

24/5-157 Apologies

To receive and accept apologies where valid reasons for absence have been given to the Clerk prior to the meeting.

24/5-158 Declarations of Interest

To receive any declarations of interest in accordance with the requirements of the Localism Act 2011 and to consider any requests for dispensations in respects of pecuniary or nonpecuniary interests in Agenda items.

24/5-159 Minutes

To resolve to approve as a correct record the notes of the meetings of the Council held on 10th February 2025 and to authorise the Chair to sign the official minutes.

<https://holbeach.parish.lincolnshire.gov.uk/downloads/file/1420/2024-5-16-draftnotes-10th-february-2025>

24/5-160 Clerk

1. To receive a report from the Clerk

Report

To: *Members of Holbeach Parish Council –*

From: *Jan Hearsey: Parish Clerk*

Date: *14th April 2025*

Subject: *Clerk's report*

Following in from last month's meeting, I have tried to source a photo of the King however there are no more free ones. Framed ones can be purchased for "c" £140.00

The weekly newsletter is proving popular. The admin team have been extremely busy supporting the hard work of the Open Spaces team with topple testing.

The internal audit is underway and I am preparing the AGAR

2. Following the meeting of the 10th March 2025 not being quorate, I used my delegated powers as below to make payments as per the February payments list:

<https://holbeach.parish.lincolnshire.gov.uk/downloads/file/1450/2025-februarypayments-for-authorisation>

The Clerk/RFO (in conjunction with three councillors) can authorise payments or procure parts and services on pre-approved projects or day to day expenditure where budget provision has been made for such works. One of the three councillors should not be a signatory on the account. Requirements for obtaining quotes and tenders should be followed for the relevant procurement threshold.

3. To receive an update on vacancies

Vacancies

Town Ward = 7

Hurn Ward = 3

Drove Ward = 1

4. To resolve to agree to co-options as submitted

24/5-161 Finance & Admin Committee

1. To receive the report from the Chair of the Committee

2. To note the bank balances as at 28th February 2025
<https://holbeach.parish.lincolnshire.gov.uk/downloads/file/1451/2025-february-financial-statement>
3. To resolve to agree the review of payments for February 2025 of £21,086.35, and to note the income for February 2025 of £5,283.83
<https://holbeach.parish.lincolnshire.gov.uk/downloads/file/1450/2025-february-payments-for-authorisation>
4. To note the bank balances as at the 31st March 2025
<https://holbeach.parish.lincolnshire.gov.uk/downloads/file/1488/2025-march-financial-statement>
5. To resolve to agree the payments for March 2025 and to note the income for March 2025
<https://holbeach.parish.lincolnshire.gov.uk/downloads/file/1487/2025-march-payments-for-authorisation>
Income £11,026.26

6. To resolve to agree the Risk Assessment Policy as recommended by the Committee

HOLBEACH PARISH COUNCIL RISK MANAGEMENT

Risk Status Indications

The adopted risk management methodology uses a traffic light colour against each risk item to confirm its current status.

The colour coding is defined as follows:

- This identified risk is being effectively managed with adequate reviews, processes and/or documentation as appropriate.
- *As applicable, either*
 - This identified risk is being managed. However, there are aspects of risk management, which ought to be improved to achieve a green status. It is recognised that sometimes improvements may be difficult to achieve and remedial work may take time (e.g. a need for Councillor training).
 - or
 - This identified risk is not under adequate management. However, if this risk arises, it will have a minimal impact upon the Council. Whilst attempts can be made over time to improve the management of this risk, there may be occasions where the cost of mitigation is not warranted (e.g. holding spare parts or equipment).
- This identified risk, which has a serious potential impact upon the Council is not under adequate management. This represents a key risk, which will be highlighted to meetings of the Council until such time that it is adequately managed or mitigated. Certain key risks with a low probability may be entirely beyond the management control capability of the Council – such risks may retain a red status upon the agreement of Council.

HOLBEACH PARISH COUNCIL RISK MANAGEMENT

Mission Statement of Holbeach Parish Council:






































To provide services for, and manage and maintain the Council assets of, the Parish of Holbeach, within the resources provided by the annual precept and other incomes, taking into account the wishes of the residents and obtaining value for money.

| | Aim | Risk | Method used to Minimise Risk | Person(s) Responsible | Status ● ● ● |
|--|---|--|---|--|------------------------------|
| | 1. To ensure compliance with Acts of Parliament, other legislation, the Council's Standing Orders, Financial Regulations and Code of Conduct. <i>Including: Freedom of Information Data Protection</i> | a. Lack of knowledge of regulations and codes. b. Absence of Standing Orders c. Actions by the | Ensure that all Councillors have copies of or access to relevant information through LALC, copies of the adopted Code of Conduct, Financial Regulations and Standing Orders and a copy of the latest edition of the Good Councillors Guide. Highlight essential parts and provide specific training where possible. | Chair Clerk All councillors LALC Chair Clerk Chair Clerk | ● ● ● ● |

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| | <p><i>Child Protection</i> <i>Protection of vulnerable people</i> <i>Local government legislation</i> <i>Equality of opportunity</i> <i>Racial equality</i> <i>Disability legislation</i></p> | <p>Council outside its powers as set out by Parliament.</p> <p>d. Lack of commitment to regulations and procedures.</p> <p>e. Items purchased without proper tendering procedures, resulting in accusations of commercial favouritism.</p> <p>f. Payments made without prior approval and adequate control.</p> <p>g. Lack of control of signatories to cheques.</p> | <p>Ensure that Standing Orders are produced, understood by councillors, and reviewed at least once per year.</p> <p>As at 1a above, but ensure that, as necessary, powers are highlighted or extracted into an effective summary.</p> <p>Regular reference to appropriate regulations in agenda items. Appropriate delegation of responsibilities to councillors and committees. Compliance with appropriate procedures.</p> <p>Ensure that all councillors are aware of regulations regarding estimates and full tender procedures. Introduce practice of estimates for all purchases over an agreed figure.</p> <p>Ensure all payments are approved in accordance with the Financial Regulations and properly recorded. Avoid cash payments.</p> <p>Keep authorised signatories to a minimum but consistent with practicalities.</p> | <p>Chair All councillors Clerk</p> <p>Chair Clerk RFO/ Committees</p> <p>Clerk RFO</p> <p>Clerk RFO</p> | <p>●</p> <p>●</p> <p>●</p> |
| | <i>continues</i> | | | | |
| | Aim | Risk | Method used to Minimise Risk | Person(s) Responsible | Status ● ● ● |
| | <i>continued</i> | | | | |
| | <p>1. To ensure compliance with Acts of Parliament, other legislation, the Council's Standing Orders, Financial Regulations and Code of Conduct.</p> | <p>h. VAT not properly accounted for, resulting in over-claims and large demands from HMRC.</p> | <p>Ensure appropriate publications held and that Clerk/RFO has a good knowledge of regulations.</p> | <p>Clerk RFO</p> | <p>●</p> |
| | <p>2. To identify and regularly review the Council's priorities and risks.</p> | <p>a. Lack of knowledge of setting objectives, setting priorities, and identifying risks to their achievement.</p> <p>b. Lack of commitment by council members</p> <p>c. No risk analysis carried out.</p> <p>d. No steps taken to combat identified risks</p> <p>e. An inadequate complement of councillors to manage the business of the council</p> | <p>All councillors to be made aware of need for objectives and identification of risk. Attend training sessions and refresher training.</p> <p>Add risk assessment to agenda at least quarterly, reviewing particular items, and results against those items.</p> <p>As at 2a above. Ensure that completion of the risk assessment is given high priority, as a requirement of the Audit Commission</p> <p>As at 2b above.</p> <p>All councillors to strive to work in a constructive manner in accordance with the Code of Conduct and to welcome and encourage new councillors. All councillors to cooperate to share the workload.</p> | <p>Chair Clerk All Councillors</p> <p>Chair Clerk</p> <p>Chair All Councillors Clerk</p> <p>Chair All Councillors Clerk</p> <p>All Councillors Clerk SHDC</p> | <p>●</p> <p>●</p> <p>●</p> <p>●</p> <p>●</p> |
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| | Aim | Risk | Method used to Minimise Risk | Person(s) Responsible | Status ● ● ● |
| | <p>3. To influence</p> | <p>a. Lack of effective</p> | <p>Note all communication lines</p> | <p>Chair</p> | <p>●</p> |

| | | not in accordance with regulations. | All councillors to be aware of need to check regulations before commencing fund-raising activities. Effective financial management by RFO. | All Councillors Clerk RFO | |
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| Aim | | Risk | Method used to Minimise Risk | Person(s) Responsible | Status <div><div></div><div></div><div></div></div> |
| | 7. To ensure that the annual precept requirement results from an adequate budgetary process; progress against the budget is regularly monitored; and reserves are appropriate. | a. Lack of knowledge of budgetary process, and of Council regulations. | Ensure regulations are issued to all councillors. Place item on agenda early in year to remind councillors of budget process and actions required. Encourage councillor training. Delegate responsibility for managing the initial budgetary process to the RFO. | All Councillors RFO Clerk | <div><div></div><div></div><div></div></div> |
| | | b. Lack of commitment to budgetary process. | As at 7a above Involve all councillors in budgetary process, not solely the Clerk/RFO. | All Councillors Chair | <div><div></div><div></div><div></div></div> |
| | 7. To ensure that the annual precept requirement results from an adequate budgetary process; progress against the budget is regularly monitored; and reserves are appropriate. | c. Inadequate consideration of requirements for annual precept. | Place item on agenda early in year to remind councillors of budget process and actions required. Delegate responsibility for managing the initial budgetary process to the RFO. Start budget build in October well ahead of submission date. | All Councillors RFO Clerk | <div><div></div><div></div><div></div></div> |
| | | d. Calculation not in accordance with Council regulations. | | RFO Internal auditor | <div><div></div><div></div><div></div></div> |
| | | e. Inadequate internal controls with regard to monitoring expenditure. | Checks by two Councillors and Internal Auditor. Checks by RFO and Internal Auditor. | RFO Internal auditor All Councillors | <div><div></div><div></div><div></div></div> |
| | | f. Reserves too low or too high | Financial and budget progress reports to all Council meetings. The general reserve (not earmarked) to be at least 50% of typical annual income or as otherwise advised by the RFO / Internal auditor. The general reserve (not earmarked) not to exceed 75% of typical annual income or as otherwise advised by the RFO / Internal auditor. | RFO Clerk All Councillors | <div><div></div><div></div><div></div></div> |
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| | 8. To explore all possible sources of income, and ensure that expected income is fully received. <i>continues</i> | a. Lack of knowledge of possible sources of income e.g. grants. | Encourage training and conference attendance to gain experience of all grants available and application procedures. | Chair Clerk | <div><div></div><div></div><div></div></div> |
| | | b. Lack of commitment to pursue possible sources of income. | As at 8a above. | All Councillors Clerk | <div><div></div><div></div><div></div></div> |
| | | c. Maximise rental income | Charge appropriate rates. Market facilities. Review lettings potential of pavilions in longer terms (after restrictions potentially lapse) | Clerk/Chair | <div><div></div><div></div><div></div></div> |
| | | d. Receipts not banked or not banked promptly. | Regular checks by RFO and Council. Internal audit checks. | RFO Finance & Admin Committee Internal audit | <div><div></div><div></div><div></div></div> |
| | | e. Debts not pursued promptly. | As at 8c above. | RFO Finance & Admin Committee | <div><div></div><div></div><div></div></div> |
| | Aim | Risk | Method used to Minimise Risk | Person(s) Responsible | Status <div><div></div><div></div><div></div></div> |
| | <i>continued</i> | | | | |

