



**Windlesham Parish Council**

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**MINUTES OF A MEETING OF WINDLESHAM PARISH COUNCIL**  
**Held on Tuesday 22<sup>nd</sup> June 2021, at 7.30pm held at Windlesham Field of**  
**Remembrance Hub, Kennel Lane, Windlesham**

Bagshot Cllrs		Lightwater Cllrs		Windlesham Cllrs	
Bakar	P	Barnett	P	Goodman	P
Du Cann	P	Galliford	P	Hansen-Hjul	P
Gordon	A	Halovsky-Yu	P	Hardless	A
Manley	P	Harris	PA	Stacey	P
Willgoss	P	Hartshorn	P	Sturt	PA
White	P	Jennings-Evans	P		
		Malcaus Cooper	P		

**In attendance:** Sarah Walker – Clerk  
 Richard Tear – Surrey County Councillor for Windlesham & Bagshot  
 Cllr Mark Gordon – in attendance remotely, due to legislation cannot be considered present at the meeting

Members of the Public were also able to view proceedings live on Facebook

P – present      A – apologies      PA – part of the meeting      - no information

Cllr Malcaus Cooper was in the Chair

		Action
<b>C/21/27</b>	<b>Apologies for absence</b>  Acceptable apologies for absence were received from Cllrs Gordon and Hardless.	
<b>C/21/28</b>	<b>Declarations of interest</b>  No Declarations of interest were made.	
<b>C/21/29</b>	<b>Public question time</b>  No public questions were raised at the meeting and none had been received in advance of the meeting.	
<b>C/21/30</b>	<b>Exclusion of the press and public.</b>  Agreed that the following items be dealt with after the public, including the press, have been excluded under S1(2) of the Public Bodies (Admission to Meetings) Act 1960:  C/21/45 Exempt Full Council Minutes from 25 <sup>th</sup> May 2021 C/21/46 Wayleave request across land at Hook Mill Lane C/21/47 Staff in confidence	

	<p>a) Recruitment process for replacing the Clerk  b) Agreement for new TOR for Personnel Committee  c) Leaving arrangements for the Clerk</p> <p><b>It was resolved that all items should remain exempt business and be discussed in part 2 of the meeting.</b></p>									
C/21/31	<p><b>Full Council Minutes</b></p> <ul style="list-style-type: none"> <li>The open minutes of the Council meeting held on 25<sup>th</sup> May 2021 <b>were approved</b> subject to an amendment requested by Cllr Stacey for further detail to be added regarding the suspension of June meetings. The amended minutes will be signed by Cllr Malcaus Cooper at a future meeting.</li> </ul> <p><i>19.39 Cllr Bakar entered the meeting room</i></p>	<p><b>Clerk – amendment</b></p> <p><b>Cllr Malcaus Cooper</b></p>								
C/21/32	<p><b>Finance</b></p> <p>a) <b>Accounts for payment</b> - The Clerk presented a list of expenditure transactions for approval, in the sum of £18,377.30 and explained the individual items.</p> <p><b>It was resolved the payments (Annex A) in the total sum of £18,377.30 be authorised and the Chairman signed the Expenditure Transactions Approval List.</b></p> <p>b) <b>To approve changes to bank mandates</b> - To ensure officers remain able to carry out day to day finance work whilst a new Clerk is recruited, the RFO recommended that the current Assistant Clerk, Joanna Whitfield, is added as a signatory to the bank mandates of the bank accounts the Council currently holds.</p> <p>These accounts are: Barclays Current Account, Santander, RBS, Skipton, Cambridge and Counties, Redwood Bank and Hampshire Trust Bank</p> <p><b>It was resolved to add Joanna Whitfield to the bank mandates of the above-named accounts.</b></p> <p>c) <b>Bank reconciliations</b> - Now the Council no longer has a Finance Committee, bank reconciliations will be presented to Full Council for consideration. Financial Regulations have been amended to reflect this change. The Regulations still require that a member, other than the Chair or authorised bank signatory, should sign off the reconciliations, once reviewed.</p> <p>Members were presented with reconciliations for April and May 2021 as below:</p> <p><u>April Reconciliations</u></p> <table> <tr> <td>Santander 30 day 03/05/21</td> <td>£197,310.02</td> </tr> <tr> <td>RBS Settlement a/c 30/04/21</td> <td>£45,833.62</td> </tr> <tr> <td>Barclays Current a/c 30/04/21</td> <td>£218,047.19</td> </tr> <tr> <td>Cambridge and Counties 30/04/21</td> <td>£207,596.77</td> </tr> </table>	Santander 30 day 03/05/21	£197,310.02	RBS Settlement a/c 30/04/21	£45,833.62	Barclays Current a/c 30/04/21	£218,047.19	Cambridge and Counties 30/04/21	£207,596.77	<p><b>Cllr Malcaus Cooper</b></p> <p><b>Clerk</b></p>
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	<p>Hampshire Trust Bank 30/04/21 £62,500 * interest pd annually  Redwood Bank 30/04/21 £62,500 * interest pd annually  Skipton a/c 30/04/21 £64,472.22 * interest pd annually</p> <p><u>May Reconciliations</u>  Santander 30 day 03/06/21 £197,321.64  RBS Settlement a/c 31/05/21 £45,833.97  Barclays Current a/c 31/05/21 £321,526.99  Cambridge and Counties 31/05/21 £207,772.20  Hampshire Trust Bank 31/05/21 £62,500 * interest pd annually  Redwood Bank 31/05/21 £62,500 * interest pd annually  Skipton a/c 31/05/21 £64,504.46 * interest pd on 17th May 2021</p> <p><u>Overall Cash Position</u>  Total cash held by the Council as at 31/05/2021 is £961,956. Of this, £633,175 is held in ear-marked reserves.</p> <p><b>Members noted the above reconciliations and agreed Cllr Goodman would review and sign off the above reconciliations on behalf of the Council.</b></p>	<p><b>Cllr Goodman</b></p>
<p><b>C/21/33</b></p>	<p><b>Year End Accounts and Audit</b></p> <p><b>a) Year-end internal audit report - to review and approve recommendations</b></p> <p>Council was presented with the year-end internal audit report. One recommendation was made as follows:</p> <p>ASSETS AND INVESTMENTS  Internal audit requirement - Asset and investments registers were complete and accurate and properly maintained. The fixed asset register agrees to the AGAR and it is possible to identify the various movements in year.</p> <p><i>I would recommend that where possible the blank cells are completed – especially the insurance value column. I would also add a last physically vouched column to tie in with financial regulations 13.6</i></p> <p><b>It was resolved to accept the recommendation and approve the internal audit report. Cllr Goodman asked for this thanks to be recorded to Mark Mulberry, the internal auditor, for a thorough and detailed report and to the Clerk for her work to produce the year end accounts.</b></p> <p><b>b) Annual Return (AGAR) – to review, approve and sign off the Annual Governance Statement</b></p> <p>The Annual Governance Statement was presented to Council and <b>it was resolved to approve the Annual Governance Statement and permission was given for Cllr Malcaus Cooper and the Clerk to sign the document.</b></p>	<p><b>Clerk &amp; Cllr Malcaus Cooper</b></p>

	<p><b>c) Annual Return (AGAR) – to review, approve and sign off Accounting Statements for 2020/21</b></p> <p>Councillors were presented with and read the Accounting Statements for 2020/21 and it was <b>resolved to approve the Accounting Statements and permission was given for Cllr Malcaus Cooper to sign the annual accounting statements for the annual return 2020-21.</b></p>	<p><b>Cllr Malcaus Cooper</b></p>
<p><b>C/21/34</b></p>	<p><b>To discuss any business for referral to, or received from:</b></p> <p><b>a. Surrey County Council;</b></p> <p><b>County Cllrs Richard Tear and Rebecca Jennings-Evans provided the written report below:</b></p> <p>This last month has been as hectic as you would expect with more intensive training and engagements with residents and officers as well as initial committee meetings, and our first AGM.</p> <p><b><u>1.M3/A322</u></b> We look forward towards the end of the month to meeting with MP Michael Gove, former County Councillor Mike Goodman to further discuss congestion and improvements to the junction of these two highways.</p> <p><b><u>2.COVID</u></b> Surge testing will be employed in two areas in Reigate and Banstead to control the spread of the new variant from Friday 19th of June. Cases in the County are showing a slowing down from peaks in early June. Up to the 6th of June a total of 756067 people have received their first dose (58%) of the population and 512623 have received their second dose (39%) figures that are slightly ahead of the national average. People over the age of 18 are now eligible for a vaccine. Surrey has been allocated further funds from the Local Covid Support Grant and this is being distributed to vulnerable residents including children entitled to school meals, care leavers and direct support to families with children in need, foodbanks and Surrey Crisis Fund.</p> <p><b><u>3.Domestic Abuse</u></b> Together with Surrey Police, District and Borough Councils and Outreach Services, SCC has launched Surrey Domestic Abuse Awareness Week .</p> <p><b><u>4.Flooding</u></b> Thousands of homes across Surrey are to be better protected after the Government approved the latest stage of the River Thames Scheme.</p> <p><b><u>5.Surrey Wide Mental Health Review</u></b> A wide ranging review of Surrey’s Mental Health System will pave the way for improvements in the way that services work together to help residents in need of support has with Surrey Integrated Care System partners set up a taskforce to review provision of services following an increase in demand due to the pandemic.</p> <p><b><u>6.Period Products</u></b> Surrey becomes the first County in England to provide free period products. -These will be available at selected libraries across the County.</p>	

### **7.Solar Power Buying Scheme**

Surrey has launched a scheme to enable residents to take advantage of bulk purchasing power by aggregating individual demands into one large contract.

