

**ASHTON KEYNES PARISH COUNCIL STANDING ORDERS  
LOCAL GOVERNMENT ACT 1972  
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**ASHTON KEYNES PARISH COUNCIL**  
**STANDING ORDERS**  
**LOCAL GOVERNMENT ACT 1972**

**MEETINGS OF THE COUNCIL**

1. The Council shall hold an Annual Meeting in every year and at least three other meetings for the transaction of general business.
2. The Annual Meeting shall be held:
  - a) In an election year – within 14 days after the day of the election
  - b) In a year that is not an election year – it must be held in May (on a date to be decided by the Council)
3. The schedule of meetings to be held throughout each year will be decided at the Annual Meeting and may be varied subsequently by previous resolution of the Council.
4. The Chairman may convene an extraordinary meeting of the Council at any time and, in the absence of the Chairman, by the Vice Chairman; or by any two members after having requisitioned such a meeting and, if there is a refusal or omission by the Chairman to call such a meeting within seven days of the requisition.
5. At least three clear days before a meeting of the Council:
  - a) Notice of the time and place of the intended meeting shall be displayed on the Parish Council's Notice Board.
  - b) When members of the Council call a meeting, the notice shall be signed by those members and shall specify the business proposed to be transacted.
  - c) A summons to attend a meeting, specifying the business proposed to be transacted, shall be signed by the Clerk to the Council and delivered to every member of the Council at least three clear working days prior to the date of the meeting. Failure to serve a summons does not affect the validity of the meeting.
6. A meeting of the Council shall not be held in premises licensed for the sale of intoxicating liquor, except in cases where no other suitable room is available, either free of charge or at a reasonable cost.

## **CHAIRMAN OF MEETING**

7. The Chairman, if present, shall preside over the Council meeting, if absent, the Vice Chairman must preside. If both the Chairman and Vice Chairman are absent, the members must choose a Councillor to preside.
8. The person presiding at a meeting may exercise all the powers and duties of the Chairman in relation to the conduct of the meeting.

## **PROPER OFFICER**

9. The proper officer of the Council is the Clerk. The Responsible Financial Officer of the Council is the Clerk. Other duties and responsibilities of the Clerk are as laid down in the Conditions of Service Contract and Job Description.

Notwithstanding those duties and responsibilities, it shall be the duty of the Clerk to advise Members on the content and interpretation of these Standing Orders.

## **QUORUM**

10. At full Council meetings, a third of members shall constitute a quorum.
11. In the absence of a quorum at any meeting, consideration of the subject matter of the meeting shall be adjourned to a time fixed by the Chairman.

## **VOTING**

12. Members shall vote by show of hands unless the meeting decides otherwise.
13. Any Councillor may require the voting on any question to be recorded in the Minutes, to indicate how those present voted, and any abstentions.
14. The presiding Chairman may give an original vote on any matter put to the vote and, in the case of equality of votes, may give a casting vote, whether or not an original vote was given

## **ORDER OF BUSINESS**

15. In an election year, the newly elected Councillors should, unless they have already done so, deliver to the Clerk a 'Declaration of Acceptance of Office' in the prescribed form.

16. At each Annual Meeting, the first business shall be to:
  - a) Elect the Chairman of the Council. When the Chairman has been elected, he/she shall serve for a period of one year and shall be eligible for re-election the following year.
  - b) Receive the Chairman's 'Declaration of Acceptance of Office'.
  - c) Elect a Vice Chairman of the Council.
  - d) Appoint members of any Committees.
  - e) Appoint representatives to serve on outside bodies.
  - f) Review the pay and conditions of service of the Clerk.
17. At all other meetings, if the Chairman and Vice Chairman are absent, the first business shall be to appoint a Chairman. After the first business of any meeting has been completed, the order of business shall be as stated on an agenda paper.
18. A motion to vary the order of business on the grounds of urgency may be proposed by the Chairman or by any Member. If proposed by the Chairman, it may be put to the vote without being seconded and without discussion.

#### **PROPOSITIONS MOVED ON NOTICE**

19. Except as provided by these Standing Orders, no proposition may be moved unless the business to which it relates has been included on the Agenda.
20. Members may put an item or notice of proposition on the Agenda by giving the Clerk written notice of the item or proposition at least seven clear days prior to the meeting to which that Agenda item relates.
21. Every proposition, amendment or recommendation shall be relevant to some subject over which the Council has the power, or which affects its area.

