

NETHER KELLET PARISH COUNCIL

MEMBERS OF THE PUBLIC AND PRESS ARE WELCOME TO ATTEND

**Summons to attend Parish Council Meeting to be held on
Wednesday 6th February 2019 at Congregational School Room, Nether Kellet at 7.00 pm**

A G E N D A

- 19001 To receive apologies
- 19002 To approve Minutes of the Meeting held on Wednesday 2nd January 2019
- 19003 To receive Declarations of Interest
- 19004 To adjourn the meeting for a period of public discussion and to provide 'information only' updates on activities in recent weeks. (Note: Any matters needing a 'decision' will be considered as an agenda item at a future meeting)
- (i) Public discussion
- (ii) Clerk's report on correspondence, activities and actions since last meeting
- (iii) Members updates and reports since the last meeting, including:

1) PACT	2) LALC	3) Quarry
4) Twinning Association	5) Fly-tipping	6) PRow
7) Village Hall	8) Projects	9) B4RN
10) Lodges Charity	11) Lengthsman	12) Other matters: Poplar Tree; Defibrillator

- 19005 To consider the list of planning applications/road traffic orders/consultations and decisions set out below:

Application No:	Description
19/00088/FUL	Erection of two storey dwelling with associated access – Land adjacent to Meadowcroft, Hill Lane, Nether Kellet

- 19006 To receive an update on planning authority decisions on previously considered applications (papers enclosed)
- 19007 To authorise payment of the following accounts:

Cheque No.	Description	Amount
100832	Green Urban Technologies – Repair of ecoPad & cabinet	£94.50
100833	Nether Kellet Congregational Church – Hire of schoolroom (3 meetings)	£54.00
100834	Mr R Bailey; Parish Clerk Fees and Expenses – January 2019	£243.65
100835	Mr I Williams – Christmas tree	£40.00

- 19008 To consider Community Road Watch scheme update
- 19009 To consider for approval draft Standing Orders 2019 (Clerk to report)
- 19010 To consider and approve draft Financial Regulations 2019 (Clerk to report)
- 19011 To consider date and time of next meeting

NETHER KELLET PARISH COUNCIL

MEMBERS OF THE PUBLIC AND PRESS ARE WELCOME TO ATTEND

Parish Clerk

31 January 2019

28 Wilson Grove

Heysham, Morecambe, LA3 2PQ

Tel: 07828254149; Email: netherkelletpc@gmail.com

PARISH OF NETHER KELLET
Draft Minutes of the Meeting of the Parish Council held at
Congregational Church School Rooms on Wednesday 2nd January 2019 at 7-00 pm.

Present: Councillor Mr D Whitaker (Chair)
Councillor Mrs J Bentham
Councillor Mr P Riley
Councillor Mr G Smith
Councillor Mr I Williams

In attendance: Bob Baily, Clerk, Ward Councillor Mr JR Mace; County Councillor Mrs P Williamson

18095 **APOLOGIES FOR ABSENCE:** Apologies were received from Councillor Mr N Johnson and Councillor Mr C Halhead

18096 **MINUTES:** It was **RESOLVED** that following minor amendments received from Councillors Smith and Bentham the Minutes of the meeting held on Wednesday 5th December be approved.

18097 **DECLARATION OF INTERESTS:** Councillors Riley and Whitaker requested a dispensation in respect of discussions on Nether Kellet Village Hall, which was approved.

18098 **ADJOURNMENT FOR PUBLIC DISCUSSION & INFORMATION ONLY UPDATES:**

- 1) **Public discussion:** No matters were raised
- 2) **Clerks report:** The Clerks presented his report, setting out updates on previous actions, activities and resolutions.

It was reported that matters referred to Lancashire County Council were still outstanding, specifically the potentially dangerous bulging wall around the play area.

ACTION: Details to be sent to County Councillor Williamson for follow up.

Members were pleased that the long running issue with the Village Hall defibrillator had been resolved and that the repaired defibrillator and cabinet had been reinstalled and back in operation.

After some discussion, it was **RESOLVED** that the Clerk's report be noted.

3) **Members updates on issues arising since the last meeting:**

- a) **PACT:** Nothing to report;
- b) **LALC:** Nothing to report;
- c) **QUARRY:** No meetings held;
- d) **TWINNING ASSOCIATION:** Councillor Bentham provided a short report on the activities of the Twinning Association, including a quiz night being held in Over Kellet on 26th January.
- e) **FLY-TIPPING:** Councillor Smith reported that there had been one incident in the last month at Dunald Mill Lane which was dealt with by the parish lengthsman. Members were informed that in 2018/2019 there had been seven incidents of fly-tipping, down from twelve in the previous year. Two of the seven had been in the area covered by the mobile CCTV camera, demonstrating that it is not being an effective deterrent and is not providing data needed to help enforcement action, as previously reported. Councillor Mace advised that fly-tipping was being reviewed by Lancaster City Council as part of the budget setting process for 2019/2020;
- f) **PRoW:** Nothing to report;
- g) **VILLAGE HALL:** Nothing further to report;
- h) **PROJECTS:** No further update;

- i) **BA4N:** Councillor Bentham reported on further progress including connecting properties on Bridge Road;
- j) **LODGES CHARITY:** Councillor Smith has liaised with Councillor Johnson with a view to writing a report for *Round and About* on the history and purpose of the charity to supplement previous information on how residents can apply for funds;
- k) **LENGTHSMAN REPORT:** Councillor Smith reported that the Lengthsman had recently attended meeting with a Lancaster City Council, Public Realm officer to discuss action required to address issues relating to the poplar tree and cherry trees in the play area. The lengthsman has also carried out general duties to keep the village clean and tidy.
- l) **GENERAL MATTERS:** Councillor Smith provided further information on the site meeting with an officer from Lancaster City Council, Public Realm on concerns arising from the poplar tree on the playing field which is a risk to members of the public, is causing damage to the footpath and may be blocking drains. The officer was advised that it is the parish council's intention to request that the tree be felled.

Councillor Mace referred to a report on the state of, and actions relating to, the poplar tree provided by the City Council some years ago. A further review by the Tree Preservation Officer is now expected. **ACTION:** Officer to report back to Lancaster City Council and Clerk to contact their Tree Preservation Officer requesting permission to fell the tree.

At the same meeting, arrangements were made for the cherry trees within the play area to be pruned.

Councillor Smith also provided an update on the local Community Road Watch scheme. 12 volunteers have recently come forward for training from four surrounding villages and residents from Nether Kellet, who were the first to get involved in the scheme, are expected to be designated as Team Leaders. The Clerk informed Members that Over Kellet Parish Council are planning to introduce the scheme and had contacted this parish council for support in the possible provision of an additional 'speed gun' that would be available to both parishes to extend the scheme. Carnforth Town Council have also been approached. One of the Team Leaders and a PCSO are expected to attend the next meeting of the parish council to provide a first-hand update on the effectiveness of the scheme and plans to extend it.

