

Marlborough Town Council



1 April 2025

Dear Councillor

Full Town Council

I hereby **summon** you to a meeting of **Marlborough Town Council** which will be held on **Tuesday, 8 April 2025 at 7pm** in the **Court Room, Marlborough Town Hall**.

Yours sincerely

Richard Spencer-Williams

Richard Spencer-Williams, PSLCC

Town Clerk

If members of the public wish to attend and ask a question they should notify the Town Clerk of this by noon on the Friday prior to the meeting and provide their question in writing at the same time. Some members of the public may not be allowed to attend if all the allocated seats are taken.

If members of the public wish to ask a question, but not attend, they can provide the question in writing to the Town Clerk by noon on the day of the meeting, and a written response will be provided.

PRAYERS

PUBLIC QUESTION TIME

In accordance with Standing Order 3(f), members of the public may ask questions of the Council. The time allocated for this should not exceed 10 minutes and be limited to one question per person unless directed otherwise by the Chair. A full response may not be possible without further research, and the Chair may direct that a written or oral response be given.

CRIME AND DISORDER

A member of Wiltshire Police will be invited to give a report and answer questions from Councillors and members of the public (not to exceed 10 minutes)

TO RECEIVE QUESTIONS TO AND FROM WILTSHIRE COUNCILLORS

Not to exceed 10 minutes

AGENDA

- 1. Apologies for absence**
- 2. Declarations of interest**
 - a) To receive any Declaration(s) of Interest under Marlborough Town Council's Code of Conduct issued in accordance with the Localism Act 2011
 - b) To consider any dispensation requests received by the Town Clerk
Members are reminded that they are obliged to notify the Monitoring Officer of a change to disclosable interests, or a new interest as defined in Appendices A and B of the Code of Conduct within 28 days of becoming aware of it. These should be passed on to the Town Clerk to register online.
- 3. Mayor's Announcements**
- 4. Minutes**

To approve and sign the minutes of the meeting held 20 January 2025
- 5. Action Log**

To review the Action Log
- 6. Council Calendar of Meeting Dates for 2025 26**

To note the proposed Council's meeting dates for 2025 26
- 7. Civic Working Party**

To note the update report from the Civic Working Party
- 8. Model Financial Regulations**

To consider the updated Financial Regulations for adoption

9. Members' Question Time

Questions to be submitted to the Town Clerk by midday on the day of the meeting and not to exceed 10 minutes

10. Outside Bodies

An opportunity for Members to provide verbal updates on their representational roles to outside bodies

11. Committee Minutes

In accordance with para 3.1 of the Scheme of Delegation, to note the approved minutes of the following committee meetings: **Planning** – 6 January, 3 February, 24 February 2025; **Amenities and Open Spaces Committee** 13 January 2025; and **Finance and Policy Committee** 25 November 2024 . These minutes have been approved by committees and circulated to Members and are available to download from <https://www.marlborough-tc.gov.uk/council/meeting-dates-agendas-and-minutes-2024-25> or from the Town Council offices. Other meetings have taken place, but minutes are not yet approved so remain in draft form.

12. To Exclude the Press and Public

That under the Public Bodies (Admission to Meetings) Act 1960, the public and representatives of the press and broadcast media be excluded from the meeting during the consideration of the following item of business as publicity would be prejudicial to the public interest because of the confidential nature of the business to be transacted

13. Community Champion Awards

To consider the nominations received for Town Council Community Champion Awards

14. Common Seal

To authorise the fixing of the Common Seal of Marlborough Town Council to all documents necessary to give effect to the decisions of the meeting

Marlborough Town Council



Full Town Council

Minutes of a meeting of Marlborough Town Council held Monday, 20 January 2025 in the Court Room, Marlborough Town Hall at 7pm

PRESENT	Councillor Kym-Marie Cleasby	Town Mayor
	Councillor Emily Trow	Deputy Mayor
	Councillor Nicholas Fogg	
	Councillor Andrew Ross	
	Councillor Lisa Farrell	
	Councillor Mervyn Hall	
	Councillor Mark Cooper	
	Councillor Caroline Thomas	
	Councillor Susannah O'Brien	
	Councillor Caroline Sadler	
	Councillor Abi Beaumont	
	Rev. Chris Smith	Mayor's Chaplain
	Richard Spencer-Williams	Town Clerk
	Dawn Whitehall	Corporate Services Officer
Matthew Powell	Youth Development Worker	
Emma Cook	Information Officer	
ALSO		
PRESENT	Neil Goodwin	Marlborough.News

PRAYERS

Rev. Chris Smith opened the meeting with prayers.

PUBLIC QUESTION TIME

There were no members of the public present, but two questions had been submitted via the Town Mayor:

Elizabeth Cooper asked "The A346 continues to hold substantial risks for anyone attempting to cross over to and from the Common. The speed limit is very frequently exceeded, posing danger for pedestrians, particularly children and older residents. I am very concerned that the recent Marlborough survey did not take account of the issues with the A346. Please could you reassure me - and residents - that the Town Council is looking closely at the concerns so many of us have."

The **Town Mayor** replied yes: Councillors agreed with residents' concerns and the

matter had been brought before the Council many times. Improving safety at this location was a topic discussed at the Planning Committee Meetings and the question would be passed on to that Committee. Comments about current areas of focus included:

- Liaising with Police to get statistics from speed checks in the area
- Currently working with Wiltshire Council Highways to ask for a slowing down buffer zone on the approach to the 30MPH limit. To support this, **Councillor Thomas** would contact other parishes to understand how many other parishes had made use of buffer zones
- The Town Council's speed indicator device in Herd Street had recorded in and outgoing speeds at over 90MPH; whether the Police could be asked to conduct speed checks at this location as well as Port Hill
- Although not related to this question, the issue of noise pollution from traffic was also mentioned
- Home Bargains HGV movements appeared to be increasing; it was hoped that a new depot at Warrington due to open in the spring to serve areas between Warrington and the M4 would reduce the number of movements of these lorries
- Although the Town Council has no legal powers over highways it does have a voice and influence and would continue to pursue improvements to safety on behalf of residents

ACTION: question to be passed to the Planning Committee

The **Town Mayor** had been contacted by a school raising concern about the wellbeing of children of a family of four who were currently living in a one-bedroom flat, highlighting the negative impact this was having on the children and expressing frustration that the family was in this situation when there were empty 3-bed properties at Rabley Wood View – could the Town Council do anything about this? The **Mayor** was going to write to the Housing Association (Stonewater) in support of this family, and invited other Members to contact her for more details so they could also write in support of them. **Councillor Farrell** had a list of empty properties and would provide the addresses to the Mayor. It was also suggested that the Mayor should ask Danny Kruger MP to write to the Chair of the housing association to reinforce the housing emergency and the need for 3-bedroom family homes.

