

Public Document Pack  
**Policy, Governance & Finance**  
**Committee Meeting of Witney Town Council**



**Monday, 25th September, 2023 at 6.00 pm**

To members of the Policy, Governance & Finance Committee - J Aitman, R Crouch, O Collins, R Smith, A Bailey, L Cherry, J Doughty, D Newcombe and G Doughty (and all other Town Councillors for information).

You are hereby summonsed to the above meeting to be held in the **Gallery Room, The Corn Exchange, Witney** for the transaction of the business stated in the agenda below.

**Admission to Meetings**

All Council meetings are open to the public and press unless otherwise stated.

Any member of the public wishing to attend the meeting and speak on a particular item should contact the Committee Clerk ([derek.mackenzie@witney-tc.gov.uk](mailto:derek.mackenzie@witney-tc.gov.uk)) in advance.

**Recording of Meetings**

Under the Openness of Local Government Bodies Regulations 2014 the council's public meetings may be recorded, which includes filming, audio-recording as well as photography.

As a matter of courtesy, if you intend to record any part of the proceedings, please let the Deputy Town Clerk or Committee Clerk know before the start of the meeting.

**Agenda**

1. **Apologies for Absence**

To consider apologies and reasons for absence.

Committee members who are unable to attend the meeting should notify the Committee Clerk [derek.mackenzie@witney-tc.gov.uk](mailto:derek.mackenzie@witney-tc.gov.uk) **prior to the meeting**, stating the reason for absence.

**Standing Order 30(a)(v)** permits the appointment of substitute Councillors to a Committee whose role is to replace ordinary Councillors at a meeting of a Committee if ordinary Councillors of the Committee have confirmed to the Proper Officer **before** the meeting that they are unable to attend.

2. **Declarations of Interest**

Members are reminded to declare any disclosable pecuniary interests in any of the items under consideration at this meeting in accordance with the Town Council's code of conduct.

3. **Minutes** (Pages 4 - 10)

- a) To adopt and sign as a correct record the minutes of the Policy, Governance and Finance Committee meeting held on 24 July 2023 (enclosed).
- b) Matters arising from the minutes not covered elsewhere on the agenda (Questions on the progress of any item).

#### 4. **Public Participation**

The meeting will adjourn for this item.

Members of the public may speak for a maximum of **five minutes** each during the period of public participation, in line with Standing Order 42. Matters raised shall relate to the following items on the agenda.

#### **Policy**

#### 5. **Youth Services**

To receive a verbal update and recommendation from the Stronger Communities Committee concerning funding of Youth Services in Witney, if appropriate.

#### **Governance**

#### 6. **Conclusion of Audit for year ending 31 March 2023** (Pages 11 - 12)

To note that the Council's External Auditor, Moore, have completed the review of Sections 1 and 2 of the Annual Governance and Accountability Return for year ended 31 March 2023), and in their opinion the information is in accordance with Proper Practices (External Audit Report & Certificate 2022/23 and Notice of Conclusion of Audit for year ended 31 March 2023 enclosed).

#### 7. **Scheme of Delegation** (To Follow)

To receive and consider the report of the Deputy Town Clerk.

#### 8. **NALC Model Financial Regulations** (Pages 13 - 31)

To receive the report of the Responsible Financial Officer (RFO).

#### **Finance**

#### 9. **Finance Report** (To Follow)

To receive the report of the Responsible Financial Officer (RFO).

#### 10. **Financial Matters referred from Spending Committees** (Pages 32 - 33)

To receive the joint report of the Responsible Financial Officer (RFO) and Deputy Town Clerk.

#### 11. **Payment of Accounts** (To Follow)

To receive and consider the schedule of accounts paid and bank reconciliations from the Responsible Financial Officer (RFO).

#### 12. **Grants & Subsidised Lettings** (Pages 34 - 36)

To receive and consider the report of the Deputy Town Clerk.

#### 13. **Budget Parameters 2024/25, Capital & Special Revenue Projects 2024/25 and beyond** (To Follow)

To receive the report of the Responsible Financial Officer (RFO).

14. **Exclusion of Press and Public**

To consider and if appropriate, to pass the following resolution:

That in accordance with section 1(2) of the Public Bodies (Admissions to Meetings) Act 1960, and as extended by Schedule 12A of the Local Government Act 1972, the public, including the press, be excluded from the meeting because of the confidential nature of the following business to be transacted

15. **Major Strategic Projects**

To receive a confidential verbal update by the Town Clerk/C.E.O if appropriate.

16. **Property & Legal Matters**

To receive a confidential verbal update by the Town Clerk/C.E.O if appropriate.

17. **Staffing Matters**

To receive the minutes of the Personnel Sub-Committee held on 19 September 2023 (circulated under separate cover) and agree any recommendations contained therein.



Town Clerk

# Agenda Item 3

## POLICY, GOVERNANCE & FINANCE COMMITTEE MEETING OF THE WITNEY TOWN COUNCIL

Held on Monday, 24 July 2023

At 6.00 pm in the Gallery Room, The Corn Exchange, Witney

### Present:

Councillor R Crouch (Chair)

Councillors:	O Collins A Bailey J Doughty D Newcombe	G Meadows (In place of J Aitman) G Doughty (In place of L Cherry) D Enright (In place of R Smith) D Temple
Officers:	Sharon Groth Adam Clapton Mark Lewis Nigel Warner	Town Clerk Deputy Town Clerk Head of Estates & Operations Responsible Financial Officer
Others:	None.	

### F394 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors J Aitman, R Smith, and L Cherry. Cllr G Meadows, D Enright and G Doughty attended as respective substitutes.

### F395 DECLARATIONS OF INTEREST

There were no declarations of interest from Members or Officers at this juncture.

### F396 MINUTES

The minutes of the Policy, Governance & Finance Committee meeting held on 19 June 2023 were received.

Minute 330 - A Member noted that as part of the discussion on whether to award funds to Witney Ringing Society towards the St Mary's Church bells, an unsuccessful proposal had been made to award £500 but this was not reflected in the minutes.

### **Resolved:**

That, the minutes of the Policy, Governance & Finance Committee meeting held on 19 June 2023 be approved as a correct record of the meeting and be signed by the Chair.

### F397 PUBLIC PARTICIPATION

There was no public participation.

F398 **EXCLUSION OF PRESS & PUBLIC**

**Resolved:**

That in accordance with section (1(2) of the Public Bodies (admission to Meetings) Act 1960, and as extended by Schedule 12A of the Local Government Act 1972, the public, including the press, be excluded from the meeting because of the confidential nature of the following business to be transacted.

F399 **LEYS SKATE PARK TENDER**

With the permission of the Chair, this item was brought up the agenda.

A confidential verbal update was provided to the Committee by the Head of Estates & Operations.

The Committee was advised the Council had followed the tender process and four submissions had been received for this refurbishment project. All four were within the £150,000 budget and had been scored by officers, Ley's stakeholders and Skateboard users on design and several quality aspects.

The result was one clear winner which had a wealth of experience in constructing Skate Parks. Members welcomed designs from the recommended tenderer and were pleased to hear the tender was inclusive and that a high level of added social value was included.

There were still some further items for checking by officers to ensure due diligence but subject to those being resolved satisfactorily, Members approved the winning tender.

**Resolved:**

1. That, the confidential verbal update be noted and,
2. That, the tender for the Skate Park refurbishment be awarded to the recommended contractor based on the design and quality assurance, subject to final checks.

*Following the conclusion of this item the Committee returned to open session.*

F400 **INCLUSIVITY & DIVERSITY PANEL**

The Committee received and considered the report of the Deputy Town Clerk concerning the reformation of a Council Inclusivity & Diversity Consultative Committee.

A Member from the previous Council administration advised the structure being suggested in the report was how it was previously envisaged but due to Covid-19 and other more pressing priorities, had not been established as hoped.

Members were in agreement the suggested structure would work and were pleased such an important aspect of inclusivity would be progressing.