Councillor Mace had previously contacted the parish council with the offer of a commemorative bench to mark his 20 years as City Councillor for the Kellet Ward and his year as Mayor of Lancaster. Councillor Mace informed Members that he was open to suggestions as to the design and location of any bench. Members thanked Councillor Mace for his kind offer and congratulated him on his long and exemplary service to the Kellet Ward. **ACTION:** Parish Clerk to liaise with Councillor Mace on options for a bench for further consideration and approval at the next meeting of the parish council.

It was then **RESOLVED** that Members updates be noted, and that follow-up action be taken where necessary.

18099 **PLANNING APPLICATIONS/TRAFFIC ORDERS:**

Application No:	Description:
18/0192/TCA	Fell two Willow Trees – 43 Main Road, Nether Kellet
18/01529/FUL	Erection of a detached garage – Nether Kellet Village Hall, Shaw Lane, Nether Kellet

After some discussion, it was **RESOLVED** that no representation be made on the above applications.

18100 **PLANNING AUTHORITY DECISIONS:** Members considered the up-to-date position on decisions of the planning authority (Lancaster City Council) on planning application previously deliberated by the parish council. It was then **RESOLVED** that the decisions of the Planning authority be noted.

18101 **ACCOUNTS FOR PAYMENT:**

100831	Mr R Bailey, Parish Clerk's Fees and Expenses – December 2018	£265.89
100832	Green Urban Technologies – Repair and re-installation of ecoPad and Cabinet	£255.30

The Clerk reported that the invoice received from Green Urban Technologies Ltd included an amount for the installation and connection of the defibrillator cabinet in its new location at the Village Hall and associated mileage costs. Members were informed that despite several requests and plans to have this work done that company had failed to carry out the work which was subsequently carried out by a local contractor. The invoice presented by Green Urban Technologies Ltd was, therefore, incorrect.

After some discussion it was **RESOLVED** that Cheque No: 100831 be paid and that Green Urban Technologies Ltd be requested to submit a revised invoice for payment.

18102 **PRECEPT 2019/2020:** Further to the detailed draft budget presented by the Clerk at the December meeting of the parish council, Members had further considered its planned activities in 2019/2020. Several new proposals were suggested to address known issues and to maintain and improve on the amenities in the parish, including play equipment. These discussions resulted in an estimated planned expenditure in 2019/2020 of £14,167 (net). Considering existing balances and an allowance for contingencies (unforeseen expenditure) the calculated amount of precept in 2019/2020 was £8,300, representing a *Parish Tax Rate* for a Band D property of £29.83 for the year.

After some discussion, the Clerk was thanked for providing the parish council with a detailed and evidence-based budget that will improve financial management and planning going forward.

It was then **RESOLVED** that the annual precept to be demanded from Lancaster City Council for the financial year 2019/2020 be set at £8,300.

18103 **COMMUNITY GRANT FUND APPLICATION FORM:** Further to previous consideration of the draft *Community Fund Application Form* Members suggested amendments to better reflect the size of the parish council and the expected nature of grant funding going forward. It was acknowledged that a revised form would help Members to decide on grant funding taking account of the proposals, their perceived community benefits and the capacity of a group/organisation to deliver, whilst providing the right level of governance and scrutiny of public money.

After some discussion, it was **RESOLVED** that the further amendments be made with a view to the revised form being approved at the February meeting of the parish council.

18104 **DATE & TIME OF NEXT MEETING:** The next meeting of the parish council will be **Wednesday 6th February 2019.** The Parish Council meeting closed at 8:00pm

Clerk of the Council:

Date:

Chair:

Date:

Clerk's Report – February 2019

Please see below updates on actions and parish council resolutions

Action/Resolution	Update
Clerk to produce draft guidance and application form for community fund grant requests	Considered by Members and revised for implementation.
Grass cutting regime for Nether Kellet	Lancaster City Council have been asked to send quotation for planned grounds maintenance in 2019/2020 for consideration and/or amendment.
Photographs of the bulging wall in the play area to be forwarded to Lancashire County Council. The 'unfinished' white-lining works on Bolton Lane to be followed up	Information sent to County Councillor to chase with Lancashire County Council.
Contact Lancaster City Council Environmental Services to request a further discussion on CCTV	Contacted officer in charge of CCTV arrangements at Lancaster City Council. A meeting can be arranged but there may be an opportunity to liaise with Carnforth Town Council on wider provision in the area. Further information to follow in due course.
Investigate costs of adding a solar charging unit to the current SPiD. Consider multiple locations being established for current/future SPiDs	Members decided that they would retain the existing battery SPiD. Community Roadwatch in operation in the village – opportunities to expand with Carnforth Town Council and Over Kellet Parish Council.
Follow up arrangements to transfer the Parish Council accounts to Unity Trust Bank.	Bank requested previous six months statements/Standing order and business plan to progress – these have now been sent and application is progressing
Poplar tree	Following on site meeting with Lancaster City Council, Public Realm the Tree Preservation Officer has been contacted requesting permission to fell the tree.
Bench donation – Ward Councillor Mace	Preferred bench has been selected and ordered, subject to approval of the design for the commemorative plaque

Nether Kellet Parish Council

Correspondence – February Meeting 2019



Date	Sender	Topic
03/01/2019	Office of the Police and Crime Commissioner for Lancashire	Proposals to recruit extra officers to support policing
03/01/2019	Cllr R Mace	Halton Road Flooding access to playing field
15/01/2019	Lancaster City Council	Playground report
15/01/2019	Lancaster City Council	Local Plan consultation on additional evidence and information
23/01/2019	Lancashire County Council	News release
24/01/2019	Lancashire County Council	Household Waste Recycling Centre Consultation
25/01/2019	Lancashire County Council	Bus Service Changes – February
25/01/2019	Les Wallace	Grouse shooting
25/01/2019	Campaign for the Protection of Rural England (CPRE)	Notice of events
28/01/2019	Lancashire County Council	Winter Stakeholder Bulletin
28/01/2019	Lancashire County Council	News release

Planning Application Comments & Decisions

January 2019 meeting



Application Number / Description	Parish Council Comment	Planning Authority Decision / Status
18/01310/CU: Change of use of amenity land for the siting of 6 static caravans and creation of an associated internal road - The Hawthorns Caravan Park, Main Road, Nether Kellet, LA6 1EA	No representation	Awaiting Decision
18/0192/TCA: Fell two Willow trees – 43 Main Road, Nether Kellet	No representation	Application Permitted
18/01529/FUL: Erection of a detached garage – Nether Kellet Village Hall, Shaw Lane, Nether Kellet	No representation	Awaiting Decision

Could You Help Improve Road Safety? – Community Road Watch



Understandably, the safety of our roads is a topic regularly raised and discussed at Parish Council meetings. Nether Kellet Parish Council was one of the first to support the Community Road Watch (or 'Speed Watch') Scheme operated by Lancashire Constabulary.