#### **PROPOSITIONS MOVED WITHOUT NOTICE**

22. Propositions on procedural matters may be moved without notice, including those to vary the order of business on grounds of urgency or procedural efficiency. Such propositions shall be put to the vote without discussion.
23. Propositions 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 proceed to the next business.
- e) To close or adjourn a debate
- f) To refer a matter to a committee.
- g) To appoint a committee or any members thereof.
- h) To adopt a report.
- i) To authorise the sealing of documents.
- j) To amend a motion.
- k) To give leave to withdraw a motion or an amendment.
- l) To extend the time limit for speeches.
- m) To consider otherwise than in committee a question affecting an employee of the Council.
- n) To exclude the press.
- o) To exclude the public.
- p) To silence or eject from the meeting a member named for misconduct.
- q) To invite a member having an interest in the subject matter under debate to remain.
- r) To give the consent of the Council where such consent is required by these Standing Orders.
- s) To suspend any Standing Order.

## **PUBLIC QUESTIONS**

- 24. a) Questions from members of the public will be allowed at the beginning of each meeting. The period allowed for questions shall not exceed 15 minutes. Each individual questioner will be restricted to a total of 5 minutes for question and answer.
- b) Questions must be directed to the Chairman. Questions must relate to matters over which the Council has power or duties, or which affect the Parish.

- c) Questioners will be asked to stand and ask their question and the answer may take the form of:
  - i) A direct oral response or
  - ii) Where the reply cannot conveniently be given orally, a written answer will be provided to the questioner subsequent to the meeting.
  - iii) The Chairman's ruling is final as to whether a question will be answered either orally or in writing.
- d) Every question will be put and answered without discussion, although the questioner may be permitted to ask a supplementary question relating to that question.
- e) Questions will not be permitted that relate to the individual affairs of either the questioner or any other named person.
- f) Questions should relate to matters of policy or practice, i.e. matters of general interest, not individual.
- g) Questions may be submitted in writing. Written questions should be submitted to the Clerk to the Council and those received at least three days prior to the Council meeting will be more likely to receive a detailed reply. Written questions received prior to the Council meeting will be taken before oral questions.

#### **ATTENDANCE BY LOCAL AUTHORITY REPRESENTATIVES AND THE CONSTABULARY**

- 25. The representatives of the above bodies shall be allowed to speak at the discretion of the Chairman.

#### **RULES OF DEBATE**

- 26.
  - a) All remarks shall be addressed to the presiding Chairman.
  - b) No discussion shall take place on the Minutes of previous meetings except upon their accuracy. Corrections to the Minutes shall be made by proposition and must be initialled by the Chairman.
  - c) A proposition or amendment shall not be discussed unless it has been proposed and seconded and proper notice has already been given. If required by the Chairman, it shall be reduced to writing and handed to him before it is further discussed or put to the meeting.
  - d) An amendment shall be either to:
    - i) Leave out words
    - ii) Leave out words and insert or add other words
    - iii) Insert or add words

- e) An amendment shall not have the effect of negating the motion before the Council.
- f) If an amendment be carried, the motion, as amended, shall take the place of the original motion and shall become the motion upon which any further amendment may be moved.
- g) A further amendment shall not be moved until the Council has disposed of every amendment previously moved.
- h) A motion or amendment may be withdrawn by the proposer with the unanimous consent of the Council, which shall be signified without discussion. No member may speak upon it after permission has been asked for its withdrawal, unless such permission has been refused.
- i) A Member shall only be entitled to speak once on any motion or amendment, except as provided by these Standing Orders.
- j) A Member shall direct comments only to the question under discussion or to a personal explanation, or to a point of order.
- k) When a proposition is under debate, no other proposition shall be moved except the following:
  - i) To amend the proposition
  - 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 no further heard
  - vi) That a member named do leave the meeting
  - vii) That the proposition be referred to a committee
  - viii) To exclude the public or the press or both
  - ix) To adjourn the meeting
- l) The adjournment of a debate or of the Council shall not prejudice the mover's right of reply at the resumption.
- m) No speech by a mover of a proposition shall exceed five minutes and no other speech shall exceed two minutes except by consent of the Council.
- n) The mover of a proposition shall have the right to reply not exceeding one minute.
- o) The ruling of the Chairman on a point of order or on the admissibility of an item shall not be discussed.
- p) Whenever the Chairman rises to his/her feet during a debate, all other Members shall be seated and silent.

