

**March 2015**

**Bishop's  
Cleeve  
Parish  
Council**

Minutes for Full Council meeting





**Draft Minutes of the Meeting of Bishop's Cleeve Parish Council held on the 5<sup>th</sup> March 2015 at the Parish Council Offices at 7.30pm-**

1. Councillors were invited to make a **Declaration of interests** of matters on the agenda. Councillors had been advised to take note of the Code of Conduct advice made available to them.
2. **Public Session** 10 Members of the public attended and were invited to speak to the Council **and** Councillors who declared an interest in **matters on the agenda** were also invited to address the Council at this time. Closed at 8pm
3. **Attendance** of Parish Councillors recorded as Cllrs' P Lightfoot, Cllr Taylor, Cllr Drake, Cllr Stayt, Cllr Mackinnon, Cllr Badham, Cllr Reece, Cllr M Reddicliffe, Cllr A Shakespeare, Cllr D Lewis, Cllr A Robinson, Cllr A Lightfoot, Cllr K Peake and Cllr Richmond (14)
4. **Apologies** noted from Cllr M Cooper, Cllr J Peake & Cllr Beattie,
5. **Reports from Borough Councillors'** A Mackinnon, S Hillier Richardson & Cllr East were heard – up to 20.10pm
6. Council noted **Crime Report**
7. Council noted **dates for diary**
8. Following a proposal and seconder at meeting, Council agreed for **accuracy** the **minutes of the previous Council meeting**
9. Council noted the **draft minutes for Committees** meetings held since the previous Full Council meeting
10. Following a Proposal and seconder at meeting Council approved the **Cheque payment list**
11. Council noted items of **correspondence** as received by the Clerk on behalf of the Council have been forwarded to the appropriate committees.
12. Following a proposal and seconder at meeting, Council agreed that all non-confidential **supporting papers** for all Council and Committee meetings be posted onto the Parish Council website a minimum of 3 working days prior to the meeting date and remain for 2 years was agreed
13. Following a proposal and seconder at meeting, Council agreed to change to **internal pension policy** as recommended by Employment and Finance Committee to bring Council's policy in line with auto enrolment requirements
14. Following a proposal and seconder at meeting, Council agreed to adopt **LGPS "Statement of Policy on discretions"** in line with the existing 2011 adopted policy as recommended by Employment and Finance Committee
15. Following a proposal and seconder at meeting, **Council agreed to adopt updated financial regulations** as recommended by Employment and Finance Committee.
16. Following a proposal and seconder at meeting, **Council agreed to adopt updated standing orders** as recommended by Employment and Finance Committee

17. Council noted that a **direct debit mandate** has been set up to Southern Electric for electricity supply at the community Building with an estimated saving of £400 pa in accordance with the financial regulations and the delegated power to the Proper Officer to ensure that utility contracts are with the most competitive supplier
18. Council noted the verbal and written update from the **Kayte Lane Residents Association**. The request for a grant has been agreed by Community Wellbeing Committee in line with Charities and Local Organisations Support Policy (the sum of £1k was ring fenced by Council in December 2014)
19. Council noted that Tewkesbury Borough Council rejected a request for **deed of variation** for s106 Cleavelands development. The next Sports field Committee will have agenda item to discuss way forward for existing astro.
20. Council agreed date for 2014/15 **Parish Assembly** -30<sup>th</sup> April (cancelling Allotments) Topic already agreed as “20 mile an hour speed limit in Village”

Councillors were asked for any **other business** for information purposes at the discretion of the Chair followed by close of meeting at 21.24pm

## Minutes of Full Parish Council meeting

held on the 5<sup>th</sup> February 2015 2014 at the Parish Council Offices at 7.30pm at the Parish Council Offices

1. Councillors were invited to make a **Declaration of interests** of matters on the agenda. Cllr Badham declared an interest in the planning application for Taxi service on Stoke Road. Councillors have been advised to take note of the Code of Conduct advice made available to them.
2. **Public Session.** 4 Members of the public attended and were invited to speak to the Council **and** Councillors who declared an interest in **matters on the agenda** were invited to address the Council at this time. Closed at 19.41pm and doors were closed at 19.45pm
3. **Attendance** of Parish Councillors recorded as Cllrs' P Lightfoot, Cllr Taylor, Cllr Stayt, Cllr Mackinnon, Cllr Badham, , Cllr Beattie, Cllr Reece, Cllr Drake, Cllr M Reddcliffe, Cllr M Cooper, Cllr A Shakespeare, Cllr D Lewis, Cllr A Robinson and Cllr A Lightfoot and Cllr Richmond (15 )
4. **Apologies** noted from Cllr K Peake & Cllr J Peake,
5. **Council heard verbal reports from Borough Councillors' Hillier Richardson and Mackinnon. No other Borough Councillors' or County Councillor attended ( 19.42 to 19.55 pm)**
6. Council agreed for **accuracy** the **minutes of the previous Council meeting**
7. Council noted the **draft minutes for Committees** meetings held since the previous Full Council meeting as attached
8. Following a Proposal and seconder at meeting Council approved the **Cheque payment** list as attached
9. Council noted **there was no Crime Report** to note at meeting but Clerk received report on day of meeting and will distribute to Councillors
10. Council noted **dates for diary –**
11. Council noted report from Chair of Council on **Tewks Borough Plan seminar**
12. Council noted minutes of meeting held with Borough Councillors in October have not yet been received
13. Council noted item of **correspondence** as received by the Clerk on behalf of the Council. The Proper Officer has sent a standard acknowledgement in accordance with Standing Orders.
14. Following a proposal and seconder at meeting, Council **agreed s106 wish list** to form future s106 policy as detailed in supporting papers. **Recorded Vote asked for amendment. Amendment from Cllr Badham and Mackinnon proposed removal of priority 12b. Cllr Shakespeare Cllr Badham Cllr Mackinnon voted for amendment. Cllr A Lightfoot Cllr Reddcliffe Cllr Lewis, Cllr Robinson, Cllr Cooper, Cllr Taylor, Cllr P Lightfoot voted against Cllr Richmond, Cllr Stayt, Cllr Beattie, Cllr Drake, Cllr Reece abstained. therefore was Amendment Loss. In the Vote for the motion to accept the items specified to form the future s106 Policy, Motion agreed with one absention.**
15. Following a proposal and seconder at meeting, Council agreed to appoint Ian Selkirk as **independent auditor for year end 31.3.2015.**

16. Council considered if it wishes to receive all agenda's and supporting papers **electronically** as from 31<sup>st</sup> January it will be legally possible. There was a proposer but no seconder and therefore item fell.

any **other business** for information purposes at the discretion of the Chair.-  
followed by close of meeting at 20.34pm

**Minutes for Planning & Environment Committee Meeting  
held at the Parish Office at 6.30pm on Thursday 29<sup>th</sup> January 2015**

1. Declarations of interest in matters on the agenda – no declarations
2. Public Session including an invitation to Councillors who have declared an interest in matters on the agenda to address the Committee. A presentation was made from Elgar Middleton, renewable energy developer, regarding proposed solar farm on land at Home Farm, Brockhampton.
3. Attendance from Cllrs D Lewis, P Lightfoot, K Peake, M Reddcliffe, A Robinson and B Stayt (6)
4. Apologies to be noted – Cllrs A Lightfoot, M Cooper
5. Minutes of meeting held on 15th January 2015 – agreed Proposed (PL) Seconded (AR)
6. Planning Applications considered:

| Our Ref  | Date rec'd | Address                      | Description/TBC Ref/GCC link  |
|--|------------|------------------------------|---|
|  |            |                              | Decision to be proposed and seconded at meeting before debate and decision is made          |
| 737  | 22/12/14   | Part Parcel 7346, Evesham Rd | Proposal for 24 dwellings<br>14/01233/FUL   |
| Proposed (PL) Seconded (BS) Object – Deputy Clerk and Vice Chair to draft response |            |                              |   |
| 738  | 08/01/15   | 7 Huxley Way                 | Erection of glazed orangery to rear elevation<br>14/01283/FUL                               |
| Proposed (MR) Seconded (KP) 1 abstention, Neutral                                  |            |                              |   |
| 739  | 14/01/15   | Zurich                       | Pollarding & crowning of trees<br>14/01279/TPO  |
| Proposed (PL) Seconded (MR) Neutral  |            |                              |   |
| 702  | 15/01/15   | Homelands Phase 1B           | Revised plans – reduction in site area, amendment to house types and layout<br>14/00694/APP |
| Proposed (BS) Seconded (PL) Neutral  |            |                              |   |

**7. Decisions made by TBC/GCC noted**

| Our Ref | Date rec'd | Address                                      | BCPC    | TBC/GCC |
|---------|------------|--|---------|---------|
| 724     | 14/01/15   | 9 The Withers<br>14/01127/FUL                | neutral | Permit  |
| 725     | 12/01/15   | 2 Pagets Road<br>14/01145/FUL                | neutral | Permit  |
| 726     | 13/01/15   | Home Farm, Brockhampton Lane<br>14/01128/FUL | neutral | Permit  |
| 728     | 14/01/15   | 47 Pecked Lane<br>14/01052/FUL               | neutral | Permit  |