### **8.Parkruns**

These will start again on the 26th of June.

### **9.Surrey and West Sussex Fire and Rescue**

999 callers can now provide a live stream to the emergency control centres via new software.

### **10. Childrens' Services**

There is still a need for more foster parents throughout Surrey.

### **11. Local Engagements**

- **In Chobham**, a meeting with the Safety team from Highways at St.Lawrence School with the Head Teacher and Naomi Serene. A litter pick with local residents and Parish Councillors, reporting faded road signs, engaging with residents regarding HGV's in Mincing Lane as well as an upcoming planning appeal there, engagements about speeding in general.
- **In Windlesham**, a zoom meeting to discuss road improvement schemes with parish Councillors from Windlesham and Highways officers, engagements with residents on holes in the road, speeding, parking blocking residents drives and road repairs generally.
- **In Bagshot**, engagement with Highways Officers and Local Borough Councillors to discuss ameliorating the traffic issues in the High Street and on the A30, engagement with residents and Highways concerning poorly sited traffic lights in Guilford Road.
- **In Lightwater**, ongoing support for families appealing for free school transport. Agreed a way forward with residents to deter anti-social parking on Stonehill Road roundabout using white posts. Engaged with officers concerning the condition of pavements on McDonald Road and requested a speed survey on Ambleside Road.

Councillor Manley raised the issue of traffic light phasing on the A322 as this was an ongoing issue. Councillor Willgoss reiterated this and stated that at peak times the lights simply don't allow for the weight of traffic using the roads. Cllr Jennings-Evans informed Members that she had received a response from SCC to say this was the responsibility of Highways England, however it was agreed that further investigations would be made to see if a solution could be found.

Councillor Goodman raised an issue regarding flooding and the River Bourne and enquired if the recent consultation had produced any reports as yet. Cllr Tear informed Members that as yet there was no further news and no report completed. This would be followed up when appropriate.

*19.52 Cllr Tear left the meeting*

### **b) Surrey Heath Borough Council**

There was some prior discussion regarding the submission of written reports by Borough Councillors to meetings but no definitive conclusion reached. Cllr White raised the point that all Borough Councillors attend different committees and have different areas of work so a single, joined

	<p>up report wouldn't be easily achieved with 5 different Borough Councillors having different information to share.</p> <p>Cllr White went on to report that she had attended the Planning Committee where two relevant applications had been discussed – 39, Chertsey Road Windlesham where a property neighbouring the nursery school had given up part of the garden for use by the nursery and 6 Mount Pleasant Close, Lightwater. This application (conversion of house into 2 semi-detached houses) had been called in – twice refused previously and refused by the inspector. This third application had also been refused by the Committee.</p> <p>Cllr Galliford reported that she had been involved dealing with planning in Lightwater but was otherwise relatively quiet. She also reported that small group meetings had been taking place re: SHBC 5-year Plan. It was important to promote the needs of the villages in order to add weight to bigger strategic plans by the Borough and ensure they are not Camberley centric.</p> <p>Cllr Jennings-Evans reported that the new leisure centre would be opening in Camberley as planned on 1<sup>st</sup> July and that a new consultation regarding community transport would be publicised in the next edition of Heathscene.</p> <p>Cllr Malcaus Cooper raised an issue with Covid business grants being publicised by SHBC. The grant window opened and closed within 23 hours and it was not obvious what the policy for applications was, how to make an application and how large the amount of funding available was. It was also not clear if the same businesses are benefitting each time grant money becomes available. Cllr Galliford responded that this particular tranche of grant money had to be spent quickly in order for the Council to access the next tranche of funding. This was expected to be publicised at least 1 week in advance of the application period and should open in mid-July.</p>	
<p><b>C/21/35</b></p>	<p><b>Outside Organisations</b></p> <p><b>Bagshot Playing Fields Association</b> Cllr White reported that she and the Council Chairman had attended the re-opening of the newly developed pavilion building at Bagshot Playing Fields. The Countess of Wessex was in attendance to open the building and the new tennis court. Cllr White commented the event was very well attended and that Bagshot now had a fantastic new facility.</p> <p><b>St Annes Parish Hall Committee</b> Cllr Du Cann reported that he had attended his first meeting as Council representative. He had been given a tour of the parish hall and church and provided a copy of the most recent accounts.</p> <p><b>WC Lees Resthouses</b> Cllr Sturt reported that he had attended a tree planting event at WC Lees, where the Countess of Wessex and Lord Lieutenant of Surrey were in attendance.</p>	

<p>C/21/36</p>	<p><b>To review and adopt Standing Orders and Financial Regulations</b></p> <p>Members were informed at the May meeting of Full Council that in order to support the new committee structure, both Standing Orders and Financial Regulations has been amended and re-written. These were presented to Members for comment.</p> <p><u>Standing Orders had been amended as follows:</u></p> <p>Removal of the following clauses from Section 5:</p> <p>k Any member appointed as Chairman or Vice Chairman of Council shall not be appointed as Chairman or Vice-Chairman of a Committee or Sub-Committee unless extenuating circumstances dictate.</p> <p>l Any Member appointed as Chairman or Vice-Chairman of a Committee or Sub-Committee shall not be appointed as Chairman or Vice-Chairman of any other Committee or Sub-Committee, unless extenuating circumstances dictate.</p> <p>m Each member shall sit on at least two committees or sub-committees.</p> <p><b>It was resolved to agree the amendments as listed above and adopt the revised version of Standing Orders as at Annex B.</b></p> <p>The following amendments to Financial Regulations were given to Members for consideration – numbers refer to paragraph numbering in the document.</p> <p>1.14 Remove –Committee’s will be determining their own grant schemes/payments</p> <p>2.2 Amend from Finance and General Purposes Committee to Full Council as FGP no longer exists</p> <p>3.1. Amend from early December to late October as each village committee will need to prepare recommendations for Full Council</p> <p>3.2. Replacement paragraph written to reflect new committee structure process</p> <p>3.3 New paragraph added regarding a default budget – percentage increase amount to be agreed by Members.</p> <p>4.1 Amended to reflect agreed spending power of the committees The spending power of the Clerk is still to be agreed – currently £500 limit</p> <p>4.4 Remove “in November” as this review is usually linked to the annual cost of living raise, which can be awarded any time between April and October</p> <p>4.8 Added in “and village committees”</p> <p>4.9 Added in “or a village committee (if the reserve falls under the control of the committee)”</p>	
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	<p>5.2 Amendments to remove reference to Finance Committee and replace with village committee</p> <p>5.4 Amendment to remove reference to Finance Committee and replace with village committee</p> <p>5.5a, 5.5b Amendment to remove reference to Finance Committee and replace with village committee</p> <p>5.5c Remove reference to Finance Committee</p> <p>5.6 Remove reference to Finance Committee</p> <p>5.8 Amended clause – to read - In respect of grants a duly authorised committee shall approve expenditure within any limits and in accordance with any policy statement approved by the committee.</p> <p>6.3 Amendment to remove reference to Finance Committee and replace with village committee</p> <p>6.17 Amendment to remove reference to Finance Committee and replace with village committee</p> <p>9.3 Add in reference to village committee</p> <p>Members were asked to consider the amendments and to make two decisions. The first in relation to the spending power of the Clerk which is currently set at £500. Cllr Malcaus Cooper proposed that the limit be raised to £2,500 and all agreed. <b>It was therefore resolved to increase the Clerks level of authority to spend from £500 to £2,500.</b></p> <p>The second item was to agree a % increase to the budget, in the event that a default budget needed to be set.</p> <p>Two proposals were made - the first to set 5% increase as the default, the second to use RPI as the method for increase. A vote was taken but due to polarised opinion regarding the treatment of motions and amendments, the votes were disregarded. Therefore Cllr Halovsky-Yu proposed, seconded by Cllr Malcaus Cooper, that a default increase of 5% or RPI, whichever is the greater, would be applied to a default budget. A vote was taken with 8 votes for, 5 votes against and 3 abstentions. <b>It was therefore resolved that in the event a default budget being set, the method of increase will be 5% or RPI, whichever is the greater. Furthermore, it was resolved to agree the amendments to Financial Regulations and adopt the revised version of Financial Regulations as at Annex C.</b></p>	
C/21/37	<p><b>Clerks Update</b></p> <p>The Clerk provided the following updates:</p> <p><u>College Ride Signs</u></p> <p>The fly tipping signs had been installed at College Ride, but unfortunately reports have been received that they have been vandalised. The Clerk confirmed she would visit the site to see what damage had been done before reporting back to the Bagshot Committee.</p>	