ACTION: **Councillor Farrell** to circulate details of empty properties; Members who wished to write in support should contact the Mayor for details; contact MP and ask him to also write a letter of support

CRIME AND DISORDER

No officer was able to attend, but a report had been provided in advance and circulated to Members.

Councillor Thomas had been contacted by a resident about people parking on the junction of Poulton Hill and Tin Pit, and she had agreed to raise it with the police at this meeting. As no-one was present, the **Town Clerk** agreed to ask the Police whether they could investigate illegal parking here, an area that was prohibited by the Highway Code.

QUESTIONS TO AND FROM WILTSHIRE COUNCILLORS

Councillor Hall referred to a recent article in Marlborough News reporting on the spend across the county to repair potholes on C-roads and unclassified roads (of which there were many in the Marlborough area), where it appeared that Marlborough received only 44% of the average spend compared to the rest of the county. He asked what was being done by Wiltshire Council to rectify this and repair the roads in and around Marlborough and surrounding villages.

Councillor Thomas would be happy to write to the Director of Highways if the details could be supplied to her, and reminded Members that they could also do this.

Councillor Cooper asked for an update about recent news that Wiltshire, Dorset and Somerset Councils were to apply to create a Heart of Wessex combined authority with accompanying Mayor: what would this mean, and what were the implications for Marlborough?

Councillor Thomas urged people to watch a YouTube video of an extraordinary meeting of Wiltshire Council on 9 January where this was discussed. She summarised:

- The UK Government Devolution Priority Programme requires the removal of district councils to make unitary councils (as Wiltshire has already done)
- Wiltshire, Dorset and Somerset have expressed an interest to create a strategic authority because these areas have contiguous boundaries and similar demographics – a population of more than 1,500,000, largely rural with market towns and villages
- The Heart of Wessex strategic authority would be an additional layer, sitting above the County and Unitary councils
- Powers were not yet known, but it was likely that UK Government would devolve strategic regional matters such as transport (rail matters, major initiatives e.g. A303 tunnel, bus routes) as well as aligning emergency services
- There would be a precept charge to residents
- None of the three councils want to do this, but believe if this is the route that must be followed, the merger of these three councils was the best option

ACTION: Town Clerk to circulate a link to the YouTube video

352/24 APOLOGIES

Apologies for absence were received from **Councillors Davies, Sheppard, Luson, Shantry** and **Kohrt**.

353/24 DECLARATIONS

Councillors Farrell, Hall and **Thomas** – agenda item 9 – non-pecuniary (all are Trustees of Marlborough Youth Forum)

354/24 MAYOR'S ANNOUNCEMENTS

The Mayor expressed a warm welcome to the meeting to Emma Cook, Information Officer Apprentice.

The Mayor was hosting a charity gala dinner at the Town Hall on Friday, 14 February to raise funds for her Mayoral charity, Love Marlborough Kids Meals. She would appreciate as much support as possible and asked Members to encourage others to

attend this event which would include a dinner, entertainment and dancing. Tickets were £60 each or £500 for a table of 10.

It was great news that the Town Council had been successful in obtained a grant from the Scottish and Southern Electricity Network's Net Zero Fund, being awarded £8,720 to be used to provide the town's flood wardens with resilience equipment. The Mayor applauded all involved, and in particular thanked the Town Clerk and Deputy Town Clerk.

355/24 MINUTES

RESOLVED: that the minutes of the meeting held 9 December 2024 were confirmed as a true record and signed by the Town Mayor

356/24 ACTION LOG

Members noted the updated action log. Verbal updates included:

#268 – High Street lighting faults – the Town Clerk had followed up with Atkins but not received a reply. **Cllr Thomas** suggested raising a question via the Area Highway Engineer

357/24 STANDING ORDERS

Members considered a proposed amendment to Standing Order 12 setting out how Members may raise questions at Council meetings

RESOLVED: to amend Standing Order 12 as proposed

358/24 YOUTH DEVELOPMENT REPORT

Members welcomed **Matthew Powell**, the Town Council's Youth Development Worker to the meeting and noted his report.

Matt gave some background details and a summary of his activities since joining in September, which included working closely with the Marlborough Youth Forum, social media and networking. He accepted that policies relating to safeguarding young people online will be required.

He had also supported the **Mayor** to promote Marlborough Community Support Forum organisations at the Saturday market on 18 January.

As part of his degree course, together with **Councillor Farrell** he hoped to lead and develop a youth session to explore the perspectives, priorities and views of young people to help them develop skills such as leadership and teamworking.

Councillor Farrell thanked Matt for his energy, enthusiasm and general support, fitting in so well with and relating to the young people of the town.

359/24 YOUTH COUNCIL

Members noted the report by **Councillor Farrell** and the **Youth Development Worker** providing an update on progress to re-establish a Youth Council.

Councillor Thomas suggested that the age range of 10-17 years could be extended to 18 to include all school-age students, and to consider up to 25 years for those with special educational needs or disability (SEND).

Meetings had been arranged with all local schools to promote the Council and recruit potential members. Any **Councillors** who would be interested in assisting with the Youth Council were asked to make themselves known to either Councillor Farrell or Matt Powell.

