



**Burnham-on-Sea
& Highbridge**
TOWN COUNCIL

Financial Regulations

Date Adopted: 19th May 2025
and are based on the NALC Model 2025

MODEL FINANCIAL REGULATIONS 2024 FOR ENGLAND

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1- General

1. 1. These financial regulations govern the conduct of financial management by the Council and may only be amended or varied by resolution of the Council. Financial regulations are one of the Council's three governing policy documents providing procedural guidance for members and officers. Financial regulations must be observed in conjunction with the Council's standing orders¹ and any individual financial regulations relating to contracts.
1. 2. The Council is responsible in law for ensuring that its financial management is adequate and effective and that the Council **has a sound system of internal control which delivers effective financial, operational and risk management.**
1. 3. The Council's accounting control systems must include measures:
 - for the timely production of accounts;
 - that provide for the safe and efficient safeguarding of public money;
 - to prevent and detect inaccuracy and fraud; and
 - identifying the duties of officers.
1. 4. These financial regulations demonstrate how the Council meets these responsibilities and requirements.
1. 5. **At least once a year, prior to approving the Annual Governance Statement, the Council must review the effectiveness of its system of internal control which shall be in accordance with proper practices.**
1. 6. Deliberate or wilful breach of these Regulations by an employee may give rise to disciplinary proceedings.
1. 7. Members of council are expected to follow the instructions within these Regulations and not to entice employees to breach them. Failure to follow instructions within these Regulations brings the office of councillor into disrepute and this would be a Code of Conduct issue.
1. 8. The Responsible Financial Officer (RFO) holds a statutory office to be appointed by The Council.
1. 9. The RFO;
 - acts under the policy direction of the Council;
 - administers The Council's financial affairs in accordance with all Acts, Regulations and proper practices;
 - determines on behalf of The Council its accounting records and accounting control systems;
 - ensures the accounting control systems are observed;
 - maintains the accounting records of the Council up to date in accordance with proper practices;

¹ Model Standing Orders for Councils (2018 Edition) is available from NALC (©NALC 2018)

- **external auditors, shall be a matter for the full council only.**
1. 10. The accounting records determined by the RFO shall be sufficient to show and explain the Council's transactions and to enable the RFO to ensure that any income and expenditure account and statement of balances, or record of receipts and payments and additional information, as the case may be, or management information prepared for the Council from time to time comply with the Accounts and Audit Regulations.
- 1.11. **The accounting records determined by the RFO shall in particular contain:**
- **entries from day to day of all sums of money received and expended by The Council and the matters to which the income and expenditure or receipts and payments account relate;**
 - **a record of the assets and liabilities of the Council;** and
 - wherever relevant, a record of the Council's income and expenditure in relation to claims made, or to be made, for any contribution, grant or subsidy.
1. 12. **The accounting control systems determined by the RFO shall include:**
- **procedures to ensure that the financial transactions of the Council are recorded as soon as reasonably practicable and as accurately and reasonably as possible;**
 - **procedures to enable the prevention and detection of inaccuracies and fraud and the ability to reconstruct any lost records;**
 - **identification of the duties of officers dealing with financial transactions and division of responsibilities of those officers in relation to significant transactions;**
 - **procedures to ensure that uncollectable amounts, including any bad debts are not submitted to the Council for approval to be written off except with the approval of the RFO and that the approvals are shown in the accounting records; and**
 - **measures to ensure that risk is properly managed.**
2. 13. The Council is not empowered by these Regulations or otherwise to delegate certain specified decisions. In particular any decision regarding:
- **setting the final budget or the precept (council tax requirement);**
 - **approving accounting statements;**
 - **approving an annual governance statement;**
 - **borrowing;**
 - **writing off bad debts;**
 - **declaring eligibility for the General Power of Competence; and**
 - **addressing recommendations in any report from the internal or**

1. 14. In addition, the Council must:
 - determine and keep under regular review the bank mandate for all council bank accounts;
 - approve any grant in excess of £2,000; and
 - assists the Council to secure economy, efficiency and effectiveness in the use of its resources; and
 - produces financial management information as required by the Council.

- 1.15. In these financial regulations, references to the Accounts and Audit Regulations or 'the regulations' shall mean the regulations issued under the provisions of 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.