**Resolved:**

1. That, the report be noted and,

2. That, the structure and governance of the Inclusivity & Diversity Consultation Committee as presented be agreed.

**F401 WITNEY HIGH STREET - FEEDBACK & CONSULTATION**

The Committee received and considered the report of the Deputy Town Clerk concerning the County Council's Witney and Market Square improvement project.

A presentation from County Council officers administering the project had taken place at the end of the previous week and this had helped focus where support was required. This was a hugely important and emotive issue which would affect Witney residents, businesses and visitors for years to come and a separate consultation could be counterproductive and confusing; ideas and suggestions would be better placed as part of the official planned process which was only just over a month away.

There was agreement however, that the Council should support the promotion of the Oxfordshire County Council's consultation sessions in all the usual ways; posters, website, flyers and on social media.

**Resolved:**

1. That, the report be noted and,
2. That, the Town Council works collaboratively with Oxfordshire County Council to ensure the greatest possible promotion of its consultation, including exhibitions and stakeholder meetings.

**F402 PAYMENT OF ACCOUNTS**

The Committee received the report of the Responsible Financial Officer outlining payment schedules, bank statements and bank reconciliations which are brought to the Policy, Governance & Finance committee as part of the Council's due diligence.

The RFO advised Members there was nothing of note or concern within the documents in response to a query. Every payment over two months was included so it was effectively a statement of fact; all payments were within budget and the report showed the transparency of the Council in relation to its finances.

The Town Clerk/CEO added the Council's bank mandate was being finalised. Previously, all standing Members of this Committee had been agreed as payment signatories and contact from the Council's bankers would be taking place soon.

**Resolved:**

1. That, the report be noted and,
2. That, the verbal update from the Town Clerk be noted and,
3. That, the bank reconciliations and agreed the following schedule of payments be approved:

<b>Cheque Numbers</b>	<b>In the sum of:</b>	<b>Account</b>
Cheque 101216-101218, DDs and Standing Orders May 2023	£28,862.78	General CB 1

Cheques 34058 -34159, DDs, BACS and Standing Orders May 2023	£219,137.98	Imprest CB 2
Cheques 101219 – 101221, DDs and Standing Orders June 2023	£63,977.27	General CB 1
Cheques 34171-34204, DDs, BACS and Standing Orders June 2023	£142,716.12	Imprest CB 2

**F403 FINANCE REPORT**

The Committee received and considered the report of the Responsible Financial Officer (RFO).

The report provided a background to the management accounts and how they were structured at the Council. Members heard it was early in the financial year; any overspends showing would be covered by budget carry forwards from the previous year and earmarked reserves. There was also significant outlay for events during the summer.

The management accounts would look markedly different in six months' time as the way in which financial transactions through the Council's software would be changing; with a dedicated RFO this would be dealt with in house, rather than being completed by a separate accountant/bookkeeper and utilising the software in a more effective way. This would enable more timely reporting and enable reconfiguration of the Council's earmarked reserves and fixed asset accounting.

The Committee agreed to an additional financial matter which concerned additional funding towards the installation of a defibrillator at King George V Recreation Ground.

**Resolved:**

1. That, the report be noted and,
2. That, up to £2,200 be allocated from the Community Infrastructure earmarked reserve to cover the cost of installing a defibrillator at King George V Recreation Ground and,
3. That, the management accounts for the Council, for the period 1 April – 30 June 2023 be approved.

**F404 FINANCIAL MATTERS REFERRED FROM SPENDING COMMITTEES**

The Committee received and considered the report of the Deputy Town Clerk.

Members were advised this report contained the financial implications emanating from the decisions made by the Council's spending Committees during the current meeting cycle.

As this Committee had overall responsibility for the Council's spending, recommendations needed to be ratified in line with financial regulations.

**Resolved:**

1. That, the report be noted and,
2. That, recommendations of the spending Committees as detailed be approved.

F405 **GRANTS & SUBSIDISED LETTINGS**

The Committee received and considered the report of the Deputy Town Clerk concerning annual grants to local organisations.

*Cllr O Collins declared a non-pecuniary interest in the item as he was associated with both groups applying for grants in other ways.*

Members were advised these grants were markedly different from the discretionary grants scheme the Council ran and separate budgets were held for organisations which contributed to civic and town council events.

The Committee agreed both applications warranted approval due to the excellent services they provided for the Council and the town.

**Resolved:**

1. That, the report be noted and,
2. That, £660 be awarded to Witney Town Band as an annual grant and,
3. That, £2,100 be awarded to the Rotary Club of Witney to run the town's Christmas Lights Switch-on event and,
4. That, these grants be awarded under the General Power of Competence and that the recipients be asked to acknowledge the Council's financial contribution in their promotional literature.

F406 **EXCLUSION OF PRESS AND PUBLIC**

**Resolved:**

That in accordance with section (1(2) of the Public Bodies (admission to Meetings) Act 1960, and as extended by Schedule 12A of the Local Government Act 1972, the public, including the press, be excluded from the meeting because of the confidential nature of the following business to be transacted.

F407 **YOUTH SERVICES**

The Committee received and considered the confidential report of the Deputy Town Clerk concerning youth services in Witney.

Members were advised the Stronger Communities Committee had held conversations with local stakeholders and groups regarding the lack of youth services following the closure of Got2B CIC. That Committee had recommended a portion of the Council's youth services budget should be allocated towards financially supporting a weekly mental health drop-in event for young people in the Corn Exchange during the summer holidays.

A further recommendation was concerning a future detached youth work venture which had been proposed by a local organisation. To establish the proposed scheme, the Council would need to allocate a large proportion of the remaining youth services budget to this scheme resulting in no further youth service grants being awarded from this fund.

Members welcomed the mental health drop-in event and the detached youth work proposal and approved both recommendations.



**Resolved:**

1. That, the report be noted and,
2. That, £1,200 from the youth services budget be allocated towards the APCAM mental health drop-in event and,
3. That, approximately £28,000 from the youth services budget be allocated towards a detached youth work project, subject to further clarification on the project from officers.

F408 **PROPERTY & LEGAL MATTERS**

The Committee received a confidential verbal update from the Town Clerk/C.E.O.

Property updates were provided on Heads of Terms for the Leys, Madley Park Hall lease discussions, the transfer of play areas from West Oxfordshire District Council, and Windrush Place Pavilion & pitch.

A legal update was provided concerning a claim against the Council on land in its ownership.

**Resolved:**

That, the confidential verbal update be noted.

F409 **MAJOR STRATEGIC PROJECTS**

The Committee received a confidential verbal update from the Town Clerk/C.E.O.

The Town Clerk advised that the relocation of the Works Depot was very much dependant on the Leys Hub project. Officers were working in the background on the feasibility and logistics for moving up to West Witney Sports Ground.

She also updated members on the refurbishment project of the West Witney Clubhouse. Following approved changes to the plans, the Sports & Social Club recently consulted its membership on the plans at its AGM, no issues had been raised.

**Resolved:**

That, the confidential verbal update be noted.

F410 **LEYS RECREATION GROUND MASTERPLAN AND IMPROVEMENTS**

The Committee received and considered the confidential report of the Responsible Financial Officer (RFO) and an additional confidential verbal update from the Town Clerk.

The report outlined the Leys Masterplan project being undertaken by Courtside Hubs CIC and partly funded by the Town Council. Members were updated on the progress, content and financial management of the project, including discussions on VAT. The Council's financial and risk obligations were foremost in mind and reassurance was provided that due diligence was being undertaken by Officers to protect its long-term interests.

Officers would continue to work collaboratively with Courtside to achieve such a positive addition to the Leys and residents, but timeframes were tight and quick decisions may have to be made imminently.

**Resolved:**

That, the confidential updates from the RFO and Town Clerk be noted.