**Highways Matters Considered**

8. Committee noted update regarding Gloucestershire Local Transport Plan Review

9. Committee noted report from GCC regarding parking enforcement.  
Any Other Business – at the Chair’s discretion for information purposes

Meeting Closed at 19.21

## Minutes of Planning & Environment Committee Meeting

held in the Parish Office at 6.30pm on Thursday 12<sup>th</sup> February 2015

1. Declaration of interest in matters on the agenda – there were no declarations of interest from councillors
2. Public Session including an invitation to Councillors who have declared an interest in matters on the agenda to address the Committee. No members of the public attended.
3. Attendance recorded from Cllrs A Lightfoot, D Lewis, P Lightfoot, K Peake, M Reddicliffe, A Robinson, R Stayt (7)
4. Absence noted from Cllr M Cooper
5. Minutes of meeting held on 29th January 2015 – agreed, with one spelling amendment. Proposed (BS) Seconded (DL)
6. Planning Applications considered:

| Our Ref                             | Date rec'd | Address         | Description/TBC Ref/GCC link<br>Decision to be proposed and seconded at meeting before debate and decision is made                                     |
|-------------------------------------|------------|-----------------|--|
| 740                                 | 27.01.15   | 21 Station Road | Erection of pair of semi detached, 2 bedroom bungalows (revised version of 14/00862/FUL) 15/00035/FUL  |
| Proposed (MR) Seconded (AR) Neutral |            |                 |  |
| 741                                 | 03.02.15   | Homelands Farm  | Phase 3a reserved matters details under outline planning for Homelands 2 (10/01005/OUT) in respect of 3 dwellings forming part of Phase 3 14/01269/APP |
| Proposed (DL) Seconded (PL) Neutral |            |                 |  |

7. Decisions made by TBC/GCC noted:

| Our Ref | Date rec'd | Address                                      | BCPC    | TBC/GCC |
|---------|------------|--|---------|---------|
| 722     | 22.01.15   | 6 Hertford Road<br>14/01092/FUL              | object  | permit  |
| 727     | 26.01.15   | 29 The Holt<br>14/01132/FUL                  | object  | refuse  |
| 731     | 28.01.15   | 4 Stoke Road<br>14/00978/FUL                 | support | permit  |
| 732     | 27.01.15   | 23 The Nurseries<br>14/01198/FUL             | support | permit  |
| 719     | 03.02.15   | Cedar House<br>14/01083/FUL                  | support | permit  |
| 730     | 04.02.15   | Station Garage, Station Road<br>14/01192/FUL | support | permit  |



### Other Matters for Consideration

8. Committee considered response to TBC regarding naming of new residential development at Dean Acre, Homelands site, Phase 3. Proposed (MR) Seconded (KP) Deputy Clerk to contact TBC for further information on name derivation.
9. Committee noted planning enforcement investigation regarding 14/00394/FUL The Manor House.
10. Committee noted planning enforcement investigation regarding 1 Bishop's Close.
11. Committee noted comments submitted to TBC following discussion at last meeting regarding 14/01233/FUL Part Parcel 7346, Evesham Road.
12. Committee considered representative to attend training event regarding Neighbourhood Development Plans on Wednesday 25<sup>th</sup> March. Proposed (KP) Seconded (PL) As it is not present Council policy to formulate a NDP, it was decided that no representative would attend.
13. Committee noted article in Echo of 3<sup>rd</sup> February with further information relating to Tewkesbury Borough Plan.

### Environmental Matters for Consideration

14. Committee noted Environmental Matters reported to the Parish Office during January 2015.
15. Committee noted consultation from GCC regarding Minerals Local Plan Additional Site Option. Committee to consider response at next committee meeting. Proposed (AL) Seconded (AR)

### Highways Matters for Consideration

16. Committee considered response to GCC Highways regarding proposed Toucan crossings on A435 Evesham Road. Proposed (AL) Seconded (AR) Respond to Highways asking for the 40mph speed limit to be increased to encompass this stretch of road.
17. Committee considered response to concerns raised by residents regarding increased parking and traffic obstruction in Stoke Road. Proposed (MR) Seconded (RS) Response to residents that this was discussed at the Police Community Engagement meeting which has representation from police, highways and borough councillors.
18. Committee considered response to concerns raised by residents regarding damage to verges in Dale Walk and Tobyfield Road caused by vehicles. Proposed (AR) Seconded (DL) After discussion, committee decided no further response was required.

Any Other Business – at the Chair's discretion for information purposes only

Meeting closed at 19.09

## **Draft minutes of Amenities Committee and Open Spaces Committee**

held at 7.30pm in the Parish Office on Thursday 12th February 2015

1. Councillors were invited to make Declaration of interests of matters on the agenda
2. Public Session included an invitation to Councillors who had declared an interest to address the Committee. One member of public attended.
3. Attendance recorded as Cllrs' A Lightfoot, P Lightfoot, R Stayt, K Peake, A Robinson, M Cooper, P Richmond, M Reddcliffe
4. Absences noted – Cllr F Beattie
5. Following a proposal and seconder at meeting, Committee agreed to accept the draft minutes from January 2015
6. Following a proposal and seconder at meeting, Committee agreed to accept the financial reports year to date
7. Committee noted update on the Browning seat.
8. Following a proposal and seconder at meeting, Committee agreed to accept quotation A for remedial work needed at the watercourse in the sports field.
9. Committee noted that no business plan or report for the future planting of trees project as delegated to Cllr Richmond and Cllr Cooper has been received- cfwd
10. Following a proposal and seconder at meeting Committee considered replacement of the Hayfield Way notice board in the sum of £435 plus installation costs. It was agreed for Clerk to research different styles and bring to committee.
11. Following a proposal and seconder at meeting Committee agreed the removal of a dog bin at Kayte Lane field due to damage as there is a second dog bin within a few meters.
12. Following a proposal and seconder at meeting Committee considered replacement of damaged lids on bins in Church Road, replacement of damaged bin in the parish garden, removal of litter bin behind Lidl's and offer bin from item 12 as replacement of dog bin in Grange field to TBC. Clerk authorised to vire money from Shrubbery fund to pay for bins
13. Committee considered what action it would like the police to take in resolving the fire damage to the teddy bear bin at Pecked Lane and agreed it wishes to delegate authority to Clerk to make a statement of loss on the matter and the committee wish the police to prosecute.
14. Following a proposal and seconder at meeting, Committee agreed it wishes to receive a formal update from Insurance Company.

Any other business considered at the discretion of the Chair for information purposes only followed by close of meeting at 20.20pm

## Minutes of the Community Wellbeing Committee

held in the Parish Office at 7.30pm in the Parish Office on January 29th 2015

1. Declaration of interests by Councillors of matters on the Agenda. Cllr Beattie declared a family interest. Cllr Reddicliffe declared an interest.
2. Public Session included an invitation to Councillors who have declared an interest to address the Committee. No member of the public attended
3. Attendance Cllrs' P Taylor, M Reddicliffe, P Lightfoot, F Beattie, J Peake, D Lewis, A Shakespeare, Apologies noted from Cllrs' A Lightfoot & M Cooper,
4. Presentation from companies in tendering process for youth provision took place
5. Committee agreed, following a proposal and seconder at meeting, the awarding of contracts for youth provision for 2015/16- 3 detached Play Glos, and 2 premises based GMAS on Partnership approach. The Clerk, Chair and Vice Chair to agree the evenings for each provider.
6. Committee agreed draft minutes from previous meeting following t proposal and seconder at meeting
7. Committee agreed financial reports subject to proposal and seconder at meeting
8. Council noted feedback from the Friday Luncheon Club
9. There was no proposal and seconder at meeting a Charities And Local Organisation grant application in the sum of £250 for core funding for Roses Theatre (LGA1972 s145). Application declined.
10. Committee noted reports from Young Glos as distributed
11. Committee noted report from Play Glos as distributed
12. Committee agreed actions taken by Clerk as detailed in Email sent to committee on 5<sup>th</sup> December
13. Committee noted written feedback as distributed, in regard to the Big Picnic and agreed, following proposal and seconder at meeting to ask Clerk to prepare a report on the feasibility on a 2016 big picnic event , alternative locations, grants, volunteers etc and with consideration being given to outcome of budget workshop.
14. Committee agreed following a proposal and seconder at meeting, it wishes to approve the continued historical free use of the community building room 3 for one session a week by the children's centre to continue for 2015/16 in the sum of £2489.20. (Included in 2015/16 budget)
15. Committee considered correspondence, & following a proposal and seconder at meeting, agreed oil buying club ([www.oilbuyingclub.com](http://www.oilbuyingclub.com)) to be referred to Transition Cleeve
16. Committee considered correspondence, & following a proposal and seconder at meeting, from TBC regarding energy saving information sessions. It was agreed that the Clerk will email a list of groups that may be relevant.
17. Committee considered subject to a proposal and seconder at meeting, & agreed to bring ideas to next meeting for any articles to Tewkesbury Borough News.