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

2- Accounting and audit (internal and external)

2. 1. All accounting procedures and financial records of The Council shall be determined by the RFO in accordance with the Accounts and Audit Regulations, appropriate guidance and proper practices. The accounting records shall be designed to facilitate the efficient preparation of the accounting statements in the Annual (Governance and Accountability) Return.
2. 2. Regular quarterly internal checks shall be carried out by two appointed Councillors. The checks will include a review of a sample of payments, bank reconciliations, payroll, receipts, asset register, VAT and any other area of finance (within GDPR constraints) the Councillors wish to review. The bank reconciliations for all accounts will also be approved at Town Council or Finance and Governance Committee and will be signed by the chair of the meeting.
2. 3. The RFO shall complete the annual statement of accounts, annual report, and any related documents of the Council contained in the Annual Return (as specified in proper practices) as soon as practicable after the end of the financial year and having certified the accounts shall submit them and report thereon to the Council within the timescales set by the Accounts and Audit Regulations.
2. 4. The Council **shall ensure that there is an adequate and effective system of internal audit of its accounting records and internal control system in accordance with proper practices. Any officer or member of the Council**

shall make available such documents and records as appear to the Council to be necessary for the purpose of the audit and shall, as directed by the Council, supply the RFO, internal auditor, or external auditor with such information and explanation as the Council considers necessary for that purpose.

2. 5. The internal auditor shall be appointed by and shall carry out the work in relation to internal controls required by the Council in accordance with proper practices.
2. 6. The internal auditor shall:
 - be competent and independent of the financial operations of the Council;
 - report to council in writing, or in person, on a regular basis with a minimum of one annual written report during each financial year;

 - to demonstrate competence, objectivity and independence, be free from any actual or perceived conflicts of interest, including those arising from family relationships; and
 - has no involvement in the financial decision making, management or control of the Council
2. 7. Internal or external auditors may not under any circumstances:
 - perform any operational duties for the Council;
 - initiate or approve accounting transactions;
 - 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.
2. 8. For the avoidance of doubt, in relation to internal audit the terms 'independent' and 'independence' shall have the same meaning as is described in proper practices.
2. 9. The RFO shall make arrangements for the exercise of electors' rights in relation to the accounts including the opportunity to inspect the accounts, books, and vouchers and display or publish any notices and statements of account required by Local Audit and Accountability Act 2104, or any superseding legislation, and the Accounts and Audit Regulations.
2. 10. The RFO shall, without undue delay, bring to the attention of all councillors any correspondence or report from internal or external auditors.

3- Budget and precept

3. 1. **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.**
3. 2. Having regard to the current year, each committee formulate and submit proposals for the following financial year to the Council not later than the end of November each year.
3. 3. The RFO must each year, by no later than December, prepare detailed estimates of all receipts and payments including the use of reserves and all sources of funding for the following financial year in the form of a budget to be considered by the Finance & Resources Committee and a recommendation made to the council.
3. 4. The Council shall set the budget and fix the precept (council tax requirement), and relevant basic amount of council tax to be levied for the ensuing financial year not later than by the end of January each year. The RFO **shall issue the precept to the billing authority no later than the end of February** and shall supply each member with a copy of the approved annual budget. **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 disclose at the start of the meeting that Section 106 applies to them.**
3. 5. The approved annual budget shall form the basis of financial control for the ensuing year.
3. 6. The general reserve is a contingency to cushion the impact of unexpected events or emergencies and to avoid unnecessary temporary borrowing.
3. 7. The Council considers a prudent level of general reserves to be three to six months net revenue expenditure.
3. 8. Earmarked funds are a means of building up funds over several years to deliver a defined project or for known significant expenditure. Earmarked funds must be reviewed by council at the annual budget setting meeting.
3. 9. Movements to earmarked funds will be reported to council as they happen and any changes to the proposed use of the reserve must be agreed. Changes in earmarked reserves shall be approved by council as part of the budgetary process.

4- Budgetary control and authority to spend

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

- the Clerk or RFO for any items below the value of £5,000 excluding VAT
- a duly delegated committee of the Council for items over £5,000 excluding VAT
- The Council for all items over £20,000;
- The Theatre Manager for any items below the value of £1,000 excluding VAT (except in the first year of service where the amount shall be reduced to £500 excluding VAT)
- The Estates Manager for any items below the value of £500 excluding VAT
- The Deputy Clerk for any items below the value of £500 excluding VAT

Such authority is to be evidenced by a minute or by a mechanism that can be audited.