	<p><u>School Lane Field benches</u></p> <p>Benches had now been installed at School Lane Field following a delay due to the provider being unable to source raw material for the benches chosen. The new benches are considerably heavier and sturdier than previous benches and will hopefully be vandal proof.</p> <p><u>Lightwater Memorial bench</u></p> <p>The soldier bench for the Lightwater Memorial Garden had been delivered and the Clerk would arrange installation.</p> <p><u>Lightwater War Memorial</u></p> <p>Lightwater war memorial has been cleaned in advance of Remembrance Day this year. The memorial does suffer with algae that forms on the stone due to water pooling, but the cleaning had been very successful at removing this.</p> <p><u>Windlesham Cemetery – spoil area clearance</u></p> <p>The Clerk informed Members that the long-standing problem of the overgrown spoil area at Windlesham cemetery had been addressed. The grave diggers had provided a quote within the limits of the Clerks authority to clear and grade the soil in this area and so the Clerk had instructed work to take place. It would now be for the Windlesham Committee to decide what to do with the area.</p>	
<p><b>C/21/38</b></p>	<p><b>Christmas 2021</b></p> <p><b>a) To review quotes and agree supplier of Christmas trees for the villages</b></p> <p>Members were provided with 3 quotes for the purchase of Christmas trees for the villages.</p> <p>Cllr Galliford proposed, seconded by Cllr Jennings-Evans and all agreed that based on quotes provided, Oxenford Farm are chosen to supply the trees. <b>It was therefore resolved to purchase the trees required from Oxenford Farm at a total cost of £905.85+ VAT which would include delivery.</b></p> <p>Members noted the erection and lighting costs for the trees were likely to remain the same as 2020 at around £1300 + VAT.</p> <p><b>b) Christmas Lights</b></p> <p>Members were provided an update regarding the Christmas Lights Project as follows:</p> <ul style="list-style-type: none"> <li>• Lightwater will have motif lighting on 11 of the lamp columns on the section of the Guildford Road between Ambleside Road and the Dentist.</li> <li>• Bagshot will have motif lighting on 7 of the lamp columns on the upper section of the High Street and the Square.</li> <li>• Windlesham will have wraparound garlands with lights and baubles on 9 lamp columns in the village centre where Updown Hill and Chertsey</li> </ul>	

	Year 1 Hire costs (including purchase of light balls)	Annual hire cost thereafter	Year 1 Purchase costs	Annual cost thereafter (includes storage, install/take down and PAT test)
<b>Total Cost for all 3 Villages</b>	£13,761.66	£8,952.96	£20,252.12	£4,238.55

Road meet. Windlesham has also opted to have battery powered globes hanging from the hanging basket trees. Applications to add power sockets to the lamp columns in Lightwater and Bagshot have been submitted and the work should be carried out within the next 12 weeks. Members were asked to note that Skanska no longer fit timers to the lamp columns, therefore Light Angels were asked to provide a quote to include timers on all garlands and motifs. This will ensure that residents who have a lamp column outside their home will not be adversely affected by the light after 11.00-11.30pm

Licences to attach the lights to the lamp columns have now been issued by Skanska.

Unmetered electric supplies have now been set up for both Bagshot and Lightwater for the supply of the electricity.

Members were asked to review finalised pricing and consider if they wished to hire the lights or purchase the lights, taking into consideration the following:

- When hiring, Light Angels will be available to rectify any timer issues or unforeseen problems at no extra cost. If the lights are damaged through vandalism or stolen, the Council will be liable for the full cost of the damage or replacement.
- When purchasing, additional charges will be made whenever Light Angels are called out.
- The bespoke hanging basket light balls for Windlesham are a purchase only option.
- Council will need to add any Christmas lighting to their insurance, which may incur a cost.

Officers recommended that all villages hire lighting for the first year, with the exception of the light balls for Windlesham which are only available to purchase. This would ensure that unexpected costs are kept to a minimum and it gives Members an opportunity to review their choices next year. Based on the hire costs for the first year the remainder of the budget set aside for the project will be approximately £10k which could then be split between the villages and kept in reserve towards costs for Christmas 2022.

Members discussed the pricing options at some length. Cllrs Malcaus Cooper and Halovsky-Yu indicated that there may be some community donations towards the cost of the Lightwater lights and they felt that purchasing the lights would be the better option in order to secure

	<p>donations. Other Councillors wished to retain flexibility regarding the lights and felt that hiring for the first year would give the opportunity to review choices of light motifs etc and be able to have different themes in future years.</p> <p>Cllr Stacey proposed, seconded by Cllr Galliford that lights are hired for the first year. A vote was taken with 12 for, 2 against and 1 abstention and therefore <b>it was resolved to hire lights as documented.</b></p>	
<p><b>C/21/39</b></p>	<p><b>Tree Works – to consider requests for tree works and quotes obtained</b></p> <p>The Clerk informed Members that in recent weeks there had been several lots of tree works looked at and quotes provided, for a variety of reasons. The Clerk reminded Council that trees have been designated a “top level” expenditure and therefore costs are split across the villages on the agreed percentage basis between the villages, regardless of the location of the work to be carried out.</p> <p>Council generally has followed the same principles as SHBC in relation to tree management and that work is only carried out to trees that are dead, diseased, dying or dangerous. A full tree survey was conducted in 2017, resulting in some substantial tree work taking place to address the trees posing most risk. Some trees have also been on an annual “watch list” and tree works have been carried out where necessary since. It is recommended that a full tree survey is carried out again in 2022.</p> <p>1) Request for tree works by residents, rear of School Lane Field</p> <p>Residents who live in properties at the rear boundary of School Lane Field have complained of lack of light in their gardens due to the trees in School Lane Field. The residents want all the trees in the area reduced by 50%.</p> <p>3 different contractors were met at the site to discuss the work involved and different proposals have been put forward as follows:</p> <p>Contractor A</p> <p>Contractor visited the properties who back onto the field as well as met with me. Opinion provided as follows regarding the work:</p> <p>“Sarah, you asked me for my opinion on the impact this work will have on the trees and their health. Whilst its unlikely that any of the trees will die or suffer long term post reduction it is also a fact that pruning by 50% is not good for the trees. Any loss of foliage will reduce the ability to photosynthesise (and produce energy), and any pruning wounds are a potential entry point for pathogens. I would however expect all the trees to recover and continue to thrive post reduction.”</p> <p>He also raised concerns that substantial tree works in this area, although favourable for the homeowners, could cause concern for other residents in Chapel Lane, as they are currently witnessing tree removal from the Woodside Cottage development site.</p> <p>The Clerk advised in her opinion that Council should be mindful of this, along with the fact that Council has declared a climate emergency when</p>	

deciding what work should be carried out. There is no legal "right to light" in respect of trees.

Two quotes provided as below:

Assorted Trees Situated on the Boundary of School Lane Field and St Marys Gardens.

Option 1

- Carefully reduce in height by 50% all the trees from the boundary of St Marys Gardens to the edge of the field as discussed.

The cost of this work will be £2,940 + VAT

Option 2

- Carefully reduce in height by 50% only the closest trees to the boundary with St Marys Gardens.

The cost of this work will be £980 + VAT

Contractor B

To fell and top various small trees and stalls of Hazel, in an effort to clear back and generally thin out, the boundary trees of the wooded area up against the neighbouring properties. Suggestion is to do this on a day rate, as discussed on our site visit.

Cost	£ 600.00 per day
VAT @ 20%	£ 120.00 per day
Total	£ 720.00 per day

Estimate is 3-4 days of work needed, therefore total £1,800 - £2,400 + VAT.

Contractor C

Cut back/Fell trees within 6 to 8ft of the residents boundary fence, for the sum of £1,200 plus VAT.

All waste shall be chipped on site and any wood stacked neatly to form an eco-pile.

Members discussed the work asked for by residents and the make up of trees in the boundary area of School Lane Field. Cllr Sturt proposed, seconded by Cllr Jennings-Evans and unanimously agreed to ask the Clerk to arrange for a further opinion from SHBC arborist regarding how much the trees could be reduced by before bringing back to September Full Council. **It was therefore resolved that the Clerk will arrange a further opinion from SHBC arborist regarding how much the trees could be reduced to be brought back to September Full Council.**

2) Tree Situated in Front of 32a Guildford Road, Lightwater

An inspection of the tree was carried out at resident request due to concerns with proximity to property.

Following inspection, the following report was provided:

	<p>“This Aspen tree has been reduced in size several times before. It is good arboricultural practice to continue this cycle of maintenance/pruning. The regrowth that occurs at the previous pruning point will have grown from latent buds located in the cambial area of the stem. As such the regrowth shoots have little woody fusion with the stems on which they grow and can, if left to grow to large, split away and fall from the tree, potentially creating a hazard.”</p> <p>Quote for work:</p> <ul style="list-style-type: none"> <li>Carefully reduce and reshape back to the previous pruning points (4-6mts overall). The cost of this work will be £680 + VAT</li> </ul> <p><b>It was resolved to carry out the work to the tree as described and accept the quote provided.</b></p> <p>3) Trees Situated on the Corner of Guildford Road and Riverside Avenue</p> <p>The weeping willow was on the “watch list” following full tree inspection for monitoring.</p> <p>Contractor A</p> <p>Carefully remove all major dead, dying and dangerous branches from one Weeping Willow tree (<i>Salix x chrysocoma</i>). At site inspection, a fallen Alder was also identified Remove one fallen Ivy-covered Alder tree (<i>Alnus glutinosa</i>).</p> <p>The cost of this work will be £580 + VAT</p> <p>Contractor B</p> <p>To dead wood / crown clean the Large Weeping Willow by the stream at Riverside Avenue.</p> <table border="0"> <tr> <td>Cost</td> <td>£ 315.00</td> </tr> <tr> <td>VAT @ 20%</td> <td>£ 63.00</td> </tr> <tr> <td>Total</td> <td>£ 378.00</td> </tr> </table> <p>Contractor B did not quote for work to the Alder tree.</p> <p><b>It was resolved to accept quote A for the work to be carried out at Riverside Avenue.</b></p> <p>Members were also asked to note the Clerk had also instructed two smaller lots of tree works for low branch removal of oak trees that are overhanging allotment plots and “pollarding” two dead trees at School Lane Field by the pond where the trunks will be retained for wildlife.</p> <p><i>21.11 Cllrs Harris and Sturt left the meeting</i></p>	Cost	£ 315.00	VAT @ 20%	£ 63.00	Total	£ 378.00	
Cost	£ 315.00							
VAT @ 20%	£ 63.00							
Total	£ 378.00							
<p><b>C/21/40</b></p>	<p><b>Council Insurance</b></p> <p>Members were informed that the Council’s 3-year long term arrangement for insurance comes to an end on 30th September 2021. Due to the proposed schedule of meetings, the Clerk made contact in early May with the current broker Came and Co to ask for a full market review and for</p>							