18. Committee noted that a draft budget newsletter will be emailed before next meeting
19. Committee noted that the Rotary Club is not able to take on any significant new projects and therefore are unable to proceed with the Tree of Light or Wishing Well project.

Any other Business at the Discretion of the Chair for information only followed by Close of Meeting 21.13pm

**Draft Minutes of the Employment and Finance Committee** meeting held at 6.30pm in the Parish Office on Thursday 19<sup>th</sup> February 2015

1. Councillors are invited to make Declaration of interests of matters on the agenda
2. Public Session including an invitation to Councillors who have declared an interest to address the Committee
3. Attendance to be recorded from Councillors' R Stayt, A Lightfoot, P Lightfoot, P Taylor, A Reece, D Lewis and M Reddicliffe (clerk and deputy clerk attended)
4. Committee agreed to accept the draft minutes from 30<sup>th</sup> October 2014 meeting of Committee.
5. Following a proposal and seconder at meeting, Committee to agreed to recommend adoption of revised financial regulations based on NALC pro-forma and including Transparency Code 2014 and Accounting and Governance recommended good practice
6. Following a proposal and seconder at meeting, Committee agreed following a majority vote to recommend adoption of revised Standing Orders based on NALC pro-forma
7. Following a proposal and seconder at meeting, Committee agreed to recommend revised Pension policy and statement on policy and discretions as required by LGPS and current payroll company to proceed with auto enrolment requirements
8. Confidential employment matter update noted

Meeting closed at 8.15pm

## Cheque Payment list-

| Name regular monthly payments      | detail                                     | £       | Expenditure Authorised by committees |
|------------------------------------|--|---------|--------------------------------------|
| Clean space partnership            | Caretaking and cleaning                    | 2184.00 | √                                    |
| C Puttick                          | Mileage                                    | 31.59   | Council                              |
| Glebe contractors                  | Grass cutting                              | 0       | √                                    |
| HI Lo crysal clear ltd             | Bus shelter & window cleaning              | 186.00  | √                                    |
| D Lewis                            | Grounds man                                | 900.00  | √                                    |
| Lloyds Bank                        | Bank charges (DD)dec, jan ,feb             | 65.41   |                                      |
| Play Gloucestershire               | Youth provision                            | 1428.00 | √                                    |
| Phil Baker building services       | water courses, bins, swings , wall repairs | 1978.00 | √                                    |
| Councillor J Peake                 | Councillor allowances                      | 10.10   | √                                    |
| Councillor K Peake                 | Councillor allowances                      | 10.10   | √                                    |
| PHS                                | Waste removal- annual contract             | 1627.61 | √                                    |
| Place maintenance Ltd              | Tractor and equipment hire                 | 0       | √                                    |
| Robert Hall business equipment ltd | Stationery and consumables                 | 251.48  | delegated                            |
| STWA                               | Sports field                               | 508.05  | √                                    |
| Scottish Power                     | Parish office (DD)                         | 1595.09 | √                                    |
| Total Ltd                          | Telephone system                           | 145.07  | √                                    |
| D Walker                           | Grounds man                                | 900.00  | √                                    |
| Young Glos                         | Youth provision                            | 0       |                                      |
| Payroll                            | For month                                  | 7697.40 | √                                    |
| Name non regular payments          | detail                                     | £       | Expenditure Authorised by committees |
| Cleeve Supplies                    | Padlocks and WD40                          | 4.25    |                                      |
| Glos County Council                | Community building insurance               | 369.98  | √                                    |
| Keiron Bedford                     | CB/Pavilion Boiler services and repairs    | 1845.24 | √                                    |
| KCS                                | Copier July 2014 to Jan 2015               | 709.15  | √                                    |
| Verde Recreo                       | Quarterly Astro maintenance                | 436.50  | √                                    |
| Winsmart Ltd                       | Periodic & PAT test at pavilion            | 861.00  | √                                    |

### ***Pension Scheme Policy***

Bishop's Cleeve Parish Council's adopted its Pension Scheme policy in July 2011. The Employment and Finance Committee have reviewed the policy in line with LGPS requirements and auto enrolment and the following is now adopted

- Contributions are reviewed annually (1<sup>st</sup> April)
- that it will not grant additional years of membership to scheme members
- that it will not grant additional annual pensions.
- It will consider each application for flexible retirement on its own merits. It will consider each application for early payment of pension individually on its own merits.
- will not extend the statutory 12 month window within which a scheme member can elect to aggregate previous deferred LGPD benefits
- will not extend the statutory 12 month window within which a scheme member can transfer benefits from another scheme into their current employment.
- will not allow early payment of deferred benefits on compassionate grounds where the scheme member left the Council's employment before 1/4/1988 and has attained the age of 50
- will not allow early payment of deferred benefits for what ever reason where the scheme member left the Council's employment between 1/4/1998 and 31/3/2008
- Employees of the Council are eligible to join the Local Government pension scheme subject to auto enrolment rules

March 2015

# Adopted Financial Regulations

## 1. GENERAL

- 1.1. These financial regulations govern the conduct of financial management by the council and may only be amended or varied by resolution of the council. 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.
- 1.5. These financial regulations also take into account the recommended good practice of the Local Government Transparency Code 2014 for councils with annual income/expenditure over £200,000 but below £6.5 million
- 1.6. These financial regulations take into account the Governance and Accountability for Local Councils 2014
- 1.7. 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.
- 1.8. In line with the recommended good practice of the Local Government Transparency Code 2014. The Council will publish within its annual Governance statement any counter fraud work that the Council has undertaken
- 1.9. A breach of these Regulations by an employee is gross misconduct.

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<sup>1</sup> Model standing orders for councils are available in Local Councils Explained © 2013 National Association of Local Councils



- 1.10. 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.
- 1.11. The Responsible Financial Officer (RFO) holds a statutory office under s151 of the Local Government Act 1972 to be appointed by the council to manage the financial affairs of Bishop's Cleeve Parish Council. The Clerk has been appointed as RFO for this council and these regulations will apply accordingly
- 1.12. 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.
- 1.13. 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<sup>2</sup>.
- 1.14. 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

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<sup>2</sup> Accounts and Audit (England) Regulations 2011/817

- 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.

1.15. 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.

1.16. 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.

1.17. In addition the council must:

- determine and keep under regular review the bank mandate for all council bank accounts;

- in respect of the annual salary for any employee have regard to recommendations about annual salaries of employees made by the Employment and Finance committee in accordance with its terms of reference and the adopted Employment Policy of the Council.

1.18. 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). See Appendix for procedures in line with Governance and Accountability 2014

In line with the recommended good practice of the Local Government Transparency Code 2014 the Council will Publish data as required by using its Website,. Additionally Annual reports are distributed to every household. All documents published on the Council's website are available from the Parish Office.

## **2. ACCOUNTING AND AUDIT (INTERNAL AND EXTERNAL)**

- 2.1. All accounting procedures and financial records of the council shall be determined by the RFO in accordance with the Accounts and Audit Regulations, appropriate guidance and proper practices.
- 2.2. On a regular basis, at least once in each quarter, and at each financial year end, a member other than the Chairman shall be appointed to verify bank reconciliations (for all accounts) produced by the RFO. The member shall sign the reconciliations and the original bank statements (or similar document) as evidence of verification. This activity shall on conclusion be reported, including any exceptions, to and noted by the Employment and 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. See appendix for details of internal audit processes
- 2.5. The independent 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 independent auditor shall:
- be competent and independent of the financial operations of the council;
  - report to council in writing, or in person, on a regular basis with a minimum of one annual written report during each financial year;
  - to demonstrate competence, objectivity and independence, be free from any actual or perceived conflicts of interest, including those arising from family relationships; and
  - have no involvement in the financial decision making, management or control of the council.
- 2.7. independent 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. The publishing of the accounting statements must take place by 30th September each year. This requirement is met by publishing/displaying sections 1, 2 and 3 of the annual return

- 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 BUDGET AND FORWARD PLANNING**

- 3.1. Each committee shall review its annual 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 RFO not later than the end of October each year including any proposals for revising the forecast.
- 3.2. The RFO must each year, by no later the second week of November], 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 Employment and Finance committee The budget workshop shall consider the annual budget proposals in relation to the Council's four year plan, Community Led Plan, Employment Policy , any other adopted policy of the Council and the Management of Risk report provided by the RFO
- 3.3. The council shall fix the precept (council tax requirement), 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.
- 3.4. The approved annual budget shall form the basis of financial control for the ensuing year.
- 3.5. The Council will publish its annual budget in a quarterly newsletter and on its website as soon as possible after approval. As well as an overall summary of the budget with cost centres showing their net cost to the precept, a detailed breakdown of each cost centre with a total income or expenditure of at least £500 pa will also be provided.
- 3.6. Each committee meeting will receive a financial management report showing actual against budget for each cost centre that it has a delegated authority

### **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:
- a duly delegated committee of the council for items within their approved delegated budget and powers

- the Clerk, for any expenditure for operational matters not covered by Committees

Such authority is to be evidenced by a minute. 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,. 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 be carried forward to a subsequent year by moving to allocated reserves upon resolution by delegated committee or full council.
- 4.4. The salary budgets are to be reviewed at least annually for the following financial year by the Employment and Finance Committee and recorded in the minutes of the Employment and Finance Committee in line with the current Employment Policy. The RFO will inform the committee of any changes impacting on the budget requirement for the coming year
- 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 £1000 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 15% of the budget.