Road Watch schemes are part of a national initiative to involve residents in traffic management in their localities and consist

of the police working together with local communities at sites where people are worried about road safety. The Police suggest that regular Road Watch can be a better deterrent than a Speed Indicator Device (SpiD).

Volunteers are trained by the police and work with local officers to deter and detect various driving offences, including:

- drivers exceeding the speed limit;
- use of mobile phones; and
- drivers and passengers not wearing seat belts and/or child restraints.

The team monitors and records driver behaviour so that action can then be taken. This might include warning letters or police visits to motorists and ultimately, prosecutions.

Our local scheme is managed by the Carnforth & Upper Lune Valley Neighbourhood Policing and is has now been operating for several months. The team includes two volunteers from Nether Kellet who are now so experienced that they are set to become Team Leaders of a planned extended scheme that will take in neighbouring Over Kellet, Warton and Carnforth. Over the coming months these town and parish councils will be working with Lancashire Constabulary to extend the scheme's coverage and encourage more volunteers.

The scheme was not designed to be specific to individual parishes or communities and volunteers are expected to operate at other locations. For example, the Nether Kellet volunteers have conducted six exercises in the last three months; four of those were in Nether Kellet, one in Slyne and one in Warton.

The site of each exercise is determined by the Policing Team, based on requests/reports from communities and on their own knowledge and experience. All sites must undergo a detailed risk assessment, which is again led by the Policing team

Volunteers are engaged to perform two main roles:

- Operating 'speed guns' as part of the exercise itself; and
- Inputting the data collected by the speed guns into Police systems for follow-up and enforcement purposes. (Because of the need to operate Police information systems, volunteers must be prepared to be vetted to security level 3)

Full training on these roles is provided by the Police, as are the equipment and clothing needed to conduct the exercises. Apart from travel to training, there are no apparent financial costs for a volunteer.

You Tube reports from elsewhere in the country can be viewed at:

<https://www.youtube.com/watch?v=4p6Z4gpyXCI>

<https://www.youtube.com/watch?v=orQmEB-wlco>

Interested in Volunteering?

Do you have the interest and time to commit to becoming a member of the volunteer team?
If you would like to volunteer or discuss this further, please contact Bob Bailey, Parish Clerk
in the first instance on 07828254149 or by email to netherkelletpc@gmail.com

Bob Bailey, Nether Kellet Parish Clerk

NETHER KELLET PARISH COUNCIL

STANDING ORDERS

Conduct of Meetings

Ordinary Parish Council Meetings

1. Ordinary meetings will be held each month throughout the year - with the exception of the August meeting - on the first Wednesday of each month commencing at 7:00pm. Any variance to this will be as directed by the Council directs.
2. 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.
3. When calculating the three clear days for notice of a meeting to councillors and the public, the day on which notice was issued, the day of the meeting, a Sunday, or a bank holiday or a day appointed for public thanksgiving or mourning shall not count.
4. 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.
5. Members of the public are permitted to make representations, answer questions and give evidence in respect of any item of business included in the agenda. The period of time designated for public participation shall be at the Chairman's discretion.
6. Each member of the public is entitled to speak once only in respect of business itemised on the agenda and shall not speak for more than 10 minutes.
7. A question asked by a member of the public during a public participation session at a meeting shall not require a response or debate.
8. A record of a public participation at a meeting shall be included in the minutes of that meeting.
9. A person shall raise his hand when requesting to speak and shall address his comments to the Chairman.
10. Only one person is permitted to speak at a time. If more than one person wishes to speak, the Chairman shall direct the order of speaking.
11. Photographing, recording, broadcasting or transmitting the proceedings of a meeting by any means is not permitted without the Council's prior consent.
12. The press shall be provided reasonable facilities for the reporting of all or part of a meeting at which they are entitled to be present.
13. Subject to standing orders which indicate otherwise, anything authorised or required to be done by, to or before the Chairman may in his absence be done by, to or before the Vice-Chairman.

NETHER KELLET PARISH COUNCIL

STANDING ORDERS

14. The Chairman, if present, shall preside at a meeting. If the Chairman is absent from a meeting, the Vice-Chairman, if present, shall preside. If both the Chairman and the Vice-Chairman are absent from a meeting, a Councillor as chosen by the Councillors present at the meeting shall preside at the meeting.
15. All questions / decisions at a meeting shall be decided by a majority of the Councillors present and voting thereon.
16. The Chairman 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.
17. Unless standing orders provide otherwise, voting on any 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.
18. The minutes of a meeting shall record the names of Councillors present and absent.
19. If prior to a meeting, a Councillor has submitted reasons for his absence at the meeting which is then approved by a resolution, such resolution shall be recorded in the minutes of the meeting at which the approval was given.
20. The code of conduct adopted by the Council shall apply to Councillors in respect of the entire meeting.
21. An interest arising from the code of conduct adopted by the Council, the existence and nature of which is required to be disclosed by a Councillor at a meeting shall be recorded in the minutes.
22. 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.
23. If a meeting is or becomes inquorate no business shall be transacted and the meeting shall be adjourned. Any outstanding business of a meeting so adjourned shall be transacted at a following meeting.
24. Meetings shall not exceed a period of 3 hours.

Annual Meeting of the Parish Council

25. In an election year, the annual meeting of the Council shall be held on or within 14 days following the day on which the new councillors elected take office.
26. In a year, which is not an election year, the annual meeting of a Council shall be held on such day in May as the Council may direct.
27. If no other time is fixed, the annual meeting of the Council shall take place at 7:00pm.

NETHER KELLET PARISH COUNCIL

STANDING ORDERS

28. The election of the Chairman and Vice-Chairman of the Council shall be the first business completed at the annual meeting of the Council.
29. 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.
30. The Vice-Chairman of the Council 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.
31. In an election year, if the current Chairman of the Council has not been re-elected as a member of the Council, he shall preside at the meeting until a successor Chairman of the Council has been elected. The current Chairman of the Council shall not have an original vote in respect of the election of the new Chairman of the Council but must give a casting vote in the case of an equality of votes.
32. In an election year, if the current Chairman of the Council has been re-elected as a member of the Council, he shall preside at the meeting until a new Chairman of the Council has been elected. He may exercise an original vote in respect of the election of the new Chairman of the Council and must give a casting vote in the case of an equality of votes.
33. Following the election of the Chairman and Vice-Chairman of the Council at the annual meeting of the Council, the order of business shall be as follows.
 - In an election year, delivery by Councillors of their declarations of acceptance of office;
 - Confirmation of the accuracy of the minutes of the last meeting of the Council;
 - Review and adoption of appropriate standing orders and financial regulations;
 - Review of arrangements, including any charters, with other local authorities and review of contributions made to expenditure incurred by other local authorities;
 - Review of representation on or work with external bodies and arrangements for reporting back;
 - In a year of elections, if a Council's period of eligibility to exercise the power of wellbeing has expired to review and make arrangements to reaffirm eligibility;
 - Review of inventory of land and assets including buildings and office equipment;
 - Review and confirmation of arrangements for insurance cover in respect of all insured risks;
 - Review of the Council's and/or employees' memberships of other bodies;
 - Establishing or reviewing the Council's complaints procedure;
 - Establishing or reviewing the Council's procedures for handling requests made under the Freedom of Information Act 2000 and the Data Protection Act 1998;
 - Establishing or reviewing the Council's policy for dealing with the press/media;

NETHER KELLET PARISH COUNCIL

STANDING ORDERS

- Setting the dates, times and place of ordinary meetings of the full Council for the year ahead.

