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07 January 2025

Dear Councillor

You are summoned to attend the meeting of the Parish Council to consider the agenda set out below:

DATE and TIME: Tuesday, 11 March 2025 at 7.30pm

VENUE: **St Bart's Church, Church Minshull**

Clerk to the Parish Council

AGENDA

1. Election of Chairman
To elect the Chairman of the Council for the remainder of the municipal year.
2. Election of Vice-Chairman (if necessary)
3. Apologies for absence (Clerk)
4. Declarations of Interest (All)
If a member is present at a meeting of the authority, and they have a disclosable interest in any matter to be considered or being considered at the meeting, they should disclose the interest to the meeting and follow the Council's code of conduct.
5. Opportunity for the Public to speak (if request received)
6. Minutes of the Previous Meeting and any matters arising (All)
To confirm the minutes of the meeting held on 14 January 2025
7. Borough Councillor's report (Cllr Becky Posnett)
8. Flooding and River Pollution (All)
9. Road Issues (All)
10. Planning Applications (All)

Application	Proposal
	None received at publication of agenda

11. Village Improvements (Nigel Lewis)

12. Biodiversity (Jill Dobson)
13. Finance (Clerk)
 - Payments to be authorised
 - Risk Register
 - Asset Register
 - Financial Regulations
14. Councillors' Items (All)
15. Date of next meeting
Tuesday, 06 May 2025

**CHURCH MINSHULL PARISH COUNCIL
MINUTES OF THE MEETING HELD ON TUESDAY 14 JANUARY 2025**

PRESENT:

Cllr Bob Schiller (Chairman), Cllr Brian Charlesworth, Cllr Jill Dobson, Cllr Sharon Kynaston, Cllr Nigel Lewis, and Cllr Mark Smith

IN ATTENDANCE:

Two members of the public.

24/059 ELECTION OF CHAIRMAN

This matter was deferred to the next meeting.

24/060 APOLOGIES FOR ABSENCE

Cllr Boote and Borough Cllr Becky Posnett.

24/061 DECLARATIONS OF INTEREST

None

24/062 PUBLIC PARTICIPATION

One member of the public referred to the garden flooding issues at their property, which had occurred more frequently over the past twelve months. It was suggested that the problem was exacerbated by the condition of a culvert on the other side of the riverbank, which had become overgrown. Councillors detailed their efforts in obtaining support from the Environment Agency, Cheshire East Council and other agencies regarding flooding in the village. To try to improve the situation, it was agreed that Cllr Schiller would liaise with the Environment Agency and Cllr Charlesworth would liaise with the landowner of the culvert.

The applicant from planning application 24/4617/FUL attended the meeting to discuss details of the application.

24/063 MINUTES OF THE MEETING HELD ON 12 NOVEMBER 2024

RESOLVED – that the minutes of the meeting be approved as a true and correct record.

24/064 BOROUGH COUNCILLOR'S REPORT

There was no update. The Clerk was asked to obtain updates on a number of ongoing issues.

24/065 FLOODING AND RIVER POLLUTION

This had been discussed during Public Participation.

24/066 HIGHWAYS ISSUES

Councillors discussed the large pothole that was causing problems on Over Road to the north of the village. It was noted that this had been logged on FixMyStreet, although Cheshire East Council had indicated that they would inspect the site within 20 working days.

Cllr Smith advised that no response had been received from Cheshire East Council regarding Public Footpath Number 4 and the Clerk was asked to contact the officer again.

It was noted that the sign in the 'chicane' on the south of the village had still not been repaired.

Cllr Lewis advised that he would seek a response from the Public Rights of Way team

regarding the obstruction to the footpath in Eardswick woods.

24/067 PLANNING APPLICATION

App	Description	Decision
24/4617/FUL	Change of use of agricultural land and erection of up to 29 holiday lodges and 1 x managers cabin along with the creation of four ponds, internal access roads, associated parking, drainage, landscaping and ancillary storage at Aqueduct Marina	No objection

24/068 VILLAGE IMPROVEMENTS

Cllr Lewis advised that a group of residents had formed a roster for the inspection of the defibrillator.