- 4.9. Changes in earmarked reserves shall be approved by the relevant delegated committee or full council as part of the budgetary control process. Reserves are updated at the financial year end unless a specific resolution is passed by committee or full council

## **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 monthly Council Meeting The council shall review the schedule for compliance and, having satisfied itself shall authorise payment by a resolution of the council . A detailed list of all payments shall be disclosed within 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. The RFO will also present to the Council on a quarterly basis, a schedule of individual items over £500 which will show the date the expenditure was incurred, the committee authorising the expenditure, summary of the expenditure and amount (excluding recoverable VAT). A schedule of grants made and grants given in kind will also be included. This will remain within the published minutes
- 5.4. 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.
- 5.5. 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 meeting.
- 5.6. The 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

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. If the Council does not have a monthly meeting (eg August) and where the expenditure has already been authorised by delegated Committee or Council. A list of such payments will be presented to Council at the next available opportunity

b) fund transfers within the councils banking arrangements up to the sum of £40,000, provided that a list of such transfers shall be presented to the next appropriate meeting of council

- 5.7. If Council agrees by resolution, For each financial year the RFO may 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 on a quarterly basis to the council
- 5.8. 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.
- 5.9. In respect of grants a duly authorised committee shall approve expenditure within any limits set by council and in accordance with Charities and Local Organisations policy adopted by council. In line with the the recommended good practice of the Local Government Transparency Code 2014, The Council will publish in its annual report a list of grants to voluntary, community and social enterprise organisations. The list will include date the grant was awarded, time period covered by grant, the committee that awarded the grant, beneficiary and beneficiary charity registration number, summary of the purpose and amount of grant (or value where benefit in kind is given)
- 5.10. 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 disclose able pecuniary or other interest, unless a dispensation has been granted.
- 5.11. 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.
- 5.12. Any changes in the recorded details of suppliers, such as bank account records, shall be approved in writing by a Member.



## 6. INSTRUCTIONS FOR THE MAKING OF PAYMENTS

- 6.1. The council will make safe and efficient arrangements for the making of its payments.
- 6.2. Following authorisation under Financial Regulation 5 above, the council, a duly delegated committee or, if so delegated, the Clerk or RFO shall give instruction that a payment shall be made.
- 6.3. All payments shall be effected by cheque or other instructions to the council's bankers, or otherwise, in accordance with a resolution of council
- 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] member[s] of council, and countersigned by the Clerk, in accordance with a resolution instructing that payment. If a member who is also a bank signatory has declared a discloseable pecuniary interest, or has any other interest, in the matter in respect of which the payment is being made, that councillor shall be required to consider Standing Orders, and thereby determine whether it is appropriate and / or permissible to be a signatory to the transaction in question.
- 6.5. To indicate agreement of the details shown on the cheque or order for payment the invoice or similar documentation, will be presented at the time of signing the cheque or payment order
- 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. As agreed 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 four years or at the commencement of any new contract.
- 6.7. If thought appropriate by the council, payment for certain items (principally salaries) may be made by BACS or other automated method provided that the instructions are signed, by two members, are retained and any payments are reported to council as made in line with the Adopted Employment Policy and Data Protection Act. The approval shall be renewed by resolution of the council at least every four years.
- 6.8. 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 four years or at the commencement of any new contract.

- 6.9. 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.
- 6.10. Where a computer requires use of a personal identification number (PIN) for access to the council's records on that computer, a note shall be made of the PIN 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 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.
- 6.11. 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.
- 6.12. 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.
- 6.13. 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.
- 6.14. Where internet banking arrangements are made with any bank, the 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.
- 6.15. 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.
- 6.16. 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 a member. A programme of regular checks of standing data with suppliers will be followed.

- 6.17. Any corporate credit card or trade card account opened by the council will be specifically restricted to use by the Clerk and shall be subject to automatic payment in full at each month-end.
- 6.18. Personal credit or debit cards of members or staff shall not be used under any circumstances.
- 6.19. 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.

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 in line with adopted Employment Policy.
- 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 unless within the terms of the adopted employment policy and authorised by the employment and finance committee 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.

- 7.4. 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.
- 7.5. An effective system of personal performance management should be maintained for employees
- 7.6. Any termination payments shall be supported by a clear business case and reported to the council. Termination payments shall only be authorised in line with the adopted Employment Policy
- 7.7. Before employing interim staff the council must consider a full business case.
- 7.8. In line with the the recommended good practice of the Local Government Transparency Code 2014. The Council publishes on its website within the adopted Employment policy document, an organisation chart which shows the job title, permanent or temporary staff, salary ceiling, grade and department or team. The Policy also shows job descriptions and responsibilities
- 7.9. Where individual salary exceeds £50,000 additional information will be provided in brackets of £5000
- 7.10. where employees have a salary which exceeds £150,000 the employee will be named
- 7.11. In line with the the recommended good practice of the Local Government Transparency Code 2014. The Council will publish within its Employment Policy documents, details of any trade union facility time including number of employees who are trade union representatives, total number who devote at least 50% of their time to trade union duties, names of all trade unions represented, cost equivalent of time spent by employees on trade union duties,
- 7.12. In line with the the recommended good practice of the Local Government Transparency Code 2014. The Council will publish in its annual financial reports the total spent on remuneration.

## **8. LOANS AND INVESTMENTS**

- 8.1. All borrowings shall be effected in the name of the council, after obtaining any necessary borrowing approval. Any application for borrowing approval shall be approved by Council as to terms and purpose. The application for borrowing approval, and subsequent arrangements for the loan shall only be approved by full council.
- 8.2. Any financial arrangement which does not require formal borrowing approval from the Secretary of State/Welsh Assembly Government (such as Hire Purchase or Leasing of tangible assets) shall be subject to approval by the relevant delegated committee or full council. In each case a report in writing shall be provided to the Committee or full 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 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. If total investments are to exceed £500,000 the Council must have a written Annual investment strategy. Any Strategy and Policy shall be reviewed by the council at least annually.
- 8.6. Where a Council builds up balances these must be safeguarded by investing the an appropriate account.
- 8.7. Investing balances by local Councils must be done prudently and in accordance with the requirement of the Local Government Act 2003 and Guidance issued by the Secretary of State
- 8.8. All investments of money under the control of the council shall be in the name of the council.
- 8.9. All investment certificates and other documents relating thereto shall be retained in the custody of the RFO.
- 8.10. 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 relevant committees will agree its charges annually as part of the budget setting process Any sums found to be irrecoverable and any bad debts shall be reported to the relevant committee and shall be written off in the year.
- 9.4. 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.
- 9.5. The origin of each receipt shall be entered on the paying-in slip.
- 9.6. In line with the the recommended good practice of the Local Government Transparency Code 2014. The Council will publish within its annual report a report on any car parking activities, including income and expenditure, surplus expenditure, number of spaces in controlled parking areas within the Parish
- 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 received by the council, the RFO shall take steps 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)
- 9.11. Where the proceeds of disposal of investments or other assets purchased as capital expenditure exceed £10,000 are are capital receipts, Council must have regard to and apply the statutory restrictions placed on such receipts.
- 9.12. receipts from the sale of fixed assets are generally only allowed to be used for repayment of external debt and the financing of capital expenditure

## **10. ORDERS FOR WORK, GOODS AND SERVICES**

- 10.1. An official order or letter shall be issued for all work, goods and services by the Clerk unless a formal contract is to be prepared or an official order would be inappropriate. Copies of orders shall be retained is generally understood to include all fixed assets
- 10.2. 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.
- 10.3. A member may not issue an official order or make any contract on behalf of the council.
- 10.4. The RFO shall verify the lawful nature of any proposed purchase before the issue of any order, and in the case of new or infrequent purchases or payments, the RFO shall ensure that the statutory authority shall be reported to the meeting at which the order is approved so that the minutes can record the power being used.