| | 8. To explore all possible sources of income, and ensure that expected income is fully received. | f. VAT claims not made promptly or made incorrectly. | Ensure Clerk has appropriate and up-to-date VAT official publications. Regular checks by RFO. Internal audit checks. | RFO Finance & Admin Committee | ● |
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| Aim | | Risk | Method used to Minimise Risk | Person(s) Responsible | Status ● ● ● |
| | 9. To ensure that salaries paid to employees and amounts paid to contractors are paid in line with Council regulations and budget and statutory legislation. Ensure payments are adequately monitored. | a. Inappropriate rate of pay to employees. b. Tax and NI arrangements not in accordance with regulations. c. Amounts paid to contractors not in accordance with contract and inadequately monitored. | Ensure employee regulations are available and understood by Clerk. Checks by RFO. Internal audit checks. As at 1 above. Checks by RFO and internal audit. Monitoring of contract expenditure by the Finance & Admin Committee. | RFO Clerk Finance & Admin Committee Internal audit RFO Clerk Finance & Admin Committee Internal audit RFO Finance & Admin Committee Internal audit | ● ● ● |
| | 10. To ensure that year end accounts are prepared on the correct accounting basis, on time, and supported by an adequate audit trail. | a. Lack of knowledge of Council regulations and procedures. b. Late or non-submission of annual accounts. | Compliance with Financial Regulations and Standing Orders. Attend training seminars where available. Compliance with the instructions of the External auditor. RFO to monitor progress against timetable and report to Council meetings. | Clerk RFO All Councillors Clerk RFO Internal auditor All Councillors | ● ● |
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| Aim | | Risk | Method used to Minimise Risk | Person(s) Responsible | Status ● ● ● |
| | 10. To ensure that year end accounts are prepared on the correct accounting basis, on time, and supported by an adequate audit trail. | c. Year end accounts not prepared, inaccurate, or not in accordance with Council requirements. d. Inadequate audit trail from records to final accounts. | Checks by RFO. Internal audit checks. As at 10c above. | Clerk RFO Internal auditor All Councillors Clerk RFO Internal auditor All Councillors | ● ● |
| | 11. To identify, value, and maintain all the assets of the Parish Council, and ensure that asset and investment registers are complete, accurate and properly | a. Lack of knowledge of assets of Parish Council. b. Assets lost or misappropriated | Ascertain and record all significant assets for which Parish council is responsible. Create and maintain a permanent asset register. Establish who is responsible for security and maintenance | RFO Finance & Admin Committee RFO Finance & | ● ● |

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| | maintained. | c. Inadequate or inaccurate valuation of the council's assets. d. Asset register not established or inadequately maintained. | of each asset. Regular monitoring of location and use of assets by the Finance & Admin Committee. Arrange for periodic review of valuations and arrange for professional valuation where necessary. Internal audit checks. <i>[Note that the Annual Return now requires original asset values not current values.]</i> Create asset register in accordance with Audit Commission requirements. | Admin Committee RFO All Councillors RFO All Councillors |    |
| | Aim | Risk | Method used to Minimise Risk | Person(s) Responsible | Status    |
| | 12. To carry out adequate checks in respect of the safety, licensing and integrity of all Council buildings. | a. Lack of or inadequate programme of regular safety checks (fire safety, electrical safety, gas boilers, emergency lighting etc). b. Lack of or inadequate licensing of Council buildings (e.g. property licence, PRS music licence). c. Excessive utility bills caused by water leaks, excessive heating, electrical appliances unnecessarily left switched on. Property damage caused by leaks. d. Building safety hazards (e.g. trip hazards, faulty door closers, sharp projections, broken glass) e. Compromised building security (e.g. broken window) or integrity (e.g. leaking roof). f. Inadequate winter preparations causing freezing of pipes and water damage. g. Inappropriate heating of water causes a Legionella outbreak | Ensure that all necessary checks are properly performed by suitably accredited people in a timely manner in accordance with an agreed schedule. Ensure that hot water temperatures are not excessive. Ensure that all necessary licences are listed on a schedule and renewed in a timely manner. Regular property checks by the Clerk and other Officers. Regular monitoring of utility bills to assess consumption levels. Prompt attention to minor repairs and leaks. Regular property checks by Clerk and other Officers. Prompt attention to hazards/problems once identified. Prompt attention to issues raised by building users, Officers and contractors. As for 12d above As for 12d above As for 12d above Water heating to be in accordance with current advice to minimise the risk of a Legionella outbreak. Regular checks that settings are maintained at appropriate levels. | PPES Committee PPES Committee PPES Committee As for 12d above As for 12d above As for 12d above |                       |
| | Aim | Risk | Method used to Minimise Risk | Person(s) Responsible | Status    |
| | 13. To carry out adequate safety and integrity checks on the bowling green and the tennis courts. | a. Lack of or an inadequate programme of regular safety checks (e.g. trip hazards). b. Damage to the sports facility due to compromised security. | Regular checks by the Open Spaces team and other Officers. Prompt attention to hazards/problems once identified. Prompt attention to issues raised by facility users, Officers and contractors. Regular checks by the Open Spaces and other Officers. Prompt attention to problems once identified. Prompt attention to issues raised by facility users, Officers and contractors. | Open Spaces team Bowls Club Open Spaces Committee. Open Spaces team Bowls Club Open Spaces Committee. |       |

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| | 14. To carry out adequate safety checks on the public open space and street furniture owned by the Council. | a. The lack of or an inadequate programme of maintenance allows the persistence of safety hazards (e.g. trip hazards, dangerous trees, faulty gates, faulty seats, faulty bins etc). | Regular checks by the Open Spaces team, other Officers and Councillors. Prompt attention to hazards/problems once identified. Prompt attention to issues raised by all users. Engagement of suitable contractors to conduct ongoing maintenance works (including the periodic professional checking of trees). | Open Spaces team All Councillors Contractors Public users | ● |
| | 15. To carry out adequate safety checks on the children's play areas operated by the Council. | a. An inadequate programme of safety inspections and maintenance (or vandalism) results in an accident and/or an award of damages. b. The lack of or an inadequate programme of maintenance of the play equipment and the immediate area surrounding the play equipment allows the persistence of a safety hazard (e.g. trip hazard, sharp object, faulty gate). | Weekly safety inspections by Open Spaces team backed up by an annual inspection by an accredited playground inspector. Prompt attention to hazards/problems once identified. Ongoing maintenance. Professional specification and installation of equipment. An ongoing programme of equipment replacement as necessary. Regular checks by the Open Spaces team, other Officers and Councillors. Prompt attention to hazards/problems once identified. Prompt attention to issues raised by all users. Engagement of suitable contractors to conduct ongoing maintenance works. | Open Spaces team Playground Inspectors Open Spaces Committee Contractors Open Spaces team All Councillors Contractors Public users | ● ● |
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7. To resolve to agree the Reserves Policy as recommended by the Committee

| Reserves - HPC | | | | |
|----------------------------|--------------|--------------|--------------|--------------|
| Reserves | 2022/23 | 2023/24 | 2024/5 | 2025/6 |
| General reserve | £ 98,817.00 | £ 202,821.00 | £ 149,280.95 | £ 163,866.71 |
| Plant & Machinery fund | £ 2,000.00 | £ 2,000.00 | £ 4,000.00 | £ 6,000.00 |
| Elections | £ 6,000.00 | £ 6,000.00 | £ 7,000.00 | £ 7,500.00 |
| Slide | £ 15,000.00 | £ 1,945.00 | | |
| Playground fund | £ 3,000.00 | £ - | £ 5,000.00 | £ 8,000.00 |
| Property professional fees | £ 8,000.00 | £ 5,975.00 | £ 5,975.00 | £ 4,000.00 |
| Business rates | £ 1,000.00 | £ 1,000.00 | £ 1,000.00 | £ 1,000.00 |
| Council tax | £ 300.00 | £ 300.00 | £ 300.00 | £ 300.00 |
| Safe works | £ 1,000.00 | £ 483.00 | £ 1,000.00 | |
| HR | £ 14,000.00 | £ 14,000.00 | £ 20,000.00 | £ 10,000.00 |
| Property repairs | £ 800.00 | £ 800.00 | £ 10,000.00 | £ 4,000.00 |
| Contingency | £ 10,000.00 | £ 10,000.00 | £ 10,000.00 | |
| Windows Coubro | £ 5,500.00 | £ 355.00 | | |
| Chapels | | | £ 24,968.00 | £ 39,900.00 |
| Tree survey | | | £ 1,500.00 | |
| Tree work | | | | £ 9,800.00 |
| SID | | | £ 500.00 | £ 1,750.00 |
| Property project | | | | £ 50,000.00 |
| Cleaning | | | | £ 3,100.00 |
| Railings PR cemetery | | | | £ 5,000.00 |
| Camera | | | | £ 700.00 |
| Tractor shed | | | | £ 20,000.00 |
| Battlefields | | | | £ 12,000.00 |
| | £ 165,417.00 | £ 245,679.00 | £ 240,523.95 | £ 346,916.71 |

Reserves Policy

Introduction

Holbeach Parish Council (HPC) is required to maintain adequate Financial Reserves to meet the needs of the Parish Council. The purpose of this policy is to set out how the Parish Council will determine and review the level of Reserves. Sections 32 and 43 of the Local Government Finance Act 1992 require local authorities to have regard to the level of reserves needed for meeting estimated future expenditure when calculating the budget requirement. However, there is no specific minimum level of reserves that an authority should hold, and it is the responsibility of the Responsible Financial Officer to advise the Parish Council about the level of reserves to ensure that there are procedures for their establishment and use.

Types of Reserves:

Reserves may be categorised as General or Specific.

General Reserves:

General Reserves are funds which do not have any restrictions as to their use. These reserves cushion the impact of uneven cash flows, offset budget requirements, if necessary, or can be held in case of unexpected events or emergencies. **General reserves should represent six months of total expenditure.** Setting the level of General Reserves is agreed with the Annual Budget. **At the end of the Financial Year.**

Earmarked Reserves:

Earmarked Reserves are held for several reasons and shall only be used for the purpose for which they were created.

- Renewals – to enable services to plan and finance an effective program of equipment replacement and planned property maintenance. These reserves are a mechanism to smooth expenditure so that a sensible replacement program can be achieved without the need to vary budgets.
- Carry forward of underspend – expenditure committed to a project but not spent in the budget year. Reserves can be used as a mechanism to carry forward these resources.
- Developers Contributions – proceeds from developers that can only be used for specified purposes.
- Other Earmarked Reserves may be set up from time to time to meet known or predicted liabilities.

Any decision to set up an Earmarked Reserve must be made by the Parish Council, and these are to be reviewed annually **when the budget is agreed. In March**

Where the purpose of an Earmarked Reserve becomes obsolete, or where there is an over-provision of funds, the excess may, on the approval of the Parish Council, be transferred to other budget headings within the revenue budget or to General Reserves or to one or more other Earmarked Reserves.

Management and Control of Reserves:

Movements in Earmarked Reserves and General Reserves shall be reported to the Parish Council as part of the quarterly report and at monthly meetings if required. The use of Reserves shall be approved by the Parish Council. The level of General Reserves shall be reviewed on an annual basis during the annual budgetary review and agreed by the Parish Council. The minimum level of General Reserves shall be recommended to the Parish Council by the Responsible Financial Officer. This will form part of the recommendations for the Annual Budget and Precept request by the Parish Council. Earmarked Reserves shall be reviewed on an individual basis. This review will also be undertaken as part of the Annual Budgetary Review. Recommendations on creation, amendment, cessation, or continuation of Earmarked Reserves will be given by the Responsible Financial Officer to the Parish Council by way of a report forming part of the recommendations for the Annual Budget and Precept request by the Parish Council. Approval for the creation, amendment, cessation, or continuation of Earmarked Reserves will be given by the Parish Council.

Current level of Financial Reserves

Current level of Financial Reserves (At 1st April 2025) The current total level of Reserves is **£346,916.71** General Reserves of **£163,866.71** and **£183,050.00** in Earmarked Reserves.

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|----------------------------|-------------|
| General Reserves | £163,866.71 |
| Plant & Machinery Fund | £6,000 |
| Elections | £7,500 |
| Playground fund | £8,000 |
| Property professional fees | £4,000 |
| Business rates | £1,000 |
| Council Tax | £300 |
| Battlefields | £12,000 |
| HR | £10,000 |
| Property repairs | £4,000 |
| Cemetery Chapels | £39,900 |
| Property project | £50,000 |
| Tree work | £9,800 |
| SID | £1,750 |
| Cleaning | £3,100 |
| Railings PT cemetery | £5,000 |
| Camera | £700 |
| Tractor shed | £20,000 |

8. To resolve to agree the Financial Regulations Policy as recommended by the Committee

1.General

1.1 These Financial Regulations govern the financial management of the council and may only be amended or varied by resolution of the council. They are one of the council's governing documents and shall be observed in conjunction with the council's Standing Orders.