24/069 BIODIVERSITY

Councillors discussed supporting the Great British Birdwatch and River watch.

24/070 FINANCE REPORT

Payments

RESOLVED – that the following payments be approved:

Payee	Reason	Total	VAT	Net
St Bart's Church *	Room Hire	35.00		35.00
ICO *	Data Protection Fee	35.00		35.00
St Bart's Church	Room Hire	55.00		55.00

* ratification

Speed Indicator Device (SID)

There was currently £2,200 in the budget for the purchase of a SID. However, Cheshire East Council had advised that their costs associated with permission and siting would take the overall cost to in excess of £4,000. It was noted that a SID recorded speeds but there was no enforcement functionality. This matter was deferred to the next financial year.

Local Council Award Scheme

The Clerk had circulated information regarding the Award Scheme, which contained three separate awards. The bronze award demonstrated that a council met the requirements for operating lawfully and according to standard practice. It was agreed to apply for the bronze award.

Budget and Precept 2025/26

Councillors reviewed the draft budget and precept options for the next financial year. Further information had been provided by Cheshire East Council regarding election fees for Combined Elections, the next being in May 2027. There would be no charge for uncontested elections and the estimate for a contested election is £259.00.

The draft budget was in the sum of £8,321.44. The precept in the current year was £6,500. Given the increase in potential costs associated with elections, and to provide the flexibility to purchase a SID or other village improvements in the forthcoming year, it was suggested that the precept be raised to £7,000, which would equate to an additional 84p per year (at Band D level).

RESOLVED – that:-

- i) The budget be approved as set out in the report in the sum of £8,321.44.
- ii) The precept be in the sum of £7,000

24/071 COUNCILLORS' ITEMS

Village Hall

Councillors referred to the communication from the Village Hall Trustees, which advised that “It has, regrettably, become very clear that the funds necessary for the planned redevelopment of the Village Hall will not become available in the foreseeable future, despite the valiant efforts of the various members of the sub-committee.” Thanks were conveyed to the Parish Council for their support in this project. Remedial works would, therefore, be necessary to improve the longevity of the Hall, with maintenance of the soakaways being investigated.

24/072 DATE OF NEXT MEETING

Tuesday, 11 March 2025 at St Bart's Church



Finance Report – 11 March 2025

1. Bank Reconciliation

Bank Reconciliation - As at 04 March 2025			
		£	£
Balance as per bank statements	Unity Current	2,256.10	
	Unity Reserve	3,195.23	
Unpresented payments			15.00
Net Balance			5,436.33
Opening Balance			4,402.87
Income			8,084.37
Expenditure			7,050.91
			5,436.33

2. Payments to be Authorised

Payee	Reason	Total	VAT	Net
St Bart's	Room Hire	35.00		35.00
SLCC	Clerk's membership	40.00		40.00
HMRC	PAYE Q4	324.00		324.00
Any invoices received prior to the meeting				

3. End of Year Projection

Opening Balance 24/25	4,402.87		
Expected Income		Less	
Precept	6,500.00	Projected Expenditure	7,708.57
Interest	80.00	Projected VAT expend	403.94
VAT refund	773.74		
Compact	1,150.00		
Total	12,906.61	Closing Balance	4,794.10