## **11. CONTRACTS**

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

- a. Every contract shall comply with these financial regulations, and no exceptions shall be made otherwise than in an emergency provided that this regulation need not apply to contracts which relate to items (i) to (vi) below:
  - i. for the supply of gas, electricity, water, sewerage and telephone services;
  - ii. for specialist services such as are provided by solicitors, accountants, surveyors and planning consultants;
  - iii. for work to be executed or goods or materials to be supplied which consist of repairs to or parts for existing machinery or equipment or plant;
  - iv. for work to be executed or goods or materials to be supplied which constitute an extension of an existing contract by the council;
  - v. for additional audit work of the external auditor up to an estimated value of £1000 (in excess of this sum the RFO shall act after consultation with the Chairman and Vice Chairman of council; and
  - vi. for goods or materials proposed to be purchased which are proprietary articles and / or are only sold at a fixed price.
- b. Where it is intended to enter into a contract exceeding £60,000 in value for the supply of goods or materials or for the execution of works or specialist services other than such goods, materials, works or specialist services as are excepted as set out in paragraph (a) the Clerk shall invite tenders from at least three firms following publication of the proposed scheme on Council's Website and notice boards
- c. In line with the the recommended good practice of the Local Government Transparency Code 2014. The Council will publish on its website details of all invitations to tender for contracts that exceed £3000. Details will include reference number, title, description of goods or services sought, start, end and review dates and committee responsible
- d. Such invitation to tender shall state the general nature of the intended contract and the Clerk shall obtain the necessary technical assistance to prepare a specification in appropriate cases. The invitation shall in addition state that tenders must be addressed to the Clerk in the ordinary course of post. Each tendering firm shall be supplied with a specifically marked envelope in which the tender is to be sealed and remain sealed until the prescribed date for opening tenders for that contract.
- e. All sealed tenders shall be opened at the same time on the prescribed date by the Clerk in the presence of at least one member of council.



- f. If less than three tenders are received for contracts above £60,000 or if all the tenders are identical the council may make such arrangements as it thinks fit for procuring the goods or materials or executing the works.
  - g. Any invitation to tender issued under this regulation shall be subject to Standing Order and shall refer to the terms of the Bribery Act 2010.
- 11.2. When it is to enter into a contract of less than £60,000 but above £3000 in value for the supply of goods or materials or for the execution of works or specialist services other than such goods, materials, works or specialist services as are excepted as set out in paragraph (a) the Clerk shall obtain 3 quotations (priced descriptions of the proposed supply); In line with the the recommended good practice of the Local Government Transparency Code 2014. The Council will publish on its website details of all invitations to quote for contracts that exceed £3000. Details will include reference number, title, description of goods or services sought, start, end and review dates and committee responsible
- h. where the value is below £3,000 and above £100 the Clerk 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. The agreed contract sum should not be published until works have commenced in case it Should 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 and provided that the specification does not change, no person shall be permitted to submit a later tender, estimate or quote who was present when the original decision making process was being undertaken.
  - k. In line with the the recommended good practice of the Local Government Transparency Code 2014. The Council will publish on its website details of all contracts awarded that exceed £5000. Details will include reference number, title, description of goods or services provided, start, end and review dates and committee responsible, supplier name and details, value of contract (Excluding reclaimable VAT) and where applicable annual budget for the contract, Whether contract was the result of an invitation to Tender or quotation and whether the supplier is a commercial enterprise or a voluntary or community sector organisation ( and if so provide its charity registration number)
  - l. The European Union Procurement Directive shall apply and the terms of the Public Contracts Regulations 2006 and the Utilities Contracts Regulations 2006 including thresholds shall be followed.

## **12. PAYMENTS UNDER CONTRACTS FOR BUILDING OR OTHER CONSTRUCTION WORKS**

- 12.1. Payments on account of the contract sum shall be made within the time specified in the contract by the RFO upon authorised certificates of the architect or other consultants engaged to supervise the contract (subject to any percentage withholding as may be agreed in the particular contract).
- 12.2. Where contracts provide for payment by instalments the RFO shall maintain a record of all such payments. In any case where it is estimated that the total cost of work carried out under a contract, excluding agreed variations, will exceed the contract sum of 5% or more a report shall be submitted to the council.
- 12.3. Any variation to a contract or addition to or omission from a contract must be approved by the delegated committee or council and the Clerk will write to the contractor confirming any agreed variation,
- 12.4. Where the final cost is likely to exceed the agreed budget the council must be informed and formally approve virement of further funds

## **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 and In line with the the recommended good practice of the Local Government Transparency Code 2014 whether the asset has been listed as a community asset and whether there are plans for disposal of the asset

- 14.2. In line with the the recommended good practice of the Local Government Transparency Code 2014, the Council will also published within its annual accounting statements, the income and expenditure costs for each building/land asset including reasonable maintenance cost provisions
- 14.3. No tangible moveable property shall be purchased or otherwise acquired, sold, leased or otherwise disposed of, without the authority of the delegated committee or Full 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
- 14.4. 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).
- 14.5. 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, Management of Risk report and evidence showing an adequate level of consultation with the electorate).
- 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, in conjunction with a health and safety inspection of assets.
- 14.7. In line with the the recommended good practice of the Local Government Transparency Code 2014. The list of land and buildings owned or leased by the Council shall be published within the minutes of the Council at least annually (except where deemed inappropriate for public access such as Social housing or refuge houses). Each land or building will be identified by unique number and identity, name and address of building/land and map reference using Ordnance Survey systems. Nature of ownership/leasehold, description

- 14.8. For accounting purposes, the recorded value of assets must not change year by year until disposal. There is no provision made for depreciation

## **15. INSURANCE**

- 15.1. Following the annual risk assessment (per Financial Regulation 17), the RFO shall effect all insurances and negotiate all claims on the council's insurers [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 reviewed annually by the council, or duly delegated committee.
- 15.6. All local Council employers are required by law to take out employers' liability insurance and decide the appropriate level of fidelity guarantee insurance

## **16. CHARITIES**

- 16.1. Where the council is sole managing trustee of a charitable body the Clerk 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 RFO shall prepare, for approval by the council, risk management

policy statements in respect of all activities and assets 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 shall prepare a draft risk assessment including risk management proposals for consideration and adoption by the delegated committee or council.
- 17.3. The Council must review annually, the record of key risks , evaluate the possible consequences if an event identified as a risk took place, decide upon appropriate measures to avoid, reduce or control the risk and its consequences and record any conclusions or decisions reached

## **18. SUSPENSION AND REVISION OF FINANCIAL REGULATIONS**

- 18.1. It shall be the duty of the delegated committee to review the Financial Regulations of the council at least annually. The Clerk shall make arrangements to monitor changes in legislation or proper practices and shall advise the committee of any requirement for a consequential amendment to these financial regulations. The Council will formally adopted the financial regulations on an annual basis
- 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.

Standing orders are the written rules of a local council. They are used to confirm a council's internal organisational, administrative and procurement procedures and procedural matters for meetings. They are not the same as the policies of a council but they may refer to them. A local council must have standing orders for the procurement of contracts.

Meetings of full council, councillors, the Responsible Financial Officer and Proper Officer are subject to many statutory requirements. A council should have standing orders to confirm those statutory requirements. A council should have standing orders to control the number, place, quorum, notices and other procedures for committee and sub-committee meetings because these are subject to fewer statutory requirements. If it does not, committees and sub-committees may adopt their own standing orders.

These standing orders are taken directly from the Model Standing Orders published by the National Association of Local Councils. Standing orders that are in bold type contain statutory requirements. It is recommended by National Association of Local Councils that councils adopt them without changing them. Other standing orders not in bold are designed to help councils operate effectively but do not contain statutory requirements so they may be adopted as drafted or amended to suit a council's needs. For convenience, the word "councillor" is used in model standing orders and includes a non-councillor with or without voting rights unless otherwise stated.

The standing orders do not include model financial regulations. Financial regulations are contained in a separate document as they are standing orders to regulate and control the financial affairs and accounting procedures of a local council.

# Bishop's Cleeve Parish Council

## ***1. Rules of debate at meetings***

- a Motions on the agenda shall be considered in the order that they appear unless the order is changed at the discretion of the chairman of the meeting.
- b A motion (including an amendment) shall not be progressed unless it has been moved and seconded.
- c A motion on the agenda that is not moved by its proposer may be treated by the chairman of the meeting as withdrawn.
- d If a motion (including an amendment) has been seconded, it may be withdrawn by the proposer only with the consent of the seconder and the meeting.
- e An amendment is a proposal to remove or add words to a motion. It shall not negate the motion.
- f If an amendment to the original motion is carried, the original motion becomes the substantive motion upon which further amendment(s) may be moved.
- g An amendment shall not be considered unless early verbal notice of it is given at the meeting and, if requested by the chairman of the meeting, is expressed in writing to the chairman.
- h A councillor may move an amendment to his own motion if agreed by the meeting. If a motion has already been seconded, the amendment shall be with the consent of the seconder and the meeting.