Extraordinary meetings

34. The Chairman of the Council may convene an extraordinary meeting of the Council at any time.
35. If the Chairman of the Council does not or refuses to call an extraordinary meeting of the Council within **seven days** of having been requested to do so by two Councillors, those two Councillors may convene an extraordinary meeting of the Council. The statutory public notice giving the time, venue and agenda for such a meeting must be signed by the two Councillors.
36. The Chairman of a committee may convene an extraordinary meeting of the committee or sub-committee at any time.

Motions

Motions requiring written notice

37. No motion may be moved at a meeting unless it is included in the agenda or the mover has given written notice of its wording to the Council's Proper Officer at least **three clear days** before the next meeting.
38. The Proper Officer may, before including a motion in the agenda correct obvious grammatical or typographical errors in the wording of the motion.
39. If the Proper Officer considers the wording of a motion is not clear in meaning, the motion shall be rejected until the mover of the motion resubmits it in writing to the Proper Officer in clear and certain language at least **three clear days** before the meeting.
40. If the wording or nature of a proposed motion is considered unlawful or 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 or rejected in the agenda.
41. Having consulted the Chairman or Councillors the decision of the Proper Officer as to whether or not to include the motion in the agenda shall be final.
42. Notice of every motion received in accordance with the Council's standing orders shall be numbered in the order received and shall be open to inspection by all Councillors.
43. Every motion rejected in accordance with the Council's standing orders shall be duly recorded with a note by the Proper Officer giving reasons for its rejection which shall be open to inspection by all Councillors.
44. Every motion and resolution shall relate to the Council's statutory functions, powers and lawful obligations or shall relate to an issue which specifically affects the Council's area or its residents.

NETHER KELLET PARISH COUNCIL

STANDING ORDERS

Motions not requiring written notice

45. Motions in respect of the following matters may be moved without written notice.

- To appoint a person to preside at a meeting;
- To approve the absences of Councillors;
- To approve the accuracy of the Minutes of the previous meeting;
- To correct an inaccuracy in the Minutes of the previous meeting;
- To dispose of business, if any, remaining from the last meeting;
- To alter the order of business on the agenda for reasons of urgency or expedience;
- To proceed to the next business on the agenda;
- To close or adjourn debate;
- To refer by formal delegation a matter to a committee or to a sub-committee or an employee;
- To appoint a committee or sub-committee or any Councillors thereto;
- To receive nominations to a committee or sub-committee;
- To dissolve a committee or sub-committee;
- To note the minutes of a meeting of a committee or sub-committee;
- To consider a report and/or recommendations made by a committee or a sub-committee or an employee;
- To consider a report and/or recommendations made by an employee, professional advisor, expert or consultant;
- To authorise legal deeds to be signed by two councillors and witnessed;
- To authorise the payment of monies in accordance with Financial Regulations;
- To amend a motion relevant to the original or substantive motion under consideration which shall not have the effect of nullifying it;
- To extend the time limit for speeches;
- To exclude the press and public for all or part of a meeting;
- To silence or exclude from the meeting a Councillor or a member of the public for disorderly conduct;
- To give the consent of the Council if such consent is required by standing orders;
- To suspend any standing order except those which are mandatory by law;
- To adjourn the meeting;
- To appoint representatives to outside bodies and to make arrangements for those representatives to report back the activities of outside bodies;
- To answer questions from Councillors.

NETHER KELLET PARISH COUNCIL

STANDING ORDERS

Rules of debate

46. Motions included in an agenda shall be considered in the order that they appear on the agenda unless the order is changed at the Chairman's direction for reasons of expedience.
47. A motion shall not be considered unless it has been proposed and seconded;
48. A motion included in an agenda not moved by the Councillor who tabled it, may be treated as withdrawn.
49. A motion to amend an original or substantive motion shall not be considered unless proper notice has been given and notice of such amendment, shall, if required by the Chairman, be given in writing and handed to the Chairman who shall determine the order in which they are considered.
50. A Councillor may move amendments to his own motion. If a motion has already been seconded, an amendment to it shall be with the consent of the seconder.
51. Any amendment to a motion shall be either:
 - to leave out words;
 - to add words;
 - to leave out words and add other words.
52. A proposed or carried amendment to a motion shall not have the effect of rescinding the original or substantive motion under consideration.
53. Only one amendment shall be moved and debated at a time, the order of which shall be directed by the Chairman. No further amendment to a motion shall be moved until the previous amendment has been disposed of.
54. One or more amendments may be discussed together if the Chairman considers this expedient but shall be voted upon separately.
55. The number of amendments to an original or substantive motion, which may be moved by a Councillor, is limited to one.
56. If an amendment is not carried, other amendments shall be moved in the order directed by the Chairman.
57. If an amendment is carried, the original motion, as amended, shall take the place of the original motion and shall become the substantive motion upon which any further amendment may be moved.
58. The mover of a motion or the mover of an amendment shall have a right of reply, not exceeding 10 minutes.
59. Where a series of amendments to an original motion are carried, the mover of the original motion shall have a right of reply in respect of the substantive motion at the very end of debate and immediately before it is put to the vote.

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STANDING ORDERS

60. A Councillor may not speak further in respect of any one motion except to speak once on an amendment moved by another Councillor or to make a point of order or to give a personal explanation.
61. During the debate of a motion, a Councillor may interrupt only on a point of order or a personal explanation and the Councillor who was interrupted shall stop speaking.
62. A Councillor raising a point of order shall identify the standing order which he considers has been breached or specify the irregularity he is concerned by in the meeting.
63. A point of order shall be decided by the Chairman and his decision shall be final.
64. With the consent of the seconder and/or of the meeting, a motion or amendment may be withdrawn by the proposer. A Councillor shall not speak upon the said motion or amendment unless permission for the withdrawal of the motion or amendment has been refused.
65. When a Councillor's motion is under debate no other motion shall be moved except to:
 - amend the motion;
 - proceed to the next business;
 - adjourn the debate;
 - put the motion to a vote;
 - ask a person to be silent or for him to leave the meeting;
 - refer a motion to a committee or sub-committee for consideration;
 - exclude the public and press;
 - adjourn the meeting;
 - suspend any standing order, except those which are mandatory.
66. The Chairman shall first be satisfied that the motion has been sufficiently debated before it is seconded and put to the vote. The Chairman shall call upon the mover of the motion under debate to exercise or waive his right of reply and shall put the motion to the vote after that right has been exercised or waived. The adjournment of a debate or of the meeting shall not prejudice the mover's right of reply at the resumption.