1.2 Councillors are expected to follow these regulations and not to entice employees to breach them. Failure to follow these regulations brings the office of councillor into disrepute.

1.3 Wilful breach of these regulations by an employee may result in disciplinary proceedings.

1.4 In these Financial Regulations:

- ‘Accounts and Audit Regulations’ means the regulations issued under Sections 32, 43(2) and 46 of the Local Audit and Accountability Act 2014, or any superseding legislation, and then in force, unless otherwise specified.
- “Approve” refers to an online action, allowing an electronic transaction to take place.
- “Authorise” refers to a decision by the council, or a committee or an officer, to allow something to happen.
- ‘Proper practices’ means those set out in The Practitioners’ Guide
- Practitioners’ Guide refers to the guide issued by the Joint Panel on Accountability and Governance (JPAG) and published by NALC in England or Governance and Accountability for Local Councils in Wales – A Practitioners Guide jointly published by One Voice Wales and the Society of Local Council Clerks in Wales.
- ‘Must’ and **bold text** refer to a statutory obligation the council cannot change.
- ‘Shall’ refers to a non-statutory instruction by the council to its members and staff.

1.5 The Responsible Financial Officer (RFO) holds a statutory office, appointed by the council. [The Clerk has been appointed as RFO and these regulations apply accordingly.] 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 control systems;
- ensures the accounting control systems are observed;
- ensures the accounting records are kept up to date;
- seeks economy, efficiency and effectiveness in the use of council resources; and
- produces financial management information as required by the council.

1.6 The council must not delegate any decision regarding:

- **setting the final budget or the precept (council tax requirement);**
- **the outcome of a review of the effectiveness of its internal controls**
- **approving accounting statements;**
- **approving an annual governance statement;**
- **borrowing;**
- **declaring eligibility for the General Power of Competence; and**
- **addressing recommendations from the internal or external auditors**

1.7 In addition, the council shall:

- determine and regularly review the bank mandate for all council bank accounts;
- authorise any grant or single commitment in excess of **£5,000**;

2. Risk management and internal control

2.1 The council must ensure that it has a sound system of internal control, which delivers effective financial, operational and risk management.

2.2 The Clerk/RFO shall prepare, for approval by the council, a risk management policy covering all activities of the council. This policy

and consequential risk management arrangements shall be reviewed by the council at **least quarterly**.

2.3 When considering any new activity, the Clerk/RFO shall prepare a draft risk assessment including risk management proposals for consideration by the council.

2.4 **At least once a year, the council must review the effectiveness of its system of internal control, before approving the Annual Governance Statement.**

2.5 **The accounting control systems determined by the RFO must include measures to:**

- **ensure that risk is appropriately managed;**
- **ensure the prompt, accurate recording of financial transactions;**
- **prevent and detect inaccuracy or fraud; and**
- **allow the reconstitution of any lost records;**
- **identify the duties of officers dealing with transactions and**
- **ensure division of responsibilities.**

2.6 At least **once in each quarter**, and at each financial year end, a member other than the **Chair or a cheque signatory** shall be appointed to verify bank reconciliations (for all accounts) produced by the RFO. The member shall sign and date the reconciliations and the original bank statements (or similar document) as evidence of this. This activity, including any exceptions, shall be reported to and noted by the council ~~{Finance Committee}~~.

2.7 Regular back-up copies shall be made of the records on any council computer and stored either online or in a separate location from the computer. The council shall put measures in place to ensure that the ability to access any council computer is not lost if an employee leaves or is incapacitated for any reason.

3. Accounts and audit

3.1 All accounting procedures and financial records of the council shall be determined by the RFO in accordance with the Accounts and Audit Regulations.

3.2 **The accounting records determined by the RFO must be sufficient to explain the council's transactions and to disclose its financial position with reasonably accuracy at any time. In particular, they must contain:**

- **day-to-day entries of all sums of money received and expended by the council and the matters to which they relate;**
- **a record of the assets and liabilities of the council;**

3.3 The accounting records shall be designed to facilitate the efficient preparation of the accounting statements in the Annual Governance and Accountability Return.

3.4 The RFO shall complete and certify the annual Accounting Statements of the council contained in the Annual Governance and Accountability Return in accordance with proper practices, as soon as practicable after the end of the financial year. Having certified the Accounting Statements, the RFO shall submit them (with any related documents) to the council, within the timescales required by the Accounts and Audit Regulations.

3.5 **The council must ensure that there is an adequate and effective system of internal audit of its accounting records and internal control system in accordance with proper practices.**

3.6 **Any officer or member of the council must make available such documents and records as the internal or external auditor consider 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.

3.7 The internal auditor shall be appointed by [the council] and shall carry out their work to evaluate the effectiveness of the council's risk management, control and governance processes in accordance with proper practices specified in the Practitioners' Guide.

3.8 The council shall ensure that the internal auditor:

- is competent and independent of the financial operations of the council;
- reports to council in writing, or in person, on a regular basis with a minimum of one written report during each financial year;
- can demonstrate competence, objectivity and independence, free from any actual or perceived conflicts of interest, including those arising from family relationships; and
- has no involvement in the management or control of the council

3.9 Internal or external auditors may not under any circumstances:

- perform any operational duties for the council;
- initiate or approve accounting transactions;
- provide financial, legal or other advice including in relation to any future 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.

3.10 For the avoidance of doubt, in relation to internal audit the terms 'independent' and 'independence' shall have the same meaning as described in The Practitioners Guide.

3.11 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 documents required by the Local Audit and Accountability Act 2014, or any superseding legislation, and the Accounts and Audit Regulations.

3.12 The RFO shall, without undue delay, bring to the attention of all councillors any correspondence or report from internal or external auditors.

4. Budget and precept

4.1 Before setting a precept, the council must calculate its council tax (England) requirement for each financial year by preparing and approving a budget, in accordance with The Local Government Finance Act 1992 or succeeding legislation.

4.2 Budgets for salaries and wages, including employer contributions shall be reviewed by the **HR, H & S and Data Protection Committee** at least annually in October for the following financial year and the final version shall be evidenced by a hard copy schedule signed by the Clerk and the Chair of the relevant committee. The RFO will inform committees of any salary implications before they consider their draft their budgets.

4.3 No later than **November** each year, the RFO shall prepare a draft budget with detailed estimates of all income and expenditure for the following financial year **{along with a forecast for the following [three financial years]}**, taking account of the lifespan of assets and cost implications of repair or replacement.

4.4 Unspent budgets for completed projects shall not be carried forward to a subsequent year. Unspent funds for partially completed projects may only be carried forward by placing them in an

earmarked reserve with the formal approval of the full council.

4.5 Each committee (shall review its draft budget and submit any proposed amendments to the finance committee not later than the end of November each year.

4.6 The draft budget with any committee proposals and three-year forecast, including any recommendations for the use or accumulation of reserves, shall be considered by the finance committee and a recommendation made to the council.

4.7 Having considered the proposed budget and three-year forecast, the council shall determine its Council tax (England) requirement by setting a budget. The council shall set a precept for this amount no later than the end of January for the ensuing financial year.

4.8 Any member with council tax unpaid for more than two months is prohibited from voting on the budget or precept by Section 106 of the Local Government Finance Act 1992 and must and must disclose at the start of the meeting that Section 106 applies to them.

4.9 The RFO shall issue the precept to the billing authority no later than the end of February and supply each member with a copy of the agreed annual budget.

4.10 The agreed budget provides a basis for monitoring progress during the year by comparing actual spending and income against what was planned.

4.11 Any addition to, or withdrawal from, any earmarked reserve shall be agreed by the relevant committee.

5 Procurement

5.1 Members and officers are responsible for obtaining value for money at all times. Any officer procuring goods, services or works should ensure, as far as practicable, that the best available terms are obtained, usually by obtaining prices from several suppliers.

5.2 The RFO should verify the lawful nature of any proposed purchase before it is made and in the case of new or infrequent purchases, should ensure that the legal power being used is reported to the meeting at which the order is authorised and also recorded in the minutes.

5.3 Every contract shall comply with these the council's Standing Orders and these Financial Regulations and no exceptions shall be made, except in an emergency.

5.4 For a contract for the supply of goods, services or works where the estimated value will exceed the thresholds set by Parliament, the full requirements of The Procurement Act 2023 & The Procurement Regulations 2024 or any superseding legislation ("the Legislation"), must be followed in respect of the tendering, award and notification of that contract.

5.5 Where the estimated value is below the Government threshold, the council shall (with the exception of items listed in paragraph 5.12) obtain prices as follows:

5.6 For contracts estimated to exceed **£5,000** including VAT, the Clerk/RFO shall advertise an open invitation for tenders in compliance with any relevant provisions of the Legislation. Tenders shall be invited in accordance with Appendix 1.

5.7 For contracts estimated to be over £30,000 including VAT, the council must comply with any requirements of the Legislation^{[\[1\]](#)} regarding the advertising of contract opportunities and the publication of notices about the award of contracts.

5.8 For contracts greater than £3,000 excluding VAT the Clerk/RFO shall seek at least 3 fixed-price quotes;

5.9 where the value is between £500 and £3,000 excluding VAT, the Clerk/RFO shall try to obtain 3 estimates {which might include evidence of online prices, or recent prices from regular suppliers.}

5.10 For smaller purchases, the clerk/RFO shall seek to achieve value for money.

5.11 Contracts must not be split into smaller lots to avoid compliance with these rules.

5.12 The requirement to obtain competitive prices in these regulations need not apply to contracts that relate to items (i) to (iv) below:

- i. specialist services, such as legal professionals acting in disputes;
- ii. repairs to, or parts for, existing machinery or equipment;
- iii. works, goods or services that constitute an extension of an existing contract;
- iv. goods or services that are only available from one supplier or are sold at a fixed price.

5.13 When applications are made to waive this financial regulation to enable a price to be negotiated without competition, the reason should be set out in a recommendation to the council. Avoidance of competition is not a valid reason.

5.14 The council shall not be obliged to accept the lowest or any tender, quote or estimate.

5.15 Individual purchases within an agreed budget for that type of expenditure may be authorised by:

- The Clerk, under delegated authority, for any items below £500 excluding VAT. For spending below £500 excluding VAT, a purchase order number must be obtained from the Clerk giving details of the supplier and products to be purchased. The relevant purchase order number must then appear on the invoice. Authorisation by the Clerk/RFO
- The Clerk, in consultation with two Councillors for any items below £2,000 and above £1,000 excluding VAT. *
- A duly delegated committee of the council for all items of expenditure within their delegated budgets for items under £5,000 excluding VAT
- the council for all items over £5,000;

*Such authority to be evidenced by an email from at least two Councillors and the Clerk.

Such authorisation must be supported by a minute (in the case of council or committee decisions) or other auditable evidence trail.

5.16 No individual member, or informal group of members may issue an official order or make any contract on behalf of the council.

5.17 No expenditure may be authorised that will exceed the budget for that type of expenditure other than by resolution of the council except in an emergency.

5.18 In cases of serious risk to the delivery of council services or to public safety on council premises, the clerk may authorise expenditure of up to £5,000 excluding VAT on repair, replacement or other work that in their judgement is necessary, whether or not there is any budget for such expenditure. The Clerk shall report such action to the Chair of Finance & Admin Committee as soon as possible and to the council as soon as practicable thereafter.

5.19 No expenditure shall be authorised, no contract entered into or

tender accepted in relation to any major project, unless the council is satisfied that the necessary funds are available and that where a loan is required, Government borrowing approval has been obtained first.

5.20 An official order or letter shall be issued for all work, goods and services above £50 excluding VAT unless a formal contract is to be prepared or an official order would be inappropriate. Copies of orders shall be retained, along with evidence of receipt of goods.

5.21 Any ordering system can be misused and access to them shall be controlled by the RFO.

6 Banking and payments

6.1 The council's banking arrangements, including the bank mandate, shall be made by the RFO and authorised by the council; banking arrangements shall not be delegated to a committee. The council has resolved to bank with Barclays Bank. The arrangements shall be reviewed annually for security and efficiency.