- i If there is more than one amendment to an original or substantive motion, the amendments shall be moved in the order directed by the chairman.
- j Only one amendment shall be moved and debated at a time, the order of which shall be directed by the chairman of the meeting.
- k A councillor may not move more than one amendment to an original or substantive motion.
- l The mover of an amendment has no right of reply at the end of debate on it.
- m Where a series of amendments to an original motion are carried, the mover of the original motion at the very end of debate on the final substantive motion immediately before it is put to the vote.
- n Unless permitted by the chairman of the meeting, a councillor may speak once in the debate on a motion except:
  - i. to speak on an amendment moved by another councillor;
  - ii. to move or speak on another amendment if the motion has been amended since he last spoke;
  - iii. to make a point of order;
  - iv. to give a personal explanation; or
  - v. in exercise of a right of reply.
- o During the debate of a motion, a councillor may interrupt only on a point of order or a personal explanation and the councillor who was interrupted shall stop speaking. A councillor raising a point of order shall identify the standing order which he considers has been breached or specify the other irregularity in the proceedings of the meeting he is concerned by.
- p A point of order shall be decided by the chairman of the meeting and his decision shall be final.
- q When a motion is under debate, no other motion shall be moved except:



- i. to amend the motion;
  - ii. to proceed to the next business;
  - iii. to adjourn the debate;
  - iv. to put the motion to a vote;
  - v. to ask a person to be no longer heard or to leave the meeting;
  - vi. to refer a motion to a committee or sub-committee for consideration;
  - vii. to exclude the public and press;
  - viii. to adjourn the meeting; or
  - ix. to suspend particular standing order(s) excepting those which reflect mandatory statutory requirements.
- s Before an original or substantive motion is put to the vote, the chairman of the meeting shall be satisfied that the motion has been sufficiently debated and that the mover of the motion under debate has exercised or waived his right of reply.
- t Excluding motions moved under standing order 1(q) above, the contributions or speeches by a councillor shall relate only to the motion under discussion and shall not exceed 2 minutes without the consent of the chairman of the meeting.

## ***2. Disorderly conduct at meetings***

- a No person shall obstruct the transaction of business at a meeting or behave offensively or improperly. If this standing order is ignored, the chairman of the meeting shall request such person(s) to moderate or improve their conduct.
  
- b If person(s) disregard the request of the chairman of the meeting to moderate or improve their conduct, any councillor or the chairman of the meeting may move that the person be no longer heard or excluded from the meeting. The motion, if seconded, shall be put to the vote without discussion.
  
- c If a resolution made under standing order 2(b) above is ignored, the chairman of the meeting may take further reasonable steps to restore order or to progress the meeting. This may include temporarily suspending or closing the meeting.

### ***3. Meetings generally***

- a Meetings shall not take place in premises which at the time of the meeting are used for the supply of alcohol, unless no other premises are available free of charge or at a reasonable cost.**
- b The minimum three clear days for notice of a meeting does not include the day on which notice was issued, the day of the meeting, a Sunday, a day of the Christmas break, a day of the Easter break or of a bank holiday or a day appointed for public thanksgiving or mourning.**
- c Meetings shall be open to the public unless their presence is prejudicial to the public interest by reason of the confidential nature of the business to be transacted or for other special reasons. The public's exclusion from part or all of a meeting shall be by a resolution which shall give reasons for the public's exclusion**
- d Members of the public may make representations, answer questions and give evidence at a meeting which they are entitled to attend in respect of the business on the agenda.
- e The period of time designated for public participation at a meeting in accordance with standing order 3(d) above shall not exceed 30 minutes unless directed by the chairman of the meeting.
- f A member of the public shall not speak for more than 2 minutes.
- g A question posed by a member of the public shall not require a response at the meeting nor start a debate on the question. The chairman of the meeting may direct that a written or oral response be given.
- h A person shall raise his hand when requesting to speak..
- i A person who speaks at a meeting shall direct his comments to the chairman of the meeting.
- j Only one person is permitted to speak at a time. If more than one person wants to speak, the chairman of the meeting shall direct the order of speaking.

- k The press shall be provided with reasonable facilities for the taking of their report of all or part of a meeting at which they are entitled to be present**
- l Subject to standing orders which indicate otherwise, anything authorised or required to be done by, to or before the Chairman of the Council may in his absence be done by, to or before the Vice-Chairman of the Council (if any).**
- m The Chairman, if present, shall preside at a meeting. If the Chairman is absent from a meeting, the Vice-Chairman, if present, shall preside. If both the Chairman and the Vice-Chairman are absent from a meeting, a councillor as chosen by the councillors present at the meeting shall preside at the meeting.**
- n Subject to a meeting being quorate, all questions at a meeting shall be decided by a majority of the councillors or councillors with voting rights present and voting.**
- o The chairman of a meeting may give an original vote on any matter put to the vote, and in the case of an equality of votes may exercise his casting vote whether or not he gave an original vote.**
- p Unless standing orders provide otherwise, voting on a question shall be by a show of hands. At the request of a councillor, the voting on any question shall be recorded so as to show whether each councillor present and voting gave his vote for or against that question. Such a request shall be made before moving on to the next item of business on the agenda.**
- q The minutes of a meeting shall include an accurate record of the following:**
  - i. the time and place of the meeting;
  - ii. the names of councillors present and absent;
  - iii. interests that have been declared by councillors and non-councillors with voting rights;
  - iv. whether a councillor or non-councillor with voting rights left the meeting when matters that they held interests in were being considered;
  - v. if there was a public participation session; and
  - vi. the resolutions made.

- r **A councillor or a non-councillor with voting rights who has a disclosable pecuniary interest or another interest as set out in the council's code of conduct in a matter being considered at a meeting is subject to statutory limitations or restrictions under the code on his right to participate and vote on that matter.**
- s **No business may be transacted at a Full Council meeting unless at least one-third of the whole number of members of the council (7) are present and the quorum of any Committee meeting shall be no less than three..**
- t **If a meeting is or becomes inquorate no business shall be transacted** and the meeting shall be closed. The business on the agenda for the meeting shall be adjourned to the next meeting meeting.
- u A meeting shall not exceed a period of 2 hours.
- v The Proper Officer of the Council shall have the authority to cancel Committee meetings if there is no new business to transact or there is a likelihood that the meeting will become non-quorate

#### **4. *Committees and sub-committees***

- a Unless the council determines otherwise, a committee may appoint a sub-committee whose terms of reference and members shall be determined by the committee.**
  
- b The members of a committee may include non-councillors unless it is a committee which regulates and controls the finances of the council.**
  
- c Unless the council determines otherwise, all the members of an advisory committee and a sub-committee of the advisory committee may be non-councillors.**
  
- d The council may appoint standing committees or other committees as may be necessary, and:
  - i. shall determine their terms of reference;
  - ii. shall determine the number and time of the ordinary meetings of a standing committee up until the date of the next annual meeting of full council;
  - iii. shall permit a committee, other than in respect of the ordinary meetings of a committee, to determine the number and time of its meetings;
  - iv. shall, subject to standing orders 4(b) and (c) above, appoint and determine the terms of office of members of such a committee;
  - v. shall permit a committee to appoint its own chairman at the first meeting of the committee;
  - vi. shall determine if the public and press are permitted to attend the meetings of a sub-committee and also the advance public notice requirements, if any, required for the meetings of a sub-committee;
  - vii. shall determine if the public may participate at a meeting of a sub-committee that they are permitted to attend; and
  - viii. may dissolve a committee.

## **5. *Ordinary council meetings***

- a** In an election year, the annual meeting of the council shall be held on or within 14 days following the day on which the new councillors elected take office.
- b** In a year which is not an election year, the annual meeting of a council shall be held on such day in May as the council may direct.
- c** If no other time is fixed, the annual meeting of the council shall take place at 6pm.
- d** In addition to the annual meeting of the council, at least three other ordinary meetings shall be held in each year on such dates and times as the council directs.
- e** The first business conducted at the annual meeting of the council shall be the election of the Chairman and Vice-Chairman of the Council.
- f** The Chairman of the Council, unless he has resigned or becomes disqualified, shall continue in office and preside at the annual meeting until his successor is elected at the next annual meeting of the council.
- g** The Vice-Chairman of the Council, if any, unless he resigns or becomes disqualified, shall hold office until immediately after the election of the Chairman of the Council at the next annual meeting of the council.
- h** In an election year, if the current Chairman of the Council has not been re-elected as a member of the council, he shall preside at the meeting until a successor Chairman of the Council has been elected. The current Chairman of the Council shall not have an original vote in respect of the election of the new Chairman of the Council but must give a casting vote in the case of an equality of votes.

- i **In an election year, if the current Chairman of the Council has been re-elected as a member of the council, he shall preside at the meeting until a new Chairman of the Council has been elected. He may exercise an original vote in respect of the election of the new Chairman of the Council and must give a casting vote in the case of an equality of votes.**
- j Following the election of the Chairman of the Council and Vice-Chairman of the Council at the annual meeting of the council, the business of the annual meeting shall include:
- i. **In an election year, delivery by the Chairman of the Council and councillors of their acceptance of office forms. In a year which is not an election year, delivery by the Chairman of the Council of his acceptance of office form**
  - ii. Confirmation of the accuracy of the minutes of the last meeting of the council;
  - iii. Noting of the minutes of any committee that has met since the last Council meeting;
  - iv. Consideration of the recommendations made by a committee;
  - v. Review of delegation arrangements and terms of references of committees, sub-committees, staff and other local authorities unless done at the meeting the month before;
  - vi. Appointment of members to existing committees;
  - vii. Appointment of any new committees unless done at the meeting the month before;
  - viii. Review and adoption of appropriate standing orders and financial regulations;
  - ix. Review of representation on or work with external bodies or organisations and arrangements for reporting back;
  - x. In an election year, to make arrangements with a view to the council becoming eligible to exercise the general power of competence in the future;
  - xi. Review of inventory of land and assets including buildings and office equipment;
  - xii. Confirmation of arrangements for insurance cover in respect of all insured risks;
  - xiii. Review of the council's and/or staff subscriptions to other bodies;
  - xiv. Review of the council's complaints procedure;
  - xv. Review of the council's procedures for handling requests made under the Freedom of Information Act 2000 and the Data Protection Act 1998;
  - xvi. Review of the council's policy for dealing with the press/media; and



xvii. Determining the time and place of ordinary meetings of the full council up to and including the next annual meeting of full council.