	<p>quotes ready for this meeting. BHIB Council Insurance were also contacted for a quote – they have partnered with NALC and Aviva to produce specific local council insurance packages – and anecdotally are providing better value insurance for Councils.</p> <p>No response was received from Came and Co but a quote was received from BHIB. Without comparison quotes Council is unable to make a decision but from first assessment, compared to current insurance provider the BHIB premium (for a 3 year arrangement) is around £1,200 per annum cheaper.</p> <p>The Clerk informed Members that she would endeavour to obtain comparison quotes before she leaves post to allow Councillors plenty of time to compare, ahead of needing to make a decision at the next Full Council on 28<sup>th</sup> September.</p> <p><b>Members noted the Clerks report.</b></p>	
<b>C/21/41</b>	<p><b>To consider a request for siting a mobile café in Lightwater Recreation Ground</b></p> <p>Members were reminded that a request was made to Council from a Lightwater resident with regards to setting up a mobile café at Lightwater Recreation ground.</p> <p>Members had previously discussed the issues surrounding this request and in particular the fact that the Parish Council are only the managing trustees for the Lightwater Recreation Ground and permissions from Fields in Trust will be required. That permission had been sought and granted, subject to any “income” that Council may make from charging for the pitch being ringfenced to use for the purposes of maintaining/improving the recreation ground site.</p> <p>Members were asked to consider if they wish to grant permission to the resident to allow the resident to pursue the relevant licences she will need in order to open the mobile café.</p> <p>Various concerns were raised by some Councillors so <b>it was agreed that in principle the request could be granted on a season by season basis and that more research should be carried out to further scope out the residents’ plans and this should be brought back to the Lightwater Committee for further discussion.</b></p>	
<b>C/21/42</b>	<p><b>Memorials and Inscriptions</b></p> <p>Memorials for Joyce Lloyd-Thomas, Michael Lees, Leslie Petrie, Valda May Campbell, William Elliot, Jean Reid and Henry Lumley <b>were approved.</b></p>	
<b>C/21/43</b>	<p><b>Correspondence</b></p> <p><b>There was no correspondence.</b></p>	

<p><b>C/21/44</b></p>	<p><b>Exclusion of the press and public.</b> Agreed that the following items be dealt with after the public, including the press, have been excluded under S1(2) of the Public Bodies (Admission to Meetings) Act 1960:</p> <p>C/21/45 Exempt Full Council Minutes from 25<sup>th</sup> May 2021  C/21/46 Wayleave request across land at Hook Mill Lane  C/21/47 Staff in confidence</p> <p>a) Recruitment process for replacing the Clerk  b) Agreement for new TOR for Personnel Committee  c) Leaving arrangements for the Clerk</p> <p><b>21.24 The open part of the meeting was formally closed and the live stream was stopped.</b></p>	
<p><b>C/21/45</b></p>	<p><b>Exempt Full Council Minutes</b></p> <p>The exempt minutes of the Full Council meeting held on 25<sup>th</sup> May 2021 <b>were approved</b> and were signed by Cllr Malcaus Cooper.</p>	<p><b>Cllr Malcaus Cooper</b></p>
<p><b>C/21/46</b></p>	<p><b>Wayleave request across land at Hook Mill Lane</b></p> <p>The Clerk informed Members that following contact by SSE requesting the Council grant permission for a wayleave across land at Hook Mill Lane depot land in order for electric cabling to be laid under the ground, she had met with SSE at the site. The work to be undertaken is reasonably minimal with no overground equipment to be sited. Cllr Harris had undertaken to investigate further legal implications. This information was still to be provided.</p> <p><b>Members discussed the above request and it was resolved that Cllr Harris would obtain further information to allow the Council to progress the matter.</b></p>	<p><b>Cllr Harris</b></p>
<p><b>C/21/47</b></p>	<p><b>Staff in confidence</b></p> <p><b>a) Recruitment process for replacing the Clerk</b></p> <p>Cllr Malcaus Cooper gave a verbal overview of discussions and meetings held with Anne Bott of SALC and the Councils' external HR provider, Martine Robins. Anne Bott had been very clear that to expedite the process in a timely manner, full delegated authority for the recruitment and employment process should be given to the Personnel Committee. To that end, new terms of reference had been drafted for consideration.</p> <p>The Clerk informed Members that a budget would need to be agreed for the recruitment process. A budget line increase of £18k to the current HR/Legal budget line (taking the overall budget to £20k) was proposed. After discussion this figure was agreed and <b>it was resolved to increase the HR/Legal budget line by £18k to cover the costs of recruitment.</b></p> <p><b>It was further resolved to fund this budget line from the village reserves based on the percentages already agreed and that any surplus left on the budget line at year end would be re-distributed to the village reserves.</b></p>	

	<p style="text-align: center;"><b>b) Agreement for new Personnel Committee Terms of Reference</b></p> <p>New terms of reference had been circulated for Members consideration. No vote was taken regarding their content or adoption.</p> <p><i>21:53 – The Clerk left the meeting</i></p> <p style="text-align: center;"><b>c) Leaving arrangements for the Clerk</b></p> <p>Leaving arrangements for the Clerk were discussed by Councillors.</p>	
<b>There being no further business the meeting closed at 22:00</b>		



Annex A

21/06/2021

Windlesham PC Split

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15:09

PRELIMINARY PURCHASE DAYBOOK

User: SKW

Bagshot PL for Month No 3

Order by Invoices Entered

Nominal Ledger Analysis

Invoice Date	Invoice Number	Ref No	Supplier A/c Name	Supplier A/c Code	Net Value	VAT	Invoice Total	A/C	Centre	Amount	Analysis Description
15/06/2021	2602	3	GREENLANDS	GREE	620.00	124.00	744.00	4160	310	620.00	SLF BENCH INSTALL & SIGNS
29/05/2021	CO726	4	GEM CONSERVATION	GEMC	340.00	68.00	408.00	4100	305	340.00	B WAR MEM REPAIR
TOTAL INVOICES					960.00	192.00	1,152.00			960.00	
VAT ANALYSISCODE S @ 20.00%					960.00	192.00	1,152.00				
TOTALS					960.00	192.00	1,152.00				

## Top Level for Month No 3

## Order by Invoices Entered

Invoice Date	Invoice Number	Ref No	Supplier A/c Name	Supplier A/c Code	Net Value	VAT	Invoice Total	Nominal Ledger Analysis			Analysis Description
								A/C	Centre	Amount	
01/04/2021	2380	27	SURREY ALC	SALC	2,759.19	0.00	2,759.19	4430	325	965.72	SALC ANNUAL SUBSCRIPTION
								4430	425	1,076.08	SALC ANNUAL SUBSCRIPTION
								4430	525	717.39	SALC ANNUAL SUBSCRIPTION
31/05/2021	154373	28	SHORTS	SHORT	15.50	3.10	18.60	4405	335	5.43	HMLD SKIP RENTAL
								4405	435	6.05	HMLD SKIP RENTAL
								4405	535	4.02	HMLD SKIP RENTAL
26/05/2021	28931	29	RIALTAS BUSINESS	REALTAS	350.00	70.00	420.00	4420	325	122.50	CONSULTANCY RE NEW CoA
								4420	425	136.50	CONSULTANCY RE NEW CoA
								4420	525	91.00	CONSULTANCY RE NEW CoA
19/05/2021	2033106	30	SURREY HEATH	SHBC01	6,495.94	1,299.19	7,795.13	4165	310	2,273.58	GREENSPACE CONTRACT MAY 2021
								4165	410	2,533.42	GREENSPACE CONTRACT MAY 2021
								4165	510	1,688.94	GREENSPACE CONTRACT MAY 2021
16/06/2021	6638	31	MILESTONE	MILES	3,768.96	753.79	4,522.75	4915	350	1,465.71	FESTIVE LIGHT SOCKET INSTALL
								4915	450	2,303.25	FESTIVE LIGHT SOCKET INSTALL
19/06/2021	INV92506123	32	ZOOM	ZOOM	11.99	2.40	14.39	4430	325	4.20	ZOOM SUBSCRIPTION
								4430	425	4.68	ZOOM SUBSCRIPTION
								4430	525	3.11	ZOOM SUBSCRIPTION
<b>TOTAL INVOICES</b>					<u>13,401.58</u>	<u>2,128.48</u>	<u>15,530.06</u>			<u>13,401.58</u>	
VAT ANALYSISCODE OTS @ 0.00%					2,759.19	0.00	2,759.19				
VAT ANALYSISCODE S @ 20.00%					10,642.39	2,128.48	12,770.87				
<b>TOTALS</b>					<u>13,401.58</u>	<u>2,128.48</u>	<u>15,530.06</u>				

