix B item 1 to include the revised basis for an award of the Jubilee Cup as agreed at the June 2005 Council meeting (Minute 33.1)
- Addition of Appendix C to contain the Model Councillor/Clerk Protocol adopted by the Council at the November 2005 meeting (Minute 78)

The updated Standing Orders were adopted at the Council meeting on 30 January 2008.

March 2005 issue

Proposed changes to the Standing Orders were discussed at the February 2005 meeting and formally adopted in March. The changes were:

- Paragraph 68 was updated to reflect recent changes in the way that planning applications were processed between meetings.
- Following discussion at the previous Annual Meeting, paragraph 72 was amended to bring it in line with section 101 of the Local Government Act 1972.

October 2003 issue

Proposed changes to the Standing Orders were discussed at the September 2003 meeting and formally adopted in October. The changes were:

- Inclusion of new procedure to be followed with the Parish Assembly minutes
- Update to reflect the new code of conduct
- Paragraph 1 amended to reflect new meeting location at the Village Hall
- Appendix A added with Code of Conduct
- Appendix B added to record a number of working practices that were not formally part of the Standing Orders including:
 - Impact of the Race Relations amendment act
 - Procedure to be followed with the Parish Assembly minutes
 - Clerk to destroy all anonymous communications

ABBOTS BROMLEY PARISH COUNCIL
FINANCIAL REGULATIONS

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These Financial Regulations were adopted by the Council at its Meeting held on 29th October 2014.

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 orders¹ 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. A breach of these Regulations by an employee is gross misconduct.
- 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 Regulations².

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 records; 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 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 [**£5000**]; 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 for 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 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 statement of accounts, annual report, and any related documents of the council contained in the Annual 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.
- 3.2. The RFO must each year, by no later than December, 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 the relevant committee and the council.
- 3.3. 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.
- 3.4. The council shall fix the precept (council tax requirement), and relevant basic amount of council tax to be levied for the ensuing financial year not later than by the end of January each year. The RFO shall issue the precept to the billing authority and shall supply each member with a copy of the approved annual budget.
- 3.5. 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 [£5,000];
 - a duly delegated committee of the council for items over [£500]; or
 - the Clerk, in conjunction with Chairman of Council or Chairman of the appropriate committee, for any items below [£500].

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 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.
- 4.4. The salary budgets are to be reviewed at least annually in November for the following financial year and such review shall be evidenced by a hard copy schedule signed by the Clerk and the Chairman of Council or relevant committee. The RFO will inform 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 [£500]. 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 [£100] or [15%] of the budget.

- 4.9. Changes in earmarked reserves shall be approved by council as part of the budgetary control 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. [The council shall seek credit references in respect of members or employees who act as signatories].
- 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 payments (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 [or Finance Committee] 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 a list of such payments shall be submitted to the next appropriate meeting of council; or
 - c) fund transfers within the councils banking arrangements up to the sum of **[£10,000]**, provided that a list of such payments shall be submitted to the next appropriate meeting.
- 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 but not exclusively, Salaries, PAYE and NI, Superannuation Fund and regular maintenance contracts and the like for which council [,or a duly authorised committee,] 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 [or Finance Committee].
- 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 effected by cheque or other instructions to the council's bankers, or otherwise, in accordance with a resolution of council [or duly delegated committee].
- 6.4. Cheques or orders for payment drawn on the bank account in accordance with the schedule as presented to council or committee shall be signed by three members of council in accordance with a resolution instructing that payment. If a member who is also a bank signatory has declared a disclosable pecuniary interest, or has any other interest, in the matter in respect of which the payment is being made, that councillor shall be required to consider Standing Orders, and thereby determine whether it is appropriate and / or permissible to be a signatory to the transaction in question.
- 6.5. To indicate 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 three 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 three 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 three authorised bank 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 showing 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 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 hard copy authority for change signed by two members. 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 [and the RFO] and will also be restricted to a single transaction maximum value of [£500] unless authorised by council or finance committee 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 [Finance Committee]. Transactions and purchases made will be reported to the [council] [relevant committee] and authority for topping-up shall be at the discretion of the [council] [relevant committee].
- 6.20. Any corporate credit card or trade card account opened by the council will be specifically restricted to use by the Clerk [and RFO] and shall be subject to automatic payment in full at each month-end. Personal credit or debit cards of members or staff shall not be used under any circumstances.