Questions

67. A Councillor may seek an answer to a question concerning any business of the Council provided **three clear days' notice** of the question has been given to the Proper Officer.
68. Questions not related to items of business on the agenda for a meeting shall only be asked during the part of the meeting set aside for such questions. Every question shall be put and answered without discussion.

NETHER KELLET PARISH COUNCIL

STANDING ORDERS

Minutes

69. If a copy of the draft minutes of a preceding meeting has been circulated to Councillors no later than the day of service of the summons to attend the scheduled meeting they shall be taken as having been read.
70. No discussion of the draft Minutes of a preceding meeting shall take place except in relation to their accuracy. A motion to correct an inaccuracy in the Minutes shall be raised in accordance with these standing order (See *Motions* above)
71. Minutes, including any amendment to correct their accuracy, 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.
72. Upon a resolution, which confirms the accuracy of the minutes of a meeting, any previous draft minutes or recordings of the meeting shall be destroyed.

Reverse of previous resolutions

73. A resolution (whether affirmative or negative) of the Council shall not be reversed within **six months** with the written notice of at least **three councillors** of the Council, or by special motion or recommendation of a committee.
74. When a special motion or any other motion has been disposed of, no similar motion may be moved within a further **six months**.

Voting on appointments

75. 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. Any tie may be settled by the Chairman's casting vote.

Committees

76. The Council may, at its annual meeting, appoint standing committees and may at any other time appoint such other committees as may be necessary, and:
 - shall determine their terms of reference;
 - may permit committees to determine the dates of their meetings;
 - shall appoint and determine the term of office of Councillor or non-councillor members of such a committee (unless the appointment of non-Councillors is prohibited by law);
 - may appoint substitute Councillors to a committee whose role is to replace ordinary Councillors at a meeting of a committee if ordinary Councillors of the committee have confirmed to the Proper Officer **three days** before the meeting that they are unable to attend;

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- an ordinary member of a committee who has been replaced at a meeting by a substitute member shall not be permitted to participate in debate or vote on business at that meeting and may only speak during any public participation session during the meeting;
- may in accordance with standing orders, dissolve a committee at any time.

Advisory committees

77. The Council may appoint advisory committees comprised of a number of Councillors and non-Councillors.
78. Advisory committees and any sub-committees may consist wholly of persons who are non-councillors.

Canvassing of and recommendations by Councillors

79. Canvassing Councillors or the members of a committee directly or indirectly, for appointment to or by the Council shall disqualify the candidate from such an appointment.
80. A Councillor or a member of a committee shall not solicit a person for appointment to or by the Council or recommend a person for such appointment or for promotion but may give a written testimonial of a candidate's ability, experience or character for submission to the Council with an application for appointment.

Inspection of documents

81. Subject to standing orders to the contrary or in respect of matters which are confidential, a Councillor may, for the purpose of his official duties (but not otherwise), inspect any document in the possession of the Council or a committee or a sub-committee, and request a copy for the same purpose. The Minutes of meetings of the Council or its committees shall be available for inspection by councillors.

Unauthorised activities

82. Unless authorised by a resolution, no individual Councillor shall in the name or on behalf of the Council or a committee:
 - inspect any land and/or premises which the Council has a right or duty to inspect; or
 - issue orders, instructions or directions.

Confidential business

83. Councillors shall not disclose information given in confidence or which they believe, or ought to be aware is of a confidential nature.
84. A councillor in breach of the provisions of standing order 83 above may be removed from a committee by a resolution of the Council.

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Code of conduct

85. All councillors shall observe the code of conduct adopted by the Council being the Local Authorities (Model Code of Conduct) Order 2007.
86. Pursuant to relevant provisions in the statutory code of conduct in force at the time, Councillors may **only** exercise the rights contained in standing order 87 below only if members of the public are permitted to:
 - make representations;
 - answer questions;
 - give evidence relating to the business being transacted.
87. Councillors with a prejudicial interest in relation to any item of business being transacted at a meeting may:
 - make representations;
 - answer questions;
 - give evidence relating to the business being transactedbut must, thereafter, leave the room.

Disorderly conduct

88. No person shall obstruct the transaction of business at a meeting or behave offensively or improperly.
89. If, in the opinion of the Chairman, there has been a breach of standing order 88 above, the Chairman shall express that opinion and thereafter any Councillor (including the Chairman) may move that the person be silenced or excluded from the meeting, and the motion, if seconded, shall be implemented directly and without further discussion.
90. If a resolution made in accordance with standing order 89 above, is disobeyed, the Chairman may take such further steps as may reasonably be necessary to enforce it and/or he may adjourn the meeting.

Allegations of breaches of the code of conduct

91. On receipt of a notification that there has been an alleged breach of the code of conduct the Proper Officer shall refer it the Council.
92. Where the notification relates to a complaint made by the Proper Officer, the Proper Officer shall notify the Chairman of that fact, who, upon receipt of such notification, shall nominate a person to assume the duties of the Proper Officer until the complaint is resolved.
93. The subject matter of notifications shall be confidential and, insofar as it is possible to do so by law, the Council (including the Proper Officer and the Chairman) shall take the steps set out below, together with other steps considered necessary, to maintain confidentiality:

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- Draft the summonses and agendas in such a way that the identity and subject matter of the complaint are not disclosed.;
 - Ensure that any background papers containing information in relation to the complaint are not made public;
 - Ensure that the public and press are excluded from meetings as appropriate;
 - Ensure that the Minutes of meetings preserve confidentiality;
 - Consider any liaison that may be required with the person or body with statutory responsibility for the investigation of the matter.
94. These standing orders will not prohibit the Council (whether through the Proper Officer or the Chairman) from disclosing information to members and officers of the Council or to other persons where such disclosure is necessary to deal with the complaint or is required by law.
95. The Council shall have the power to:
- seek documentary and other evidence from the person with responsibility for investigation of the matter;
 - seek and share information relevant to the complaint;
 - grant the Member involved a financial indemnity in respect of legal costs, which shall be in accordance with the law and subject to approval by a meeting of the Council.
96. References to a notification shall be taken to refer to a communication of any kind which relates to a breach or an alleged breach of the code of conduct by a Councillor.