4. Budgetary Analysis

Item	Budget 24/25	Spend	Variance	Projected Spend	Projected Variance
	£	£	£	£	£
Clerk's Salary	3,275.00	3,240.64	34.36	3,240.64	34.36
Expenses	50.00	18.44	31.56	25.04	24.96
Lengthsman	1,144.00	526.24	617.76	1,176.24	(32.24)
Insurance	200.00	206.05	(6.05)	206.05	(6.05)
Subscriptions	150.00	139.46	10.54	139.46	10.54
Training	60.00	40.00	20.00	40.00	20.00
Hall/Zoom	100.00	155.00	(55.00)	155.00	(55.00)
Audit	240.00	254.50	(14.50)	254.50	(14.50)
Donations	250.00	0.00	250.00	0.00	250.00
Village Improvements	250.00	306.64	(56.64)	306.64	(56.64)
Speed Indicator Device	2,200.00	0.00	2,200.00	0.00	2,200.00
ICO	35.00	35.00	0.00	35.00	0.00
Website and Emails	1,400.00	1,314.00	86.00	1,314.00	86.00
Wreath	30.00	0.00	30.00	0.00	30.00
Banking	72.00	65.40	6.60	71.40	0.60
Defibrillator	730.00	744.60	(14.60)	744.60	(14.60)
Contingency	100.00	0.00	100.00	0.00	100.00
Total	10,286.00	7,045.97	3,240.03	7,708.57	2,577.43

5. Fixed Assets

Item	Value £	Purchased	
Noticeboard	849.00	Jul-18	
Mobility Gates	970.00	Jan-21	
Laptop	162.49	Oct-21	
Dog Waste Bin	261.87	Jul-24	Replacement

6. Risk Register

To consider the Council's risk register (appended)



Parish Council Risk Assessment

Risk assessment is a systematic general examination of working conditions, workplace activities and environmental factors that will enable the Parish Council to identify any and all potential inherent risks. The Parish Council, based on a recorded assessment, will take all practical and necessary steps to reduce or eliminate the risks, insofar as is practically possible.

This document has been produced to enable Church Minshull Parish Council to assess the risks that it faces and satisfy itself that it has taken adequate steps to minimise them.

FINANCIAL AND MANAGEMENT

Subject	Risk(s) identified	H/M/L	Management/control of Risk	Review/Assess/Revise
Precept	Adequacy of precept in order for the Council to carry out its Statutory duties	L	To determine the precept amount required, the Council examines the actual financial accounts together with the projected year-end accounts. The Parish Council consider what expenditure is required and what income might be received in the next financial year before the Precept is agreed. The Precept is listed on the Agenda and discussed at the Parish Council's meeting.	Existing procedure adequate.
Financial Records	Inadequate records Financial irregularities	L L	The Council has Financial Regulations which sets out the requirements.	Existing procedure adequate Review the Financial regulations when necessary
Bank and banking	Inadequate checks Bank mistakes	L	The Council has Financial Regulations which set out banking requirements.	Existing procedure adequate Existing procedure adequate.
Reporting and auditing	Information communication	L	Financial information is a regular agenda item and discussed/reviewed and approved at each meeting.	Existing procedures adequate.

Grants	Receipt of grant	L	Parish Council shows Grant spending in the accounts separately and is overseen by the relative steering committee assembled for that project.	Existing procedures adequate.
Best value accountability	Work awarded Incorrectly. Overspend on services.	L M	Normal Parish Council practice would be to seek, if possible, more than one quotation for any substantial work to be undertaken. For major work competitive tenders would be sought. If problems encountered with a contract the Clerk would investigate the situation and report to the Council.	Existing procedure adequate. Include when reviewing Financial regulations.
Salaries and assoc. costs	Salary paid incorrectly. Unpaid Tax to Inland Revenue.	L		The Clerk uses HMRC Basic Tools which calculates tax and net pay
Employees	Fraud by staff Health and safety	L L	Requirements of Fidelity Guarantee insurance adhered to with regards to fraud. All employees to be provided adequate direction and safety equipment needed to undertake their roles	Existing procedures adequate. Monitor health and safety requirements and insurance annually.
VAT	Reclaiming/charging	L	The Council has Financial Regulations which set out the requirements.	Existing procedures adequate
Annual Return	Submit within time limits	L	Annual Return completed and signed by the Council, submitted to internal auditor for completion and signing then checked and sent to External Auditor within time frame.	Existing procedures adequate.
Legal Powers	Illegal activity or payments	L	All activity and payments within the powers of the Parish Council to be resolved at full Council Meetings, including reference to the power used under the Finance section of agenda.	Existing procedures adequate
Minutes/Agendas/ Notices Statutory Documents`	Accuracy and legality Business conduct	L L	Minutes and agenda are produced the Clerk and adhere to the legal requirements. Minutes are approved and signed at the next Council meeting. Agenda displayed according to legal requirements. Business conducted at Council meetings should be managed by the Chair	Existing procedures adequate. Members adhere to Code of Conduct