## **RIGHT OF REPLY**

27. The mover of a proposition shall have a right to reply immediately before the proposition 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 matter. After the right of reply has been exercised or waived, a vote shall be taken without further discussion.

## **ALTERATION OF PROPOSITION**

28. A member may, with the consent of his seconder, move amendments to his own proposition.

## **RESCISSION OF PREVIOUS PROPOSITION**

29. A decision of the council (whether affirmative or negative) shall not be reversed within six months except by a special proposition, the written notice of which must bear the names of at least nine members of the Council.
30. When a special proposition has been disposed of, no similar proposition may be moved within a further six months.
31. This Standing Order shall not apply to propositions moved in pursuance of the report or recommendations of a Committee.

## **VOTING ON APPOINTMENTS**

32. Where more than two persons have been nominated for any one 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. A fresh vote shall be taken and so on until a majority of votes is given in favour of one person.

## **SEALING OF DOCUMENTS**

33. A document shall not be sealed on behalf of the Council unless its sealing has been authorised by a proposition.

## **DISORDERLY CONDUCT**

34. 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 scandalize the Council or bring it into contempt or ridicule.

35. 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 member do leave the meeting. The motion, if seconded, shall be put forthwith and without discussion.
36. If either of the motions mentioned in paragraph 35 is disobeyed, the Chairman may suspend the meeting, or take such further steps as may reasonably be necessary to enforce them.

## **COMMITTEES AND SUB-COMMITTEES**

37. The Council may at the Annual Meeting appoint standing Committees and may at any other time appoint such other Committees as are necessary. The Council:
  - a) Shall provide Terms of Reference.
  - b) Shall not appoint any member of a Committee so as to hold office later than the next Annual Meeting.
  - c) May at any time abolish a Committee, change its membership and withdraw or alter the power delegated to it.
  - d) A Committee and a Sub-Committee may consist of persons who are not elected Councillors (known as co-opted members), but they have no voting rights.
38. The Chairman and Vice Chairman shall be ex-officio members of every Committee.
39. Every Committee shall at its first meeting, before proceeding to any business, elect a Chairman and a Vice Chairman, who shall hold office until the next Annual Meeting of the Council.
40. The Chairman of a Committee may summons 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.
41. Every Committee may appoint Sub-Committees for purposes to be specified by the Committee.
42. The Chairman and Vice Chairman of the Committee shall be members of every Sub-Committee appointed by it, unless they signify that they do not wish to serve.

43. Except where ordered by the Council, the quorum of a Committee shall be one third of its members.
44. The Standing Orders on rules of debate, and on interests of members in contracts and other matters, shall apply to Committee and Sub-Committee meetings insofar as they are appropriate.
45. The Minutes of a Committee meeting must be recorded and kept. The Minutes must be reported to the full Council for information only.

#### **ADVISORY COMMITTEES**

46. Advisory Committees, their composition and Terms of Reference may be formed by the Council when necessary.
47. The Clerk shall inform the members of each Advisory Committee of the Terms of Reference of the Committee.
48. An Advisory Committee may consist wholly of persons who are not members of the Council.
49. An Advisory Committee may make recommendations and give notice thereof to the Council.

#### **VOTING IN COMMITTEES**

50. Members of Committees and Sub-Committees shall vote by show of hands.
51. Chairmen of Committees and Sub-Committees shall have a second or casting vote.

#### **PRESENCE OF NON-MEMBERS OF COMMITTEES AT COMMITTEE MEETINGS**

52. A Council 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.
53. Unless the Council otherwise orders, any Council member shall be entitled to be present as a spectator at the meetings of any Committee or Sub-Committee of which he is not a member.

## **INTERESTS**

54. If any member has any pecuniary interest, direct or indirect, within the meaning of sections 94-95 of the Local Government Act 1972, in any contract, proposed contract or other matter, he shall declare that interest while it is under consideration by the Council. He shall withdraw from the meeting unless:
- a) The disability imposed upon him by those sections has been removed by the Council, or
  - b) The Council invite him to remain, or
  - c) The contract, proposed contract or other matter is under consideration as part of the report of a Committee and is not by itself the subject of the debate.
55. The Clerk shall record in a book to be kept for the purpose, particulars of any notice given by any member or any officer of the Council of a pecuniary, prejudicial or personal interest in any Agenda item.