---

The meeting closed at: 7.03 pm

---

Chair

**WITNEY TOWN COUNCIL**

**NOTICE OF CONCLUSION OF ANNUAL AUDIT**

**ACCOUNTS FOR THE YEAR ENDED 31 MARCH 2023**  
**Accounts and Audit Regulations 2015**

- 1 The audit of accounts for Witney Town Council for the year ended 31 March 2023 has been completed and the accounts have been published.
- 2 The Annual Return is available for inspection by any local government elector in the area of Witney Town Council on application to:
  - (a) Sharon Groth, Town Clerk & Chief Executive
  - (b) Witney Town Council  
Town Hall  
WITNEY  
Oxon  
OX28 6AG
  - (c) Telephone: (01993) 704379  
Email: [info@witney-tc.gov.uk](mailto:info@witney-tc.gov.uk)  
Hours and arrangements to view: Monday to Friday 10am to 4pm – by appointment
- 3 Copies will be provided to any person on payment of £ NIL for each copy of the Annual Return

**Announcement made by (Name of Clerk)**

**Mrs Sharon Groth, PSLCC FCMgr**

**Date of Announcement**

**21 September 2023**

## Section 3 - External Auditor Report and Certificate 2022/23

In respect of

Witney Town Council

### 1 Respective responsibilities of the body and the auditor

Our responsibility as auditors to complete a **limited assurance review** is set out by the National Audit Office (NAO). A limited assurance review is **not a full statutory audit**, it does not constitute an audit carried out in accordance with International Standards on Auditing (UK & Ireland) and hence it does not provide the same level of assurance that such an audit would. The UK Government has determined that a lower level of assurance than that provided by a full statutory audit is appropriate for those local public bodies with the lowest levels of spending.

Under a limited assurance review, the auditor is responsible for reviewing Sections 1 and 2 of the Annual Governance and Accountability Return in accordance with NAO Auditor Guidance Note 02 (AGN 02) as issued by the NAO on behalf of the Comptroller and Auditor General. AGN 02 is available from the NAO website – <https://www.nao.org.uk/code-audit-practice/guidance-and-information-for-auditors/>.

This authority is responsible for ensuring that its financial management is adequate and effective and that it has a sound system of internal control. The authority prepares an Annual Governance and Accountability Return in accordance with *Proper Practices* which:

- summarises the accounting records for the year ended 31 March 2023; and
- confirms and provides assurance on those matters that are relevant to our duties and responsibilities as external auditors

### 2 External auditor report 2022/23

Except for the matters reported below on the basis of our review of Sections 1 and 2 of the Annual Governance and Accountability Return, in our opinion the information in Sections 1 and 2 of the Annual Governance and Accountability Return is in accordance with the Proper Practices and no other matters have come to our attention giving cause for concern that relevant legislation and regulatory requirements have not been met.

The inspection period for the exercise of electors' rights was set for 31 working days which is more than the mandatory 30 working days as set out in the Accounts and Audit Regulations 2015, Paragraph 14(1). Although this is considered to be a minor technical breach, given more than the standard amount of time was provided for, in future the Council should ensure it provides the precise public inspection period. We would anticipate the Council taking this into account when it completes Assertion 4 on its 2023/4 Annual Governance and Accountability Return.

Other matters not affecting our opinion which we draw to the attention of the authority:

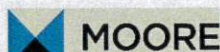
NONE

### 3 External auditor certificate 2022/23

We certify/~~do not certify~~\* that we have completed our review of Sections 1 and 2 of the Annual Governance and Accountability Return, and discharged our responsibilities under the Local Audit and Accountability Act 2014, for the year ended 31 March 2023.

\*We do not certify completion because:

External Auditor Name



External Auditor Signature

Moore

Date

19/09/2023

## POLICY, GOVERNANCE & FINANCE COMMITTEE

---

**Date:** Monday, 25 September 2023

**Title:** NALC Model Financial Regulations

**Contact Officer:** Responsible Financial Officer

---

### Background

The council has adopted Financial Regulations to regulate and control financial affairs and accounting procedures to assist compliance with the Accounts and Audit Regulations 2015 and to reflect the guidance and good practice detailed in the “Joint Panel on Accountability and Governance Practitioners’ Guide” (March 2022). The Council’s Financial Regulations are based on the 2019 Model Financial Regulations for England and Wales published by the National Association of Local Councils (NALC).

The NALC is working with The Parkinson Partnership LLP to update its 2019 Model Financial Regulations.

### Current Situation

The model financial regulations are part of a support package that the Council receives through its membership of NALC and the Oxfordshire Association of Local Councils. They are an essential tool for councils, setting out the framework within which the council ensures responsible, sustainable and compliant management of its finances.

NALC is seeking views on the technical aspects of the regulations. The responses will inform the revision and content of the model financial regulations.

According to the NALC website:

*NALC is seeking views on the technical aspects of the regulations. The responses will inform the revision and content of these regulations. The consultation will not result in any changes to existing legislation.*

*NALC would like to know:*

- 1. Is the description of budget preparation (Section 3) adequate, and if not, what changes should be made?*
- 2. How should we improve the wording (Section 4) about expenditure monitoring?*
- 3. What changes are needed to manage safe and satisfactory delegation of authority to staff (Section 5)?*
- 4. Suggestions for amendments to improve control of online payments and banking (Sections 5 and 6)?*
- 5. What revisions are needed to manage procurement (Sections 10,11 and 12) effectively?*
- 6. What additional regulations may be necessary concerning financial risk management (Section 17)?*

7. Which regulations create challenges for transparency or protecting personal and commercially sensitive data?
8. What, if anything, should be removed from the model regulations and why?
9. Which paragraphs, if any, are obsolete and need replacing?
10. Are there any other issues that should be covered within financial regulations?

NALC have published a form to assist in responding to the consultation and this is included as appendix A.

The existing Model Financial Regulations are included as appendix B.

The RFO will be attending a consultation meeting in October, this taking place prior to the consultation closing date of 5 November 2023.

The Council regularly reviews its Financial Regulations, the last review being in April 2023. A number of changes to the Council's Financial Regulation were made and relevant to the NALC consultation are the following changes and some of these may be pertinent to the consultation:

- To reflect the council's current good practice.
- To reflect the council's status as a larger town council which gives it the resilience to properly delegate powers to officers and enable the council to concentrate on strategic rather than operational matters.
- To make provisions for powers to be exercised by other officers if required in the absence of the Town Clerk (powers exercisable by the Deputy Town Clerk) or RFO (powers exercisable by the Town Clerk).
- Further updates to allow for the efficient introduction of internet banking.
- Removal of some references which are not required/ tautologous.
- To allow for the council to delegate powers to committees to manage specific earmarked reserves, to reduce administrative burden whilst maintaining proper controls.

To take this forward the RFO requests:

- (i) Comments from Members to be made at this meeting and any further comments by e-mail to [sharon.groth@witney-tc.gov.uk](mailto:sharon.groth@witney-tc.gov.uk) and [nigel.warner@witney-tc.gov.uk](mailto:nigel.warner@witney-tc.gov.uk) by midday on 20 October 2023.
- (ii) A delegation to the Town Clerk/Chief Executive and the RFO to respond to the consultation on behalf of Council, if appropriate.

### **Environmental impact**

Having declared a Climate Change Emergency at its Council meeting on 26 June 2019 Councillors should have due regard to the environmental impact of any decisions they make with regard to its facilities and services it operates.

**Risk**

In decision making Councillors should give consideration to any risks to the Council and any action it can take to limit or negate its liability.

All the Council's Committees receive financial reports to conduct its checks and balances and consideration is given to budgets and funding availability when agreeing expenditure.

**Financial implication**

Financial Regulations are an integral part of the Council's financial operations and control system. However there are no direct financial implications for the Council in responding to the consultation but there will be a requirement for officer time to undertake the work.

**Recommendations**

Members are invited to note the report and delegate authority to the Town Clerk/Chief Executive and the RFO to respond to the consultation on behalf of Council, they consider this to be appropriate, taking in to account any comments from Members either at this meeting or by e-mail by midday on 20 October 2023.