6.2 The council must have safe and efficient arrangements for making payments, to safeguard against the possibility of fraud or error. Wherever possible, more than one person should be involved in any payment, for example by dual online authorisation or dual cheque signing. Even where a purchase has been authorised, the payment must also be authorised and only authorised payments shall be approved or signed to allow the funds to leave the council's bank.

6.3 All invoices for payment should be examined for arithmetical accuracy, analysed to the appropriate expenditure heading and verified to confirm that the work, goods or services were received, checked and represent expenditure previously authorised by the council before being certified by the RFO. Where the certification of invoices is done as a batch, this shall include a statement by the RFO that all invoices listed have been 'examined, verified and certified' by the RFO.

6.4 Personal payments (including salaries, wages, expenses and any payment made in relation to the termination of employment) may be summarised to avoid disclosing any personal information.

6.5 All payments shall be made by online banking/cheque, in accordance with a resolution of the council or a delegated decision by an officer, unless the council resolves to use a different payment method.

6.6 For each financial year the RFO may draw up a schedule of regular payments due in relation to a continuing contract or obligation (such as Salaries, PAYE, National Insurance, pension contributions, rent, rates, regular maintenance contracts and similar items), which the council may authorise in advance for the year.

6.7 A copy of this schedule of regular payments shall be signed by two members on each and every occasion when payment is made - to reduce the risk of duplicate payments.

6.8 A list of such payments shall be reported to the next appropriate meeting of the council or Finance Committee for information only.

6.9 The Clerk/RFO shall have delegated authority to authorise payments only in the following circumstances:

- i. ~~any payments of up to £500 excluding VAT, within an agreed budget.~~
- ii. payments of up to £2,000 excluding VAT in cases of serious risk to the delivery of council services or to public safety on council premises.
- iii. any payment necessary to avoid a charge under the Late Payment of Commercial Debts (Interest) Act 1998 {or to comply with contractual terms}, where the due date for

payment is before the next scheduled meeting of the council, where the Clerk/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.

- iv. Fund transfers within the councils banking arrangements up to the sum of £50,000, provided that a list of such payments shall be submitted to the next appropriate meeting of finance committee.*

6.10 The RFO shall present a schedule of payments requiring authorisation, forming part of the agenda for the meeting, together with the relevant invoices, to the council. The council shall review the schedule for compliance and, having satisfied itself, shall authorise payment by resolution. The authorised schedule shall be initialled immediately below the last item by the person chairing the meeting. A detailed list of all payments shall be disclosed within or as an attachment to the minutes of that meeting.

7 Electronic payments

7.1 Where internet banking arrangements are made with any bank, the RFO shall be appointed as the Service Administrator. The bank mandate agreed by the council shall identify a number of councillors who will be authorised to approve transactions on those accounts and a minimum of two people will be involved in any online approval process. The Clerk may be an authorised signatory, but no signatory should be involved in approving any payment to themselves.

7.2 All authorised signatories shall have access to view the council's bank accounts online.

7.3 No employee or councillor shall disclose any PIN or password, relevant to the council or its banking, to anyone not authorised in writing by the council or a duly delegated committee.

7.4 The Service Administrator shall set up all items due for payment online. A list of payments for approval, together with copies of the relevant invoices, shall be sent by email to two authorised signatories.

7.5 In the prolonged absence of the Service Administrator an authorised signatory shall set up any payments due before the return of the Service Administrator.

7.6 Two councillors who are authorised signatories shall check the payment details against the invoices before approving each payment using the online banking system.

7.7 Evidence shall be retained showing which members approved the payment online and a printout of the transaction confirming that the payment has been made shall be appended to the invoice for audit purposes.

7.8 A full list of all payments made in a month shall be provided to the next council meeting and appended to the minutes.

7.9 With the approval of the council in each case, regular payments (such as gas, electricity, telephone, broadband, water, National Non-Domestic Rates, refuse collection, pension contributions and HMRC payments) may be made by variable direct debit, provided that the instructions are signed/approved online by two authorised members. The approval of the use of each variable direct debit shall be reviewed by the council at least every two years.

7.10 Payment may be made by BACS or CHAPS by resolution of the council provided that each payment is approved online by two authorised bank signatories, evidence is retained and any payments are reported to the council at the next meeting. The approval of the

use of BACS or CHAPS shall be renewed by resolution of the council at least every two years.

7.11 If thought appropriate by the council, regular payments of fixed sums may be made by banker's standing order, provided that the instructions are signed or approved online by two members, evidence of this is retained and any payments are reported to council when made. The approval of the use of a banker's standing order shall be reviewed by the council at least every two years.

7.12 Account details for suppliers may only be changed upon written notification by the supplier verified by the Clerk/RFO and a member. This is a potential area for fraud and the individuals involved should ensure that any change is genuine. Data held should be checked with suppliers every two years.

7.13 Members and officers shall ensure that any computer used for the council's financial business has adequate security, with anti-virus, anti-spyware and firewall software installed and regularly updated.

7.14 Remembered password facilities other than secure password stores requiring separate identity verification should not be used on any computer used for council banking.

8 Cheque payments

8.1 Cheques or orders for payment in accordance in accordance with a resolution or delegated decision shall be signed by two members and countersigned by the Clerk.

8.2 A signatory having a family or business relationship with the beneficiary of a payment shall not, under normal circumstances, be a signatory to that payment.

8.3 To indicate agreement of the details on the cheque with the counterfoil and the invoice or similar documentation, the signatories shall also initial the cheque counterfoil and invoice.

8.4 {Cheques or orders for payment shall not normally be presented for signature other than at, or immediately before or after a council {or committee} meeting}. Any signatures obtained away from council meetings shall be reported to the council {or Finance Committee} at the next convenient meeting.

9 Payment cards

9.1 Any corporate credit card or trade card account opened by the council will be specifically restricted to use by the Clerk/RFO} and any balance shall be paid in full each month.

9.2 A pre-paid debit card may be issued to employees with varying limits. These limits will be set by [the council]. Transactions and purchases made will be reported to [the council] and authority for topping-up shall be at the discretion of the Clerk/RFO.

9.2 Personal credit or debit cards of members or staff shall not be used under any circumstances. ~~OR {except for expenses of up to £250} including VAT, incurred in accordance with council policy.~~

10 Petty Cash

The council will not maintain any form of cash float. All cash received must be banked intact.

11 Payment of salaries and allowances

11.1 As an employer, the council must make arrangements to comply with the statutory requirements of PAYE legislation.

11.2 Councillors allowances (where paid) are also liable to deduction of tax under PAYE rules and must be taxed correctly before payment.

11.3 Salary rates shall be agreed by the duly delegated HR, H & S and Data Protection committee. No changes shall be made to any employee's gross pay, emoluments, or terms and conditions of employment without the prior consent of the HR, H & S and Data Protection committee.

11.4 Payment of salaries shall be made, after deduction of tax, national insurance, pension contributions and any similar statutory or discretionary deductions, on the dates stipulated in employment contracts.

11.5 Deductions from salary shall be paid to the relevant bodies within the required timescales, provided that each payment is reported, as set out in these regulations above.

11.6 Each payment to employees of net salary and to the appropriate creditor of the statutory and discretionary deductions shall be recorded in a payroll control account or other separate confidential record, with the total of such payments each calendar month reported in the cashbook. Payroll reports will be reviewed by the HR, H & S and Data Protection committee to ensure that the correct payments have been made.

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.*

11.7 Any termination payments shall be supported by a report to the council, setting out a clear business case. Termination payments shall only be authorised by the full council.

11.8 Before employing interim staff, the council must consider a full business case.

12 Loans and investments

12.1 Any application for Government approval to borrow money and subsequent arrangements for a loan must be authorised by the full council and recorded in the minutes. All borrowing shall be in the name of the council, after obtaining any necessary approval.

12.2 Any financial arrangement which does not require formal borrowing approval from the Secretary of State such as Hire Purchase, Leasing of tangible assets or loans to be repaid within the financial year must be authorised by the full council, following a written report on the value for money of the proposed transaction.

12.3 The council shall consider the requirement for an Investment Strategy and Policy in accordance with Statutory Guidance on Local Government Investments, which must be written in accordance with relevant regulations, proper practices and guidance. Any Strategy and Policy shall be reviewed by the council at least annually.

12.4 All investment of money under the control of the council shall be in the name of the council.

12.5 All investment certificates and other documents relating thereto shall be retained in the custody of the RFO.

12.6 Payments in respect of short term or long-term investments, including transfers between bank accounts held in the same bank, shall be made in accordance with these regulations.

13 Income

13.1 The collection of all sums due to the council shall be the responsibility of and under the supervision of the RFO.

13.2 The council will review all fees and charges for work done, services provided, or goods sold at least annually as part of the budget-setting process, following a report of the Clerk. The RFO shall be responsible for the collection of all amounts due to the council.

13.3 Any sums found to be irrecoverable and any bad debts shall be reported to the council by the RFO and shall be written off in the year. The council's approval shall be shown in the accounting records.

13.4 All sums received on behalf of the council shall be deposited intact with the council's bankers, with such frequency as the RFO considers necessary. The origin of each receipt shall clearly be recorded on the paying-in slip or other record.

13.5 Personal cheques shall not be cashed out of money held on behalf of the council.

13.6 The RFO shall ensure that VAT is correctly recorded in the council's accounting software and that any repayment claim under section 33 of the VAT Act 1994 shall be made {quarterly where the claim exceeds [£100] and} at least annually at the end of the financial year.

13.7 Where significant sums of cash are regularly received by the council, the RFO shall 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 record such as ticket issues, and that appropriate care is taken for the security and safety of individuals banking such cash.

13.8 Any income that 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.

14 Payments under contracts for building or other construction works

14.1 Where contracts provide for payment by instalments the RFO shall maintain a record of all such payments, which shall be made within the time specified in the contract based on signed certificates from the architect or other consultant engaged to supervise the works.

14.2 Any variation of, addition to or omission from a contract must be authorised by the Clerk to the contractor in writing, with the council being informed where the final cost is likely to exceed the contract sum by 5% or more, or likely to exceed the budget available.

15 Stores and equipment

~~15.1 The officer/employees in charge of each section shall be responsible for the care and custody of stores and equipment in that section.~~

15.2 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.

15.3 Stocks shall be kept at the minimum levels consistent with operational requirements.

15.4 The RFO shall be responsible for periodic checks of stocks and stores, at least annually.

16 Assets, properties and estates

16.1 The Clerk shall make arrangements for the safe custody of all title deeds and Land Registry Certificates of properties held by the council.

16.2 The RFO shall ensure that an appropriate and accurate Register of Assets and Investments is kept up to date, with a record of all properties held by the council, their 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.

16.3 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.

16.4 No interest in land 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. In each case a written report 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 where required by law).

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, except where the estimated value of any one item does not exceed £1,000. In each case a written report shall be provided to council with a full business case.

17 Insurance

17.1 The RFO shall keep a record of all insurances effected by the council and the property and risks covered, reviewing these annually before the renewal date in conjunction with the council's review of risk management.

17.2 The Clerk/RFO shall give prompt notification to the Finance & Admin Committee of all new risks, properties or vehicles which require to be insured and of any alterations affecting existing insurances.

17.3 The RFO shall be notified of any loss, liability, damage or event likely to lead to a claim, and shall report these to the council at the next available meeting. The Clerk/RFO shall negotiate all claims on the council's insurers.

17.4 All appropriate members and employees of the council shall be included in a suitable form of security or fidelity guarantee insurance which shall cover the maximum risk exposure as determined [annually] by the council, or duly delegated committee.

18 [Charities]

18.1 Where the council is sole managing trustee of a charitable body the Clerk/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/RFO shall arrange for any audit or independent examination as may be required by Charity Law or any Governing Document.

19 Suspension and revision of Financial Regulations

19.1 The council shall review these Financial Regulations annually and following any change of clerk or RFO. The Clerk shall monitor changes in legislation or proper practices and advise the council of any need to amend these Financial Regulations.

19.2 The council may, by resolution 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 presented to all members. Suspension does not disapply any legislation or permit the council to act unlawfully.

19.3 The council may temporarily amend these Financial Regulations by a duly notified resolution, to cope with periods of absence, local government reorganisation, national restrictions or other exceptional circumstances.