## **ADMISSION OF THE PUBLIC AND PRESS TO MEETINGS**

56. The public and press shall be admitted to all meetings of the Council and its Committees and Sub-Committees. However, temporary exclusion of the public or the press, or both from these meetings, by means of the following proposition:

“That in view of the (special) (confidential) nature of the business about to be transacted, it is advisable in the public interest, that the

Press

Public

Public and Press

be temporarily excluded and they are instructed to withdraw”.

57. The Clerk shall afford to the press reasonable facilities for taking their report of any proceedings at which they are entitled to be present.

## **DISTURBANCE BY MEMBERS OF THE PUBLIC AT MEETINGS**

58. Any unauthorised interruption or intervention by the public during formal Council proceedings will be regarded as a disturbance. The instigator of such an occurrence will be warned. If the incident continues, the Chairman shall order his/her removal from the Council meeting.

## **UNAUTHORISED ACTIVITIES**

59. Unless authorised to do so by the Council, or the relevant Committee or Sub-Committee, no member shall, in the name of or on behalf of the Council:
- a) Inspect any lands or premises that the Council has a right or duty to inspect, or
  - b) Issue orders.

## **CONFIDENTIAL BUSINESS**

60. 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 Sub-Committee, as the case may be.

## **LIAISON WITH COUNTY AND DISTRICT COUNCILLORS**

61. A notice of a meeting may be sent, together with an invitation to attend, to the County Councillor for the Division and to the District Councillors or Councillors for the Ward.
62. Unless the Council otherwise orders, a copy of each letter ordered to be sent to the County or District Council shall be transmitted to the County Councillor for the Division or to the District Councillors for the Ward, as the case may be.

## **STANDING ORDERS ON CONTRACTS**

(This section should be read in conjunction with Paragraph 11 of the financial regulations.)

63. Where it is intended to enter into a contract exceeding £2,000, but not exceeding £5,000, in value for the supply of goods or materials, or for the execution of works, the Clerk shall give at least three weeks public notice of such intention, in the same manner as public notice of meetings of the Council is given.
64. Where the value of the intended contract exceeds £5,000, similar notice shall be given in addition to all firms included in the appropriate standing approved list of contractors maintained by the Council, or if no such list is maintained, then in such newspapers circulating in the district as the Council shall direct.
65. Notice of a contract exceeding £5,000 shall state the general nature of the intended contract and state the name and address of the person to whom tenders are to be addressed, and the last date by which those tenders should reach that person in ordinary course of post.

66. Tenders shall be opened by the Clerk, or other person to whom tenders are required to be addressed, on the date specified pursuant to paragraph 80. They shall be reported by the person who opened them to the Council or, where the tenders have been sought by a Committee or Sub-Committee, to that Committee or Sub-Committee.
67. Neither the Council nor any Committee or Sub-Committee is bound to accept the lowest tender.
68. If no tenders are received or if all tenders are identical, the Council may make such arrangements for procuring the goods or materials, or executing the works, as it thinks fit.

#### **VARIATION, REVOCATION AND SUSPENSION OF STANDING ORDERS**

69. Any part of the Standing Orders or Financial Regulations, except those printed in bold type, may be suspended by proposition in relation to any specific item of business.
70. A motion to vary permanently or revoke a Standing Order or Financial Regulation shall, when proposed and seconded, stand adjourned without discussion to the next ordinary meeting of the Council.

# **FINANCIAL REGULATIONS**

## **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. 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 financial control that facilitates the effective exercise of the Council's functions, including arrangements for the management of risk and for the prevention and detection of fraud and corruption. These financial regulations are designed to demonstrate how the Council meets these responsibilities.
- 1.2 The Responsible Financial Officer (RFO) is a statutory office and shall be appointed by the Council. The Clerk has been appointed as RFO and these regulations will apply accordingly. The RFO, acting under the policy direction of the Council, shall administer the Council's financial affairs in accordance with proper practices. The RFO shall determine on behalf of the Council its accounting records, and accounting control systems. The RFO shall ensure that the accounting control systems are observed and that the accounting records of the Council are maintained and kept up to date in accordance with proper practices.
- 1.3 The RFO shall produce financial management information as required by the Council.
- 1.4 At least once a year, prior to approving the annual return, the Council shall conduct a review of the effectiveness of its system of internal control that shall be in accordance with proper practices.
- 1.5 In these financial regulations, references to the Accounts and Audit Regulations shall mean the Regulations issued under the provisions of section 27 of the Audit Commission Act 1998 and then in force.
- 1.6 In these financial regulations the term 'proper practice' or 'proper practices' shall refer to guidance issued in Governance and Accountability in local Councils in England and Wales – a Practitioners' Guide that is published jointly by NALC and SLCC and updated from time to time.