## APPENDIX A

### NALC CONSULTATION IN RELATION TO MODEL FINANCIAL REGULATIONS

NALC Model Financial Regulations Consultation

Required

1.Full name

2.Organisation name

3.Job title

4.Email address

5.Is the description of budget preparation (Section 3) adequate and if not, what changes should be made?

6.How should we improve the wording (Section 4) about monitoring of expenditure?

7.What changes are needed to manage safe and satisfactory delegation of authority to staff (Section 5)?

8.Can you suggest any amendments to improve control of online payments and banking (Sections 5 and 6)?

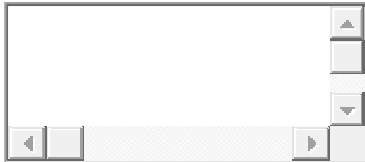
9.What revisions are needed to achieve effective management of procurement Sections 10,11 and 12)?



10. What additional regulations may be needed in relation to financial risk management (Section 17)?



11. Which regulations create challenges for either transparency or the protection of personal and commercially sensitive data?



12. What, if anything, should be removed from the model regulations and why?



13. Which paragraphs, if any, are obsolete and need replacing?



14. Are there any other issues that you think should be covered within financial regulations?



Submit

**[ENTER COUNCIL NAME] MODEL FINANCIAL REGULATIONS 2019 FOR ENGLAND**

General

Accounting and audit (internal and external)

Annual estimates (budget) and forward planning

Budgetary control and authority to spend

Banking arrangements and authorisation of payments

Instructions for the making of payments

Payment of salaries

Loans and investments

Income

Orders for work, goods and services

Contracts

[Payments under contracts for building or other construction works]

[Stores and equipment]

Assets, properties and estates

Insurance

[Charities]

Risk management

Suspension and revision of Financial Regulations

These Financial Regulations were adopted by the council at its meeting held on [enter date].

**1. General**

1.1. These financial regulations govern the conduct of financial management by the council and may only be amended or varied by resolution of the council. Financial regulations are one of the council's three governing policy documents providing procedural guidance for members and officers. Financial regulations must be observed in conjunction with the council's standing orders<sup>1</sup> and any individual financial regulations relating to contracts.

1.2. The council is responsible in law for ensuring that its financial management is adequate and effective and that the council has a sound system of internal control which facilitates the effective exercise of the council's functions, including arrangements for the management of risk.

1.3. The council's accounting control systems must include measures:

- for the timely production of accounts;
- that provide for the safe and efficient safeguarding of public money;
- to prevent and detect inaccuracy and fraud; and
- identifying the duties of officers.

1.4. These financial regulations demonstrate how the council meets these responsibilities and requirements.

---

<sup>1</sup> Model Standing Orders for Councils (2018 Edition) is available from NALC (©NALC 2018)

1.5. At least once a year, prior to approving the Annual Governance Statement, the council must review the effectiveness of its system of internal control which shall be in accordance with proper practices.

1.6. Deliberate or wilful breach of these Regulations by an employee may give rise to disciplinary proceedings.

1.7. Members of council are expected to follow the instructions within these Regulations and not to entice employees to breach them. Failure to follow instructions within these Regulations brings the office of councillor into disrepute.

1.8. The Responsible Financial Officer (RFO) holds a statutory office to be appointed by the council. [The Clerk has been appointed as RFO for this council and these regulations will apply accordingly.]

1.9. The RFO;

- acts under the policy direction of the council;
- administers the council's financial affairs in accordance with all Acts, Regulations and proper practices;
- determines on behalf of the council its accounting records and accounting control systems;
- ensures the accounting control systems are observed;
- maintains the accounting records of the council up to date in accordance with proper practices;
- assists the council to secure economy, efficiency and effectiveness in the use of its resources; and
- produces financial management information as required by the council.

1.10. The accounting records determined by the RFO shall be sufficient to show and explain the council's transactions and to enable the RFO to ensure that any income and expenditure account and statement of balances, or record of receipts and payments and additional information, as the case may be, or management information prepared for the council from time to time comply with the Accounts and Audit Regulations.

1.11. The accounting records determined by the RFO shall in particular contain:

- entries from day to day of all sums of money received and expended by the council and the matters to which the income and expenditure or receipts and payments account relate;
- a record of the assets and liabilities of the council; and
- wherever relevant, a record of the council's income and expenditure in relation to claims made, or to be made, for any contribution, grant or subsidy.

1.12. The accounting control systems determined by the RFO shall include:

- procedures to ensure that the financial transactions of the council are recorded as soon as reasonably practicable and as accurately and reasonably as possible;
- procedures to enable the prevention and detection of inaccuracies and fraud and the ability to reconstruct any lost records;
- identification of the duties of officers dealing with financial transactions and division of responsibilities of those officers in relation to significant transactions;

- procedures to ensure that uncollectable amounts, including any bad debts are not submitted to the council for approval to be written off except with the approval of the RFO and that the approvals are shown in the accounting records; and
- measures to ensure that risk is properly managed.

1.13. The council is not empowered by these Regulations or otherwise to delegate certain specified decisions. In particular any decision regarding:

- setting the final budget or the precept (council tax requirement);
- approving accounting statements;
- approving an annual governance statement;
- borrowing;
- writing off bad debts;
- declaring eligibility for the General Power of Competence; and
- addressing recommendations in any report from the internal or external auditors, shall be a matter for the full council only.

1.14. In addition, the council must:

- determine and keep under regular review the bank mandate for all council bank accounts;
- approve any grant or a single commitment in excess of [£5,000]; and
- in respect of the annual salary for any employee have regard to recommendations about annual salaries of employees made by the relevant committee in accordance with its terms of reference.

1.15. In these financial regulations, references to the Accounts and Audit Regulations or ‘the regulations’ shall mean the regulations issued under the provisions of section 27 of the Audit Commission Act 1998, or any superseding legislation, and then in force unless otherwise specified.

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

## **2. Accounting and audit (internal and external)**

2.1. All accounting procedures and financial records of the council shall be determined by the RFO in accordance with the Accounts and Audit Regulations, appropriate guidance and proper practices.

2.2. On a regular basis, at least once in each quarter, and at each financial year end, a member other than the Chairman [or a cheque signatory] shall be appointed to verify bank reconciliations (for all accounts) produced by the RFO. The member shall sign the reconciliations and the original bank statements (or similar document) as evidence of verification. This activity shall on conclusion be reported, including any exceptions, to and noted by the council [Finance Committee].

2.3. The RFO shall complete the annual statement of accounts, annual report, and any related documents of the council contained in the Annual Return (as specified in proper

practices) as soon as practicable after the end of the financial year and having certified the accounts shall submit them and report thereon to the council within the timescales set by the Accounts and Audit Regulations.

2.4. The council shall ensure that there is an adequate and effective system of internal audit of its accounting records, and of its system of internal control in accordance with proper practices. Any officer or member of the council shall make available such documents and records as appear to the council to be necessary for the purpose of the audit and shall, as directed by the council, supply the RFO, internal auditor, or external auditor with such information and explanation as the council considers necessary for that purpose.

2.5. The internal auditor shall be appointed by and shall carry out the work in relation to internal controls required by the council in accordance with proper practices.

2.6. The internal auditor shall:

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

2.7. Internal or external auditors may not under any circumstances:

- perform any operational duties for the council;
- initiate or approve accounting transactions; or
- direct the activities of any council employee, except to the extent that such employees have been appropriately assigned to assist the internal auditor.

2.8. For the avoidance of doubt, in relation to internal audit the terms 'independent' and 'independence' shall have the same meaning as is described in proper practices.

2.9. The RFO shall make arrangements for the exercise of electors' rights in relation to the accounts including the opportunity to inspect the accounts, books, and vouchers and display or publish any notices and statements of account required by Audit Commission Act 1998, or any superseding legislation, and the Accounts and Audit Regulations.

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

### **3. Annual estimates (budget) and forward planning**

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

3.2. The RFO must each year, by no later than [month], prepare detailed estimates of all receipts and payments including the use of reserves and all sources of funding for the following financial year in the form of a budget to be considered by the [relevant committee and the] council.