360/24

COMMUNITY AND YOUTH CENTRE MANAGEMENT COMMITTEE

Members noted the Town Clerk and Youth Development Worker's report and considered the establishment of a Community and Youth Centre Management Committee (CYCMC) and associated draft terms of reference. Discussion points included:

- The CYCMC would be a subcommittee of the Property Committee
- The CYCMC role would be to assess, prioritise and recommend actions regarding the maintenance, development and optimisation of the Centre and skate park ensuring they meet the needs of the whole community, and in particular the young people it serves
- Whether there would be a need to DBS check adult members of the Committee
- Whether youth representatives should sit on the committee, and how many, and where they should be drawn from
- That it would be important to include some young people: membership would offer a valuable opportunity to not only contribute to proposals, but to experience how groups such as this work and gain valuable skills for later life and to give them a voice
- Young people: whether to include 2 representatives from the Youth Council and 2 or 3 representatives from other areas
- Whether groups that use the centre could be encouraged to send representatives to some meetings without necessarily being regular members of the committee
- Whether the committee should include representation for the older population to ensure accessibility and mobility needs were considered
- The committee would likely meet four times each year
- That the first meeting of the committee should have the opportunity to review the draft terms of reference, rather than to confirm them at this meeting

Councillor Trow said she would be happy to help in any way – she was DBS checked.

RESOLVED: that the establishment of a Community and Youth Centre Management Committee reporting to the Property Committee is approved, and that amendments to the membership be made in line with Members' comments

Councillors who had declared an interest abstained from voting

361/24

CIVIC WORKING PARTY

Members noted the key points from the most recent meeting of the Civic Working Party.

Councillor Thomas drew Members' attention to a past tradition of annual Ale Tasting and suggested this be included on the annual calendar.

ACTION: Civic Working Party to consider reinstating annual Ale Tasting event

362/24 MEMBERS' QUESTION TIME

No questions had been submitted.

363/24 OUTSIDE BODIES

Marlborough Community Support Forum was going well, bringing together organisations that provide help and support for the wellbeing of residents. The **Mayor** had joined others to raise awareness about the many services available at the market on Saturday, with 300 leaflets given out to residents. A Facebook page had also been set up.

The next **Marlborough Area Board** meeting was on 11 February: there were still grants available. **Councillor Thomas** encouraged Town Councillors to attend.

364/24 COMMITTEE MINUTES

In accordance with para 3.1 of the Scheme of Delegation, Members noted the approved minutes of the following Committee meetings: **Planning** – 19 August and 30 September 2024; **Amenities & Open Spaces** – 7 October 2024; **Finance & Policy** – 28 October 2024

365/24 COMMON SEAL

Proposed by **Councillor Fogg** and seconded by **Councillor Ross** and **RESOLVED**: that the Common Seal of Marlborough Town Council be affixed to all documents necessary to give effect to the decisions of the meeting

The meeting closed at 8.27 pm

To review the Action Log

Ref	Action	Owner	Status	Date	Notes
269	Resident question: 8 out of 25 streetlights in High Street working?	Town Clerk	Complete	09.12.24	20.1.25: TC had not received a reply from Atkins. Cllr Thomas suggested escalating through Martin Cook. 25 3 25 Cllr Davies followed up via WC Asset Management. Consequently, interim repairs were undertaken to get most of the existing units working properly. WC reported that Atkins are working on a longer term project to switch over to LED units. This is likely to require repositioning of lanterns and may need removal of building mounted lights and replacement with column mounted. They were unable to offer a timeline, but stated they would follow this up.
271	Write to Cllr Clewer seeking update on HA sale of 3-bed houses	Town Clerk	Complete	09.12.24	6 1 25 Email sent to Cllr Clewer to enquire on status of engagement with WC and HAs in the issue
276	Family of 4 in 1-bed flat: impact on children raised by school. Why are there empty 3-bed properties in Rabley Wood View? Cllr Farrell to circulate details of empty properties; members who wished to write in support should contact the Mayor for details; contact MP to ask him to write	Cllr Cleasby/ Farrell	In Progress	20.01.25	
278	Civic Working Party to consider reinstating annual Ale Tasting event	Civic Working Party	In Progress	20.01.25	On CWP agenda 26 3 25

Town Clerk 25 3 25

To note the proposed Council meeting dates for 2025 26.

Full Town Council Meetings 7-9pm

Monday 12 May 2025 – Annual Council Meeting (Annual Governance matters)
Monday 2 June 2025 – Mayor Robing (see separate itinerary for timings)
Monday 23 June 2025 (AGAR)
Monday 1 September 2025
Monday 3 November 2025
Monday 15 December 2025 (Budget / Precept)
Monday 26 January 2026
Monday 23 March 2026
Monday 27 April 2026 – Annual Town Meeting (6-7pm) / 7-9pm Community Awards (tbc)
Monday 11 May 2026 – Annual Council Meeting (tbc)
Mayor Robing 1st June (tbc)

Planning Meetings 7-9pm

Monday 19 May 2025
Monday 9 June 2025
Monday 14 July 2025
Monday 4 August 2025
Tuesday 26th August 2025
Monday 15 September 2025
Monday 6 October 2025
Monday 27 October 2025 (Budget)
Monday 17 November 2025
Monday 8 December 2025
Monday 12 January 2026
Monday 16 February 2026
Monday 9 March 2026
Monday 30 March 2026
Monday 20 April 2026
Tuesday 18 May 2026

Finance & Policy Meetings 7-9pm

Monday 21 July 2025
Monday 20 October 2025
Monday 24 November 2024 (Budget & Precept)
Monday 2 February 2026
Monday 13 April 2026
(to coincide with qtr. finance reporting)

Amenities & Open Spaces 7-9pm

Monday 16 June 2025
Monday 13 October 2025 (Budget)

Monday 19 January 2026

Monday 16 March 2026

Property 7-9pm

Monday 28 July 2025

Monday 29 September 2025 (Budget)

Monday 5 January 2026

Monday 2 March 2026

Staffing 6.30-7.30pm

Monday 7 July 2025 (Budget or developments)

Monday 10 November 2025

Monday 9 February 2026

Proposal

Members are asked to note these dates and that they will need to be agreed at the Annual Council Meeting on 12 May 2025.

Town Clerk 25 3 25

ITEM 7

CIVIC WORKING PARTY

To note the update report from the Civic Working Party

The Civic Working Party met on 26 March 2025: The Mayor, Deputy Mayor, Town Clerk, and Civic Secretary were present. The following items were discussed:

1. Ale tasting

Those present had no previous experience of this event but thought it should be looked into with a view to re-establishing the 'event'. The Civic Secretary undertook to do some research into it. The 'event' will be on next agenda.