## **2. ANNUAL ESTIMATES (BUDGET)**

- 2.1 Each Committee shall formulate and submit proposals to the Council in respect of revenue and capital including the use of reserves and sources of funding for the following financial year, not later than the end of November each year.
- 2.2 Detailed estimates of all receipts and payments including the use of reserves and all sources of funding for the year shall be prepared each year by the RFO in the form of a budget to be considered by the Council.

- 2.3 The Council shall review the budget not later than the end of January each year and shall fix the Precept to be levied for the ensuing financial year. The RFO shall issue the precept to the billing authority and shall supply each member with a copy of the approved budget.
- 2.4 The annual budgets shall form the basis of financial control for the ensuing year.
- 2.5 The Council shall consider the need for and shall have regard to a three year forecast of Revenue and Capital Receipts and Payments that may be prepared at the same time as the annual Budget.

### **3. BUDGETARY CONTROL**

- 3.1 Expenditure on revenue items may be incurred up to the amounts included for that class of expenditure in the approved budget.
- 3.2 No expenditure may be incurred that will exceed the amount provided in the revenue budget for that class of expenditure. 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.
- 3.3 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.
- 3.4 Unspent provisions in the revenue budget shall not be carried forward to a subsequent year unless placed in an earmarked reserve by resolution of the Council.
- 3.5 No expenditure shall be incurred 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, or the requisite borrowing approval has been obtained.
- 3.6 All capital works shall be administered in accordance with the Council's Standing Orders and financial regulations relating to contracts.

### **4. ACCOUNTING AND AUDIT**

- 4.1 All accounting procedures and financial records of the Council shall be determined by the RFO in accordance with the Accounts and Audit Regulations.
- 4.2 The RFO shall complete the annual financial statements of the Council, including the Council's annual return, as soon as practicable after the end of the financial year and shall submit them and report thereon to the Council.

- 4.3 The RFO shall complete the Accounts of the Council contained in the Annual Return (as supplied by the Auditor appointed from time to time by the Audit Commission) and shall submit the Annual Return for approval and authorisation by the Council within the timescales set by the Accounts and Audit Regulations.
- 4.4 The RFO shall ensure that there is adequate and effective system of internal audit of the Council's accounting, financial and other operations in accordance with proper practices. Any officer or member of the Council shall, if the RFO or Internal Auditor requires, make available such documents of the Council that appear to the RFO or Internal Auditor to be necessary for the purpose of the internal audit, and shall supply the RFO or Internal Auditor with such information and explanation as the RFO or Internal Auditor considers necessary for that purpose.
- 4.5 The Internal Auditor shall be appointed by and shall carry out the work required by the Council in accordance with proper practices. The Internal Auditor, who shall be competent and independent of the operations of the Council, shall report to Council in writing, or in person, on a regular basis with a minimum of one annual written report in respect of each financial year. In order to demonstrate objectivity and independence, the internal auditor shall be free from any conflicts of interest and have no involvement in the financial decision-making, management or control of the Council.
- 4.6 The RFO shall make arrangements for the opportunity for inspection of the accounts, books, and vouchers and for the display or publication of any Notices and statements of account required by Audit Commission Act 1998 and the Accounts and Audit Regulations.
- 4.7 The RFO shall, as soon as practicable, bring to the attention of all councillors any correspondence or report from the Internal or External Auditor, unless the correspondence is of a purely administrative matter.