3.3. The council shall consider annual budget proposals in relation to the council's three year forecast of revenue and capital receipts and payments including recommendations for the use of reserves and sources of funding and update the forecast accordingly.

3.4. The council shall fix the precept (council tax requirement), and relevant basic amount of council tax to be levied for the ensuing financial year not later than by the end of January each year. The RFO shall issue the precept to the billing authority and shall supply each member with a copy of the approved annual budget.

3.5. The approved annual budget shall form the basis of financial control for the ensuing year.

#### **4. Budgetary control and authority to spend**

4.1. Expenditure on revenue items may be authorised up to the amounts included for that class of expenditure in the approved budget. This authority is to be determined by:

- the council for all items over [£5,000];
- a duly delegated committee of the council for items over [£500]; or
- the Clerk, in conjunction with Chairman of Council or Chairman of the appropriate committee, for any items below [£500].

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

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

4.2. No expenditure may be authorised that will exceed the amount provided in the revenue budget for that class of expenditure other than by resolution of the council, or duly delegated committee. During the budget year and with the approval of council having considered fully the implications for public services, unspent and available amounts may be moved to other budget headings or to an earmarked reserve as appropriate ('virement').

4.3. Unspent provisions in the revenue or capital budgets for completed projects shall not be carried forward to a subsequent year.

4.4. The salary budgets are to be reviewed at least annually in [October] for the following financial year and such review shall be evidenced by a hard copy schedule signed by the Clerk and the Chairman of Council or relevant committee. The RFO will inform committees of any changes impacting on their budget requirement for the coming year in good time.

4.5. In cases of extreme risk to the delivery of council services, the clerk may authorise revenue expenditure on behalf of the council which in the clerk's judgement it is necessary to carry out. Such expenditure includes repair, replacement or other work, whether or not there is any budgetary provision for the expenditure, subject to a limit of [£500]. The Clerk shall report such action to the chairman as soon as possible and to the council as soon as practicable thereafter.

4.6. No expenditure shall be authorised in relation to any capital project and no contract entered into or tender accepted involving capital expenditure unless the council is satisfied that the necessary funds are available and the requisite borrowing approval has been obtained.

4.7. All capital works shall be administered in accordance with the council's standing orders and financial regulations relating to contracts.

4.8. The RFO shall regularly provide the council with a statement of receipts and payments to date under each head of the budgets, comparing actual expenditure to the appropriate date against that planned as shown in the budget. These statements are to be prepared at

least at the end of each financial quarter and shall show explanations of material variances. For this purpose “material” shall be in excess of [£100] or [15%] of the budget.

4.9. Changes in earmarked reserves shall be approved by council as part of the budgetary control process.

#### **5. Banking arrangements and authorisation of payments**

5.1. The council's banking arrangements, including the bank mandate, shall be made by the RFO and approved by the council; banking arrangements may not be delegated to a committee. They shall be regularly reviewed for safety and efficiency. [The council shall seek credit references in respect of members or employees who act as signatories.]

5.2. The RFO shall prepare a schedule of payments requiring authorisation, forming part of the Agenda for the Meeting and, together with the relevant invoices, present the schedule to council [or finance committee]. The council / committee shall review the schedule for compliance and, having satisfied itself shall authorise payment by a resolution of the council [or finance committee]. The approved schedule shall be ruled off and initialled by the Chairman of the Meeting. A detailed list of all payments shall be disclosed within or as an attachment to the minutes of the meeting at which payment was authorised. Personal payments (including salaries, wages, expenses and any payment made in relation to the termination of a contract of employment) may be summarised to remove public access to any personal information.

5.3. All invoices for payment shall be examined, verified and certified by the RFO to confirm that the work, goods or services to which each invoice relates has been received, carried out, examined and represents expenditure previously approved by the council.

5.4. The RFO shall examine invoices for arithmetical accuracy and analyse them to the appropriate expenditure heading. The RFO shall take all steps to pay all invoices submitted, and which are in order, at the next available council [or Finance Committee] meeting.

5.5. The Clerk and RFO shall have delegated authority to authorise the payment of items only in the following circumstances:

- a) If a payment is necessary to avoid a charge to interest under the Late Payment of Commercial Debts (Interest) Act 1998, and the due date for payment is before the next scheduled Meeting of council, where the Clerk and RFO certify that there is no dispute or other reason to delay payment, provided that a list of such payments shall be submitted to the next appropriate meeting of council [or finance committee];
- b) An expenditure item authorised under 5.6 below (continuing contracts and obligations) provided that a list of such payments shall be submitted to the next appropriate meeting of council [or finance committee]; or
- c) fund transfers within the councils banking arrangements up to the sum of [£10,000], provided that a list of such payments shall be submitted to the next appropriate meeting of council [or finance committee].

5.6. For each financial year the Clerk and RFO shall draw up a list of due payments which arise on a regular basis as the result of a continuing contract, statutory duty, or obligation (such as but not exclusively) Salaries, PAYE and NI, Superannuation Fund and regular maintenance contracts and the like for which council [,or a duly authorised committee,] may authorise payment for the year provided that the requirements of regulation 4.1 (Budgetary Controls) are adhered to, provided also that a list of such payments shall be submitted to the next appropriate meeting of council [or Finance Committee].

5.7. A record of regular payments made under 5.6 above shall be drawn up and be signed by two members on each and every occasion when payment is authorised - thus controlling the risk of duplicated payments being authorised and / or made.

5.8. In respect of grants a duly authorised committee shall approve expenditure within any limits set by council and in accordance with any policy statement approved by council. Any Revenue or Capital Grant in excess of £5,000 shall before payment, be subject to ratification by resolution of the council.

5.9. Members are subject to the Code of Conduct that has been adopted by the council and shall comply with the Code and Standing Orders when a decision to authorise or instruct payment is made in respect of a matter in which they have a disclosable pecuniary or other interest, unless a dispensation has been granted.

5.10. The council will aim to rotate the duties of members in these Regulations so that onerous duties are shared out as evenly as possible over time.

5.11. Any changes in the recorded details of suppliers, such as bank account records, shall be approved in writing by a Member.

## **6. Instructions for the making of payments**

6.1. The council will make safe and efficient arrangements for the making of its payments.

6.2. Following authorisation under Financial Regulation 5 above, the council, a duly delegated committee or, if so delegated, the Clerk or RFO shall give instruction that a payment shall be made.

6.3. All payments shall be affected by cheque or other instructions to the council's bankers, or otherwise, in accordance with a resolution of council [or duly delegated committee].

6.4. Cheques or orders for payment drawn on the bank account in accordance with the schedule as presented to council or committee shall be signed by [one] two member[s] of council [and countersigned by the Clerk,] in accordance with a resolution instructing that payment. A member who is a bank signatory, having a connection by virtue of family or business relationships with the beneficiary of a payment, should not, under normal circumstances, be a signatory to the payment in question.

6.5. To indicate agreement of the details shown on the cheque or order for payment with the counterfoil and the invoice or similar documentation, the signatories shall each also initial the cheque counterfoil.

6.6. Cheques or orders for payment shall not normally be presented for signature other than at a council or committee meeting (including immediately before or after such a meeting). Any signatures obtained away from such meetings shall be reported to the council [or Finance Committee] at the next convenient meeting.

6.7. If thought appropriate by the council, payment for utility supplies (energy, telephone and water) and any National Non-Domestic Rates may be made by variable direct debit provided that the instructions are signed by two members and any payments are reported to council as made. The approval of the use of a variable direct debit shall be renewed by resolution of the council at least every two years.

6.8. If thought appropriate by the council, payment for certain items (principally salaries) may be made by banker's standing order provided that the instructions are signed, or otherwise evidenced by two members are retained and any payments are reported to council as made. The approval of the use of a banker's standing order shall be renewed by resolution of the council at least every two years.