2. VE day 8th May 2025

The Town Clerk gave an update on the plans. Council staff have met several times with members of the Royal British Legion (RBL) and Marlborough Rugby Football Club (MRFC); this will be a joint event, with the RBL and MRFC running community event prior to the civic element at the end (beacon lighting), with will be led and run by the Council. Details will follow in the coming weeks.

3. Mayor's Gala Dinner 14 February 2025

The event went incredibly well despite the short lead up time. The evening's programme surrounding the dinner worked well to make the event more interesting (e.g. Marlborough Academy of Dance and Drama's performance, the ceilidh and the live band).

4. Community Awards

Nominations in most of the categories had been received. Decisions for awards to be by Full Council (see Item 10).

5. Date of Working Party next meeting

Monday 14th April at 5pm in the Council Chamber to discuss the Community Awards & Annual Town Meeting in more detail.

Town Clerk 25 3 25

ITEM 8

MODEL FINANCIAL REGULATIONS

To consider the updated Financial Regulations for adoption

Purpose

The purpose of this report is to ask the Council to consider the revised Financial Regulations for adoption.

Background and Considerations

The Council's current model financial regulations were first adopted by the Council in 2017 and then 2019. [Financial Regulations 20052019 22622.pdf](#).

Periodically the National Association of Local Councils (NALC) advises on an updated model. In June 2024 they published an updated set of regulations for local councils to consider for adoption. Some of the regulations (in bold) are legal requirements, others are advisory to ensure best practice.

The Finance and Policy Committee considered the proposed updated financial regulations on 27 January 2025 and resolved to refer them to Full Council for adoption.

Please see Appendix 1 for the proposed updated financial regulations.

NB The highlighted text shows proposed Council amendments to the NALC model.

Proposal

Members are asked to consider the revised model Financial Regulations for adoption.

Town Clerk 25 3 25

ITEM 9

MEMBERS' QUESTION TIME

Questions to be submitted to the Town Clerk by midday on the day of the meeting; not to exceed 10 minutes

ITEM 10

OUTSIDE BODIES

An opportunity for Members to provide verbal updates on their representational roles to outside bodies

ITEM 11

COMMITTEE MINUTES

In accordance with para 3.1 of the Scheme of Delegation, to note the approved minutes of the following committee meetings: **Planning** – 6 January, 3 February, 24 February 2025; **Amenities and Open Spaces Committee** 13 January 2025; and **Finance and Policy Committee** 25 November 2024. These minutes have been approved by committees and circulated to Members and are available to download from <https://marlborough-tc.gov.uk/council/meeting-dates-agendas-and-minutes-2024-25> the Town Council offices. Other meetings have taken place, but minutes are not yet approved so remain in draft form.

ITEM 12

TO EXCLUDE THE PRESS AND PUBLIC

That under the Public Bodies (Admission to Meetings) Act 1960, the public and representatives of the press and broadcast media be excluded from the meeting during the consideration of the following item of business as publicity would be prejudicial to the public interest because of the confidential nature of the business to be transacted.

ITEM 13

COMMUNITY CHAMPION AWARDS

To consider the nominations received for Town Council Community Awards

Purpose

The purpose of this report is to ask the Council to consider the nominations received for a Council Community Award.

Background

There are ten categories for nomination:

1. Volunteer of the Year
2. Youth Leader Award
3. Business Community Engagement Award
4. Environmental Stewardship Award
5. Art and Culture Advocate

6. Sports and Recreation Champion
7. Educator of the Year
8. Health and Wellbeing Hero
9. Community Spirit Award
10. Young Person who has made a Difference

Awards will be presented following the Annual Town Meeting on the evening of 28 April with an award ceremony in the Assembly Room.

Nominations

Please see Appendix 2 (councillors only) for the list of nominations.

Proposal

Members are asked to consider and agree the nominations for awards and instruct the Town Clerk accordingly.

Town Clerk 25 3 25

ITEM 14

COMMON SEAL

To authorise the fixing of the Common Seal of Marlborough Town Council to all documents necessary to give effect to the decisions of the meeting

MODEL FINANCIAL REGULATIONS FOR LOCAL COUNCILS

This Model Financial Regulations template was produced by the National Association of Local Councils (NALC) in April 2024 for the purpose of its member councils and county associations. Every effort has been made to ensure that the contents of this document are correct at time of publication. NALC cannot accept responsibility for errors, omissions and changes to information subsequent to publication.

Notes to assist in the use of this template:

- 1) This document is a model for councils of all sizes to use to develop their own financial regulations, suitable for the size of the council and the activities it undertakes.
- 2) Bold text indicates legal requirements, which a council cannot change or suspend.
- 3) For the rest, each council needs to adapt the model to suit its size and structure. For example, some councils have both a clerk and RFO, possibly with several more staff, while others have a single employee as clerk/RFO. Some councils have committees, some have a high level of delegation and some make all decisions at full council meetings. Many now use online payment methods, but others still rely on cheques.
- 4) Curly brackets indicate words, sentences or sections that can be removed if not applicable, or amended to fit the council's circumstances. An example of this is the phrase {or duly delegated committee}, which can be deleted if there are no committees.
- 5) Specific areas that may need adapting:
 - a) In 1.5 – is the Clerk the RFO?
 - b) In 3.3 and 3.4, the words “Governance and Accountability” do not apply in Wales
 - c) In section 4, does the council have committees and how many years are forecast?
 - d) In 5.6, does the council issue an open invitation to tender, or invite specific firms?
 - e) In 5.9, are online prices acceptable evidence?
 - f) In 5.13, 5.15 and 5.17, does the council have committees?
 - g) In 5.16, will a councillor ever be instructed to place an order?
 - h) In 5.20, is there a minimum level for official orders?
 - i) Section 6 includes several alternatives to cover delegation to committees or to officers, approval of invoices individually or in batches, or for approval of regular contractual payments at the beginning of the year.
 - j) Sections 7, 8 and 9 also includes several alternatives, including wording for where the clerk is a signatory. These are intended to allow a council's financial regulations to fit what they actually do, not to force any council to change what they do.
 - k) Section 10 gives two alternatives, with or without petty cash.
 - l) 13.6 has alternatives for VAT-registered and unregistered councils – only use one.