21/06/2021

Windlesham PC Split

Page 2

15:10

PRELIMINARY PURCHASE DAYBOOK

User: SKW

Lightwater PL for Month No 3

Order by Invoices Entered

							Nominal Ledger Analysis				
Invoice Date	Invoice Number	Ref No	Supplier A/c Name	Supplier A/c Code	Net Value	VAT	Invoice Total	A/C	Centre	Amount	Analysis Description
16/06/2021	186713	2	DAVID OGILVIE	DAVIDO	1,133.00	226.60	1,359.60	4655	440	1,133.00	SOLDIER BENCH FOR LWATER
TOTAL INVOICES					1,133.00	226.60	1,359.60			1,133.00	
VAT ANALYSISCODE S @ 20.00%					1,133.00	226.60	1,359.60				
TOTALS					1,133.00	226.60	1,359.60				

Windlesham PL for Month No 3

Order by Invoices Entered

Invoice Date	Invoice Number	Ref No	Supplier A/c Name	Supplier A/c Code	Net Value	VAT	Invoice Total	Nominal Ledger Analysis			Analysis Description
								A/C	Centre	Amount	
21/06/2021	50119	5	MULBERRY CO	MULBE	35.00	7.00	42.00	4505	530	35.00	TRAINING CLLR HARDLESS
31/05/2021	154374	6	SHORTS	SHORT	15.50	3.10	18.60	4405	500	15.50	SKIP RENTAL W CEM
03/06/2021	1230	7	PURE GARDENS	PUREG	2,130.00	426.00	2,556.00	4060	500	2,130.00	WIND CEM MAINTENANCE MAY 21
29/05/2021	GM092-019	8	GLENDALE	GLEND	217.22	43.44	260.66	4005	500	217.22	ASHES INTERMENTS
18/06/2021	INV-0855	9	NEIL CURTIS	NEIL	485.00	0.00	485.00	4060	500	485.00	CLEARANCE OF SPOIL AREA
TOTAL INVOICES					2,882.72	479.54	3,362.26			2,882.72	
VAT ANALYSISCODE OTS @ 0.00%					485.00	0.00	485.00				
VAT ANALYSISCODE S @ 20.00%					2,397.72	479.54	2,877.26				
TOTALS					2,882.72	479.54	3,362.26				



## Standing Orders 2020 version

This document should be read in conjunction with the Members and Officers Codes of Conduct as well as the Financial Regulations.

**ADOPTED FULL COUNCIL 28<sup>TH</sup> JULY 2020  
To be Reviewed March 2021**

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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 (as amended) becomes the substantive motion upon which further amendment(s) may be moved.
- g An amendment shall not be considered unless early verbal notice of it is given at the meeting and, if requested by the 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 of the meeting.
- j Subject to standing order 1(k), only one amendment shall be moved and debated at a time, the order of which shall be directed by the chairman of the meeting.
- k One or more amendments may be discussed together if the chairman of the meeting considers this expedient but each amendment shall be voted upon separately.
- l A councillor may not move more than one amendment to an original or substantive motion.
- m The mover of an amendment has no right of reply at the end of debate on it.
- n Where a series of amendments to an original motion are carried, the mover of the original motion shall have a right of reply either at the end of debate on the first amendment or at the very end of debate on the final substantive motion immediately before it is put to the vote.
- o Unless permitted by the 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. to exercise a right of reply.
- p During the debate on a motion, a councillor may interrupt only on a point of order or a personal explanation and the councillor who was interrupted shall stop speaking. A councillor raising a point of order shall identify the standing order which he considers has been breached or specify the other irregularity in the proceedings of the meeting he is concerned by.
- q A point of order shall be decided by the chairman of the meeting and his decision shall be final.
- r When a motion is under debate, no other motion shall be moved except:
- i. to amend the motion;
  - ii. to proceed to the next business;
  - iii. to adjourn the debate;
  - iv. to put the motion to a vote;
  - v. to ask a person to be no longer heard or to leave the meeting;
  - vi. to refer a motion to a committee or sub-committee for consideration;
  - vii. to exclude the public and press;
  - viii. to adjourn the meeting; or
  - ix. to suspend particular standing order(s) excepting those which reflect mandatory statutory or legal requirements.
- 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(r), the contributions or speeches by a councillor shall relate only to the motion under discussion and shall not exceed 3 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 be excluded from the meeting. The motion, if seconded,



shall be put to the vote without discussion.

- c If a resolution made under standing order 2(b) is ignored, the 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

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

- a **Meetings shall not take place in premises which at the time of the meeting are used for the supply of alcohol, unless no other premises are available free of charge or at a reasonable cost.**
- b **The minimum three clear days for notice of a meeting does not include the day on which notice was issued, the day of the meeting, a Sunday, a day of the Christmas break, a day of the Easter break or of a bank holiday or a day appointed for public thanksgiving or mourning.**
- c **The minimum three clear days' public notice for a meeting does not include the day on which the notice was issued or the day of the meeting unless the meeting is convened at shorter notice**
- d **Meetings shall be open to the public unless their presence is prejudicial to the public interest by reason of the confidential nature of the business to be transacted or for other special reasons. The public's exclusion from part or all of a meeting shall be by a resolution which shall give reasons for the public's exclusion.**
- e Members of the public may make representations, answer questions and give evidence at a meeting which they are entitled to attend in respect of the business on the agenda.
- f The period of time designated for public participation at a meeting in accordance with standing order 3(e) shall not exceed 20 minutes unless directed by the chairman of the meeting.
- g Subject to standing order 3(f), a member of the public shall not speak for more than 3 minutes.
- h In accordance with standing order 3(e), a question shall not require a response at the meeting nor start a debate on the question. The chairman of the meeting may direct that a written or oral response be given.
- i A person shall raise his hand when requesting to speak.
- j A person who speaks at a meeting shall direct his comments to the chairman of

the meeting.

k 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.

● l **Subject to standing order 3(m), a person who attends a meeting is permitted to report on the meeting whilst the meeting is open to the public. To “report” means to film, photograph, make an audio recording of meeting proceedings, use any other means for enabling persons not present to see or hear the meeting as it takes place or later or to report or to provide oral or written commentary about the meeting so that the report or commentary is available as the meeting takes place or later to persons not present.**

● m **A person present at a meeting may not provide an oral report or oral commentary about a meeting as it takes place without permission.**

● n **The press shall be provided with reasonable facilities for the taking of their report of all or part of a meeting at which they are entitled to be present.**

● o **Subject to standing orders which indicate otherwise, anything authorised or required to be done by, to or before the Chairman of the Council may in his absence be done by, to or before the Vice-Chairman of the Council (if there is one).**

● p **The Chairman of the Council, if present, shall preside at a meeting. If the Chairman is absent from a meeting, the Vice-Chairman of the Council (if there is one) 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.**

● q **Subject to a meeting being quorate, all questions at a meeting shall be decided by a majority of the councillors and non-councillors with voting rights present and voting.**

NB: To exercise their voting rights a Member must be in attendance during the entire debate.

● r **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.**

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

● s **Unless standing orders provide otherwise, voting on a question shall be by a show of hands. At the request of a councillor, the voting on any question shall be recorded so as to show whether each councillor present and voting gave 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.**

- t The minutes of a meeting shall include an accurate record of the following:
  - i. the time and place of the meeting;
  - ii. the names of councillors who are present and the names of councillors who are absent;
  - iii. interests that have been declared by councillors and non-councillors with voting rights;
  - iv. the grant of dispensations (if any) to councillors and non-councillors with voting rights;
  - v. whether a councillor or non-councillor with voting rights left the meeting when matters that they held interests in were being considered;
  - vi. if there was a public participation session; and
  - vii. the resolutions made.
- u **A councillor or a non-councillor with voting rights who has a disclosable pecuniary interest or another interest as set out in the Council's code of conduct in a matter being considered at a meeting is subject to statutory limitations or restrictions under the code on his right to participate and vote on that matter.**
- v **No business may be transacted at a meeting unless at least one-third of the whole number of members of the Council are present and in no case shall the quorum of a meeting be less than three.**

*See standing order 4d(viii) for the quorum of a committee or sub-committee meeting.*
- w **If a meeting is or becomes inquorate no business shall be transacted and the meeting shall be closed. The business on the agenda for the meeting shall be adjourned to another meeting.**
- x A meeting shall not exceed a period of 2.5 hours or 10pm.

#### 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 the Council;
  - iii. shall permit a committee, other than in respect of the ordinary meetings of a committee, to determine the number and time of its meetings;
  - iv. shall, subject to standing orders 4(b) and (c), appoint and determine the terms of office of members of such a committee;
  - v. may, subject to standing orders 4(b) and (c), appoint and determine the terms of office of the substitute members to a committee whose role is to replace the ordinary members at a meeting of a committee if the ordinary members of the committee confirm they are unable to attend;
  - vi. shall, after it has appointed the members of a standing committee, appoint the chairman of the standing committee;
  - vii. shall permit a committee other than a standing committee, to appoint its own chairman at the first meeting of the committee;
  - viii. shall determine the place, notice requirements and quorum for a meeting of a committee and a sub-committee which, in both cases, shall be no less than three;
  - ix. shall determine if the public may participate at a meeting of a committee;
  - x. shall determine if the public and press are permitted to attend the meetings of a sub-committee and also the advance public notice requirements, if any, required for the meetings of a sub-committee;
  - xi. shall determine if the public may participate at a meeting of a sub-committee that they are permitted to attend; and
  - xii. may dissolve a committee or a sub-committee.