Appendix 1 - Tender process

- 1) Any 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.
- 2) The invitation shall in addition state that tenders must be addressed to the Clerk in the ordinary course of post, unless an electronic tendering process has been agreed by the council.
- 3) Where a postal process is used, 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. 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.
- 4) Where an electronic tendering process is used, the council shall use a specific email address that will be monitored to ensure that nobody accesses any tender before the expiry of the deadline for submission.
- 5) Any invitation to tender issued under this regulation shall be subject to Standing Order [insert reference of the council's relevant standing order] and shall refer to the terms of the Bribery Act 2010.
- 6) Where 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, 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.

9. To resolve to agree the Procurement Policy as recommended by the Committee

The new Financial Regulations cover all that is in the Procurement Policy so there is no need for a separate policy

10. To resolve to agree the Delegated powers of the Clerk

Updated to include the new Financial Regulations

Delegation To The Parish Clerk & RFO

The Clerk/RFO has the following delegated powers, which in their absences passes to the Deputy Clerk:

1. The Parish Clerk (or authorised assistant) shall be the proper officer for all proper officer functions
2. The Parish Clerk (or authorised assistant) shall carry out and implement any Council, committee, or sub-committee decision.
3. The Parish Clerk (or authorised assistant) may give instructions for the carrying out of routine maintenance and repair of the Council's property and land where budget provision has been made for such works.
4. The Parish Clerk (or authorised assistant) may take urgent

decisions on behalf of the Council following consultation with the relevant Committee or Chair/Vice-Chair. In the case of any financial implication / risk to the Parish Council, usually (but not confined to) a health & safety matter, the Parish clerk must comply with limits as authorised in adopted financial regulations, and report back to the next available meeting of the Council (either full Council or committee).

Payments:

- 1. To have a spend budget of £1,000 for work within the remit of the Council, where prior approval cannot be obtained from full council or Committee due to time constraints.*
- 2. To have an emergency spend budget above £1,000 up to £2,000 (authorised in conjunction with the two Councillors) for work within the remit of the Council, where prior approval cannot be obtained from full council or Committee due to time constraints.*
- 3. In cases of extreme risk to the delivery of council services, the clerk may authorise revenue expenditure on behalf of the council which in the clerk's judgement it is necessary to carry out. Such expenditure includes repair, replacement, or other work, whether or not there is any budgetary provision for the expenditure, subject to a limit of £5,000. The Clerk shall seek authorisation from two Councillors.*
- 4. To make arrangements to pay salaries and wages to all employees of the Council.*
- 5. To substitute alternative products/services where the originally agreed cannot be provided, subject to being no more than 10% above the original cost.*
- 6. To authorize payments if it 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/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.*
- 7. To authorize payments if it is an expenditure item authorised under 7.1 below (continuing contracts and obligations) provided that a list of such payments shall be submitted to the next appropriate meeting of council [or finance committee];*

7.1 For each financial year the Clerk/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, Pension Fund and regular maintenance contracts and the like for which council may authorise payment for the year provided that the requirements of financial 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

Meetings:

- 8. The Clerk (or authorised assistant) shall arrange and call meetings of the Council, its committees and sub-committees in consultation with the relevant chairman.*
- 9. To convene a meeting of the Council for the election of a new Chairman of the Council, occasioned by a casual vacancy in their office.*
- 10. To accept apologies from councilors and reasons given.*

Communication & Correspondence:

11. *To receive and send general correspondence and notices on behalf of the Council except where there is a resolution to the contrary.*
12. *The Clerk/RFO may respond to consultation documents received by the Council where no member has requested the matter be considered by a committee.*
13. *The Clerk is the press officer of the Council and can respond to questions from the press and members of the public and can put out press releases and post to social media as long as the information is factual and in line with Council policy and agreement.*

The Clerk/RFO has the following delegated powers, which in their absences passes to the Deputy Clerk, where the council cannot meet due to events beyond their control – a list of all decisions and payments made under these powers should be submitted to the next meeting of the Council for review and ratification.

14. *The Clerk/RFO (in conjunction with three councillors) can authorise payments or procure parts and services on pre-approved projects or day to day expenditure where budget provision has been made for such works. One of the three councillors should not be a signatory on the account. Requirements for obtaining quotes and tenders should be followed for the relevant procurement threshold.*
15. *In cases of extreme risk to the delivery of council services, or a health & safety matter, the clerk may authorise 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. The Clerk shall seek authorisation from two Councillors.*
16. *In cases of extreme risk to the delivery of council services, a health & safety matter, or for the carrying out of routine maintenance and repair of the Council's property and land where budget provision has been made for such works; the clerk may employ temporary staff or contactors within budgetary provision pre-approved by Council. Requirements for obtaining quotes and tenders should be followed for the relevant procurement threshold.*
17. *The Parish Clerk (or authorised assistant) may take urgent decisions on behalf of the Council following consultation with two councillors. In the case of any financial implication / risk to the Parish Council, usually (but not confined to) a health & safety matter, the Parish clerk must comply with limits as authorised in adopted financial regulations, and report back to the next available meeting of the Council (either full Council or committee).*
18. *To carry out the delegated powers and responsibilities of all committees in line with relevant council policies.*

11. To resolve to agree the budget to purchase a vehicle as per the recommendation of the Committee

The Committee resolved to agree to set a budget of £5,000 from the £6,000 EMR for plant & machinery

12. To review and resolve to agree the new Standing Orders

New NALC Standing Orders:

What will be changing?

There will be an updated Model Standing Order 18 further to the recent changes to procurement legislation and to ensure consistency with NALC's Model Financial Regulations. The

changes are to 18.a.v, 18.c, 18.d and 18.f of the 2022 version. Model Standing Order 14 has also been updated to better reflect Code of Conduct requirements. MSO 14.a-c have been removed.

It will also have changes to the language in the document so it uses gender-neutral terms. This is in line with NALC policy and the Civility and Respect project.

1. RULES OF DEBATE AT MEETINGS

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

amended since he last spoke;

iii. to make a point of order;

iv. to give a personal explanation; or

v. to exercise a right of reply.

a During the debate on a motion, a councillor may interrupt only on a point of order or a personal explanation and the councillor who was interrupted shall stop speaking. A councillor raising a point of order shall identify the standing order which he considers has been breached or specify the other irregularity in the proceedings of the meeting he is concerned by.

b A point of order shall be decided by the chair of the meeting and their decision shall be final.

c When a motion is under debate, no other motion shall be moved except:

i. to amend the motion;

ii. to proceed to the next business;

iii. to adjourn the debate;

iv. to put the motion to a vote;

v. to ask a person to be no longer heard or to leave the meeting;

vi. to refer a motion to a committee or sub-committee for consideration;

vii. to exclude the public and press;

viii. to adjourn the meeting; or

ix. to suspend particular standing order(s) excepting those which reflect mandatory statutory or legal requirements.

a Before an original or substantive motion is put to the vote, the chair of the meeting shall be satisfied that the motion has been sufficiently debated and that the mover of the motion under debate has exercised or waived their right of reply.

b Excluding motions moved under standing order 1(r), the contributions or speeches by a councillor shall relate only to the motion under discussion and shall not exceed 5 minutes without the consent of the chair of the meeting.

1. DISORDERLY CONDUCT AT MEETINGS

a No person shall obstruct the transaction of business at a meeting or behave offensively or improperly. If this standing order is ignored, the chair of the meeting shall request such person(s) to moderate or improve their conduct.

b If person(s) disregard the request of the chair of the meeting to moderate or improve their conduct, any councillor or the chairman of the meeting may move that the person be no longer heard or be excluded from the meeting. The motion, if seconded, shall be put to the vote without discussion.

c If a resolution made under standing order 2(b) is ignored, the chair of the meeting may take further reasonable steps to restore order or to progress the meeting. This may include temporarily suspending or closing the meeting.

1. MEETINGS GENERALLY

Full Council meetings ●
Committee meetings ●
Sub-committee meetings ●

- **a Meetings shall not take place in premises which at the time of the meeting are used for the supply of alcohol, unless no other premises are available free of charge or at a reasonable cost.**
- **b The minimum three clear days for notice of a meeting does not include the day on which notice was issued, the day of the meeting, a Sunday, a day of the Christmas break, a day of the Easter break or of a bank holiday or a day appointed for public thanksgiving or mourning.**
- **c The minimum three clear days' public notice for a meeting does not include the day on which the notice was issued or the day of the meeting unless the meeting is convened at shorter notice OR ~~[The minimum three clear days' public notice of a meeting does not include the day on which the notice was issued or the day of the meeting].~~**
- **d Meetings shall be open to the public unless their presence is prejudicial to the public interest by reason of the confidential nature of the business to be transacted or for other special reasons. The public's exclusion from part or all of a meeting shall be by a resolution which shall give reasons for the public's exclusion.**
- e Members of the public may make representations, answer questions and give evidence at a meeting which they are entitled to attend in respect of the business on the agenda.
- f The period of time designated for public participation at a meeting in accordance with standing order 3(e) shall not exceed 0 minutes unless directed by the chair of the meeting.
- g Subject to standing order 3(f), a member of the public shall not speak for more than 5 minutes.
- h In accordance with standing order 3(e), a question shall not require a response at the meeting nor start a debate on the question. The chair of the meeting may direct that a written or oral response be given.
- i ~~[A person shall stand when requesting to speak and when speaking (except when a person has a disability or is likely to suffer discomfort)] OR [A person shall raise their hand when requesting to speak and stand when speaking (except when a person has a disability or is likely to suffer discomfort)].~~ The chairman of the meeting may at any time permit a person to be seated when speaking.
- j A person who speaks at a meeting shall direct their comments to the chair of the meeting.
- k Only one person is permitted to speak at a time. If more than one person wants to speak, the chair of the meeting shall direct the order of speaking.

- ***l Subject to standing order 3(m), a person who attends a meeting is permitted to report on the meeting whilst the meeting is open to the public. To “report” means to film, photograph, make an audio recording of meeting proceedings, use any other means for enabling persons not present to see or hear the meeting as it takes place or later or to report or to provide oral or written commentary about the meeting so that the report or commentary is available as the meeting takes place or later to persons not present.***
- ***m A person present at a meeting may not provide an oral report or oral commentary about a meeting as it takes place without permission.***
- ***n The press shall be provided with reasonable facilities for the taking of their report of all or part of a meeting at which they are entitled to be present.***
- ***o Subject to standing orders which indicate otherwise, anything authorised or required to be done by, to or before the Chair of the Council may in their absence be done by, to or before the Vice-Chair of the Council (if there is one).***
- ***p The Chair of the Council, if present, shall preside at a meeting. If the Chair is absent from a meeting, the Vice-Chair of the Council (if there is one) if present, shall preside. If both the Chair and the Vice-Chair are absent from a meeting, a councillor as chosen by the councillors present at the meeting shall preside at the meeting.***
- ***q Subject to a meeting being quorate, all questions at a meeting shall be decided by a majority of the councillors and non-councillors with voting rights present and voting.***
- ***r The chair of a meeting may give an original vote on any matter put to the vote, and in the case of an equality of votes may exercise their casting vote whether or not he gave an original vote.***

See standing orders 5(h) and (i) for the different rules that apply in the election of the Chair of the Council at the annual meeting of the Council.

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

t The minutes of a meeting shall include an accurate record of the following:

- i. the time and place of the meeting;*
- ii. the names of councillors who are present and the names of councillors who are absent;*
- iii. interests that have been declared by councillors and non-councillors with voting rights;*
- iv. the grant of dispensations (if any) to councillors and non-councillors with voting rights;*
- v. whether a councillor or non-councillor with voting*

rights left the meeting when matters that they held interests in were being considered;

vi. if there was a public participation session; and

vii. the resolutions made.

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

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

- **w If a meeting is or becomes inquorate no business shall be transacted and the meeting shall be closed. The business on the agenda for the meeting shall be adjourned to another meeting.**

x A meeting shall not exceed a period of 2 hours.