Members interests	Conflict of interests Register of members interests	L M	Declarations of interest by members at Council meetings. Register of members' interests forms reviewed regularly.	Existing procedures adequate. Members take responsibility to update register.
Insurance	Adequacy Cost Compliance Fidelity Guarantee	L L L M	An annual review is undertaken of all insurance arrangements. Employers and Employee liabilities a necessity and within policies. Ensure compliance measures are in place. Fidelity checks in place.	Existing procedure adequate. Insurance reviewed annually.
Data protection/GDPR	Policy provision	L	The Parish Council is registered with the Information Commission and has all requisite policies in place	Ensure annual renewal of registration.
Freedom of Information	Policy Provision	L M	To date there has been no requests under FOI. The Parish Council is aware that if a substantial request came in it could create a number of additional hours work. The Parish Council can request a fee to supplement the extra hours	Monitor any requests made under FOI.
Procurement	Policy Provision	M	To reduce the opportunity for supplier fraud – Staff training to identify risks Contact suppliers if and when they change their details to confirm validity Periodic review of suppliers to check for dormant accounts Review financial health of company (if applicable) Consider supplier fraud as part of insurance renewal	Process in place
PHYSICAL EQUIPMENT OR AREAS				
Meeting locations	Adequacy Health & Safety	L M	The Parish Council meeting is held in a venue considered to have appropriate facilities for the Clerk, members and the general public.	Existing procedures adequate
Council records – paper	Loss through: Theft Fire Damage	L M L	The Parish Council records are stored at the home of the Clerk. Records include historical correspondences, minutes, insurance, bank records.	Damage and theft is unlikely therefore provision is adequate.
Council records – electronic	Loss through: Theft, fire damage or corruption of computer	L M	The Parish Council electronic records are stored on the laptop held with the Clerk at home. Backups of	Existing procedures considered adequate

			electronic data are made at regular intervals on a memory stick and Cloud.	
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CHURCH MINSHULL PARISH COUNCIL

FINANCIAL REGULATIONS

Document Control Summary	
Number	2025/01
Title	Financial Regulations
Version and Date	V1 March 2025
Approved by	
Meeting Date	
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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 annually.

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. A Financial summary will be submitted to the Council on a Monthly basis, which will include (but not be limited to) details of income, a bank reconciliation and budgetary analysis. Details of expenditure are submitted to the Council at each meeting.

2.7. At each financial year end, a member other than the Chair shall be appointed to verify bank reconciliations produced by the Clerk/RFO. This activity, including any exceptions, shall be reported to and noted by the Council.

- 2.8. 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 budget 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. No later than December each year, the RFO shall prepare a draft budget with detailed estimates of all receipts and payments for the following financial year for submission to the Council.

4.3. The draft budget forecast, including any recommendations for the use or accumulation of reserves, shall be considered by the council.

4.4. Having considered the proposed budget, the council shall determine its council tax requirement by setting a budget. The council shall set a precept for this amount no later than the deadline set by the principal authority for the ensuing financial year.

4.5. **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.**

4.6. 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.

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

- 4.8. Any addition to, or withdrawal from, any earmarked reserve shall be agreed by the council.

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 Public Contracts Regulations 2015 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 6.12) obtain prices as follows:
- 5.6. For contracts estimated to exceed £60,000 including VAT, the Clerk 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 Legislation¹ 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 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 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:

¹ The Regulations require councils to use the Contracts Finder website if they advertise contract opportunities and also to publicise the award of contracts over £30,000 including VAT, regardless of whether they were advertised.