- 6.21. The council will not maintain any form of cash float. All cash received must be banked intact. Any payments made in cash by the Clerk [or RFO] (for example for postage or minor stationery items) shall be refunded on a regular basis, at least quarterly.

OR

- 6.22. [The RFO may provide petty cash to officers for the purpose 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 [£250] 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 must 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. No changes shall be made to any employee's pay, emoluments, or terms and conditions of employment without the prior consent of the council.
- 7.4. 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) by any person authorised under Audit Commission Act 1998, or any superseding legislation.
- 7.5. 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.
- 7.6. An effective system of personal performance management should be maintained for the senior officers.
- 7.7. Any termination payments shall be supported by a clear business case and reported to the council. Termination payments shall only be authorised by council.
- 7.8. 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 by the council 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 (Instructions 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 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 instance, 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.
- 9.10. Any income arising which is the property of a charitable trust shall be paid into a charitable bank account. Instructions for the payment of funds due from the charitable trust to the council (to meet expenditure already incurred by the authority) will be given by the Managing Trustees of the charity meeting separately from any council meeting(see also Regulation 16 below).

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 than in an emergency provided that this regulation need not apply to contracts which relate to items (i) to (vi) below:
 - i. for the supply of gas, electricity, water, sewerage and telephone services;
 - ii. for specialist services such 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 £250 (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 it is intended to enter into a contract exceeding £5,000 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 shall invite tenders from at least three firms to be taken from the appropriate approved list.
- c. 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 the council.
- d. 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.
- e. 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.
- f. If less than three tenders are received for contracts above £5,000 or if all the tenders are identical the council may make such arrangements as it thinks fit for procuring the goods or materials or executing the works.
- g. Any invitation to tender issued under this regulation shall be subject to Standing Order 57, 58 and 59 and shall refer to the terms of the Bribery Act 2010.
- h. When it is to enter into a contract of less than £5000 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 £1,000 and above £100 the Clerk or RFO shall strive to obtain 3 estimates. Otherwise, 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.
- k. The European Union Procurement Directive shall apply and the terms of the Public Contracts Regulations 2006 and the Utilities Contracts Regulations 2006 including thresholds shall be followed.

12. PAYMENTS UNDER CONTRACTS FOR BUILDING OR OTHER CONSTRUCTION WORKS

- 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 movable property does not exceed £50.

- 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 the 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 matters such 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 Reg. 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 assessment (per Financial Regulation 17), the RFO shall effect all insurances and negotiate all claims on the council's insurers.
- 15.2. The Clerk shall give prompt notification to the RFO of all new risks, properties or vehicles which require to be insured and of any alterations affecting existing insurances.
- 15.3. The RFO shall keep a record of all insurances effected by the council and the property and risks covered thereby and annually review it.
- 15.4. 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.
- 15.5. 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 by the council.

16. CHARITIES

- 16.1. Where the council is sole managing trustee of a charitable body the Clerk and RFO shall ensure that separate accounts are kept of the funds held on charitable trusts

and separate financial reports made in such form as shall be appropriate, in accordance with Charity Law and legislation, or as determined by the Charity Commission. The Clerk and RFO shall arrange for any audit or independent examination as may be required by Charity Law or any Governing Document.

17. RISK MANAGEMENT

- 17.1. The council is responsible for putting in place arrangements for the management of risk. The Clerk and the RFO 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.
- 17.2. When considering any new activity, the Clerk and the RFO shall prepare a draft risk assessment including risk management proposals for consideration and adoption by the council.

18. SUSPENSION AND REVISION OF FINANCIAL REGULATIONS

- 18.1. 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.
- 18.2. The council may, by resolution of the council duly notified prior to the relevant meeting of 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.