2. COMMITTEES AND SUB-COMMITTEES

- a Unless the Council determines otherwise, a committee may appoint a sub-committee whose terms of reference and members shall be determined by the committee.**
- b The members of a committee may include non-councillors unless it is a committee which regulates and controls the finances of the Council.**
- c Unless the Council determines otherwise, all the members of an advisory committee and a sub-committee of the advisory committee may be non-councillors.**
- d The Council may appoint standing committees or other committees as may be necessary, and:**
 - i. shall determine their terms of reference;**
 - ii. shall determine the number and time of the ordinary meetings of a standing committee up until the date of the next annual meeting of the Council;**
 - iii. shall permit a committee, other than in respect of the ordinary meetings of a committee, to determine the number and time of its meetings;**
 - iv. shall, subject to standing orders 4(b) and (c), appoint and determine the terms of office of members of such a committee;**
 - v. may, subject to standing orders 4(b) and (c), appoint and determine the terms of office of the substitute members to a committee whose role is to replace the ordinary members at a meeting of a committee if the ordinary members of the committee confirm to the Proper Officer 2 days before the meeting that they are unable to attend;**
 - vi. shall, after it has appointed the members of a standing committee,**

- appoint the chair of the standing committee;*
- vii. *shall permit a committee other than a standing committee, to appoint its own chair at the first meeting of the committee;*
- viii. *shall determine the place, notice requirements and quorum for a meeting of a committee and a sub-committee which, in both cases, shall be no less than three;*
- ix. *shall determine if the public may participate at a meeting of a committee;*
- x. *shall determine if the public and press are permitted to attend the meetings of a sub-committee and also the advance public notice requirements, if any, required for the meetings of a sub-committee;*
- xi. *shall determine if the public may participate at a meeting of a sub-committee that they are permitted to attend; and*
- xii. *may dissolve a committee or a sub-committee.*

1. ORDINARY COUNCIL MEETINGS

- a In an election year, the annual meeting of the Council shall be held on or within 14 days following the day on which the councillors elected take office.***
- b In a year which is not an election year, the annual meeting of the Council shall be held on such day in May as the Council decides.***
- c If no other time is fixed, the annual meeting of the Council shall take place after 18:00, usually at 19:00.***
- d In addition to the annual meeting of the Council, at least three other ordinary meetings shall be held in each year on such dates and times as the Council decides.***
- e The first business conducted at the annual meeting of the Council shall be the election of the Chair and Vice-Chair (if there is one) of the Council.***
- f The Chair of the Council, unless he has resigned or becomes disqualified, shall continue in office and preside at the annual meeting until their successor is elected at the next annual meeting of the Council.***
- g The Vice-Chair of the Council, if there is one, unless he resigns or becomes disqualified, shall hold office until immediately after the election of the Chairman of the Council at the next annual meeting of the Council.***
- h In an election year, if the current Chair of the Council has not been re-elected as a member of the Council, he shall preside at the annual meeting until a successor Chair of the Council has been elected. The current Chair of the Council shall not have an original vote in respect of the election of the new Chair of the Council but shall give a casting vote in the case of an equality of votes.***
- i In an election year, if the current Chair of the Council has been re-elected as a member of the Council, he shall preside at the annual meeting until a new Chair of the Council has been elected. He may exercise an original vote in respect of the election of the new Chair of the Council and shall give a casting vote in the case of an equality of votes.***
- j Following the election of the Chair of the Council and Vice-Chair (if there is one) of the Council at the annual meeting, the business shall***

include:

- i. In an election year, delivery by the Chair of the Council and councillors of their acceptance of office forms unless the Council resolves for this to be done at a later date. In a year which is not an election year, delivery by the Chair of the Council of their acceptance of office form unless the Council resolves for this to be done at a later date;*
- ii. Confirmation of the accuracy of the minutes of the last meeting of the Council;*
- iii. Receipt of the minutes of the last meeting of a committee;*
- iv. Consideration of the recommendations made by a committee;*
- v. Review of delegation arrangements to committees, sub-committees, staff and other local authorities;*
- vi. Review of the terms of reference for committees;*
- vii. Appointment of members to existing committees;*
- viii. Appointment of any new committees in accordance with standing order 4;*
- ix. Review and adoption of appropriate standing orders and financial regulations;*
- x. Review of arrangements (including legal agreements) with other local authorities, not-for-profit bodies and businesses.*
- xi. Review of representation on or work with external bodies and arrangements for reporting back;*
- xii. In an election year, to make arrangements with a view to the Council becoming eligible to exercise the general power of competence in the future;*
- xiii. Review of inventory of land and other assets including buildings and office equipment;*
- xiv. Confirmation of arrangements for insurance cover in respect of all insurable risks;*
- xv. Review of the Council's and/or staff subscriptions to other bodies;*
- xvi. Review of the Council's complaints procedure;*
- xvii. Review of the Council's policies, procedures and practices in respect of its obligations under freedom of information and data protection legislation (see also standing orders 11, 20 and 21);*
- xviii. Review of the Council's policy for dealing with the press/media;*
- xix. Review of the Council's employment policies and procedures;*
- xx. Review of the Council's expenditure incurred under s.137 of the Local Government Act 1972 or the general power of competence.*
- xxi. Determining the time and place of ordinary meetings of the Council up to and including the next annual meeting of the Council.*

1. EXTRAORDINARY MEETINGS OF THE COUNCIL, COMMITTEES AND

SUB-COMMITTEES

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

1. PREVIOUS RESOLUTIONS

- a A resolution shall not be reversed within six months except either by a special motion, which requires written notice by at least **two** councillors to be given to the Proper Officer in accordance with standing order 9, or by a motion moved in pursuance of the recommendation of a committee ~~or a sub-committee~~.*
- b When a motion moved pursuant to standing order 7(a) has been disposed of, no similar motion may be moved for a further six months.*

1. VOTING ON APPOINTMENTS

- a Where more than two persons have been nominated for a position to be filled by the Council and none of those persons has received an absolute majority of votes in their favour, the name of the person having the least number of votes shall be struck off the list and a fresh vote taken. This process shall continue until a majority of votes is given in favour of one person. A tie in votes may be settled by the casting vote exercisable by the chair of the meeting.*

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

- a A motion shall relate to the responsibilities of the meeting for which it is tabled and in any event shall relate to the performance of the Council's statutory functions, powers and obligations or an issue which specifically affects the Council's area or its residents.*
- b No motion may be moved at a meeting unless it is on the agenda and the mover has given written notice of its wording to the Proper Officer at least **seven** clear days before the meeting. Clear days do not include the day of the notice or the day of the meeting.*

- c The Proper Officer may, before including a motion on the agenda received in accordance with standing order 9(b), correct obvious grammatical or typographical errors in the wording of the motion.*
- d If the Proper Officer considers the wording of a motion received in accordance with standing order 9(b) is not clear in meaning, the motion shall be rejected until the mover of the motion resubmits it, so that it can be understood, in writing, to the Proper Officer at least **seven** clear days before the meeting.*
- e If the wording or subject of a proposed motion is considered improper, the Proper Officer shall consult with the chair of the forthcoming meeting or, as the case may be, the councillors who have convened the meeting, to consider whether the motion shall be included in the agenda or rejected.*
- f The decision of the Proper Officer as to whether or not to include the motion on the agenda shall be final.*
- g Motions received shall be recorded and numbered in the order that they are received.*
- h Motions rejected shall be recorded with an explanation by the Proper Officer of the reason for rejection.*

1. MOTIONS AT A MEETING THAT DO NOT REQUIRE WRITTEN NOTICE

- a The following motions may be moved at a meeting without written notice to the Proper Officer:*
 - i. to correct an inaccuracy in the draft minutes of a meeting;*
 - ii. to move to a vote;*
 - iii. to defer consideration of a motion;*
 - iv. to refer a motion to a particular committee or sub-committee;*
 - v. to appoint a person to preside at a meeting;*
 - vi. to change the order of business on the agenda;*
 - vii. to proceed to the next business on the agenda;*
 - viii. to require a written report;*
 - ix. to appoint a committee or sub-committee and their members;*
 - x. to extend the time limits for speaking;*
 - xi. to exclude the press and public from a meeting in respect of confidential or other information which is prejudicial to the public interest;*
 - xii. to not hear further from a councillor or a member of the public;*
 - xiii. to exclude a councillor or member of the public for disorderly conduct;*
 - xiv. to temporarily suspend the meeting;*
 - xv. to suspend a particular standing order (unless it reflects mandatory statutory or legal requirements);*
 - xvi. to adjourn the meeting; or*
 - xvii. to close the meeting.*

1. MANAGEMENT OF INFORMATION

See also standing order 20.

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

1. DRAFT MINUTES

Full Council meetings ●
Committee meetings ●
Sub-committee meetings ●

a If the draft minutes of a preceding meeting have been served on councillors with the agenda to attend the meeting at which they are due to be approved for accuracy, they shall be taken as read.

b There shall be no discussion about the draft minutes of a preceding meeting except in relation to their accuracy. A motion to correct an inaccuracy in the draft minutes shall be moved in accordance with standing order 10(a)(i).

c The accuracy of draft minutes, including any amendment(s) made to them, shall be confirmed by resolution and shall be signed by the chair of the meeting and stand as an accurate record of the meeting to which the minutes relate.

d If the chair of the meeting does not consider the minutes to be an accurate record of the meeting to which they relate, he shall sign the minutes and include a paragraph in the following terms or to the same effect:

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

- e ***If the Council's gross annual income or expenditure (whichever is higher) does not exceed £25,000, it shall publish draft minutes on a website which is publicly***
-
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accessible and free of charge not later than one month after the meeting has taken place.

fSubject to the publication of draft minutes in accordance with standing order 12(e) and standing order 20(a) and following a resolution which confirms the accuracy of the minutes of a meeting, the draft minutes or recordings of the meeting for which approved minutes exist shall be destroyed.

2. CODE OF CONDUCT AND DISPENSATIONS

See also standing order 3(u).

- a All councillors and non-councillors with voting rights shall observe the code of conduct adopted by the Council.*
- b Unless they have been granted a dispensation, a councillor or non-councillor with voting rights shall **not** withdraw from a meeting when it is considering a matter in which he has a disclosable pecuniary interest. ~~They may return to the meeting after it has considered the matter in which he had the interest.~~*
- c Unless they have been granted a dispensation, a councillor or non-councillor with voting rights shall **is not required** withdraw from a meeting when it is considering a matter in which he has another interest if so required by the Council's code of conduct. ~~They may return to the meeting after it has considered the matter in which they had the interest.~~*
- d **Dispensation requests shall be in writing and submitted to the Proper Officer** as soon as possible before the meeting, or failing that, at the start of the meeting for which the dispensation is required.*
- e A decision as to whether to grant a dispensation shall be made by the Proper Officer ~~OR [by a meeting of the Council, or committee or sub-committee for which the dispensation is required]~~ and that decision is final.*
- f A dispensation request shall confirm:*
 - i. the description and the nature of the disclosable pecuniary interest or other interest to which the request for the dispensation relates;*
 - ii. whether the dispensation is required to participate at a meeting in a discussion only or a discussion and a vote;*
 - iii. the date of the meeting or the period (not exceeding four years) for which the dispensation is sought; and*
 - iv. an explanation as to why the dispensation is sought.*
- g Subject to standing orders 13(d) and (f), a dispensation request shall be considered by the Proper Officer before the meeting or, if this is*

not possible, at the start of the meeting for which the dispensation is required] ~~OR [at the beginning of the meeting of the Council, or committee or sub-committee for which the dispensation is required].~~

h A dispensation may be granted in accordance with standing order 13(e) if having regard to all relevant circumstances any of the following apply:

- i. without the dispensation the number of persons prohibited from participating in the particular business would be so great a proportion of the meeting transacting the business as to impede the transaction of the business;**
- ii. granting the dispensation is in the interests of persons living in the Council's area; or**
- iii. it is otherwise appropriate to grant a dispensation.**

1. CODE OF CONDUCT COMPLAINTS

a Upon notification by the Principal Council that a councillor or non-councillor with voting rights has breached the Council's code of conduct, the Council shall consider what, if any, action to take against them. Such action excludes disqualification or suspension from office.