Contracts must not be split to avoid compliance with these regulations.

4. 2. No expenditure may be authorised that will exceed the amount provided in the revenue budget for that class of expenditure other than by resolution of the Council, or duly delegated committee. During the budget year and with the approval of council having considered fully the implications for public services, unspent and available amounts may be moved to other budget headings or to an earmarked reserve as appropriate ('virement').
4. 3. Unspent provisions in the revenue or capital budgets for completed projects shall not be carried forward to a subsequent year. Unspent funds for partially completed projects may only be carried forward by placing them in an earmarked reserve with the formal approval of council.
4. 4. The salary budgets are to be reviewed at least annually in November for the following financial year and such review shall be evidenced by a hard copy schedule signed by the Clerk and the chair of relevant committee. The RFO will inform committees of any changes impacting on their budget requirement for the coming year in good time.
4. 5. In cases of extreme risk to the delivery of council services, the Clerk may authorise revenue expenditure on behalf of the Council which in the Clerk's judgement it is necessary to carry out. Such expenditure includes repair, replacement or other work, whether or not there is any budgetary provision for the expenditure, subject to a limit of £3,000. The Clerk shall report such action to the chair as soon as possible and to The Council as soon as practicable thereafter.
4. 6. No expenditure shall be authorised in relation to any capital project and no contract entered into or tender accepted involving capital expenditure unless the Council is satisfied that the necessary funds are available and the requisite borrowing approval has been obtained.
4. 7. All capital works shall be administered in accordance with the Council's standing orders and financial regulations relating to contracts.

4. 8. The RFO shall regularly provide the Council with a statement of receipts and payments to date under each head of the budgets, comparing actual expenditure to the appropriate date against that planned as shown in the budget. These statements are to be prepared at least at the end of each financial quarter and shall show explanations of material variances. For this purpose, "material" shall be in excess of £500 or 15% of the budget.

5- Procurement and Banking

5. 1. The Council's banking arrangements, including the bank mandate, shall be made by the RFO and approved by the Council; banking arrangements may not be delegated to a committee. They shall be regularly reviewed for safety and efficiency.
5. 2. The RFO shall 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 the authorised signatories. In the prolonged absence of the RFO an authorised signatory shall set up any payments due before the return of the RFO. 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. A full list of all payments made in a month shall be provided to the next council or Finance & Governance Committee meeting and appended to the minutes.
5. 3. All invoices for payment shall be examined, verified and certified by the RFO to confirm that the work, goods or services to which each invoice relates has been received, carried out, examined and represents expenditure that has been appropriately approved.
5. 4. The RFO shall examine invoices for arithmetical accuracy and allocate them to the appropriate expenditure heading. The RFO shall take all steps to pay all invoices submitted.
5. 5. The Clerk and RFO (with exception of 4. 5 above) shall have delegated authority to authorise the payment of items only in the following circumstances:

If a payment is necessary to avoid a charge to interest under the Late Payment of Commercial Debts (Interest) Act 1998, and the due date for payment is before the next scheduled Meeting of council, where the Clerk and RFO certify that there is no dispute or other reason to delay payment, provided that a list of such payments shall be submitted to the next appropriate meeting of the Council/Finance and Governance Committee;

- a) An expenditure item authorised under 5. 6 below (continuing contracts and obligations) provided that a list of such payments shall be submitted to the next appropriate meeting of the Council or Finance & Resources Committee; or
- b) fund transfers within the Councils banking arrangements up to the sum of £30,000, provided that a list of such payments shall be submitted to the next appropriate meeting of the Council or Finance & Resources Committee.
5. 6. For each financial year the RFO shall draw up a list of due payments which arise on a regular basis as the result of a continuing contract, statutory duty, or obligation (such as but not exclusively) Salaries, PAYE and NI, Superannuation Fund and regular maintenance/service contracts and the like for which Finance & Resources Committee may authorise payment for the year provided that the requirements of regulation 4. 1 (Budgetary Controls) are adhered to.
5. 7. A record of regular payments made under 5. 6 above shall be reviewed quarterly during internal checks by Councillors.
5. 8. In respect of grants a duly authorised committee shall approve expenditure within any limits set by council and in accordance with any policy statement approved by council. Any Revenue or Capital Grant in excess of £5,000 shall before payment, be subject to ratification by resolution of the Council.
5. 9. Members are subject to the Code of Conduct that has been adopted by the Council and shall comply with the Code and Standing Orders when a decision to authorise or instruct payment is made in respect of a matter in which they have a disclosable pecuniary or other interest, unless a dispensation has been granted.
5. 10. The Council will aim to rotate the duties of members in these Regulations so that onerous duties are shared out as evenly as possible over time.
5. 11. Any changes in the recorded details of suppliers, such as bank account records, shall be verified by an appropriate officer.
5. 12. The Council shall retain a file with the details of all suppliers whose invoices are paid by regular Direct Debit. The nominated Councillors in 2. 2 above shall take a random sample of invoices to ensure that the details match those held in the Council's accounting software.
5. 13. Bank Statements shall be received on a regular basis and reconciled with the Council's Cashbook. A copy of the Bank Reconciliation for each month shall be presented to the next Council or Finance and Governance as part of a monthly Financial Report