## 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 councillors elected take office.**
- b **In a year which is not an election year, the annual meeting of the Council shall be held on such day in May as the Council decides.**

- c **If no other time is fixed, the annual meeting of the Council shall take place 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 decides.**
- e **The first business conducted at the annual meeting of the Council shall be the election of the Chairman and Vice-Chairman (if there is one) 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 there is one, unless he resigns or becomes disqualified, shall hold office until immediately after the election of the Chairman of the Council at the next annual meeting of the Council.**
- h **In an election year, if the current Chairman of the Council has not been re-elected as a member of the Council, he shall preside at the annual 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 shall 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 annual 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 shall 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 (if there is one) of the Council at the annual meeting, the business shall include:
  - i. **In an election year, delivery by the Chairman of the Council and councillors of their acceptance of office forms unless the Council resolves for this to be done at a later date. In a year which is not an election year, delivery by the Chairman of the Council of his acceptance of office form unless the Council resolves for this to be done at a later date;**
  - ii. Confirmation of the accuracy of the minutes of the last meeting of the Council;
  - iii. Receipt of the minutes of the last meeting of a committee;
  - iv. Consideration of the recommendations made by a committee;
  - v. Review of delegation arrangements to committees, sub-committees, staff and other local authorities;
  - vi. Review of the terms of reference for committees;
  - vii. Appointment of members to existing committees;
  - viii. Appointment of any new committees in accordance with standing order 4;

- ix. Review and adoption of appropriate standing orders and financial regulations;
  - x. Review of arrangements (including legal agreements) with other local authorities, not-for-profit bodies and businesses.
  - xi. Review of representation on or work with external bodies and arrangements for reporting back;
  - xii. In an election year, to make arrangements with a view to the Council becoming eligible to exercise the general power of competence in the future;
  - xiii. Review of inventory of land and other assets including buildings and office equipment;
  - xiv. Confirmation of arrangements for insurance cover in respect of all insurable risks;
  - xv. Review of the Council's and/or staff subscriptions to other bodies;
  - xvi. Review of the Council's complaints procedure;
  - xvii. Review of the Council's policies, procedures and practices in respect of its obligations under freedom of information and data protection legislation (*see also standing orders 11, 20 and 21*);
  - xviii. Review of the Council's policy for dealing with the press/media;
  - xix. Review of the Council's employment policies and procedures;
  - xx. Review of the Council's expenditure incurred under s.137 of the Local Government Act 1972 or the general power of competence.
  - xxi. Determining the time and place of ordinary meetings of the Council up to and including the next annual meeting of the Council.
- k Any member appointed as Chairman or Vice Chairman of Council shall not be appointed as Chairman or Vice-Chairman of a Committee or Sub-Committee unless extenuating circumstances dictate.
- l Any Member appointed as Chairman or Vice-Chairman of a Committee or Sub-Committee shall not be appointed as Chairman or Vice-Chairman of any other Committee or Sub-Committee, unless extenuating circumstances dictate.
- m Each member shall sit on at least two committees or sub-committees.

## **6. EXTRAORDINARY MEETINGS OF THE COUNCIL, 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 call an extraordinary meeting of the**

**Council within seven days of having been requested in writing to do so by two councillors, any two councillors may convene an extraordinary meeting of the Council. The public notice giving the time, place and agenda for such a meeting shall be signed by the two councillors.**

- c The 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 call an extraordinary meeting within a day of having been requested to do so by 3 members of the committee [or the sub-committee], any 3 members of the committee [or the sub-committee] may convene an extraordinary meeting of the committee [or a sub-committee].

7. **PREVIOUS RESOLUTIONS**

- a A resolution shall not be reversed within six months except either by a special motion, which requires written notice by at least 3 councillors to be given to the Proper Officer in accordance with standing order 9, or by a motion moved in pursuance of the recommendation of a committee or a sub-committee.
- b When a motion moved pursuant to standing order 7(a) has been disposed of, no similar motion may be moved for a further six months.

8. **VOTING ON APPOINTMENTS**

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

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

- a A motion shall relate to the responsibilities of the meeting for which it is tabled and in any event shall relate to the performance of the Council's statutory functions, powers and obligations or an issue which specifically affects the Council's area or its residents.
- b No motion may be moved at a meeting unless it is on the agenda and the mover has given written notice of its wording to the Proper Officer at least 5 clear days before the meeting. Clear days do not include the day of the notice or the day of the meeting.
- c The Proper Officer may, before including a motion on the agenda received in

accordance with standing order 9(b), correct obvious grammatical or typographical errors in the wording of the motion.

- d If the Proper Officer considers the wording of a motion received in accordance with standing order 9(b) is not clear in meaning, the motion shall be rejected until the mover of the motion resubmits it, so that it can be understood, in writing, to the Proper Officer at least 5 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 The decision of the Proper Officer as to whether or not to include the motion on the agenda shall be final.

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 appoint a committee or sub-committee and their members;
- x. to extend the time limits for speaking;
- xi. to exclude the press and public from a meeting in respect of confidential or other information which is prejudicial to the public interest;
- xii. to not hear further from a councillor or a member of the public;
- xiii. to exclude a councillor or member of the public for disorderly conduct;
- xiv. to temporarily suspend the meeting;
- xv. to suspend a particular standing order (unless it reflects mandatory statutory or legal requirements);



- xvi. to adjourn the meeting; or
- xvii. to close the meeting.

11. **MANAGEMENT OF INFORMATION**

*See also standing order 20.*

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

12. **DRAFT MINUTES**

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

- a If the draft minutes of a preceding meeting have been served on councillors with the agenda to attend the meeting at which they are due to be approved for accuracy, they shall be taken as read.
- b There shall be no discussion about the draft minutes of a preceding meeting except in relation to their accuracy. A motion to correct an inaccuracy in the draft minutes shall be moved in accordance with standing order 10(a)(i).
- c The accuracy of draft minutes, including any amendment(s) made to them, shall be confirmed by resolution and shall be signed by the chairman of the meeting and stand as an accurate record of the meeting to which the minutes relate.
- d If the chairman of the meeting does not consider the minutes to be an

accurate record of the meeting to which they relate, he shall sign the minutes and include a paragraph in the following terms or to the same effect:

“The chairman of this meeting does not believe that the minutes of the meeting of the ( ) held on [date] in respect of ( ) were a correct record but his view was not upheld by the meeting and the minutes are confirmed as an accurate record of the proceedings.”

- e **If the Council’s gross annual income or expenditure (whichever is higher) does not exceed £25,000, it shall publish draft minutes on a website which is publicly accessible and free of charge not later than one month after the meeting has taken place.**
- f Subject to the publication of draft minutes in accordance with standing order 12(e) and standing order 20(a) and following a resolution which confirms the accuracy of the minutes of a meeting, the draft minutes or recordings of the meeting for which approved minutes exist shall be destroyed.

### 13. **CODE OF CONDUCT AND DISPENSATIONS**

*See also standing order 3(u).*

- a All councillors and non-councillors with voting rights shall observe the code of conduct adopted by the Council.
- b Unless 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.
- c 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.
- d **Dispensation requests shall be in writing and submitted to the Proper Officer** as soon as possible before the meeting, or failing that, at the start of the meeting for which the dispensation is required.
- e A decision as to whether to grant a dispensation shall be made by the Proper Officer or by a meeting of the Council, or committee or sub-committee for which the dispensation is required and that decision is final.
- f A dispensation request shall confirm:
  - i. the description and the nature of the disclosable pecuniary interest or other interest to which the request for the dispensation relates;
  - ii. whether the dispensation is required to participate at a meeting in a discussion only or a discussion and a vote;

- iii. the date of the meeting or the period (not exceeding four years) for which the dispensation is sought; and
  - iv. an explanation as to why the dispensation is sought.
- g Subject to standing orders 13(d) and (f), a dispensation request shall be considered by the Proper Officer before the meeting or, if this is not possible, at the start of the meeting for which the dispensation is required.
- h A dispensation may be granted in accordance with standing order 13(e) if having regard to all relevant circumstances any of the following apply:**
- i. without the dispensation the number of persons prohibited from participating in the particular business would be so great a proportion of the meeting transacting the business as to impede the transaction of the business;**
  - ii. granting the dispensation is in the interests of persons living in the Council's area; or**
  - iii. it is otherwise appropriate to grant a dispensation.**

14. **CODE OF CONDUCT COMPLAINTS**

- a Upon notification by the District or Unitary 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, report this to the Council.
- b Where the notification in standing order 14(a) 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).
- c The Council may:
- i. provide information or evidence where such disclosure is necessary to investigate the complaint or is a legal requirement;
  - 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:

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

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

- ii. subject to standing order 9, include on the agenda all motions in the order received unless a councillor has given written notice at least 5 days before the meeting confirming his withdrawal of it;
- iii. **convene a meeting of the Council for the election of a new Chairman of the Council, occasioned by a casual vacancy in his office;**
- iv. **facilitate inspection of the minute book by local government electors;**
- v. **receive and retain copies of byelaws made by other local authorities;**
- vi. hold acceptance of office forms from councillors;
- vii. hold a copy of every councillor's register of interests;
- viii. assist with responding to requests made under freedom of information legislation and rights exercisable under data protection legislation, in accordance with the Council's relevant policies and procedures;
- ix. liaise, as appropriate, with the Council's Data Protection Officer;
- x. receive and send general correspondence and notices on behalf of the Council except where there is a resolution to the contrary;
- xi. assist in the organisation of, storage of, access to, security of and destruction of information held by the Council in paper and electronic form subject to the requirements of data protection and freedom of information legislation and other legitimate requirements (e.g. the Limitation Act 1980);
- xii. arrange for legal deeds to be executed;  
*(see also standing order 23);*
- xiii. arrange or manage the prompt authorisation, approval, and instruction regarding

any payments to be made by the Council in accordance with its financial regulations;

- xiv. record every planning application notified to the Council and the Council's response to the local planning authority in a book for such purpose;
- xv. refer a planning application received by the Council to the Chairman or in his absence the Vice-Chairman (if there is one) of the Planning Committee within two working days of receipt to facilitate an extraordinary meeting if the nature of a planning application requires consideration before the next ordinary meeting of the Planning Committee;
- xvi. manage access to information about the Council via the publication scheme; and
- xvii. retain custody of the seal of the Council (if there is one) which shall not be used without a resolution to that effect.  
(see also standing order 23).