**6. *Extraordinary meetings of the council and committees and sub-committees***

- a The Chairman of the Council may convene an extraordinary meeting of the council at any time.**
  
- b If the Chairman of the Council does not or refuses to call an extraordinary meeting of the council within seven days of having been requested in writing to do so by two councillors, any two councillors may convene an extraordinary meeting of the council. The public notice giving the time, place and agenda for such a meeting must be signed by the two councillors.**

- c The chairman of a committee [or a sub-committee] may convene an extraordinary meeting of the committee [or the sub-committee] at any time.
- d If the chairman of a committee [or a sub-committee] does not or refuses to call an extraordinary meeting within 7 days of having been requested by to do so by 2 or more members of the committee [or the sub-committee], any 2 members of the committee [or the sub-committee] may convene an extraordinary meeting of a committee [or the sub-committee].

## **7. *Previous resolutions***

- a A resolution shall not be reversed within six months except by a special motion, which requires written notice signed by more than 50% of council or committee members to be given to the Proper Officer in accordance with standing order 9 below,
- b When a motion moved pursuant to standing order 7(a) above has been disposed of, no similar motion may be moved within a further six months.

## **8. *Voting on appointments***

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

## **9. *Motions for a meeting that require written notice for inclusion on the agenda***

- a A motion shall relate to the responsibilities of the meeting which it is tabled for and in any event shall relate to the performance of the council's statutory functions, powers and obligations or an issue which specifically affects the council's area or its residents.
- b No motion may be moved at a meeting unless it is on the agenda and the mover

- has given written notice of its wording to the Proper Officer at least 14 clear working days before the meeting. Clear days do not include the day of the notice or the day of the meeting.
- c The Proper Officer may, before including a motion on the agenda received in accordance with standing order 9(b) above, correct obvious grammatical or typographical errors in the wording of the motion.
  - d If the Proper Officer considers the wording of a motion received in accordance with standing order 9(b) above is not clear in meaning, the motion shall be rejected until the mover of the motion resubmits it in writing to the Proper Officer so that it can be understood at least 10 clear days before the meeting.
  - e If the wording or subject of a proposed motion is considered improper, the Proper Officer shall consult with the chairman of the forthcoming meeting or, as the case may be, the councillors who have convened the meeting, to consider whether the motion shall be included in the agenda or rejected.
  - f Subject to standing order 9(e) above, the decision of the Proper Officer as to whether or not to include the motion on the agenda shall be final.
  - g Motions received shall be identified on the relevant agenda as “motion proposed by”:

**10. *Motions at a meeting that do not require written notice***

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

**11. *Handling confidential or sensitive information***

- a The agenda, papers that support the agenda and the minutes of a meeting shall not disclose or otherwise undermine confidential or sensitive information which for special reasons would not be in the public interest.
- b Councillors and staff shall not disclose confidential or sensitive information which for special reasons would not be in the public interest.

**12. *Draft minutes***

- a If the draft minutes of a preceding meeting have been served on councillors with the agenda to attend the meeting at which they are due to be approved for accuracy, they shall be taken as read.
- b There shall be no discussion about the draft minutes of a preceding meeting except in relation to their accuracy. A motion to correct an inaccuracy in the draft minutes shall be moved in accordance with standing order 10(a)(i) above.
- c The accuracy of draft minutes, including any amendment(s) made to them, shall

- be confirmed by resolution and shall be signed by the chairman of the meeting and stand as an accurate record of the meeting to which the minutes relate.
- d Upon a resolution which confirms the accuracy of the minutes of a meeting, the draft minutes or recordings of the meeting for which approved minutes exist shall be destroyed.
  - e Draft minutes will be published on website within 10 working days of meeting replacing agendas and supporting papers

### ***13. Code of conduct and dispensations***

All councillors and non-councillors with voting rights shall observe the code of conduct adopted by the council.

a Unless he has been granted a dispensation, a councillor or non-councillor with voting rights shall withdraw from a meeting when it is considering a matter in which he has a disclosable pecuniary interest. He may return to the meeting after it has considered the matter in which he had the interest.

b Unless he has been granted a dispensation, a councillor or non-councillor with voting rights shall withdraw from a meeting when it is considering a matter in which he has another interest if so required by the council's code of conduct. He may return to the meeting after it has considered the matter in which he had the interest.

c Dispensation requests shall be in writing and submitted to the Proper Officer as soon as possible before the meeting for which the dispensation is required. A decision as to whether to grant a dispensation shall be made by the Proper Officer and that decision is final.

A dispensation request shall confirm:

- i. the description and the nature of the disclosable pecuniary interest or other interest to which the request for the dispensation relates;
- ii. whether the dispensation is required to participate at a meeting in a discussion only or a discussion and a vote;
- iii. the date of the meeting or the period (not exceeding four years) for which the dispensation is sought; and
- iv. an explanation as to why the dispensation is sought.

**A dispensation may be granted in accordance with standing order above if having regard to all relevant circumstances the following applies:**

- a. **without the dispensation the number of persons prohibited from participating in the particular business would be so great a proportion of the**

- meeting transacting the business as to impede the transaction of the business or
- b. granting the dispensation is in the interests of persons living in the council's area or**
  - c. it is otherwise appropriate to grant a dispensation.**

#### **14. Code of conduct complaints**

- a Upon notification by the District Council that it is dealing with a complaint that a councillor or non-councillor with voting rights has breached the council's code of conduct, the Proper Officer shall, subject to standing order 11 above, report this to the council.
- b Where the notification in standing order 14(a) above relates to a complaint made by the Proper Officer, the Proper Officer shall notify the Chairman of Council of this fact, and the Chairman shall nominate another staff member to assume the duties of the Proper Officer in relation to the complaint until it has been determined) and the council has agreed what action, if any, to take in accordance with standing order 14(d) below
- c The council may:
  - i. provide information or evidence where such disclosure is necessary to progress an investigation of the complaint or is required by law;
  - ii. seek information relevant to the complaint from the person or body with statutory responsibility for investigation of the matter;
- d Upon notification by the District or Unitary Council that a councillor or non-councillor with voting rights has breached the council's code of conduct, the council shall consider what, if any, action to take against him. Such action excludes disqualification or suspension from office**

## **15. Proper Officer**

- a The Proper Officer shall be either (i) the clerk or (ii) other staff member(s) nominated by the council to undertake the work of the Proper Officer when the Proper Officer is absent.
- b The Proper Officer shall:
- **at least three clear days before a full council meeting serve on councillors, by delivery or post at their residences, a signed summons confirming the time, place and the agenda.**
  - at least three clear days before a meeting of a Committee or sub-committee of the council, serve on councillors a summons, by email, confirming the time, place and the agenda provided any such email contains the electronic signature and title of the Proper Officer.
  - At least three clear days before a full council meeting, supporting papers will be published on the website.
  - **give public notice of the time, place and agenda at least three clear days before a meeting of the council or a meeting of a committee or a sub-committee (provided that the public notice with agenda of an extraordinary meeting of the council convened by councillors is signed by them);**
  - subject to standing order 9 above, include on the agenda all motions in the order received unless a councillor has given written notice at least 7 working days before the meeting confirming his withdrawal of it;
  - **convene a meeting of full council for the election of a new Chairman of the Council, occasioned by a casual vacancy in his office;**
  - facilitate inspection of the minute book by local government electors;
  - **receive and retain copies of byelaws made by other local authorities;**
  - retain acceptance of office forms from councillors;
  - retain a copy of every councillor's register of interests;
  - assist with responding to requests made under the Freedom of Information Act 2000 and Data Protection Act 1998, in accordance with and subject to the council's policies and procedures relating to the same;
  - receive and send general correspondence and notices on behalf of the council except where there is a resolution to the contrary;
  - manage the organisation, storage of, access to and destruction of information held by the council in paper and electronic form;
  - arrange for legal deeds to be executed;
  - arrange or manage the prompt authorisation, approval, and instruction



regarding any payments to be made by the council in accordance with the council's financial regulations;

- record every planning application notified to the council and the council's response to the local planning authority;
- facilitate an extraordinary meeting of the Planning Committee if the nature of a planning application requires consideration before the next ordinary meeting of the committee
- manage access to information about the council via the publication scheme

**16. *Responsible Financial Officer***

The council shall appoint an appropriate staff member to undertake the work of the Responsible Financial Officer when the Responsible Financial Officer is absent.

## **17. Financial matters**

The adopted financial regulations will be followed

### ***Handling staff matters***

A matter personal to a member of staff that is being considered by a meeting of council or the Employment and Finance committee or any sub-committee of the Employment and Finance Committee is subject to standing orders.