6.9. If thought appropriate by the council, payment for certain items may be made by BACS or CHAPS methods provided that the instructions for each payment are signed, or otherwise



evidenced, by two authorised bank signatories, are retained and any payments are reported to council as made. The approval of the use of BACS or CHAPS shall be renewed by resolution of the council at least every two years.

6.10. If thought appropriate by the council payment for certain items may be made by internet banking transfer provided evidence is retained showing which members approved the payment.

6.11. Where a computer requires use of a personal identification number (PIN) or other password(s), for access to the council's records on that computer, a note shall be made of the PIN and Passwords and shall be handed to and retained by the Chairman of Council in a sealed dated envelope. This envelope may not be opened other than in the presence of two other councillors. After the envelope has been opened, in any circumstances, the PIN and / or passwords shall be changed as soon as practicable. The fact that the sealed envelope has been opened, in whatever circumstances, shall be reported to all members immediately and formally to the next available meeting of the council. This will not be required for a member's personal computer used only for remote authorisation of bank payments.

6.12. No employee or councillor shall disclose any PIN or password, relevant to the working of the council or its bank accounts, to any person not authorised in writing by the council or a duly delegated committee.

6.13. Regular back-up copies of the records on any computer shall be made and shall be stored securely away from the computer in question, and preferably off site.

6.14. The council, and any members using computers for the council's financial business, shall ensure that anti-virus, anti-spyware and firewall software with automatic updates, together with a high level of security, is used.

6.15. Where internet banking arrangements are made with any bank, the Clerk [RFO] shall be appointed as the Service Administrator. The bank mandate approved by the council shall identify a number of councillors who will be authorised to approve transactions on those accounts. The bank mandate will state clearly the amounts of payments that can be instructed by the use of the Service Administrator alone, or by the Service Administrator with a stated number of approvals.

6.16. Access to any internet banking accounts will be directly to the access page (which may be saved under "favourites"), and not through a search engine or e-mail link. Remembered or saved passwords facilities must not be used on any computer used for council banking work. Breach of this Regulation will be treated as a very serious matter under these regulations.

6.17. Changes to account details for suppliers, which are used for internet banking may only be changed on written hard copy notification by the supplier and supported by hard copy authority for change signed by [two of] the Clerk [the RFO] [a member]. A programme of regular checks of standing data with suppliers will be followed.

6.18. Any Debit Card issued for use will be specifically restricted to the Clerk [and the RFO] and will also be restricted to a single transaction maximum value of [£500] unless authorised by council or finance committee in writing before any order is placed.

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

6.20. Any corporate credit card or trade card account opened by the council will be specifically restricted to use by the Clerk [and RFO] and shall be subject to automatic

payment in full at each month-end. Personal credit or debit cards of members or staff shall not be used under any circumstances.

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

**OR**

[6.22. The RFO may provide petty cash to officers for the purpose of defraying operational and other expenses. Vouchers for payments made shall be forwarded to the RFO with a claim for reimbursement.

a) The RFO shall maintain a petty cash float of [£250] for the purpose of defraying operational and other expenses. Vouchers for payments made from petty cash shall be kept to substantiate the payment.

b) Income received must not be paid into the petty cash float but must be separately banked, as provided elsewhere in these regulations.

c) Payments to maintain the petty cash float shall be shown separately on the schedule of payments presented to council under 5.2 above.]

## **7. Payment of salaries**

7.1. As an employer, the council shall make arrangements to meet fully the statutory requirements placed on all employers by PAYE and National Insurance legislation. The payment of all salaries shall be made in accordance with payroll records and the rules of PAYE and National Insurance currently operating, and salary rates shall be as agreed by council, or duly delegated committee.

7.2. Payment of salaries and payment of deductions from salary such as may be required to be made for tax, national insurance and pension contributions, or similar statutory or discretionary deductions must be made in accordance with the payroll records and on the appropriate dates stipulated in employment contracts, provided that each payment is reported to the next available council meeting, as set out in these regulations above.

7.3. No changes shall be made to any employee's pay, emoluments, or terms and conditions of employment without the prior consent of the [council] [relevant committee].

7.4. Each and every payment to employees of net salary and to the appropriate creditor of the statutory and discretionary deductions shall be recorded in a separate confidential record (confidential cash book). This confidential record is not open to inspection or review (under the Freedom of Information Act 2000 or otherwise) other than:

a) by any councillor who can demonstrate a need to know;

b) by the internal auditor;

c) by the external auditor; or

d) by any person authorised under Audit Commission Act 1998, or any superseding legislation.

7.5. The total of such payments in each calendar month shall be reported with all other payments as made as may be required under these Financial Regulations, to ensure that only payments due for the period have actually been paid.

7.6. An effective system of personal performance management should be maintained for the senior officers.

7.7. Any termination payments shall be supported by a clear business case and reported to the council. Termination payments shall only be authorised by council.

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

## **8. Loans and investments**

8.1. All borrowings shall be affected in the name of the council, after obtaining any necessary borrowing approval. Any application for borrowing approval shall be approved by Council as to terms and purpose. The application for borrowing approval, and subsequent arrangements for the loan shall only be approved by full council.

8.2. Any financial arrangement which does not require formal borrowing approval from the Secretary of State/Welsh Assembly Government (such as Hire Purchase or Leasing of tangible assets) shall be subject to approval by the full council. In each case a report in writing shall be provided to council in respect of value for money for the proposed transaction.

8.3. The council will arrange with the council's banks and investment providers for the sending of a copy of each statement of account to the Chairman of the council at the same time as one is issued to the Clerk or RFO.

8.4. All loans and investments shall be negotiated in the name of the council and shall be for a set period in accordance with council policy.

8.5. The council shall consider the need for an Investment Strategy and Policy which, if drawn up, shall be in accordance with relevant regulations, proper practices and guidance. Any Strategy and Policy shall be reviewed by the council at least annually.

8.6. All investments of money under the control of the council shall be in the name of the council.

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

8.8. Payments in respect of short term or long-term investments, including transfers between bank accounts held in the same bank, or branch, shall be made in accordance with Regulation 5 (Authorisation of payments) and Regulation 6 (Instructions for payments).

## **9. Income**

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

9.2. Particulars of all charges to be made for work done, services rendered or goods supplied shall be agreed annually by the council, notified to the RFO and the RFO shall be responsible for the collection of all accounts due to the council.

9.3. The council will review all fees and charges at least annually, following a report of the Clerk.

9.4. Any sums found to be irrecoverable and any bad debts shall be reported to the council and shall be written off in the year.

9.5. All sums received on behalf of the council shall be banked intact as directed by the RFO. In all cases, all receipts shall be deposited with the council's bankers with such frequency as the RFO considers necessary.

9.6. The origin of each receipt shall be entered on the paying-in slip.

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

9.8. The RFO shall promptly complete any VAT Return that is required. Any repayment claim due in accordance with VAT Act 1994 section 33 shall be made at least annually coinciding with the financial year end.

9.9. Where any significant sums of cash are regularly received by the council, the RFO shall take such steps as are agreed by the council to ensure that more than one person is present when the cash is counted in the first instance, that there is a reconciliation to some form of

control such as ticket issues, and that appropriate care is taken in the security and safety of individuals banking such cash.

[9.10. Any income arising which is the property of a charitable trust shall be paid into a charitable bank account. Instructions for the payment of funds due from the charitable trust to the council (to meet expenditure already incurred by the authority) will be given by the Managing Trustees of the charity meeting separately from any council meeting (see also Regulation 16 below).]

#### **10. Orders for work, goods and services**

10.1. An official order or letter shall be issued for all work, goods and services unless a formal contract is to be prepared or an official order would be inappropriate. Copies of orders shall be retained.

10.2. Order books shall be controlled by the RFO.

10.3. All members and officers are responsible for obtaining value for money at all times. An officer issuing an official order shall ensure as far as reasonable and practicable that the best available terms are obtained in respect of each transaction, usually by obtaining three or more quotations or estimates from appropriate suppliers, subject to any de minimis provisions in Regulation 11.1 below.