- m) 13.7 and 13.8 are removable if they don't apply to the council.
 - n) Much of Section 16 can be deleted if not applicable.
 - o) 17.3, is the Clerk the RFO or will the RFO consult the Clerk?
- 6) Square brackets indicate where the council needs to specify who, or how much, or what the timescale is. For example [£500] might need to be £100, or [October] might need to be November, or [the council] might need to say the Policy and Resources Committee.
- a) In 4.1 and 4.7, select the wording for England or Wales, based on your location.
 - b) In Section 4, the council needs to determine the timescale for its budget setting.
- 7) It is challenging to try to offer guidance on setting financial limits. A council spending £1,000 a year is unlikely to delegate authority to spend £500 to its proper officer, but one spending £5 million a year might regard £5,000 as a reasonable limit. Each council needs to determine its own limits, that help, rather than hinder, its operations.
- 8) Key limits to set:
- a) In 5.6, at what limit will the council require a formal tender process to ensure fair competition, rather than just asking for quotes? If this is set too low, it may discourage suppliers. Many small councils might only use formal tenders once every few years.
 - b) In 5.8, at what limit will the council require fixed-price quotes rather than estimates?
 - c) In 5.9, at what level can smaller purchases be made without competition?
 - d) In 5.15, at what level can purchases be made under delegated authority (having complied with the rules about obtaining prices)?
 - e) In 5.18, how much can the clerk commit to spending in an emergency?
 - f) In 6.9, can payment of invoices (for purchases that have already been authorised) be authorised by an officer under delegated authority as a general principle, or only to avoid problems?
 - g) In Section 9, what are the limits for card payments?
 - h) In 16.5, what value of assets can be bought or disposed of, without seeking council approval?
- 9) The contents list is a table that extracts section headings from the document. It can be updated by clicking on the contents list, whereupon a tab saying "update table" appears at the top of the list.
- 10) Once this model has been tailored to fit the council's needs, the resulting Financial Regulations (with the insertion of the council's name at the top) should be adopted at a meeting of the full council. The date of adoption should be inserted below the Contents. Any subsequent proposal for amendment should also be made to the full council.
- 11) The council should keep abreast of developments in legislation that affect the local council sector and should review and update its Financial Regulations annually.
- 12) Please ensure that the latest approved version is published on the council's website.

MARLBOROUGH TOWN COUNCIL FINANCIAL REGULATIONS

Contents

1. General.....	19
2. Risk management and internal control.....	20
3. Accounts and audit.....	21
4. Budget and precept.....	22
5. Procurement.....	23
6. Banking and payments	25
7. Electronic payments.....	26
8. Cheque payments	27
9. Payment cards	27
10. Petty Cash	28
11. Payment of salaries and allowances	28
12. Loans and investments.....	29
13. Income.....	29
14. Payments under contracts for building or other construction works	30
15. Stores and equipment.....	30
16. Assets, properties and estates	30
17. Insurance	31
18. [Charities].....	31
19. Suspension and revision of Financial Regulations.....	31
Appendix 1 - Tender process	32

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

General

These Financial Regulations govern the financial management of the council and may only be amended or varied by resolution of the council. They are one of the council's governing documents and shall be observed in conjunction with the council's Standing Orders.

Councillors are expected to follow these regulations and not to entice employees to breach them. Failure to follow these regulations brings the office of councillor into disrepute.

Wilful breach of these regulations by an employee may result in disciplinary proceedings.

In these Financial Regulations:

- 'Accounts and Audit Regulations' means the regulations issued under Sections 32, 43(2) and 46 of the Local Audit and Accountability Act 2014, or any superseding legislation, and then in force, unless otherwise specified.
- "Approve" refers to an online action, allowing an electronic transaction to take place.
- "Authorise" refers to a decision by the council, or a committee or an officer, to allow something to happen.
- 'Proper practices' means those set out in *The Practitioners' Guide*
- *Practitioners' Guide* refers to the guide issued by the Joint Panel on Accountability and Governance (JPAG) and published by NALC in England or Governance and Accountability for Local Councils in Wales – A Practitioners Guide jointly published by One Voice Wales and the Society of Local Council Clerks in Wales.
- 'Must' and **bold text** refer to a statutory obligation the council cannot change.
- 'Shall' refers to a non-statutory instruction by the council to its members and staff.

The Responsible Financial Officer (RFO) holds a statutory office, appointed by the council. The Town Clerk has been appointed as RFO, and these regulations apply accordingly. The RFO;

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

The council must not delegate any decision regarding:

- **setting the final budget or the precept (council tax requirement);**
- **the outcome of a review of the effectiveness of its internal controls**
- **approving accounting statements;**
- **approving an annual governance statement;**
- **borrowing;**
- **declaring eligibility for the General Power of Competence; and**
- **addressing recommendations from the internal or external auditors**

In addition, the council shall:

- **determine and regularly review the bank mandate for all council bank accounts;**
- **authorise any grant or single commitment in excess of £10,000; and**

Risk management and internal control

The council must ensure that it has a sound system of internal control, which delivers effective financial, operational and risk management.

The RFO shall prepare, for approval by the council, a risk management policy covering all activities of the council. This policy and consequential risk management arrangements shall be reviewed by the council at least annually.

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

At least once a year, the council must review the effectiveness of its system of internal control, before approving the Annual Governance Statement.

The accounting control systems determined by the RFO must include measures to:

- **ensure that risk is appropriately managed;**
- **ensure the prompt, accurate recording of financial transactions;**
- **prevent and detect inaccuracy or fraud; and**
- **allow the reconstitution of any lost records;**
- **identify the duties of officers dealing with transactions and**
- **ensure division of responsibilities.**

At least once in each quarter, and at each financial year end, a member other than the Chair, or a cheque signatory, shall be appointed to verify bank reconciliations (for all accounts). The member shall sign and date the reconciliations and the original bank statements (or similar document) as evidence of this. This activity, including any exceptions, shall be reported to and noted by the Finance and Policy Committee.

Regular back-up copies shall be made of the records on any council computer and stored either online or in a separate location from the computer. The council shall put measures in place to ensure that the ability to access any council computer is not lost if an employee leaves or is incapacitated for any reason.

Accounts and audit

All accounting procedures and financial records of the council shall be determined by the RFO in accordance with the Accounts and Audit Regulations.