6- Payment approval and security protocols

6. 1. The Council will make safe and efficient arrangements for the making of its payments.
6. 2. Due to the volume of payments from the Council's bank, the primary method of payment shall be via electronic banking as set out in 5. 2 above. The schedule of payments shall be authorised by two Signatories and those schedules shall then be presented to the next Council or Finance and Governance committee meeting for ratification. A member who is a bank signatory, having a connection by virtue of family or business relationships with the beneficiary of a payment, should not, under normal circumstances, be authorising the payment in question.
6. 3. The Council does not pay by cheque.
6. 4. If thought appropriate by the Council, payment for utility supplies (energy, telephone and water) and any National Non-Domestic Rates may be made by variable direct debit provided that the instructions are reviewed by members and any payments are reported to council as made. The approval of the use of a variable direct debit shall be renewed by resolution of the Council at least once per year.
- 6.5. If thought appropriate by the Council, payment for certain items (principally salaries) may be made by banker's standing order provided that the instructions are signed, or otherwise evidenced by two members are retained and any payments are reported to council as made. The approval of the use of a banker's standing order shall be renewed by resolution of the Council at least once per year.
6. 6. If thought appropriate by the Council payment for certain items may be made by internet banking transfer provided evidence is retained showing which members approved the payment.
6. 7. Where a computer requires use of a personal identification number (PIN) or other password(s), for access to the Council's records on that computer, a note shall be made of the PIN and Passwords and shall be handed to and retained by the Mayor of Council in a sealed dated envelope. This envelope may not be opened other than in the presence of two other councillors. After the envelope has been opened, in any circumstances, the PIN and / or passwords shall be changed as soon as practicable. The fact that the sealed envelope has been opened, in whatever circumstances, shall be reported to all members immediately and formally to the next available meeting of the Council. This will not be required for a member's personal computer used only for remote authorisation of bank payments.
6. 8. No employee or councillor shall disclose any PIN or password, relevant to the working of the Council or its bank accounts, to any person not authorised

in writing by the Council or a duly delegated committee.

6. 9. Regular back-up copies of the records on any computer shall be made and shall be stored securely away from the computer in question, and preferably off site. 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.
6. 10. The Council, and any members using computers for the Council's financial business, shall ensure that anti-virus, anti-spyware and firewall software with automatic updates, together with a high level of security, is used.
6. 11. Where internet banking arrangements are made with any bank, the RFO shall be appointed as the Service Administrator. The Clerk and RFO may be authorised signatories, but no signatory should be involved in approving any payment to themselves. The bank mandate approved by the Council shall identify a number of councillors who will be authorised to approve transactions on those accounts. The bank mandate will state clearly the amounts of payments that can be instructed by the Service Administrator with a stated number of approvals.
6. 12. Access to any internet banking accounts will be directly to the access page (which may be saved under "favourites"), and not through a search engine or e-mail link. Remembered or saved passwords facilities must not be used on any computer used for council banking work. Breach of this Regulation will be treated as a very serious matter under these regulations.
6. 13. Changes to account details for suppliers, which are used for internet banking may only be changed on written hard copy notification by the supplier and supported by best practice verification notices. A programme of regular checks of standing data with suppliers will be followed.
6. 14. Government procurement cards issued for use will be specifically restricted to the Clerk and RFO and will have a maximum expenditure limit of £500 per month.
6. 15. Any trade card account opened by the Council will be specifically restricted to use with the appropriate manager's authorisation and shall be subject to automatic payment in full at each month-end. Personal credit or debit cards of members or staff shall only be used as a last resort.
6. 16. The Council shall have fuel cards limited to the purchase of fuel for the propose of re-fuelling the Council owned vehicle and machinery.
6. 17 The Council will not maintain any form of cash float. All cash received must be banked intact.