10.4. A member may not issue an official order or make any contract on behalf of the council.

10.5. The RFO shall verify the lawful nature of any proposed purchase before the issue of any order, and in the case of new or infrequent purchases or payments, the RFO shall ensure that the statutory authority shall be reported to the meeting at which the order is approved so that the minutes can record the power being used.

#### **11. Contracts**

11.1. Procedures as to contracts are laid down as follows:

a) Every contract shall comply with these financial regulations, and no exceptions shall be made otherwise than in an emergency provided that this regulation need not apply to contracts which relate to items (i) to (vi) below:

i. for the supply of gas, electricity, water, sewerage and telephone services;

ii. for specialist services such as are provided by legal professionals acting in disputes;

iii. for work to be executed or goods or materials to be supplied which consist of repairs to or parts for existing machinery or equipment or plant;

iv. for work to be executed or goods or materials to be supplied which constitute an extension of an existing contract by the council;

v. for additional audit work of the external auditor up to an estimated value of £500 (in excess of this sum the Clerk and RFO shall act after consultation with the Chairman and Vice Chairman of council); and

vi. for goods or materials proposed to be purchased which are proprietary articles and / or are only sold at a fixed price.

b) Where the council intends to procure or award a public supply contract, public service contract or public works contract as defined by The Public Contracts Regulations 2015 ("the Regulations") which is valued at £25,000 or more, the council shall comply with the relevant requirements of the Regulations<sup>2</sup>.

---

<sup>2</sup> The Regulations require councils to use the Contracts Finder website to advertise contract opportunities, set out the procedures to be followed in awarding new contracts and to publicise the award of new contracts

- c) The full requirements of The Regulations, as applicable, shall be followed in respect of the tendering and award of a public supply contract, public service contract or public works contract which exceed thresholds in The Regulations set by the Public Contracts Directive 2014/24/EU (which may change from time to time)<sup>3</sup>.
- d) When applications are made to waive financial regulations relating to contracts to enable a price to be negotiated without competition the reason shall be embodied in a recommendation to the council.
- e) Such invitation to tender shall state the general nature of the intended contract and the Clerk shall obtain the necessary technical assistance to prepare a specification in appropriate cases. The invitation shall in addition state that tenders must be addressed to the Clerk in the ordinary course of post. Each tendering firm shall be supplied with a specifically marked envelope in which the tender is to be sealed and remain sealed until the prescribed date for opening tenders for that contract.
- f) All sealed tenders shall be opened at the same time on the prescribed date by the Clerk in the presence of at least one member of council.
- g) Any invitation to tender issued under this regulation shall be subject to Standing Orders[ ], <sup>4</sup>[insert reference of the council's relevant standing order] and shall refer to the terms of the Bribery Act 2010.
- h) When it is to enter into a contract of less than £25,000 in value for the supply of goods or materials or for the execution of works or specialist services other than such goods, materials, works or specialist services as are excepted as set out in paragraph (a) the Clerk or RFO shall obtain 3 quotations (priced descriptions of the proposed supply); where the value is below [£3,000] and above [£100] the Clerk or RFO shall strive to obtain 3 estimates. Otherwise, Regulation 10.3 above shall apply.
- i) The council shall not be obliged to accept the lowest or any tender, quote or estimate.
- j) Should it occur that the council, or duly delegated committee, does not accept any tender, quote or estimate, the work is not allocated and the council requires further pricing, provided that the specification does not change, no person shall be permitted to submit a later tender, estimate or quote who was present when the original decision-making process was being undertaken.

## **[12. Payments under contracts for building or other construction works]**

[12.1. Payments on account of the contract sum shall be made within the time specified in the contract by the RFO upon authorised certificates of the architect or other consultants engaged to supervise the contract (subject to any percentage withholding as may be agreed in the particular contract).]

[12.2. Where contracts provide for payment by instalments the RFO shall maintain a record of all such payments. In any case where it is estimated that the total cost of work carried out under a contract, excluding agreed variations, will exceed the contract sum of 5% or more a report shall be submitted to the council.]

---

<sup>3</sup> Thresholds currently applicable are:

a) For public supply and public service contracts 209,000 Euros (£181,302)

b) For public works contracts 5,225,000 Euros (£4,551,413)

<sup>4</sup> Based on NALC's Model Standing Order 18d ©NALC 2018

[12.3. Any variation to a contract or addition to or omission from a contract must be approved by the council and Clerk to the contractor in writing, the council being informed where the final cost is likely to exceed the financial provision.]

### **[13. Stores and equipment]**

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

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

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

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

### **14. Assets, properties and estates**

14.1. The Clerk shall make appropriate arrangements for the custody of all title deeds and Land Registry Certificates of properties held by the council. The RFO shall ensure a record is maintained of all properties held by the council, recording the location, extent, plan, reference, purchase details, nature of the interest, tenancies granted, rents payable and purpose for which held in accordance with Accounts and Audit Regulations.

14.2. No tangible moveable property shall be purchased or otherwise acquired, sold, leased or otherwise disposed of, without the authority of the council, together with any other consents required by law, save where the estimated value of any one item of tangible movable property does not exceed [£250].

14.3. No real property (interests in land) shall be sold, leased or otherwise disposed of without the authority of the council, together with any other consents required by law. In each case a report in writing shall be provided to council in respect of valuation and surveyed condition of the property (including matters such as planning permissions and covenants) together with a proper business case (including an adequate level of consultation with the electorate).

14.4. No real property (interests in land) shall be purchased or acquired without the authority of the full council. In each case a report in writing shall be provided to council in respect of valuation and surveyed condition of the property (including matters such as planning permissions and covenants) together with a proper business case (including an adequate level of consultation with the electorate).

14.5. Subject only to the limit set in Regulation 14.2 above, no tangible moveable property shall be purchased or acquired without the authority of the full council. In each case a report in writing shall be provided to council with a full business case.

14.6. The RFO shall ensure that an appropriate and accurate Register of Assets and Investments is kept up to date. The continued existence of tangible assets shown in the Register shall be verified at least annually, possibly in conjunction with a health and safety inspection of assets.

### **15. Insurance**

15.1. Following the annual risk assessment (per Regulation 17), the RFO shall effect all insurances and negotiate all claims on the council's insurers [in consultation with the Clerk].

[15.2. The Clerk shall give prompt notification to the RFO of all new risks, properties or vehicles which require to be insured and of any alterations affecting existing insurances.]

15.3. The RFO shall keep a record of all insurances effected by the council and the property and risks covered thereby and annually review it.

15.4. The RFO shall be notified of any loss liability or damage or of any event likely to lead to a claim, and shall report these to council at the next available meeting.

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

#### **16. [Charities]**

[16.1. Where the council is sole managing trustee of a charitable body the Clerk and RFO shall ensure that separate accounts are kept of the funds held on charitable trusts and separate financial reports made in such form as shall be appropriate, in accordance with Charity Law and legislation, or as determined by the Charity Commission. The Clerk and RFO shall arrange for any audit or independent examination as may be required by Charity Law or any Governing Document.]

#### **17. Risk management**

17.1. The council is responsible for putting in place arrangements for the management of risk. The Clerk [with the RFO] shall prepare, for approval by the council, risk management policy statements in respect of all activities of the council. Risk policy statements and consequential risk management arrangements shall be reviewed by the council at least annually.

17.2. When considering any new activity, the Clerk [with the RFO] shall prepare a draft risk assessment including risk management proposals for consideration and adoption by the council.

#### **18. Suspension and revision of Financial Regulations**

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

18.2. The council may, by resolution of the council duly notified prior to the relevant meeting of council, suspend any part of these Financial Regulations provided that reasons for the suspension are recorded and that an assessment of the risks arising has been drawn up and presented in advance to all members of council.

The Model Financial Regulations templates were produced by the National Association of Local Councils (NALC) in July 2019 for the purpose of its member councils and county associations. Every effort has been made to ensure that the contents of this document are correct at time of publication. NALC cannot accept responsibility for errors, omissions and changes to information subsequent to publication.