The accounting records determined by the RFO must be sufficient to explain the council's transactions and to disclose its financial position with reasonable accuracy at any time. In particular, they must contain:

- **day-to-day entries of all sums of money received and expended by the council and the matters to which they relate;**
- **a record of the assets and liabilities of the council;**

The accounting records shall be designed to facilitate the efficient preparation of the accounting statements in the Annual Governance and Accountability Return.

The RFO shall complete and certify the annual Accounting Statements of the council contained in the Annual Governance and Accountability Return in accordance with proper practices, as soon as practicable after the end of the financial year. Having certified the Accounting Statements, the RFO shall submit them (with any related documents) to the council, within the timescales required by the Accounts and Audit Regulations.

The council must ensure that there is an adequate and effective system of internal audit of its accounting records and internal control system in accordance with proper practices.

Any officer or member of the council must make available such documents and records as the internal or external auditor consider necessary for the purpose of the audit and shall, as directed by the council, supply the RFO, internal auditor, or external auditor with such information and explanation as the council considers necessary.

The internal auditor shall be appointed by the council and shall carry out their work to evaluate the effectiveness of the council's risk management, control and governance processes in accordance with proper practices specified in the Practitioners' Guide.

The council shall ensure that the internal auditor:

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

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

Internal or external auditors may not under any circumstances:

- perform any operational duties for the council;
- initiate or approve accounting transactions;
- provide financial, legal or other advice including in relation to any future transactions; or
- direct the activities of any council employee, except to the extent that such employees have been appropriately assigned to assist the internal auditor.

For the avoidance of doubt, in relation to internal audit the terms ‘independent’ and ‘independence’ shall have the same meaning as described in The Practitioners Guide.

The RFO shall make arrangements for the exercise of electors’ rights in relation to the accounts, including the opportunity to inspect the accounts, books, and vouchers and display or publish any notices and documents required by the Local Audit and Accountability Act 2014, or any superseding legislation, and the Accounts and Audit Regulations.

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

Budget and precept

Before setting a precept, the council must calculate its council tax requirement for each financial year by preparing and approving a budget, in accordance with The Local Government Finance Act 1992 or succeeding legislation.

Budgets for salaries and wages, including employer contributions shall be reviewed by the council at least annually in October for the following financial year and the final version shall be evidenced by a hard copy schedule signed by the RFO and the Chair of the Council or relevant committee. The RFO will inform committees of any salary implications before they consider their draft their budgets.

No later than December each year, the RFO shall prepare a draft budget with detailed estimates of all income and expenditure for the following financial year, taking account of the lifespan of assets and cost implications of repair or replacement.

Unspent budgets for completed projects shall not be carried forward to a subsequent year. Unspent funds for partially completed projects may only be carried forward by placing them in an earmarked reserve with the formal approval of the full council.

Each committee shall review its draft budget and submit any proposed amendments to the Finance and Policy committee not later than the end of November each year (and as stated in the agreed council calendar of meetings).

The draft budget, including any recommendations for the use or accumulation of reserves, shall be considered by the Finance and Policy Committee and a recommendation made to the council.

Having considered the proposed budget and forecast, the council shall determine its council tax requirement by setting a budget. The council shall set a precept for this amount no later than end of January (or as required by Wiltshire Council) for the ensuing financial year.

Any member with council tax unpaid for more than two months is prohibited from voting on the budget or precept by Section 106 of the Local Government Finance Act 1992 and must and must disclose at the start of the meeting that Section 106 applies to them.

The RFO shall **issue the precept to the billing authority no later than the end of February** (or as required by Wiltshire Council) and supply each member with a copy of the agreed annual budget.

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

Any addition to, or withdrawal from, any earmarked reserve shall be agreed by the Finance and Policy Committee.

Procurement

Members and officers are responsible for obtaining value for money at all times.

Any officer procuring goods, services or works should ensure, as far as practicable, that the best available terms are obtained, usually by obtaining prices from several suppliers.

The RFO should verify the lawful nature of any proposed purchase before it is made and in the case of new or infrequent purchases, should ensure that the legal power being used is reported to the meeting at which the order is authorised and also recorded in the minutes.

Every contract shall comply with these the council's Standing Orders and these Financial Regulations, and no exceptions shall be made, except in an emergency.

For a contract for the supply of goods, services or works where the estimated value will exceed the thresholds set by Parliament, the full requirements of The Public Contracts Regulations 2015 or any superseding legislation ("the Legislation"), must be followed in respect of the tendering, award and notification of that contract.

Where the estimated value is below the Government threshold, the council shall obtain prices as follows:

For contracts estimated to not exceed £30,000 including VAT, the Clerk shall seek formal tenders from at least three suppliers agreed by the council **AND/OR** advertise an open invitation for tenders in compliance with any relevant provisions of the Legislation. Tenders shall be invited in accordance with Appendix 1.

For contracts estimated to be over £30,000 including VAT, the council must comply with any requirements of the Legislation¹ regarding the advertising of contract opportunities and the publication of notices about the award of contracts.

For contracts greater than **£4,000** excluding VAT the Clerk or RFO shall seek at least 3 fixed-price quotes;

where the value is between £500 and £3,000 excluding VAT, the RFO shall try to obtain 3 estimates, **which might include evidence of online prices, or recent prices from regular suppliers.**

For smaller purchases, RFO shall seek to achieve value for money.

Contracts must not be split into smaller lots to avoid compliance with these rules.

The requirement to obtain competitive prices in these regulations need not apply to contracts that relate to items (i) to (iv) below:

- i. specialist services, such as legal professionals acting in disputes;
- ii. repairs to, or parts for, existing machinery or equipment;
- iii. works, goods or services that constitute an extension of an existing contract;
- iv. goods or services that are only available from one supplier or are sold at a fixed price.

When applications are made to waive this financial regulation to enable a price to be negotiated without competition, the reason should be set out in a recommendation to the council, or relevant committee. Avoidance of competition is not a valid reason.

The council shall not be obliged to accept the lowest or any tender, quote or estimate.

Individual purchases within an agreed budget for that type of expenditure may be authorised by:

- RFO, under delegated authority, for any items below **£4000** excluding VAT.
- **The Council, relevant committee, or agreed committee delegation,** for all items of expenditure within their delegated budgets for items exceeding **£4,000** excluding VAT
- the Finance and Policy Committee in respect of grants, in accordance with any policy statement agreed by the council.