16. **RESPONSIBLE FINANCIAL OFFICER**

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

17. **ACCOUNTS AND ACCOUNTING STATEMENTS**

- a "Proper practices" in standing orders refer to the most recent version of "Governance and Accountability for Local Councils – a Practitioners' Guide".
- b All payments by the Council shall be authorised, approved and paid in accordance with the law, proper practices and the Council's financial regulations.
- c The Responsible Financial Officer shall supply to each councillor quarterly in each year a statement to summarise:
  - i. the Council's receipts and payments (or income and expenditure) for each quarter;
  - ii. the Council's aggregate receipts and payments (or income and expenditure) for the year to date;
  - iii. the balances held at the end of the quarter being reported and  
which includes a comparison with the budget for the financial year and highlights any actual or potential overspends.
- d As soon as possible after the financial year end at 31 March, the Responsible Financial Officer shall provide:
  - i. each councillor with a statement summarising the Council's receipts and payments

(or income and expenditure) for the last quarter and the year to date for information; and

- ii. to the Council the accounting statements for the year in the form of Section 2 of the Annual Governance and Accountability Return, as required by proper practices, for consideration and approval.
- e. The year-end accounting statements shall be prepared in accordance with proper practices and apply the form of accounts determined by the Council (receipts and payments, or income and expenditure) for the year to 31 March. The annual governance and accountability return of the Council, which is subject to external audit, including the annual governance statement, shall be presented to the Council for consideration and formal approval before 30 June.

18. **FINANCIAL CONTROLS AND PROCUREMENT**

- a. The Council shall consider and approve financial regulations drawn up by the Responsible Financial Officer, which shall include detailed arrangements in respect of the following:
  - i. the keeping of accounting records and systems of internal controls;
  - ii. the assessment and management of financial risks faced by the Council;
  - iii. the work of the independent internal auditor in accordance with proper practices and the receipt of regular reports from the internal auditor, which shall be required at least annually;
  - iv. the inspection and copying by councillors and local electors of the Council's accounts and/or orders of payments; and
  - v. whether contracts with an estimated value below **£25,000** due to special circumstances are exempt from a tendering process or procurement exercise.
- b. Financial regulations shall be reviewed regularly and at least annually for fitness of purpose.
- c. **A public contract regulated by the Public Contracts Regulations 2015 with an estimated value in excess of £25,000 but less than the relevant thresholds in standing order 18(f) is subject to Regulations 109-114 of the Public Contracts Regulations 2015 which include a requirement on the Council to advertise the contract opportunity on the Contracts Finder website regardless of what other means it uses to advertise the opportunity, unless it proposes to use an existing list of approved suppliers (framework agreement).**
- d. Subject to additional requirements in the financial regulations of the Council, the tender process for contracts for the supply of goods, materials, services or the execution of works shall include, as a minimum, the following steps:
  - i. a specification for the goods, materials, services or the execution of works shall be

drawn up;

- ii. an invitation to tender shall be drawn up to confirm (i) the Council's specification (ii) the time, date and address for the submission of tenders (iii) the date of the Council's written response to the tender and (iv) the prohibition on prospective contractors contacting councillors or staff to encourage or support their tender outside the prescribed process;
  - iii. the invitation to tender shall be advertised in a local newspaper and in any other manner that is appropriate;
  - iv. tenders are to be submitted in writing in a sealed marked envelope addressed to the Proper Officer;
  - v. tenders shall be opened by the Proper Officer in the presence of at least one councillor after the deadline for submission of tenders has passed;
  - vi. tenders are to be reported to and considered by the appropriate meeting of the Council or a committee or sub-committee with delegated responsibility.
- e. Neither the Council, nor a committee or a sub-committee with delegated responsibility for considering tenders, is bound to accept the lowest value tender.
- f. **A public contract regulated by the Public Contracts Regulations 2015 with an estimated value in excess of £181,302 for a public service or supply contract or in excess of £4,551,413 for a public works contract (or other thresholds determined by the European Commission every two years and published in the Official Journal of the European Union (OJEU)) shall comply with the relevant procurement procedures and other requirements in the Public Contracts Regulations 2015 which include advertising the contract opportunity on the Contracts Finder website and in OJEU.**
- g. **A public contract in connection with the supply of gas, heat, electricity, drinking water, transport services, or postal services to the public; or the provision of a port or airport; or the exploration for or extraction of gas, oil or solid fuel with an estimated value in excess of £363,424 for a supply, services or design contract; or in excess of £4,551,413 for a works contract; or £820,370 for a social and other specific services contract (or other thresholds determined by the European Commission every two years and published in OJEU) shall comply with the relevant procurement procedures and other requirements in the Utilities Contracts Regulations 2016.**

19. **HANDLING STAFF MATTERS**

- a A matter personal to a member of staff that is being considered by a meeting of Council or the Personnel Committee is subject to standing order 11.
- b Subject to the Council's policy regarding absences from work, the Council's most senior member of staff shall notify the chairman or if s/he is not available, the vice-chairman of

absence occasioned by illness or other reason and that person shall report such absence to the Council.

- c The chairman or in his/her absence, the vice-chairman shall upon a resolution conduct a review of the performance and annual appraisal of the work of the Clerk. The reviews and appraisal shall be reported in writing and are subject to approval by resolution by the Council.
- d Subject to the Council's policy regarding the handling of grievance matters, the Council's most senior member of staff (or other members of staff) shall contact the chairman or in his/her absence, the vice-chairman in respect of an informal or formal grievance matter, and this matter shall be reported back and progressed by resolution of the Personnel Committee.
- e Subject to the Council's policy regarding the handling of grievance matters, if an informal or formal grievance matter raised by the Clerk relates to the chairman or vice-chairman of the Personnel Committee this shall be communicated to another member of the Personnel Committee which shall be reported back and progressed by resolution of the Personnel Committee.
- f Any persons responsible for all or part of the management of staff shall treat as confidential the written records of all meetings relating to their performance, capabilities, grievance or disciplinary matters.



- g In accordance with standing order 11(a), persons with line management responsibilities shall have access to staff records referred to in standing order 19(f).

20. **RESPONSIBILITIES TO PROVIDE INFORMATION**

*See also standing order 21.*

- a **In accordance with freedom of information legislation, the Council shall publish information in accordance with its publication scheme and respond to requests for information held by the Council.**
- b **The Council, shall publish information in accordance with the requirements of the Local Government (Transparency Requirements) (England) Regulations 2015.**

21. **RESPONSIBILITIES UNDER DATA PROTECTION LEGISLATION**

(Below is not an exclusive list).

*See also standing order 11.*

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

22. **RELATIONS WITH THE PRESS/MEDIA**

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

23. **EXECUTION AND SEALING OF LEGAL DEEDS**

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

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

24. **COMMUNICATING WITH DISTRICT AND COUNTY OR UNITARY COUNCILLORS**

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

25. **RESTRICTIONS ON COUNCILLOR ACTIVITIES**

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

26. **STANDING ORDERS GENERALLY**

- a All or part of a standing order, except one that incorporates mandatory statutory or legal requirements, may be suspended by resolution in relation to the consideration of an item on the agenda for a meeting.
- b A motion to add to or vary or revoke one or more of the Council's standing orders, except one that incorporates mandatory statutory or legal requirements, shall be proposed by a special motion, the written notice by at least 6 councillors to be given to the Proper Officer in accordance with standing order 9.
- c The Proper Officer shall provide a copy of the Council's standing orders to a councillor

as soon as possible.

- d The decision of the chairman of a meeting as to the application of standing orders at the meeting shall be final.



# **WINDLESHAM PARISH COUNCIL FINANCIAL REGULATIONS**

**These Financial Regulations were adopted by the council at its meeting held on 29<sup>th</sup> October 2019 and reviewed at a meeting of the Full Council on 28<sup>th</sup> July 2020**

**WINDLESHAM PARISH COUNCIL FINANCIAL REGULATIONS 2020 FOR ENGLAND**

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**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;

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

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

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

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

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

1.9. The RFO;

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

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

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

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

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

- procedures to ensure that the financial transactions of the council are recorded as soon as reasonably practicable and as accurately and reasonably as possible;
- procedures to enable the prevention and detection of inaccuracies and fraud and the ability to reconstruct any lost records;
- identification of the duties of officers dealing with financial transactions and division of responsibilities of those officers in relation to significant transactions;
- procedures to ensure that uncollectable amounts, including any bad debts are not submitted to the council for approval to be written off except with the approval of the RFO and that the approvals are shown in the accounting records; and
- measures to ensure that risk is properly managed.