- 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.
- the Clerk, in consultation with the Chair of the Council, for any items below £5,000 excluding VAT.
- the council for all items over £5,000.

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 {unless instructed to do so in advance by a resolution of the council} 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 {or a duly delegated committee acting within its Terms of Reference} 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 £2,000 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 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 £1,000 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 Unity Trust 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.
- 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, in accordance with a resolution of the council 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 finance committee or council may authorise in advance for the year}.
- 6.7. A list of such payments shall be reported to the next appropriate meeting of the council or Finance Committee for information only.
- 6.8. The Clerk/RFO shall have delegated authority to authorise payments in the following circumstances:
 - i. any payments of up to £1,000 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 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 £10,000, provided that a list of such payments shall be submitted to the next appropriate meeting of council, or finance committee.

- 6.9. The RFO shall present a schedule of payments requiring authorisation, forming part of the agenda for the meeting. The council {or committee} shall review the schedule for compliance and, having satisfied itself, shall authorise payment by resolution. A detailed list of all payments shall be disclosed within or as an attachment to the minutes of that meeting.
- 6.10. Payments requiring authorization between meetings as a matter of expediency may be authorised by the Clerk/RFO, in consultation with the Chairman and Vice-Chairman of the Council, as long as the payments relate to existing budgetary items which do not exceed the budget. All such payments will be reported to the next meeting of the Council.

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.
- 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. A full list of all payments made in a month shall be provided to the next council meeting and appended to the minutes.
- 7.8. 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.
- 7.9. 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.

- 7.10. If thought appropriate by the council, regular payments of fixed sums may be made by banker's standing order, provided that the instructions are 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.
- 7.11. Account details for suppliers may only be changed upon written notification by the supplier verified by the Clerk/RFO. 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.
- 7.12. 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.
- 7.13. Remembered password facilities should not be used on any computer used for council banking.

8. Cheque payments

- 8.1. Cheques or orders for payment in accordance with a resolution or delegated decision shall be signed by two members.
- 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 at the next convenient meeting.

9. Payment of salaries and allowances

- 9.1. **As an employer, the council must make arrangements to comply with the statutory requirements of PAYE legislation.**
- 9.2. **Councillors allowances (where paid) are also liable to deduction of tax under PAYE rules and must be taxed correctly before payment.**
- 9.3. Salary rates shall be agreed by the Council. No changes shall be made to any employee's gross pay, emoluments, or terms and conditions of employment without the prior consent of the Council.
- 9.4. 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.
- 9.5. 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.
- 9.6. 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.

9.7. 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.

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

10. Loans and investments

10.1. 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.

10.2. 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.

10.3. 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.

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

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

10.6. 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.

11. Income

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

11.2. 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.

11.3. 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.

11.4. 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.

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

11.6. Any repayment claim under section 33 of the VAT Act 1994 shall be made at least annually at the end of the financial year.

12. Payments under contracts for building or other construction works

12.1. 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.

12.2. 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.

13. Stores and equipment

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

13.2. Delivery notes shall be obtained in respect of all goods received into store or otherwise delivered and goods must be checked as to order and quality at the time delivery is made.

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

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

14. Assets, properties and estates

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

14.2. 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.

14.3. 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.

14.4. No interest in land shall be purchased or otherwise acquired, sold, leased or otherwise disposed of without the authority of the council or duly delegated committee, together with any other consents required by law. In each case a written report shall be provided to council or duly delegated committee 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 £500. In each case a written report shall be provided to council with a full business case.

15. Insurance

- 15.1. 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.
- 15.2. The Clerk shall give prompt notification to the council of all new risks, properties or vehicles which require to be insured and of any alterations affecting existing insurances.
- 15.3. 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 RFO shall negotiate all claims on the council's insurers.
- 15.4. All appropriate members and employees of the council shall be included in a suitable form of security or fidelity guarantee insurance which shall cover the maximum risk exposure as determined annually by the council, or duly delegated committee.

16. Suspension and revision of Financial Regulations

- 16.1. 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.
- 16.2. 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.
- 16.3. 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.