# Agenda Item 10

## POLICY, GOVERNANCE & FINANCE COMMITTEE

---

**Date:** Monday, 25 September 2023

**Title:** Spending Committee Financial Regulations

**Contact Officer:** Deputy Town Clerk/R.F.O

---

### Background

It is the Council's usual practice that all matters discussed, and recommendations made by spending Committees which have financial implications, are reported to this committee. This Committee is responsible for the overall fiscal management of the Council.

### Current Situation

#### Parks & Recreation – 4 September 2023

**Play Area Renewals** – The Committee recommended that replacement play equipment at Burwell and King George's play areas be purchased up to the value of £38,651. This is to be funded from the Council's Play Area earmarked reserve, £34,000 (earmarked reserve 365). The remaining amount is to be funded as a supplementary estimate from the Council's general fund (code 310).

**Recreation Ground Signage** – The Committee recommended that 5 x A2 signs and posts should be purchased to provide welcome and rules signs at the Council's recreation grounds up to the value of £2,775. It is recommended that these signs could be funded through utilising existing property maintenance budgets at the sites (codes 4036/202-205) and the infrastructure earmarked reserve (code 369), the balance of which on 1 April 2023 was £59,944.

#### Halls, Cemeteries & Allotments – 11 September 2023

**Property & Legal Matters** – The Committee recommended that a storage shed, and lawn mower be funded by the Town Council for use by Witney Allotment Association at Lakeside Allotments. The cost of £2,900 for the shed and £300 for the mower being funded from the town council's allotments earmarked reserve.

#### Stronger Communities – 18 September 2023

**Youth Services** – The Committee recommended that a grant of £10,000 should be awarded to Home-Start Oxford, in accordance with their application. This to be funded £8,400 from the Youth Grant (remaining balance code 4169/408), and £1,600 from the General Grants budget (code 4100/407).

**Community Engagement report** - Car Free Day, 22 September 2023: the Committee recommended that that with regard to the Heritage Walk the Council should fund Witney Museum £5 per walker up to a maximum of 20 walkers, funded from the Car Free Day budget.



D-Day 80<sup>th</sup> Anniversary 2024. The Committee recommended that a provisional budget of £1,000 should be set in the 2024-25 estimates (cost centre 408), subject to a task & finish group being established and providing further details of a suitable event.

**Events report** – The Committee recommended that a grant of £10,000 should be awarded to Witney Music Festival (WMF) for 2024-25 noting that this is subject to the budget-setting cycle and this amount being considered affordable at that stage (cost centre 408). With regard to the additional £5,000 which WMF had requested regarding the provision and management of a disabled area and toilets, they were signposted to WODC West Hive crowdfunding, which was being launched in October 2023.

Play Day. It was reported that this was a free event for residents organised in the town annually by Oxfordshire Play Association (OPA). The Committee recommended that the Council continue to give a grant of £1,000 for this event in 2024 (2024-25 budget 4106/408).

**Bus Shelters West Witney.** The Committee agreed to adopt the proposed four bus shelters for Windrush Place and consequently increase the annual bus shelter maintenance budget from £2,000 to £3,000 in 2024-25 (budget line 4035/402).

**Winter preparations** - Salt bins. The Committee agreed to pay and install two new salt/grit bins at Kingfisher Meadow from the existing budget.

## **Environmental impact**

Having declared a Climate Change Emergency at its Council meeting on 26 June 2019 Councillors should have due regard to the environmental impact of any decisions they make with regard to its facilities and services it operates.

## **Risk**

In decision making Councillors should give consideration to any risks to the Council and any action it can take to limit or negate its liability.

All the Council's Committees receive financial reports to conduct its checks and balances and consideration is given to budgets and funding availability when agreeing expenditure.

## **Financial implication**

The report forms part of the Council's mechanisms for budgetary control. Specific financial implications are detailed.

## **Recommendations**

Members are invited to note the report and consider the following:

- Agreeing the recommendations of the spending committees as detailed above.

# Agenda Item 12

## POLICY, GOVERNANCE & FINANCE COMMITTEE

---

**Date:** Monday, 25 September 2023

**Title:** Grants & Subsidised Lettings

**Contact Officer:** Deputy Town Clerk

---

### Background

The Council maintains budgets for general discretionary and subsidised letting grants for groups or organisations which require financial assistance towards projects, costs and venue hire to provide services for residents of Witney. Grant requests are usually considered by this Committee bi-annually at meetings in June and January, however there is occasion when they need to be considered at other times of the year due to Council Committee timeframes. In the current year the budgets are as follows:

- Discretionary Grants (4100/407) - £20,000.
- Subsidised Lettings – Corn Exchange/Burwell Hall (4110/407) - £1,800.
- Subsidised Lettings – The Leys/Other (4110/202) - £10,000.

### Current Situation

#### Subsidised Lettings

#### **Oxfordshire County Council – Witney High Street Community Engagement**

At the Full Council meeting held on 1 August 2022, the Council agreed to support the County Council by offering subsidised hire of the Corn Exchange for community engagement workshops on the future of Witney High Street, minute no. 417 refers,

*That, the Corn Exchange should be put forward as a location for the workshops. Arrangements and a discounted price being delegated to the Deputy Town Clerk.*

Due to other bookings, some of the workshops are unable to be held in the Corn Exchange. There are however two full days of hire and one evening, totalling £910.50 inc. VAT for varying stakeholder sessions. Three sessions, totalling £441.00 have been agreed as subsidised hire towards these workshops and the Town Council's contribution for the engagement towards this project.

#### **Friends of the Cemeteries**

By way of historic agreement, this recognised outside Council body is provided with subsidised hire at the Corn Exchange to facilitate its meetings. The Friends is a focus group which often acts as an intermediary on complaints regarding burials/cemeteries and provides an information exchange for residents and officers of the Council.

A meeting of the Friends was held in the Gallery Room on 6 September 2023.

## Additional Matters

### **St Mary's – NHS 75<sup>th</sup> Anniversary Civic Drinks Reception**

A letter of thanks has been received from the Benefice of Witney for the £500 towards a Drinks Reception for local NHS staff (past and present) on 4 July 2023 to mark its 75<sup>th</sup> Anniversary.

### **Environmental impact**

Having declared a Climate Change Emergency at its Council meeting on 26 June 2019 Councillors should have due regard to the environmental impact of any decisions they make with regard to its facilities and services it operates.

### **Risk**

In decision making Councillors should give consideration to any risks to the Council and any action it can take to limit or negate its liability.

Subsidised hire for both Oxfordshire County Council and the Friends of the Cemeteries Group shows residents the Council is committed to engaging and listening to the public on items under its remit, and in supporting their voice on items that is not.

### **Financial implications**

- The current balance of the public halls subsidised letting budget (4110/407) is £976.00
- The subsidised hire for Oxfordshire County Council is £441.00
- The subsidised hire for Friends of the Cemeteries is £42.35

### **Recommendations**

1. To note the subsidised hire for Oxfordshire County Council and Friends of the Cemeteries,
2. To note the letter of thanks from St Mary's Church.

**The Rev'd Canon Toby Wright  
Team Rector**

Thursday 3<sup>rd</sup> August 2023

Adam Clapton  
Deputy Town Clerk  
Town Hall  
Market Square  
Witney  
OX28 6AG

Dear Adam,

A huge thank you to the Town Council for the sum of £500 towards the Civic Drinks Reception held at St. Mary's 5<sup>th</sup> July to mark the 75<sup>th</sup> Anniversary of the NHS. Your support is truly appreciated.

We are thankful for the partnership with the Town Council for this excellent event and it was widely appreciated by all who were able to join us.

Thank you again



Called to be a  
**community of  
mercy and kindness**

The Rectory, 13 Station Lane, Witney OX28 4BB  
Tel: 01993 704441  
Email: [rector@witneyparish.org.uk](mailto:rector@witneyparish.org.uk)  
Deanery website: [www.witneyparish.org.uk](http://www.witneyparish.org.uk)