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

Such authorisation must be supported by a minute (in the case of council or committee decisions) or other auditable evidence trail.

No individual member, or informal group of members, unless instructed to do so in advance by a resolution of the council or relevant committee, may issue an official order or make any contract on behalf of the council.

No expenditure may be authorised that will exceed the budget for that type of expenditure other than by resolution of the council except in an emergency.

In cases of serious risk to the delivery of council services or to public safety on council premises, the clerk may authorise expenditure of up to £5,000 excluding VAT on repair, replacement or other work that in their judgement is necessary, whether or not there is any budget for such expenditure. The Clerk shall report such action to the Chair as soon as possible and to the council as soon as practicable thereafter.

No expenditure shall be authorised, no contract entered into, or tender accepted in relation to any major project, unless the council is satisfied that the necessary funds are available and that where a loan is required, Government borrowing approval has been obtained first.

Written confirmation 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, along with evidence of receipt of goods.

Any ordering system can be misused and access to them shall be controlled by the RFO.

Banking and payments

The council's banking arrangements, including the bank mandate, shall be made by the RFO and authorised by the council; banking arrangements shall not be delegated to a committee. The council has resolved to bank with Barclays Bank. The arrangements shall be reviewed annually for security and efficiency.

The council must have safe and efficient arrangements for making payments, to safeguard against the possibility of fraud or error. Wherever possible, more than one person should be involved in any payment, for example by dual online authorisation or dual cheque signing. Even where a purchase has been authorised, the payment must also be authorised, and only authorised payments shall be approved or signed to allow the funds to leave the council's bank.

All invoices for payment should be examined for arithmetical accuracy, analysed to the appropriate expenditure heading and verified to confirm that the work, goods or services were received, checked and represent expenditure previously authorised by the council before being certified by the RFO.

Personal payments (including salaries, wages, expenses and any payment made in relation to the termination of employment) may be summarised to avoid disclosing any personal information.

All payments shall be made by online banking, in accordance with a resolution of the council or duly delegated committee, or a delegated decision by an officer, unless the council resolves to use a different payment method.

As part of the budget setting process, for each financial year [the RFO] may draw up a schedule of regular payments due in relation to a continuing contract or obligation (such as Salaries, PAYE, National Insurance, pension contributions, rent, rates, regular maintenance contracts and similar items), which the council or a duly delegated committee may authorise in advance for the year.

The RFO shall have delegated authority to authorise payments in the following circumstances:

- i. any payments of up to £4000 excluding VAT, within an agreed budget.
- ii. payments of up to £5,000 excluding VAT in cases of serious risk to the delivery of council services or to public safety on council premises.
- iii. any payment necessary to avoid a charge under the Late Payment of Commercial Debts (Interest) Act 1998 {or to comply with contractual terms}, where the due date for payment is before the next scheduled meeting of [the council], where the [Clerk and RFO] certify that there is no dispute or other reason to delay payment, provided that a list of such payments shall be submitted to the next appropriate meeting of council {or finance committee}.

Electronic payments

Where internet banking arrangements are made with any bank, the RFO shall be appointed as the Service Administrator. The bank mandate agreed by the council shall appoint the Mayor, the Deputy Mayor, the Chair and Vice Chair of the Finance and Policy Committee councillors as authorised to approve transactions on those accounts and a minimum of two people will be involved in any online approval process. The Clerk may be an authorised signatory, but no signatory should be involved in approving any payment to themselves.

All authorised signatories shall have access to view the council's bank accounts online.

No employee or councillor shall disclose any PIN or password, relevant to the council or its banking, to anyone not authorised in writing by the council or a duly delegated committee.

The Service Administrator shall set up all items due for payment online. A list of payments for approval, together with copies of the relevant invoices, shall be sent[by email to][two authorised signatories.

In the prolonged absence of the Service Administrator an authorised signatory shall set up any payments due before the return of the Service Administrator.

Two councillors who are authorised signatories shall check the payment details against the invoices before approving each payment using the online banking system.

Evidence shall be retained showing which members approved the payment online.

With the approval of the council in each case, regular payments (such as gas, electricity, telephone, broadband, water, National Non-Domestic Rates, refuse collection, pension contributions and HMRC payments) may be made by variable direct debit, provided that the instructions are signed/approved online by two authorised members. The approval of the use of each variable direct debit shall be reviewed by the council at least **every two years**.

Payment may be made by BACS or CHAPS by resolution of the council provided that each payment is approved online by two authorised bank signatories, evidence is retained, and any payments are reported to the council at the next meeting. The approval of the use of BACS or CHAPS shall be renewed by resolution of the council at least **every two years**.

If thought appropriate by the council, regular payments of fixed sums may be made by banker's standing order, provided that the instructions are signed or approved online by two members, evidence of this is retained and any payments are reported to council when made. The approval of the use of a banker's standing order shall be reviewed by the council at least **every two years**.

Account details for suppliers may only be changed upon written notification by the supplier verified by the RFO and Finance Officer. This is a potential area for fraud and the individuals involved should ensure that any change is genuine. Data held should be checked with suppliers every **two years**.

Members and officers shall ensure that any computer used for the council's financial business has adequate security, with anti-virus, anti-spyware and firewall software installed and regularly updated.

Remembered password facilities should not be used on any computer used for council banking.

Cheque payments

Cheques or orders for payment in accordance in accordance with a resolution or delegated decision shall be signed by two members, and countersigned by the RFO.

A signatory having a family or business relationship with the beneficiary of a payment shall not, under normal circumstances, be a signatory to that payment.

To indicate agreement of the details on the cheque with the counterfoil and the invoice or similar documentation, the signatories shall also initial the cheque counterfoil and invoice.

Cheques or orders for payment shall not normally be presented for signature other than at, or immediately before or after a council or committee meeting. Any signatures obtained away from council meetings shall be reported to the council or Finance and Policy Committee at the next convenient meeting.

Payment cards

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

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

Any corporate credit card or trade card account opened by the council will be specifically restricted to use by the RFO, Deputy Town Clerk or Finance Officer and any balance shall be paid in full each month.

Personal credit or debit cards of members or staff shall not be used except for expenses of up to [£250] including VAT, incurred in accordance with council policies.