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

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

1.14. In addition, the council must:

- determine and keep under regular review the bank mandate for all council bank accounts;
- ~~approve any grant or a single commitment in excess of £2,000;~~ and
- in respect of the annual salary for any employee have regard to recommendations about annual salaries of employees made by the relevant committee in accordance with its terms of reference.

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

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

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

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

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

2.3. The RFO shall complete the annual statement of accounts, annual report, and any related documents of the council contained in the Annual Return (as specified in proper practices) as soon as practicable after the end of the financial year and having certified the accounts shall submit them and report thereon to the council within the timescales set by the Accounts and Audit Regulations.

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

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

2.6. The internal auditor shall:

- be competent and independent of the financial operations of the council;
- report to council in writing, or in person, on a regular basis with a minimum of one annual written report during each financial year;

- to demonstrate competence, objectivity and independence, be free from any actual or perceived conflicts of interest, including those arising from family relationships; and
- has no involvement in the financial decision making, management or control of the council

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

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

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

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

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

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

3.1. The RFO must each year, by no later than ~~early December~~ late October 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 each village committee ~~the council~~.

3.2. ~~The council consider annual budget proposals in relation to the council's forecast of revenue and capital receipts and payments including recommendations for the use of reserves and sources of funding and update the forecast accordingly.~~ Each village committee shall consider the annual budget proposals in respect of shared council costs and their own individual forecast of revenue and capital receipts and payments. Each village committee will prepare recommendations to be presented to Full Council at their November meeting to inform the overall Council budget.

3.3 In the event that an agreement cannot be reached regarding setting a budget for the ensuing year, Council will agree a default budget. This default budget will be set at the previous years budget, plus an X% increase.

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

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

### 4. Budgetary control and authority to spend

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

- Full Council for all items over £15,000 ~~£2,000;~~
- a duly delegated committee of the council for items over £500 up to £15,000 ~~over £500 and less than £2,000 or~~
- the Clerk for any items below £500. **TO BE DISCUSSED**

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

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

4.2. No expenditure may be authorised that will exceed the amount provided in the revenue budget for that class of expenditure other than by resolution of the council, or duly delegated committee. During the budget year and with the approval of council having considered fully the implications for public services,



unspent and available amounts may be moved to other budget headings or to an earmarked reserve as appropriate ('virement').

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

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

4.5. In cases of extreme risk to the delivery of council services, the clerk may authorise revenue expenditure on behalf of the council which in the clerk's judgement it is necessary to carry out. Such expenditure includes repair, replacement or other work, whether or not there is any budgetary provision for the expenditure, subject to a limit of £3,000. 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 and the village committees 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 £500 or 15% of the budget.**

4.9. **Changes in earmarked reserves shall be approved by council or a village committee (if the reserve falls under the control of the committee) as part of the budgetary control process.**

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

5.1. The council's banking arrangements, including the bank mandate, shall be made by the RFO and approved by the council; banking arrangements may not be delegated to a committee. They shall be regularly reviewed for safety and efficiency.

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

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

5.4. **The RFO shall examine invoices for arithmetical accuracy and analyse them to the appropriate expenditure heading. The RFO shall take all steps to pay all invoices submitted, and which are in order, at the next available ~~Finance and General Purposes Committee~~ village committee or Full Council meeting.**

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

- a) **If a payment is necessary to avoid a charge to interest under the Late Payment of Commercial Debts (Interest) Act 1998, and the due date for payment is before the next scheduled Meeting of council, where the Clerk and RFO certify that there is no dispute or other reason to delay payment,**

provided that a list of such payments shall be submitted to the next appropriate Finance and General Purposes Committee village committee or Full Council meeting;

b) An expenditure item authorised under 5.6 below (continuing contracts and obligations) provided that a list of such payments shall be submitted to the next appropriate Finance and General Purposes Committee village committee or Full Council meeting; or

c) fund transfers within the councils banking arrangements up to the sum of £10,000, provided that a list of such payments shall be submitted to the next appropriate Finance and General Purposes Committee or Full Council meeting.

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

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

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

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

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

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

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

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

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

6.3. All payments shall be affected by BACS payment from the Council's bank account or on occasion by cheque, or otherwise, in accordance with a resolution of the relevant village committee Finance and General Purposes or Full 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 two signatories, in accordance with a resolution instructing that payment. A member who is a bank signatory, having a connection by virtue of family or business relationships with the beneficiary of a payment, should not, under normal circumstances, be a signatory to the payment in question.

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

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

6.7. If thought appropriate by the council, payment for certain items (principally salaries) may be made by banker's standing order provided that the instructions are signed, or otherwise evidenced by two members

are retained and any payments are reported to council as made. The approval of the use of a banker's standing order shall be renewed by resolution of the council at least every two years.

6.8. 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 two years.

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

6.11. 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. A programme of regular checks of standing data with suppliers will be followed.

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

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

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

## **7. Payment of salaries**

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

7.2. Payment of salaries and payment of deductions from salary such as may be required to be made for tax, national insurance and pension contributions, or similar statutory or discretionary deductions must be

made in accordance with the payroll records and on the appropriate dates stipulated in employment contracts, provided that each payment is reported to the next available council meeting, as set out in these regulations above.

7.3. No changes shall be made to any employee's pay, emoluments, or terms and conditions of employment without the prior consent of the Personnel Committee or Full Council.

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

- a) by any councillor who can demonstrate a need to know;
- b) by the internal auditor;
- c) by the external auditor; or
- d) by any person authorised under Audit Commission Act 1998, or any superseding legislation.

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

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

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

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

## **8. Loans and investments**

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

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

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

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

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

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

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

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

## **9. Income**

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

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

9.3. Full council or the relevant village committee will review all fees and charges at least annually, following a report of the Clerk.

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

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

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

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

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

9.9. Where any significant sums of cash are regularly received by the council, the RFO shall take such steps as are agreed by the council to ensure that more than one person is present when the cash is counted in the first instance, that there is a reconciliation to some form of control such as ticket issues, and that appropriate care is taken in the security and safety of individuals banking such cash.

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

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

10.2. Order books shall be controlled by the RFO.

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

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

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

#### **11. Contracts**

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

- a) Every contract shall comply with these financial regulations, and no exceptions shall be made otherwise than in an emergency provided that this regulation need not apply to contracts which relate to items (i) to (vi) below:
  - i. for the supply of gas, electricity, water, sewerage and telephone services;
  - ii. for specialist services such as are provided by legal professionals acting in disputes;
  - iii. for work to be executed or goods or materials to be supplied which consist of repairs to or parts for existing machinery or equipment or plant;
  - iv. for work to be executed or goods or materials to be supplied which constitute an extension of an existing contract by the council;
  - v. for additional audit work of the external auditor up to an estimated value of £500 (in excess of this sum the Clerk and RFO shall act after consultation with the Chairman and Vice Chairman of council); and
  - vi. for goods or materials proposed to be purchased which are proprietary articles and / or are only sold at a fixed price.
- b) Where the council intends to procure or award a public supply contract, public service contract or public works contract as defined by The Public Contracts Regulations 2015 ("the Regulations") which is valued at £25,000 or more, the council shall comply with the relevant requirements of the Regulations<sup>2</sup>.

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

- c) The full requirements of The Regulations, as applicable, shall be followed in respect of the tendering and award of a public supply contract, public service contract or public works contract which exceed thresholds in The Regulations set by the Public Contracts Directive 2014/24/EU (which may change from time to time)<sup>3</sup>.
- d) When applications are made to waive financial regulations relating to contracts to enable a price to be negotiated without competition the reason shall be embodied in a recommendation to the council.
- e) Such invitation to tender shall state the general nature of the intended contract and the Clerk shall obtain the necessary technical assistance to prepare a specification in appropriate cases. The invitation shall in addition state that tenders must be addressed to the Clerk in the ordinary course of post. Each tendering firm shall be supplied with a specifically marked envelope in which the tender is to be sealed and remain sealed until the prescribed date for opening tenders for that contract.
- f) All sealed tenders shall be opened at the same time on the prescribed date by the Clerk in the presence of at least one member of council.
- g) Any invitation to tender issued under this regulation shall be subject to Standing Orders and shall refer to the terms of the Bribery Act 2010.
- h) When it is to enter into a contract of less than £25,000 in value for the supply of goods or materials or for the execution of works or specialist services other than such goods, materials, works or specialist services as are excepted as set out in paragraph (a) the Clerk or RFO shall obtain 3 quotations (priced descriptions of the proposed supply); where the value is below £3,000 and above £400 the Clerk or RFO shall strive to obtain 3 estimates. Otherwise, Regulation 10.3 above shall apply.
- i) The council shall not be obliged to accept the lowest or any tender, quote or estimate.
- j) Should it occur that the council, or duly delegated committee, does not accept any tender, quote or estimate, the work is not allocated and the council requires further pricing, provided that the specification does not change, no person shall be permitted to submit a later tender, estimate or quote who was present when the original decision-making process was being undertaken.

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

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

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

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

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

13.1. The Clerk shall make appropriate arrangements for the custody of all title deeds 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.

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

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

- a) For public supply and public service contracts 209,000 Euros (£181,302)  
 b) For public works contracts 5,225,000 Euros (£4,551,413)

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

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

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

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

#### **14. Insurance**

14.1. Following the annual risk assessment (per Regulation 17), the RFO shall effect all insurances and negotiate all claims on the council's insurers.

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

14.4. 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.

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

#### **15. Charities**

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

#### **16. Risk management**

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

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

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

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

17.2. 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.