Power of wellbeing (England)

97. Before exercising the power to promote wellbeing, a meeting of the full Council shall have passed a resolution to confirm it has satisfied the prescribed statutory criteria required to qualify as an eligible parish council.
98. The Council's period of eligibility begins on the date that the resolution was made and expires on the day before the annual meeting of the Council.
99. After the expiry of its preceding period of eligibility, the Council continues to be an eligible council solely for the purpose of completing any activity undertaken in the exercise of the power to promote wellbeing which was not completed before the expiry of the Council's period of eligibility.

Matters affecting council employees

100. If a meeting considers any matter personal to a Council employee, it shall not be considered until the Council has decided whether or not the press and public shall be excluded.

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101. Subject to the Council's policy regarding absences from work, the Clerk shall notify the Chairman, or in his absence, the Vice-Chairman, of any absence occasioned by illness or urgency and that person shall report such absence to next meeting of the Council.
102. The Chairman or in his absence, the Vice-Chairman shall conduct a review of the performance and/or appraisal of the Clerk and shall keep a written record of it.
103. The review and/or appraisal shall be reported back and shall be subject to approval by resolution by the Council.
104. Subject to the Council's policy regarding the handling of grievance matters, the Clerk shall contact the Chairman or in his 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 Council.
105. Subject to the Council's policy regarding the handling of grievance and disciplinary matters, if an informal or formal grievance matter raised by the Clerk relates to the Chairman or Vice-Chairman of the Council this shall be communicated to another member of the Council which shall be reported back and progressed by resolution of the Council.
106. The Chairman shall be responsible for the management of the Clerk and shall keep written records of all meetings relating to their performance, and capabilities, grievance and disciplinary matters.
107. Records documenting reasons for the Clerk's absence due to ill health or details of a medical condition shall be made available only to members of the Council at the Chairman's discretion.
108. Only the Chairman shall have access to employee records referred to these standing orders.
109. Access and means of access by keys and/or computer passwords to records of employment shall be provided only to the Clerk and/or the Chairman of the Council.

Relations with the press/media

110. All requests from the press or other media for an oral or written statement or comment from the Council shall be processed in accordance with the Council's policy in respect of dealing with the press and/or other media.
111. In accordance with the Council's policy in respect to dealing with the press and/or other media, Councillors shall not, in their official capacity, provide oral or written statements or written articles to the press or other media.

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Liaison with City and County Councillors and Members of Parliament

112. Unless the Council otherwise orders an open invitation to attend any of the Council's meetings will be sent annually to the City and County Councillor's representing its ward and to the Member of Parliament for Morecambe and Lunesdale.
113. As directed by the Council, an invitation to attend a specific meeting of the Council shall be sent, together with the agenda, to the Councillor of the City and/or County Council representing its electoral ward.

Proper Officer

114. The Council's Proper Officer shall be either the Clerk or such other employee appointed by the Council to undertake the role of the Proper Officer during the Proper Officer's absence. The Proper Officer and the employee appointed to act as such during the Proper Officer's absence shall fulfil the duties assigned to the Proper Officer in standing orders.
115. The Council's Proper Officer shall do the following.
 - Sign and serve on Councillors by delivery or post at their residences a summons confirming the time, date, venue and the agenda of a meeting of the Council at least **three clear days** before the meeting;
 - Give public notice of the time, date, venue and agenda at least **three clear days** before a meeting of the Council (provided that the public notice with agenda of an extraordinary meeting of the Council convened by councillors is signed by them);
 - Include in the agenda all motions in the order received unless a Councillor has given written notice at least **three days before** the meeting confirming his withdrawal of it;
 - Convene a meeting of full Council for the election of a new Chairman of the Council, occasioned by a casual vacancy in his office;
 - Make available for inspection the Minutes of meetings;
 - Receive and retain copies of byelaws made by other local authorities;
 - Receive and retain declarations of acceptance of office from councillors;
 - Retain a copy of every Councillor's register of interests and any changes to it and keep copies of the same available for inspection;
 - Keep proper records required before and after meetings;
 - Process all requests made under the Freedom of Information Act 2000 and Data Protection Act 1998, in accordance with and subject to the Council's procedures relating to the same;
 - Receive and send general correspondence and notices on behalf of the Council except where there is a resolution to the contrary;
 - Manage the organisation, storage of and access to information held by the Council in paper and electronic form;

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- Arrange for legal deeds to be **signed by two Councillors and witnessed**
- Arrange for the prompt authorisation, approval, and instruction regarding any payments to be made by the Council in accordance with the Council's Financial Regulations.
- Record every planning application notified to the Council and the Council's response to the local planning authority in the Minutes of the meeting;
- Refer a planning application received by the Council to the Chairman or in his absence the Vice-Chairman of the Council **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 Council;
- Action or undertake activity or responsibilities instructed by resolution or contained in standing orders.

Expenditure

116. Any expenditure incurred by the Council shall be in accordance with the Council's Financial Regulations.
117. The Council's Financial Regulations shall be reviewed once a year.
118. The Council's Financial Regulations may make provision for the authorisation of the payment of money in exercise of any of the Council's functions to be delegated to a committee, sub-committee or to an employee.

Accounts and Financial Statement

119. All payments by the Council shall be authorised, approved and paid in accordance with the Council's Financial regulations, which shall be reviewed at least annually.
120. The RFO shall supply to Council as soon as practicable after 31 March, 30 June, 30 September and 31 December in each year a statement summarising the Council's receipts and payments for each quarter and the balances held at the end of the quarter. This statement should include a comparison with the budget for the financial year.
121. A Financial Statement prepared on the appropriate accounting basis for a year to 31 March shall be presented to Council before the end of May each year. The Statement of Accounts of the Council (which is subject to external audit), including the annual governance statement, shall be presented to Council for formal approval before 30 June.

Estimates / Precepts

122. The Council shall approve written estimates for the coming financial year at its meeting before the end of February.
123. Any committee desiring to incur expenditure shall give the Proper Officer a written estimate of the expenditure recommended for the coming year no later than the end of January.

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Financial matters

124. The Council shall consider and approve Financial Regulations drawn up by the Clerk which shall include detailed arrangements in respect of the following:
- the accounting records and systems of internal control;
 - the assessment and management of financial risks faced by the Council;
 - the work of the Internal Auditor and the receipt of regular reports from the Internal Auditor, which shall be required at least annually;
 - the inspection and copying by Councillors and local electors of the Council's accounts and/or orders of payments;
 - procurement policies including the setting of values for different procedures where the contract has an estimated value of less than £20,000.
125. Any proposed contract for the supply of goods, materials, services and the execution of works with an estimated value in excess of £20,000 shall be procured on the basis of a formal tender.
126. Any formal tender process shall comprise the following steps:
- a public notice of intention to place a contract to be placed in a local newspaper;
 - a specification of the goods, materials, services and the execution of works;
 - tenders sent in a sealed marked envelope to the Clerk by a stated date and time;
 - tenders submitted opened after the stated closing date and time by the Clerk and at least one member of the Council;
 - tenders assessed and reported to the appropriate meeting of Council or Committee.
127. Neither the Council, nor any committee, is bound to accept the lowest tender, estimate or quote.
128. Where the value of a contract is likely to exceed EU Regulations thresholds the Council must consider whether the Public Contracts Regulations 2006 or the Utilities Contracts Regulations 2006 apply to the contract and, if either of those Regulations apply, the Council must comply with EU procurement rules.