Petty Cash

The RFO shall maintain a petty cash [float/ imprest account] of £250 and may provide petty cash to officers for the purpose of defraying operational and other expenses.

- a) Vouchers for payments made from petty cash shall be kept, along with receipts to substantiate every payment.
- b) Cash income received must not be paid into the petty cash float but must be separately banked, as provided elsewhere in these regulations.
- c) Payments to maintain the petty cash float shall be shown separately on any schedule of payments presented for approval.}

Payment of salaries and allowances

As an employer, the council must make arrangements to comply with the statutory requirements of PAYE legislation.

Councillors allowances (where paid) are also liable to deduction of tax under PAYE rules and must be taxed correctly before payment.

Salary rates shall be agreed by the council, or a duly delegated committee. No changes shall be made to any employee's gross pay, emoluments, or terms and conditions of employment without the prior consent of the council or relevant committee.

Payment of salaries shall be made, after deduction of tax, national insurance, pension contributions and any similar statutory or discretionary deductions, on the dates stipulated in employment contracts.

Deductions from salary shall be paid to the relevant bodies within the required timescales, provided that each payment is reported, as set out in these regulations above.

Each payment to employees of net salary and to the appropriate creditor of the statutory and discretionary deductions shall be recorded in a payroll control account or other separate confidential record, with the total of such payments each calendar month reported in the cashbook.

Any termination payments shall be supported by a report to the council, setting out a clear business case. Termination payments shall only be authorised by the full council.

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

Loans and investments

Any application for Government approval to borrow money and subsequent arrangements for a loan must be authorised by the full council and recorded in the minutes. All borrowing shall be in the name of the council, after obtaining any necessary approval.

Any financial arrangement which does not require formal borrowing approval from the Secretary of State (such as Hire Purchase, Leasing of tangible assets or loans to be repaid within the financial year) must be authorised by the Finance and Policy Committee, following a written report on the value for money of the proposed transaction.

The council shall consider the requirement for an Investment Strategy and Policy in accordance with Statutory Guidance on Local Government Investments, which must be written in accordance with relevant regulations, proper practices and guidance. Any Strategy and Policy shall be reviewed by the council at least annually.

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

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

Payments in respect of short term or long-term investments, including transfers between bank accounts held in the same bank, shall be made in accordance with these regulations.

Income

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

The council will review all fees and charges for work done, services provided, or goods sold at least annually as part of the budget-setting process, following a report of the Clerk. The RFO shall be responsible for the collection of all amounts due to the council.

Any sums found to be irrecoverable, and any bad debts shall be reported to the council by the RFO and shall be written off in the year. The council's approval shall be shown in the accounting records.

All sums received on behalf of the council shall be deposited intact with the council's bankers, with such frequency as the RFO considers necessary. The origin of each receipt shall clearly be recorded on the paying-in slip or other record.

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

Any repayment claim under section 33 of the VAT Act 1994 shall be made quarterly where the claim exceeds £100 and at least annually at the end of the financial year.

Where significant sums of cash are regularly received by the council, the RFO shall 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 record such as ticket issues, and that appropriate care is taken for the security and safety of individuals banking such cash.

Any income that is the property of a charitable trust shall be paid into a charitable bank account.

Payments under contracts for building or other construction works

Where contracts provide for payment by instalments the RFO shall maintain a record of all such payments, which shall be made within the time specified in the contract based on signed certificates from the architect or other consultant engaged to supervise the works.

Any variation of addition to or omission from a contract must be authorised by the RFO to the contractor in writing, with the council being informed where the final cost is likely to exceed the contract sum by 5% or more, or likely to exceed the budget available.

Stores and equipment

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

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

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

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

Assets, properties and estates

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

The RFO shall ensure that an appropriate and accurate Register of Assets and Investments is kept up to date, with a record of all properties held by the council, their location, extent, plan, reference, purchase details, nature of the interest, tenancies granted, rents payable and purpose for which held, in accordance with Accounts and Audit Regulations.

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.

No interest in land 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. In each case a written report 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 where required by law).

No tangible moveable property shall be purchased or otherwise acquired, sold, leased or otherwise disposed of, without the authority of the council, together with any other consents required by law, except where the estimated value of any one item does not exceed £500. In each case a written report shall be provided to council with a full business case.

Insurance

The RFO shall keep a record of all insurances effected by the council and the property and risks covered, reviewing these annually before the renewal date in conjunction with the council's review of risk management.

The RFO shall be notified of any loss, liability, damage or event likely to lead to a claim, and shall report these to the council at the next available meeting. The RFO shall negotiate all claims on the council's insurers.

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.

Charities

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.]

Suspension and revision of Financial Regulations

The council shall review these Financial Regulations annually and following any change of the RFO. The RFO shall monitor changes in legislation or proper practices and advise the council of any need to amend these Financial Regulations.

The council may, by resolution duly notified prior to the relevant meeting of council, suspend any part of these Financial Regulations, provided that reasons for the suspension are recorded and that an assessment of the risks arising has been presented to all members. Suspension does not disapply any legislation or permit the council to act unlawfully.

The council may temporarily amend these Financial Regulations by a duly notified resolution, to cope with periods of absence, local government reorganisation, national restrictions or other exceptional circumstances.

Appendix 1 - Tender process

- 1) Any invitation to tender shall state the general nature of the intended contract and the Clerk shall obtain the necessary technical assistance to prepare a specification in appropriate cases.
- 2) The invitation shall in addition state that tenders must be addressed to the Clerk in the ordinary course of post, unless an electronic tendering process has been agreed by the council.
- 3) Where a postal process is used, each tendering firm shall be supplied with a specifically marked envelope in which the tender is to be sealed and remain sealed until the prescribed date for opening tenders for that contract. All sealed tenders shall be opened at the same time on the prescribed date by the Clerk in the presence of at least one member of council.
- 4) Where an electronic tendering process is used, the council shall use a specific email address that will be monitored to ensure that nobody accesses any tender before the expiry of the deadline for submission.
- 5) Any invitation to tender shall refer to the terms of the Bribery Act 2010.
- 6) Where the council, or duly delegated committee, does not accept any tender, quote or estimate, the work is not allocated and the council requires further pricing, no person shall be permitted to submit a later tender, estimate or quote who was present when the original decision-making process was being undertaken.