1. PROPER OFFICER

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

b The Proper Officer shall:

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

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

- i. subject to standing order 9, include on the agenda all motions in the order received unless a councillor has given written notice at least **three** days before the meeting confirming their withdrawal of it;**
- ii. convene a meeting of the Council for the election of a new Chair of the Council, occasioned by a casual vacancy in their office;**
- iii. facilitate inspection of the minute book by local government electors;**

- iv. **receive and retain copies of byelaws made by other local authorities;**
- v. *hold acceptance of office forms from councillors;*
- vi. *hold a copy of every councillor's register of interests;*
- vii. *assist with responding to requests made under freedom of information legislation and rights exercisable under data protection legislation, in accordance with the Council's relevant policies and procedures;*
- viii. *liaise, as appropriate, with the Council's Data Protection Officer (if there is one);*
- ix. *receive and send general correspondence and notices on behalf of the Council except where there is a resolution to the contrary;*
- x. *assist in the organisation of, storage of, access to, security of and destruction of information held by the Council in paper and electronic form subject to the requirements of data protection and freedom of information legislation and other legitimate requirements (e.g. the Limitation Act 1980);*
- xi. *arrange for legal deeds to be executed;
(see also standing order 23);*
- xii. *arrange or manage the prompt authorisation, approval, and instruction regarding any payments to be made by the Council in accordance with its financial regulations;*
- xiii. *record every planning application notified to the Council and the Council's response to the local planning authority in a book for such purpose;*
- xiv. *refer a planning application received by the Council to the ~~{Chair or in their absence the Vice-Chair (if there is one) of the Council}~~ OR Chair or in their absence Vice-Chair (if there is one) of the PPES Committee within two working days of receipt to facilitate an extraordinary meeting if the nature of a planning application requires consideration before the next ordinary meeting of the PPES committee;*
- xv. *manage access to information about the Council via the publication scheme; and*
- xvi. *retain custody of the seal of the Council (if there is one) which shall not be used without a resolution to that effect.
(see also standing order 23).*

1. RESPONSIBLE FINANCIAL OFFICER

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

1. ACCOUNTS AND ACCOUNTING STATEMENTS

- a *"Proper practices" in standing orders refer to the most recent version of "Governance and Accountability for Local Councils – a Practitioners' Guide".*

- b All payments by the Council shall be authorised, approved and paid in accordance with the law, proper practices and the Council's financial regulations.*
- c The Responsible Financial Officer shall supply to each councillor as soon as practicable after 30 June, 30 September and 31 December in each year a statement to summarise:

 - i. the Council's receipts and payments (or income and expenditure) for each quarter;*
 - ii. the Council's aggregate receipts and payments (or income and expenditure) for the year to date;*
 - iii. the balances held at the end of the quarter being reported and**which includes a comparison with the budget for the financial year and highlights any actual or potential overspends.**
- d As soon as possible after the financial year end at 31 March, the Responsible Financial Officer shall provide:

 - i. each councillor with a statement summarising the Council's receipts and payments (or income and expenditure) for the last quarter and the year to date for information; and*
 - ii. to the Council the accounting statements for the year in the form of Section 2 of the annual governance and accountability return, as required by proper practices, for consideration and approval.**
- e The year-end accounting statements shall be prepared in accordance with proper practices and apply the form of accounts determined by the Council (receipts and payments, or income and expenditure) for the year to 31 March. A completed draft annual governance and accountability return shall be presented to all councillors at least 14 days prior to anticipated approval by the Council. The annual governance and accountability return of the Council, which is subject to external audit, including the annual governance statement, shall be presented to the Council for consideration and formal approval before 30 June.*

1. FINANCIAL CONTROLS AND PROCUREMENT

- a. The Council shall consider and approve financial regulations drawn up by the Responsible Financial Officer, which shall include detailed arrangements in respect of the following:

 - i. the keeping of accounting records and systems of internal controls;*
 - ii. the assessment and management of financial risks faced by the Council;*
 - iii. the work of the independent internal auditor in accordance with proper practices and the receipt of regular reports from the internal auditor, which shall be required at least annually;*
 - iv. the inspection and copying by councillors and local electors of the Council's accounts and/or orders of payments; and*
 - v. whether contracts with an estimated value below £30,000 due to special circumstances are exempt from a tendering process or procurement exercise.**
- a. Financial regulations shall be reviewed regularly and at least annually for fitness of purpose.*

- b. Subject to additional requirements in the financial regulations of the Council, the tender process for contracts for the supply of goods, materials, services or the execution of works shall include, as a minimum, the following steps:
 - i. a specification for the goods, materials, services or the execution of works shall be drawn up;
 - ii. an invitation to tender shall be drawn up to confirm (i) the Council's specification (ii) the time, date and address for the submission of tenders (iii) the date of the Council's written response to the tender and (iv) the prohibition on prospective contractors contacting councillors or staff to encourage or support their tender outside the prescribed process;
 - iii. tenders are to be submitted in writing in a sealed marked envelope addressed to the Proper Officer **or by email marked as CONFIDENTIAL to the Proper Officer;**
 - iv. tenders shall be opened by the Proper Officer in the presence of at least one councillor after the deadline for submission of tenders has passed;
 - v. tenders are to be reported to and considered by the appropriate meeting of the Council or a committee ~~or sub-committee~~ with delegated responsibility.
- a. Neither the Council, nor a committee ~~or a sub-committee~~ with delegated responsibility for considering tenders, is bound to accept the lowest value tender.
- b. **Where the value of a contract is likely to exceed the threshold specified by the Government from time to time, the Council must consider whether the contract is subject to the requirements of the current procurement legislation and, if so, the Council must comply with procurement rules. NALC's procurement guidance contains further details.**

1. HANDLING STAFF MATTERS

- a A matter personal to a member of staff that is being considered by a meeting of Council] ~~OR the () a committee] OR [the () sub-committee]~~ is subject to standing order 11.
- b Subject to the Council's policy regarding absences from work, the Council's most senior member of staff shall notify the chair of the **HR, H & S and Data Protection committee]** ~~OR [the () sub-committee]~~ ~~or, if he is not available, the vice-chair (if there is one) of [the () committee]~~ ~~OR [the HR, H & S and Data Protection Committee]~~ of absence occasioned by illness or other reason and that person shall report such absence to **[the HR, H & S and Data Protection committee () committee]** ~~OR [the () sub-committee]~~ at its next meeting.
- c The chair of the **HR, H & S and Data Protection committee]** ~~OR [the () sub-committee]~~ ~~or in their absence, the vice-chair~~ shall upon a resolution conduct a review of the performance and annual appraisal

of the work of The Clerk/RFO. The reviews and appraisal shall be reported in writing and are subject to approval by resolution by [the HR, H & S and Data Protection committee]

- d Subject to the Council's policy regarding the handling of grievance matters, the Council's most senior member of staff ~~for other members of staff~~ shall contact the chair of [the HR, H & S and Data Protection committee] OR [the () sub-committee] or in their absence, the vice-chair of [the () committee] OR [the () sub-committee] in respect of an informal or formal grievance matter, and this matter shall be reported back and progressed by resolution of [the () committee] OR [the () sub-committee]. HR, H & S and Data Protection committee
- e Subject to the Council's policy regarding the handling of grievance matters, if an informal or formal grievance matter raised by [the member of staff's job title] relates to the chair or vice-chair of [the () committee] HR, H & S and Data Protection committee, this shall be communicated to another member of HR, H & S and Data Protection committee, which shall be reported back and progressed by resolution of [the HR, H & S and Data Protection committee].
- f Any persons responsible for all or part of the management of staff shall treat as confidential the written records of all meetings relating to their performance, capabilities, grievance or disciplinary matters.
- g In accordance with standing order 11(a), persons with line management responsibilities shall have access to staff records referred to in standing order 19(f).

1. RESPONSIBILITIES TO PROVIDE INFORMATION

See also standing order 21.

- a In accordance with freedom of information legislation, the Council shall publish information in accordance with its publication scheme and respond to requests for information held by the Council.

- a. ~~If gross annual income or expenditure (whichever is higher) does not exceed £25,000}~~
The Council shall publish information in accordance with the requirements of the Smaller Authorities (Transparency Requirements) (England) Regulations 2015.

OR

[If gross annual income or expenditure (whichever is the higher) exceeds £200,000] **The Council, shall publish information in accordance with the requirements of the Local Government (Transparency Requirements) (England) Regulations 2015.**

1. RESPONSIBILITIES UNDER DATA PROTECTION LEGISLATION

(Below is not an exclusive list).

See also standing order 11.

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

1. RELATIONS WITH THE PRESS/MEDIA

- a *Requests from the press or other media for an oral or written comment or statement from the Council, its councillors or staff shall be handled in accordance with the Council's policy in respect of dealing with the press and/or other media.*

1. EXECUTION AND SEALING OF LEGAL DEEDS

See also standing orders 15(b)(xii) and (xvii).

- a *A legal deed shall not be executed on behalf of the Council unless authorised by a resolution.*
- b ~~*[Subject to standing order 23(a), the Council's common seal shall alone be used for sealing a deed required by law. It shall be applied by the Proper Officer in the presence of two councillors who shall sign the deed as witnesses.]*~~

~~*The above is applicable to a Council with a common seal.*~~

OR

[Subject to standing order 23(a), any two councillors may sign, on behalf of the Council, any deed required by law and the Proper Officer shall witness their signatures.]

The above is applicable to a Council without a common seal.

1. COMMUNICATING WITH DISTRICT AND COUNTY OR UNITARY COUNCILLORS

- a *An invitation to attend a meeting of the Council shall be sent, together with the agenda, to the ward councillor(s) of the District and County Council OR Unitary Council representing the area of the Council.*
- b *Unless the Council determines otherwise, a copy of each letter sent to*

the District and County Council OR Unitary Council shall be sent to the ~~ward councillor(s) representing the area~~ **relevant Committee** of the Council.

1. RESTRICTIONS ON COUNCILLOR ACTIVITIES

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

1. STANDING ORDERS GENERALLY

- a All or part of a standing order, except one that incorporates mandatory statutory or legal requirements, may be suspended by resolution in relation to the consideration of an item on the agenda for a meeting.
- b A motion to add to or vary or revoke one or more of the Council's standing orders, except one that incorporates mandatory statutory or legal requirements, shall be proposed by a special motion, the written notice by at least two councillors to be given to the Proper Officer in accordance with standing order 9.
- c The Proper Officer shall provide a copy of the Council's standing orders to a councillor as soon as possible.
- d The decision of the chair of a meeting as to the application of standing orders at the meeting shall be final.

24/5-162 Open Spaces Committee

- 1. To receive a report from the Chair of the Committee.
- 2. To resolve to agree to elect members to the Committee
- 3. To resolve to agree the use of Carters Park on 8th May 2025 for VE Day event
- 4. To resolve to agree the use of Carters Park on 29th November 2025 for the Christmas Wonderland event
- 5. To resolve to agree the allotment fees as recommended by the Committee
- Battlefields/ Bass/Callows/Plank Hook/Northons Lane £169 per acre.*
- Dog Drove £155 per acre & Battlefields garden allotments £30*
- 6. To resolve to agree the new layout of Hall Gate cemetery

LAWN AREAS



-
It is only permitted to erect lawn style memorials at the head of the grave. The grassed areas around the memorial and the surface of the grave must be kept clear of flowers and mementoes so grass cutting and ground maintenance can take place without hindrance.

TRADITIONAL GRAVES



This type of grave provides greater design flexibility for those who want to create a distinct memorial space in honour of their loved ones. You have several options with this style of grave:

- **Kerb enclosure:** You can enclose the grave with a kerb set, creating a defined boundary.
- **Stone edging:** Alternatively, you may choose to use stone edging to outline the space.

The owners is directly responsible for the safety and security of the grave space. Please exercise caution regarding sharp objects, corners and slipping or tripping hazards. If someone is injured due to your property, you could be held liable rather than the local authority.