## **5. BANKING ARRANGEMENTS AND CHEQUES**

- 5.1 The Council's banking arrangements, including the Bank Mandate, shall be made by the RFO and approved by the Council. They shall be regularly reviewed for efficiency.
- 5.2 A schedule of the payments required, forming part of the Agenda for the Meeting, shall be prepared by the RFO and, together with the relevant invoices, be presented to Council. If the schedule is in order, it shall be authorised by a proposition of the Council and shall be initialled by the Chairman of the Meeting. If more appropriate the detail may be shown in the Minutes of the Meeting.
- 5.3 Cheques drawn on the bank account in accordance with the schedule referred to in paragraph 5.2, or in accordance with paragraph 6.4, shall be signed by two members of Council.
- 5.4 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. PAYMENT OF ACCOUNTS**

- 6.1 All payments shall be effected by cheque or other order drawn on the Council's bankers.
- 6.2 All invoices for payment shall be examined, verified and certified by the Clerk. The Clerk shall satisfy himself that the work, goods or services to which the invoice relates shall have been received, carried out, examined and approved.
- 6.3 The RFO shall examine invoices in relation to arithmetic accuracy and shall analyse them to the appropriate expenditure heading. The Clerk shall take all steps to settle all invoices submitted and in order, at the next available Parish Council meeting.
- 6.4 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 certifies that there is no dispute or other reason to delay payment, the Clerk may, notwithstanding paragraph 6.3, take all steps necessary to settle such invoices provided that a list of such payments shall be submitted to the next appropriate meeting of Council.
- 6.5 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 (for example for postage or minor stationery items) shall be refunded on a regular basis, at least quarterly.
- 6.6 If thought appropriate by the Council, payment for utility supplies (energy, telephone and water) may be made by variable Direct Debit provided that two members sign the instructions and any payments are reported to Council as made. The approval of the use of a variable Direct Debit shall be renewed by proposition of the Council at least every two years.

## **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 salaries shall be as agreed by Council.
- 7.2 Payment of salaries and payment of deductions from salary, such as may be made for tax and national insurance, may be made in accordance with the payroll records and on the appropriate dates stipulated in employment contracts, provided that each payment is reported to and ratified by the next available Council meeting.

## **8. LOANS AND INVESTMENTS**

- 8.1 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.
- 8.2 The Council shall consider the need for an Investment Policy that, if drawn up, shall be in accordance with relevant regulations, proper practices and guidance. Any Policy shall be reviewed at least annually.
- 8.3 All investments of money under the control of the Council shall be in the name of the Council.
- 8.4 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 terms and conditions of borrowings shall be reviewed at least annually.
- 8.5 All investment certificates and other documents relating thereto shall be retained in the custody of the RFO.

## **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 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.

## **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 (I) below.
- 10.4 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 these regulations shall not apply to contracts that 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 that consists 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 that 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 shall act after consultation with the Chairman and Vice Chairman of Council;
  - (vi) for goods or materials proposed to be purchased that 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.
  - i. Any invitation to tender issued under this regulation shall contain a statement to the effect of Standing Orders 60 to 68.
  - ii. When it is to enter into a contract less than £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 or RFO shall obtain three quotations (priced descriptions of the proposed supply); where the value is below £5,000 and above £2,000 the Clerk shall strive to obtain three estimates. Otherwise, Regulation 10 (3) above shall apply.
  - iii. The Council shall not be obliged to accept the lowest or any tender, quote or estimate.

**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. ASSETS, PROPERTIES AND ESTATES**

- 13.1 The Clerk shall make appropriate arrangements for the custody of all title deeds of properties owned by the Council. The RFO shall ensure a record is maintained of all properties owned 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.
- 13.2 No property shall be 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.
- 13.3 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.

### **14. INSURANCE**

- 14.1 Following the annual risk assessment (per Financial Regulation 17), the RFO shall effect all insurances and negotiate all claims on the Council's insurers.
- 14.2 The RFO shall keep a record of all insurances effected by the Council and the property and risks covered thereby and annually review it.
- 14.3 The RFO shall be notified of any loss liability or damage or of any event likely to lead to a claim, and shall report these to Council at the next available meeting.
- 14.4 All appropriate employees of the Council shall be included in a suitable fidelity guarantee insurance that shall cover the maximum risk exposure as determined by the Council.

### **15. RISK MANAGEMENT**

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

**16. REVISION OF FINANCIAL REGULATIONS**

- 16.1 It shall be the duty of the Council to review the Financial Regulations of the Council from time to time. The Clerk shall make arrangements to monitor changes in legislation or proper practices and shall advise the Council of any requirement for a consequential amendment to these financial regulations.

**17. DISTRIBUTION OF STANDING ORDERS AND FINANCIAL REGULATIONS**

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