Execution and sealing of legal deeds

129. A legal deed shall not be executed on behalf of the Council unless the same has been authorised by a resolution.
130. Any two members of the Council, may sign, on behalf of the Council, any deed required by law and the Proper Officer shall witness their signatures

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Freedom of Information Act 2000

131. All requests for information held by the Council shall be processed in accordance with the Council's policy in respect of handling requests under the Freedom of Information Act 2000.
132. Correspondence from, and notices served by, the Information Commissioner shall be referred by the Clerk to the Council. The Council shall have the power to do anything to facilitate compliance with the Freedom of Information Act 2000 including exercising the powers of the Clerk in respect of Freedom of Information requests

Variation, revocation and suspension of standing orders

133. Any or every part of the standing orders, except those which are mandatory by law, may be suspended by resolution in relation to any specific item of business.
134. A motion to permanently add to or to vary or to revoke one or more of the Council's standing orders not mandatory by law shall be carried where two-thirds of the Councillors at a meeting of the Council vote in favour.

Standing orders to be given to Councillors

135. The Proper Officer shall provide a copy of the Council's standing orders to a Councillor upon delivery of his declaration of acceptance of office.
136. The Chairman's decision as to the application of standing orders at meetings shall be final.
137. A Councillor's failure to observe standing orders more than three times in one meeting may result in him being excluded from the meeting.

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FINANCIAL REGULATIONS

1 GENERAL

- 1.1 These financial regulations govern the conduct of financial management by the Council and may only be amended or varied by resolution of the Council. 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 financial control which facilitates the effective exercise of the council's functions, including arrangements for the management of risk and for the prevention and detection of fraud and corruption. These financial regulations are designed to demonstrate how the council meets these responsibilities.
- 1.2 The Responsible Financial Officer (RFO) is a statutory office and shall be appointed by the council. [The Clerk has been appointed as RFO for this council and these regulations will apply accordingly.] The RFO, acting under the policy direction of the Council, shall administer the Council's financial affairs in accordance with proper practices. The RFO shall determine on behalf of the council its accounting records, and accounting control systems. The RFO shall ensure that the accounting control systems are observed and that the accounting records of the council are maintained and kept up to date in accordance with proper practices.
- 1.3 The RFO shall produce financial management information as required by the council.
- 1.4 At least once a year, prior to approving the annual return, the council shall conduct a review of the effectiveness of its system of internal control which shall be in accordance with proper practices.
- 1.5 In these financial regulations, references to the Accounts and Audit Regulations shall mean the 2015 Regulations.
- 1.6 In these financial regulations the term 'proper practice' or 'proper practices' shall refer to guidance issued in Governance and Accountability in local Councils in England and Wales – a Practitioners' Guide which is published jointly by NALC and SLCC and updated from time to time.

2 ANNUAL ESTIMATES (BUDGET)

- 2.1 The RFO shall formulate and submit proposals to the Council in respect of revenue and capital including the use of reserves and sources of funding for the following financial year not later than the end of January each year.
- 2.2 Detailed estimates of all receipts and payments including the use of reserves and all sources of funding for the year shall be prepared each year by the RFO in the form of a budget to be considered by the council.
- 2.3 The Council shall review the budget not later than the end of January each year and shall fix the Precept to be levied for the ensuing financial year. The RFO

shall issue the precept to the billing authority and shall supply each member with a copy of the approved budget.

- 2.4 The annual budgets shall form the basis of financial control for the ensuing year.
- 2.5 The Council shall consider the need for and shall have regard to a three-year forecast of Revenue and Capital Receipts and Payments which may be prepared at the same time as the annual Budget.

3 BUDGETARY CONTROL

- 3.1 Expenditure on revenue items may be incurred up to the amounts included for that class of expenditure in the approved budget.
- 3.2 No expenditure may be incurred that will exceed the amount provided in the revenue budget for that class of expenditure. 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.
- 3.3 The RFO shall regularly provide the Council with a statement of receipts and payments to date under each head of the budgets, comparing actual expenditure to the appropriate date against that planned as shown in the budget. These statements are to be prepared at least at the end of each financial quarter.
- 3.4 The RFO may incur expenditure on behalf of the Council which is necessary to carry out any repair replacement or other work which is of such extreme urgency that it must be done at once, whether or not there is any budgetary provision for the expenditure, subject to a limit of £500. The RFO shall report the action to the Council as soon as practicable thereafter.
- 3.5 Unspent provisions in the revenue budget shall not be carried forward to a subsequent year unless placed in an earmarked reserve by resolution of the council.
- 3.6 No expenditure shall be incurred in relation to any capital project and no contract agreed or tender accepted involving capital expenditure unless the Council is satisfied that the necessary funds are available, or the requisite borrowing approval has been obtained.
- 3.7 All capital works shall be administered in accordance with the Council's standing orders and financial regulations relating to contracts.

4 ACCOUNTING AND AUDIT

- 4.1 All accounting procedures and financial records of the Council shall be determined by the RFO in accordance with the Accounts and Audit Regulations and any subsequent amendments thereto.

- 4.2 The RFO shall complete the annual financial statements of the Council, including the council's annual return, as soon as practicable after the end of the financial year and shall submit them and report thereon to the Council.
- 4.3 The RFO shall complete the Accounts of the Council contained in the Annual Return (as supplied by the Auditor appointed from time to time by the Government) and shall submit the Annual Return for approval and authorisation by the Council within the timescales set by the Accounts and Audit Regulations or set by the Auditor.
- 4.4 The RFO shall ensure that there is adequate and effective system of internal audit of the Council's accounting, financial and other operations in accordance with Regulation 5 of the Accounts and Audit Regulations and any subsequent amendments thereto. Any officer or member of the Council shall, if the RFO or Internal Auditor requires, make available such documents of the Council which appear to the RFO or Internal Auditor to be necessary for the purpose of the internal audit and shall supply the RFO or Internal Auditor with such information and explanation as the RFO or Internal Auditor considers necessary for that purpose.
- 4.5 The Internal Auditor shall be appointed by and shall carry out the work required by the council in accordance with proper practices. The Internal Auditor, who shall be competent and independent of the operations of the Council, shall report to Council in writing, or in person, on a regular basis with a minimum of one annual written report in respect of each financial year. To demonstrate objectivity and independence, the internal auditor shall be free from any conflicts of interest and have no involvement in the financial decision making, management or control of the council.
- 4.6 The RFO shall make arrangements for inspection of the accounts, books, and vouchers and for the display or publication of any Notices and statements of account required by Audit Commission Act 1998 and the Accounts and Audit Regulations, and any subsequent amendments thereto.
- 4.7 The RFO shall, as soon as practicable, bring to the attention of all councillors any correspondence or report from the Internal or External Auditor, unless the correspondence is of a purely administrative matter.