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Reviewed at Parish Council meeting on 25th January 2017. No amendments made.

Abbots Bromley Parish Council

RISK ASSESSMENT AND MANAGEMENT

Area	Risk	Level	Control <i>(and agreed improvements)</i>
Assets	Protection of physical assets	M	Insurance in place. Register of assets maintained and regularly reviewed. Assets labelled where appropriate.
	Play equipment	M	To carry out weekly, monthly and annual inspections in line with best practice and to take appropriate remedial action following reports of any exceptional conditions.
	Trees	L	To carry out quinquennial inspections of trees either on Council property (or owned by the Council) and implement the recommendations received. Last inspection carried out in December 2009. Carried out October 2015.
	Inspection of assets	L	Carry out half-yearly inspections of other assets in public places to identify any new risks to users or public and then plan any required maintenance or remedial work.
	Maintenance of assets	L	Maintenance currently carried out on an ad hoc basis as needed. This is adequate for the type of assets owned.
Finance	Banking	M	Deposits held by Lloyds TSB are managed in accordance with Financial Regulations.
	Loss of cash through theft or dishonesty	L	Very little cash handled with all higher value transactions carried out by cheque or bank transfer. Fidelity insurance cover held to the value of £30,000. Continue to ensure that terms of fidelity insurance are met by appropriate financial regulations.
	Financial controls and records	M	Financial Regulations govern the overall operation of financial controls and records with verification by internal, independent internal and external audits.

Area	Risk	Level	Control <i>(and agreed improvements)</i>
Finance <i>(continued)</i>	Comply with Customs and Excise Regulations	H	Use help line when necessary. VAT payments and claims calculated by software and checked by Clerk. Additional verification by internal and external audits.
	Sound budgeting to underlie annual precept	M	Clerk and Finance Officer provide a detailed draft budget for review by the Council. This leads directly to the precept. Expenditure against budget reported to Council each month on monthly finance report.
	Complying with borrowing restrictions	L	No new borrowing likely at present
Liability	Risk to third party, property or individuals	M	Insurance in place. Open spaces checked regularly. Trees investigated when damage reported.
	Legal liability as consequence of asset ownership	H	Insurance in place. Weekly and monthly checks of playgrounds. Written records kept. Annual checks by appointed inspector of playgrounds.
Employer Liability	Comply with Employment Law	M	Sustain membership of NALC (through SPCA) to keep abreast of relevant changes in the law.
	Comply with HMRC requirements	M	Through the operation of PAYE, the Responsible Finance Officer will ensure that HMCR requirements are met and that any liabilities for tax and National Insurance are correctly calculated and discharged. The RFO operates the HMRC Real Time system.
	Insurance	M	Employer liability insurance is held as part of the Council cover.
Legal Liability	Ensuring activities are within legal powers	H	Clerk clarifies legal position on any new proposal. Legal advice to be sought from NALC (through SPCA) where necessary.

Area	Risk	Level	Control <i>(and agreed improvements)</i>
Legal liability (continued)	Proper and timely reporting via the Minutes	M	Council meetings operate in accordance with Standing Orders. The Council receives and approves Minutes of meetings. Minutes are made available to press and public via the web site.
	Proper document control	M	Leases and legal documents are held by the East Staffordshire Borough Solicitor on behalf of the Council with local copies available for reference. Maintain registration of the Council under the Data Protection Act.
Councillor propriety	Registers of Interests and gifts and hospitality in place	H	Register of interests completed. Gift and hospitality register is present at each Council meeting. Declaration of interests on the agenda at every meeting.
Continuity	Arrangements in place to ensure that Council is able to continue to deliver key services	M	Procedures are in place that would enable the duties of the Clerk to be carried out in unforeseen circumstances and a list of alternate grass cutting contractors is held. A memory stick with the last two years' files are passed to the Chairman each meeting to ensure duplicates are kept off site. Filing also kept in a fire proof cabinet.

- *Document checked and updated by clerk in November 2015 and to be presented at 25th November meeting.*
- *Document checked and approved at meeting on 25th January 2017*