All Employment matters are subject to the Employment Policy adopted by Council and reviewed annually by the Employment and Finance Committee

## **20. Requests for information**

- Requests for information from Councillors or members of the public will receive an acknowledgment from the Council within 48 hours
- Requests for information or documentation will be responded to within 30 days or within 7 days after the relevant Council or Committee meeting has taken place to allow an authorised response from the relevant Council or Committee meeting
- Where a request for information is made under the Freedom of Information Act 2000 or the Data Protection Act 1998, the council will respond in accordance with the council's policy in respect of handling requests under the Freedom of Information Act 2000 and the Data Protection Act 1998.
- Correspondence from, and notices served by, the Information Commissioner shall be referred by the Proper Officer to the Community Wellbeing committee. The said committee shall have the power to do anything to facilitate compliance with the Freedom of Information Act 2000.

## **21. Relations with the press/media**

Requests from the press or other media for an oral or written comment or statement from the Council, will be provided by the Chair or Vice chair of Council or relevant committee

## **22. Execution and sealing of legal deeds**

- a A legal deed shall not be executed on behalf of the council unless authorised by a resolution.
- b **Subject to standing order 22(a) above, any two councillors may sign, on behalf of the council, any deed required by law and the Proper Officer shall witness their signatures when authorised by resolution of Full Council**

### **23. *Communicating with District and County councillors***

An invitation to attend a meeting of the council shall be sent, together with the agenda, to the ward councillor(s) of the District and County Council representing the area of the council.

### **24. *Restrictions on councillor activities***

Unless authorised by a resolution, no Councillor shall:

- i. inspect any land and/or premises which the council has a right or duty to inspect; or
- ii. issue orders, instructions or directions.

### **25. *Standing orders generally***

- All or part of a standing order, except one that incorporates mandatory statutory requirements, may be suspended by resolution in relation to the consideration of an item on the agenda for a meeting.
- The Employment and Finance Committee will review annually the Standing Orders and Financial Regulations before presenting to Full Council for adoption at the annual meeting.
- No motion to add, amend or revoke one or more of the Council's standing orders may be moved at a meeting of the Employment and Finance Committee unless it is on the agenda and the mover has given written notice of its wording to the Proper Officer at least 14 clear working days before the meeting. Clear days do not include the day of the notice or the day of the meeting.
- The Proper Officer shall provide a copy of the council's standing orders to a councillor as soon as possible after he has delivered his acceptance of office form.
- The decision of the chairman of a meeting as to the application of standing orders at the meeting shall be final.

## **1. Award of Additional Pension (Regulation 31 (R))**

Whether to award *(at full cost to the employer)*

(a) an active member, or

(b) a member who was an active member but dismissed by reason of redundancy, or business efficiency, or whose employment was terminated by mutual consent on grounds of business efficiency,

additional annual pension of, in total *(including any additional pension purchased by the Scheme employer under Regulation 16)* not more than the additional pension limit of £6,500 *(value of limit @ 1<sup>st</sup> April 2014)*.

In the case of a member falling within sub-paragraph (b) above, the resolution to award additional pension must be made within 6 months of the date that the member's employment ended.

**Bishops Cleeve Parish Council agrees to grant no additional years membership**

## **2. Additional Pension Contributions (Regulation 16 (R))**

Whether to fund in whole or in part, any arrangement entered into by an active scheme member to pay additional pension contributions by way of regular contributions in accordance with Regulation 16(2)(e), or by way of a lump sum in accordance with Regulation 16(4)(d).

**Bishops Cleeve Parish Council agrees to pay no additional pension contributions**

### **3. Flexible Retirement (Regulations 30(6) & 30(8) (R) and 11(2) (TP))**

Whether to permit an active member who has attained the age of 55, to reduce their working hours, or grade and subsequently:

- (i) **\*\*whether to consent to flexible retirement and the immediate payment of all or part of the retirement pension to which the member would be entitled in respect of that employment and**
- (ii) **whether to waive, in whole or part and at the employers own cost, any actuarial reduction which would otherwise be applied to the benefits taken on flexible retirement before Normal Pension Age (NPA)**

**\*\* there may be direct costs to the employer where consent is given to the early payment of benefits before the members NPA**

**Bishops Cleeve Parish Council agrees to allow a scheme member aged 55 or over having reduced their hours/and or rate of pay to receive their accrued benefits in full or part and continue working in the reduced capacity**

### **4. Switching on the "Rule of 85" rule (Schedule 2 – paragraph 2(2) (TP))**

**\*\* Whether, as the "Rule of 85" does not (other than on flexible retirement) automatically apply to members who would otherwise be subject to it and who choose to voluntarily draw their benefits between age 55 and 60, to switch the "Rule of 85" back on for such members.**

**\*\* there will be direct costs to the employer where the "Rule of 85" is switched back on for such members.**

**Bishop's Cleeve Parish Council agree to switch the Role of 85 back on**

**5. Waiving actuarial reduction for members retiring on or after age 55 and before Normal Pension Age (other than on Flexible Retirement) (Regulation 30(8) (P) and Schedule 2 – paragraph 2(3) (TP)**

\*\* For active members voluntarily retiring on or after age 55 and before Normal Pension Age, who elect under regulation 30(5) of the LGPS Regulations 2013 to immediately draw benefits, and for deferred members and suspended tier 3 ill health pensioners who elect under regulation 30(5) of the LGPS Regulations 2013 to draw benefits (other than on ill health grounds) on or after age 55 and before Normal Pension Age, and who were:

not members of the LGPS before 1 October 2006 [Group 4 members], whether to:

- waive on compassionate grounds, any actuarial reduction that would otherwise be applied to benefits, if any, accrued before 1 April 2014, and/or
- waive, in whole or in part (on any grounds), any actuarial reduction that would otherwise be applied to benefits accrued after 31 March 2014

members of the LGPS before 1 October 2006 and will be 60 or more on 31 March 2016 [Group 1 members], whether to:

- waive on compassionate grounds, any actuarial reduction that would otherwise be applied to benefits accrued before 1 April 2016, and / or
- waive, in whole or in part (on any grounds), any actuarial reduction that would otherwise be applied to benefits accrued after 31 March 2016

members of the LGPS before 1 October 2006 and will not be 60 or more on 31 March 2016 and will not attain age 60 between 1 April 2016 and 31 March 2020 [Group 3 members], whether to:

- waive on compassionate grounds, any actuarial reduction that would otherwise be applied to benefits accrued before 1 April 2014, and / or
- waive, in whole or in part (on any grounds), any actuarial reduction that would otherwise be applied to benefits accrued after 31 March 2014

members of the LGPS before 1 October 2006 and will not be 60 or more on 31 March 2016 but will attain age 60 between 1 April 2016 and 31 March 2020 [Group 2 members], whether to

- waive on compassionate grounds, any actuarial reduction that would otherwise be applied to benefits accrued before 1 April 2020, and / or
- waive, in whole or in part (on any grounds), any actuarial reduction that would otherwise be applied to benefits accrued after 31 March 2020

\*\* *there will be direct costs to the employer where actuarial reductions are waived*

**Bishops Cleeve Parish Council agrees to allow a scheme member aged between 55 and Normal pension age to receive their accrued benefits early on compassionate grounds and to waive any reduction that may normally apply due to the early payment of the benefits**

## **6. Contribution Banding (Regulations 9(1) & 9(3) (R))**

\*\* How the pension contribution band to which an employee is to be allocated on joining the Scheme, and at each subsequent April, will be determined and the circumstances in which the employer will, in addition to the review each April, review the pension contribution band to which an employee has been allocated following a material change which affects the member's pensionable pay in the course of a Scheme year (1 April to 31 March).

*\*\* Where a scheme member is "rebanding", the Scheme employer must inform the member of the revised contribution rate and the date from which it is to be applied.*

**No rebanding to take place**

## **7. Additional Voluntary Contributions (Regulation 17(1) (R))**

Whether, how much, and in what circumstances to contribute to a Shared-Cost Additional Voluntary Contribution (SCAVC) arrangement entered into on or after 1 April 2014 and whether, how much, and in what circumstances to continue to contribute to any shared cost Additional Voluntary Contribution (SCAVC) arrangement entered into before 1 April 2014.

**no AVC \*\***

## **PART E – Formulation of COMPULSORY policy under the Local Government Pension Scheme Regulations 1995**

### **14. Early payment of Deferred Benefits on Compassionate grounds (where the member left employment before 01/04/1998) (Regulation D11 2(c) (L95))**

\*\* Whether to grant applications from deferred members who left before 01/04/1998, the early payment of deferred pension benefits on compassionate grounds (without actuarial reduction) on or after age 50<sup>(see note below)</sup> and before age 65

\*\* *there may be direct costs to the employer where consent is given to the early payment of benefits before age 65*

#### **NOTE**

*Benefits paid on or after 50 and before age 55 will be subject to an HMRC unauthorised payments charge under the Finance Act 2004 and, where applicable, an unauthorised payments surcharge under that Act, but there will be no Scheme sanction charge*

**NO**