5 BANKING ARRANGEMENTS AND CHEQUES

- 5.1 The Council's banking arrangements, including the Bank Mandate, shall be made by the RFO and approved by the Council. They shall be regularly reviewed for efficiency.
- 5.2 A schedule of the payments required, forming part of the Agenda for the Meeting shall be prepared by the RFO and, together with the relevant invoices, be presented to Council. If the schedule is in order it shall be authorised by a resolution of the Council and shall be initialled by the Chairman of the Meeting. If more appropriate the detail may be shown in the Minutes of the Meeting.

- 5.3 Cheques drawn on the bank account in accordance with the schedule referred to in paragraph 5.2 or in accordance with paragraph 6.4, shall be signed by two members of Council.
- 5.4 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 if applicable.

6 PAYMENT OF ACCOUNTS

- 6.1 All payments shall be by cheque or other order drawn on the Council's bankers.
- 6.2 All invoices for payment shall be examined, verified and certified by the RFO. The RFO shall satisfy him/herself that the work, goods or services to which the invoice relates shall have been received, carried out, examined and approved.
- 6.3 The RFO shall examine invoices in relation to arithmetic accuracy and shall analyse them to the appropriate expenditure heading. The RFO shall take all steps to settle all invoices submitted, and which are in order, at the next available Council Meeting.
- 6.4 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 RFO certifies that there is no dispute or other reason to delay payment, the RFO may take all steps necessary to settle such invoices provided that a list of such payments shall be submitted to the next appropriate meeting of Council.
- 6.5 The Council will not maintain any form of cash float. All cash received must be banked intact. Any payments made in cash by the RFO (for example for postage or minor stationery items) shall be refunded on a regular basis, at least monthly.

7 PAYMENT OF SALARIES

- 7.1 As an employer, the Council shall comply with 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 salaries shall be as agreed by Council.
- 7.2 Payment of salaries and payment of deductions from salary such as may be made for tax, national insurance and pension contributions, may be made in accordance with the payroll records and on the appropriate dates stipulated in employment contracts, provided that each payment is reported to and ratified by the next available Council Meeting.

8 LOANS AND INVESTMENTS

- 8.1 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.
- 8.2 The Council shall consider the need for an Investment Policy which, if drawn up, shall be in accordance with relevant regulations, proper practices and guidance. Any Policy shall be reviewed at least annually.
- 8.3 All investments of money under the control of the Council shall be in the name of the Council.
- 8.4 All borrowings shall be 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 terms and conditions of borrowings shall be reviewed at least annually.
- 8.5 All investment certificates and other documents relating thereto shall be retained in the custody of the RFO.

9 INCOME

- 9.1 The collection of all sums due to the Council shall be the responsibility of, or under the supervision of, the RFO.
- 9.2 Particulars of all charges to be made for work done, services rendered, or goods supplied shall be agreed annually by the Council, notified to the RFO and the RFO shall be responsible for the collection of all accounts due to the Council.
- 9.3 The Council will review all fees and charges 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 claims 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 All members and the RFO are responsible for obtaining value for money at all times. Anyone placing an official order shall ensure as far as reasonable and practicable that the best available terms are obtained in respect of each transaction, usually by obtaining three or more quotations or estimates from appropriate suppliers, subject to any de minimis provisions in Regulation 11.1 below.
- 10.3 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 Every contract shall comply with these financial regulations, and no exceptions shall be made otherwise than in an emergency.
- 11.2 These regulations shall not apply to contracts which relate to items a) to f) below:
- a) for the supply of gas, electricity, water, sewerage and telephone services;
 - b) for specialist services such as are provided by solicitors, accountants, surveyors and planning consultants;
 - c) 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;
 - d) for work to be executed or goods or materials to be supplied which constitute an extension of an existing contract by the Council;
 - e) for additional audit work of the external Auditor up to an estimated value of £250. For payments in excess of this sum the RFO shall act after consultation with the Chairman and Vice Chairman of Council;
 - f) for goods or materials proposed to be purchased which are proprietary articles and/or are only sold at a fixed price.
- 11.3 Where it is intended to enter into a contract exceeding £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 set out in 11.2)

the Clerk shall invite tenders from at least three firms to be taken from the appropriate approved list.

- 11.4 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.
- 11.5 Such invitation to tender shall state the general nature of the intended contract and the RFO 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.
- 11.6 All sealed tenders shall be opened at the same time on the prescribed date by the RFO in the presence of at least one member of Council.
- 11.7 If less than three tenders are received for contracts above £20,000 the Council may make such arrangements as it thinks fit for procuring the goods or materials or executing the works.
- 11.8 When it is to enter into a contract less than £20,000 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 11.2) the RFO shall obtain 3 quotations (priced descriptions of the proposed supply); where the value is below £1,000 and above £100 the RFO shall strive to obtain 3 estimates. Otherwise, Regulation 10.3 above shall apply.
- 11.9 The Council shall not be obliged to accept the lowest or any tender, quote or estimate and will, in normal circumstances accept the most advantageous tender based on quality and price.

12 PAYMENTS UNDER CONTRACTS FOR BUILDING OR OTHER CONSTRUCTION WORKS

- 12.1 Payments on account of the full 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 (addition to, or omission from) a contract must be approved by the Council and RFO and issued to the Contractor in writing. The Council must be informed where the final cost is likely to exceed the financial provision.

13 ASSETS, PROPERTIES AND ESTATES

- 13.1 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.
- 13.2 No property shall be 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 £50.

14 INSURANCE

- 14.1 Following the annual risk assessment (per Financial Regulation 15), the RFO shall arrange all insurance cover and negotiate all claims on the Council's insurers.
- 14.2 The RFO shall give prompt notification to insurers of all new risks, properties or vehicles which require to be insured and of any alterations affecting existing insurances.
- 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 The RFO and any other appropriate employees of the Council shall be included in a suitable fidelity guarantee insurance which shall cover the maximum risk exposure as determined by the Council.

15 RISK MANAGEMENT

- 15.1 The RFO shall prepare and promote risk management policy statements in respect of all activities of the Council.
- 15.2 When considering any new activity, the RFO shall prepare a draft Risk Management policy for the activity and shall bring a draft addressing the legal and financial liabilities and Risk Management issues that arise to Council for consideration and, if thought appropriate, adoption.
- 15.3 The Council shall carry out a Risk Assessment on an annual basis in accordance with the Accounts and Audit Regulations and any subsequent amendments thereto. The minutes shall record such review of the Council's financial and other risks.

16 REVISION OF FINANCIAL REGULATIONS

- 16.1 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.