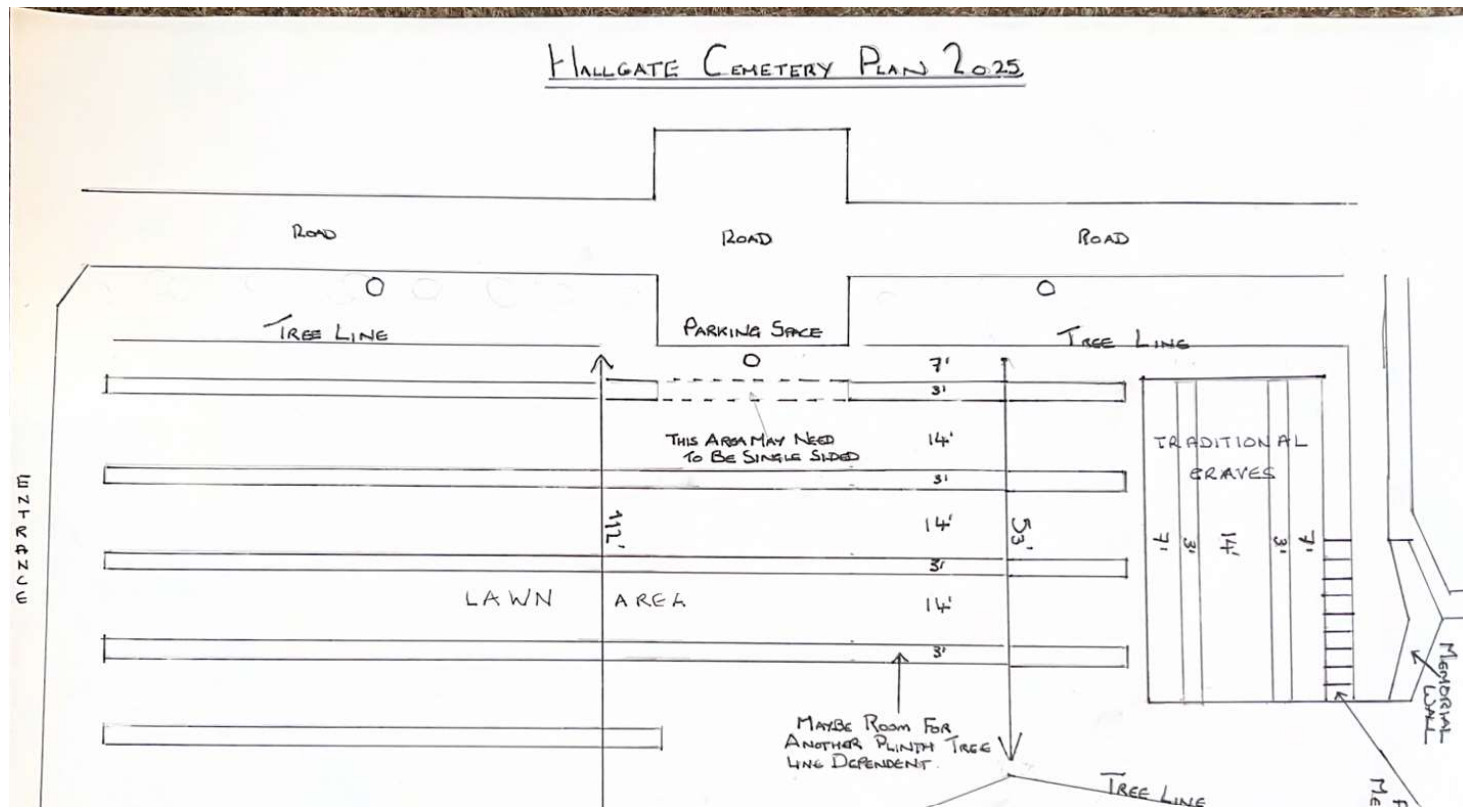
VASES



These will be fixed to the slabs by the memorial wall to allow those with plaques to lay flowers.

GENERAL

The Council would lay out lines of concrete in the lawed area and this is where the headstones would sit. This would be the same for the Traditional graves area. It has been suggested to have a baby and small children area within the traditional graves.



7. To resolve to agree to lock up Hall Gate cemetery to vehicles overnight

To lock at the same time as Park Road cemetery. Give a weeks notice and to put in the Newsletter, additional £8 per week, recommend by the committee

8. To resolve to agree the compound for the tractor shed at Carters Park

9. To resolve to agree the deposit for a tractor shed

We keep missing out on discounts because we cannot act fast enough to place the order due to Council meeting dates. Can Council give the Clerk (with the approval of Open Spaces Committee) approval to pay a deposit up to £5,000.

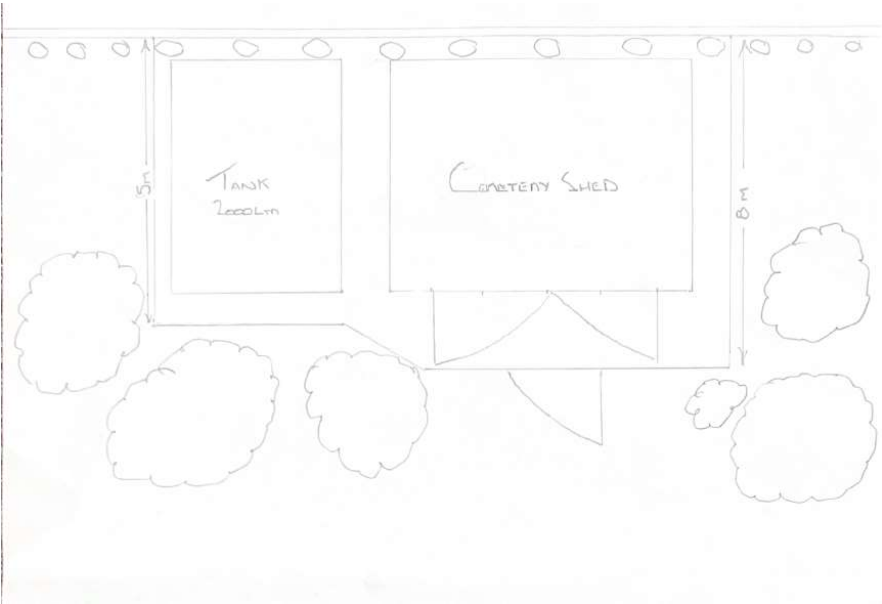
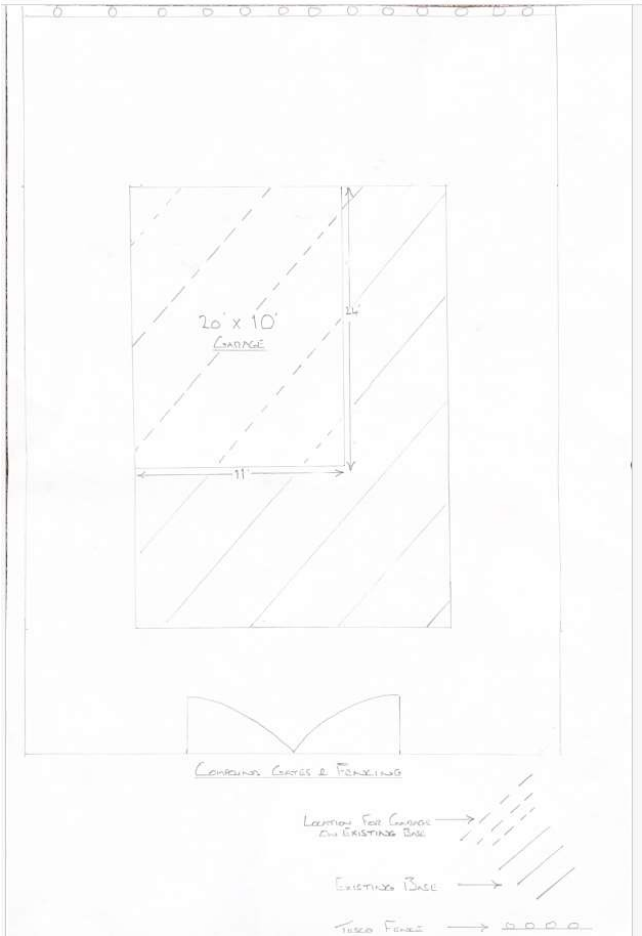
The team have come up with this proposal:

We are proposing a new layout for the tractor shed if we can incorporate the cemetery shed into the equation. This is to save the council money in a number of ways. The new concrete base for the new shed is expensive so by using the original one we can save cost. The price of the original size garage would be £7729 approximately the new price for the smaller one would be £4800 giving a saving of £2929 and no need to cost for the concrete base which has been quoted at c £8-9,000. With the compound fence costing TBA and the electrician cost of £TBA, we would be making a considerable saving. This could then be put into the cemetery shed.

With the savings from the park tractor shed we would look at the inspection/testing of the roof on the cemetery shed at a cost of TBA (Removal if required.) We would use the sheeting from the old tractor shed to replace this if necessary.

Then we would install a palisade fencing around the location to secure the shed and tank at a rough costing of TBA. This would give

us back space to store things that can no longer be stored in the tractor shed due to the down size. We will then be able to re instate the tank for fuel at a saving. The area will be left in it's natural state with minimal trimming required. No large amounts of cutting back would be necessary.



- 10. To resolve to agree for a red carpet to be laid in front of the Church for a wedding
- 11. To resolve to agree the Cemetery Fees and commencement date

| | |
|------------------------|--|
| Cemetery Fees proposed | |
| | |

| Holbeach Parish Council | HPC - |
|---|----------|
| Exclusive Right Of Burial (99 years) | £ 250.00 |
| Interment of person over 16 years of age | £ 200.00 |
| Interment of person under 16 years and over 5 years | £ 50.00 |
| Interment of still born or child below 5 years- | |
| Interment of ashes | £ 120.00 |
| Search Fee | £ 20.00 |
| Copy of entry | |
| Headstone and Inscription | £ 125.00 |
| A vase on a plinth | £ 45.00 |
| A Tablet | £ 100.00 |
| Each additional inscription | £ 65.00 |
| Transfer of grants- £20 | £ 25.00 |
| Plaque memorial wall | £ 80.00 |
| Double fees for anyone outside of parish | Yes |
| EROB traditional grave | £ 250.00 |
| Tree sponsorship with plaque 15 years | £ 300.00 |

12. To resolve to agree the way forward with the request regarding the Church clock

Email received:

Would the Parish Council please consider contributing to the annual service and maintenance of the All Saints Church clock which is very much a town centre clock? I understand that in previous years the responsibility for the 'town clocks' rested with the relevant Parish Council however although that responsibility has changed and with the financial struggles we are having at All Saints in maintaining the church perhaps this request for some assistance may be positively considered by the Parish Council.

The invoice is for £373.20

13. To resolve to agree to have an ice skating rink in Carters Park for the Christmas Wonderland event and to apply for grant funding

24/5-163 PPES Committee

1. To receive the report from the Chair of the Committee.
2. To resolve to agree to elect members to the Committee
3. To resolve to agree not to pay for additional cuts for verges for the next two years

This is to pay LCC for extra cuts to verges. The money is not in the precept. The Council agrees not to do this each year due to cost.

4. To resolve to agree to go out to tender for Park Road Cemetery Railing.

The cemetery railings are in a poor state of repair, they are in a Conservation area and therefore must be like for like. There is an EMR of £5,000 set aside for this

24/5-164 Events & PR Committee

1. To receive the report from the Chair of the Committee.
2. To resolve to agree to elect members to the Committee
3. To resolve to agree to purchase a new Notice board for the Cemetery Chapels

The cost is £530.42

24/5-165 Devolution

1. To receive a report from the Clerk following a webinar and to discuss and resolve to agree the way forward

I recently attended a webinar organised by LALC regarding devolution. The speaker was a lady from a Council in Gloucestershire who had been through the process.

The talk was very informative. One thing that was expressed was

that we should not be sitting back waiting for SHDC or LCC to offer us services to take on, we should now be discussing and formulating a plan as to what we would wish to take on and approach the Councils and asking them to take on the services. Some of the services that were suggested was street cleaning; carparks; community buildings and Open Spaces.

If HPC were to take on these services it would likely be from Spring 2027, this would mean that we would need to have the infrastructure in place in late 2026 in readiness. This would mean, more staff etc etc which would need to be included in our 2026/27 budget. When you consider that we will be starting the discussions around that budget in late summer this year, you realise that time is actually quite short.

24/5-166 Meeting

1. The next meeting of the Council will be the Annual Meeting of the Parish Council on 12th May 2025 at Methodist Church, Albert Walk, Holbeach at 19:00.

Closed Session To resolve to agree to exclude the press and public under the Public Bodies (Admission to Meeting) Act 1960 due to the confidential nature of the business to be transacted.