7- Payment of salaries

7. 1. As an employer, **the Council shall make arrangements to comply with the statutory requirements placed on all employers by PAYE and National Insurance legislation. Councillors allowances (where paid) are also liable to deduction of tax under PAYE rules and must be taxed correctly before payment.**

The payment of all salaries shall be made in accordance with payroll records and the rules of PAYE and National Insurance currently operating, and salary rates shall be as agreed by council, or duly delegated committee. Payroll services are currently outsourced. All internal payroll information is to be collated and checked by the RFO, authorised by the Clerk and submitted to the payroll service provider in advance of each monthly deadline.

7. 2. Payment of salaries and payment of deductions from salary such as may be required to be made for tax, national insurance and pension contributions, or similar statutory or discretionary deductions must be made in accordance with the payroll records and on the appropriate dates stipulated in employment contracts as set out in these regulations.
7. 3. No changes shall be made to any employee's pay, emoluments, or terms and conditions of employment without the prior consent of the HR Sub-Committee.
7. 4. Each and every payment to employees of net salary and to the appropriate creditor of the statutory and discretionary deductions shall be recorded in a payroll control account and/or in a separate confidential record. Payroll reports will be reviewed by the designated members in regular internal checks carried out. Confidential records will not be open to inspection or review (under the Freedom of Information Act 2000 or otherwise) other than:
- a) by any councillor who can demonstrate a need to know;
 - b) by the internal auditor;
 - c) by the external auditor; or
 - d) by any person authorised under Audit Commission Act 1998, or any superseding legislation.
7. 5. The total of such payments in each calendar month shall be reported with all other payments as made as may be required under these Financial Regulations, to ensure that only payments due for the period have actually been paid.
7. 6. An effective system of personal performance management should be maintained for the senior officers.

7. 7. Any termination payments shall be supported by a clear business case and reported to the HR Sub-Committee and Finance and Governance Committee.
7. 8. Before employing interim staff, the HR Sub-Committee must consider a full business case.

8- Loans and investments

8. 1. All borrowings shall be affected in the name of the Council, after obtaining any necessary borrowing approval. Any application for borrowing approval shall be approved by Council as to terms and purpose. The application for borrowing approval, and subsequent arrangements for the loan shall only be approved by full council.
8. 2. Any financial arrangement which does not require formal borrowing approval from the Secretary of State (such as Hire Purchase or Leasing of tangible assets) shall be subject to approval by the full council. In each case a report in writing shall be provided to council in respect of value for money for the proposed transaction.
8. 3. 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. 4. The Council shall consider the need for an Investment Strategy and Policy which, if drawn up, shall be in accordance with relevant regulations, proper practices and guidance. Any Strategy and Policy shall be reviewed by the Council at least annually.
8. 5. All investments of money under the control of the Council shall be in the name of the Council.
8. 6. All investment certificates and other documents relating thereto shall be retained in the custody of the RFO.
8. 7. Payments in respect of short term or long-term investments, including transfers between bank accounts held in the same bank, or branch, shall be made in accordance with Regulation 5 and Regulation 6.

9- Income

9. 1. The collection of all sums due to the Council shall be the responsibility of and under the supervision of the RFO.
9. 2. Particulars of all charges to be made for work done, services rendered or goods supplied shall be agreed annually by the Council, notified to the RFO and the RFO shall be responsible for the collection of all accounts due to The Council.

9. 3. The relevant Committee will review all fees and charges at least annually, following a report of the Clerk and/or RFO.
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 ensure that VAT is correctly recorded in the council's accounting software and that any VAT Return required is submitted quarterly from the software by the due date.
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 purchase order number shall be issued for all work, goods and services unless a formal contract is to be prepared or an official order would be inappropriate. Copies of orders shall be retained.
10. 2. Order spreadsheet shall be controlled by the RFO.
10. 3. **All members and officers are responsible for obtaining value for money at all times.** An officer issuing an official order shall ensure as far as reasonable and practicable that the best available terms are obtained in respect of each transaction, usually by obtaining prices from several suppliers, subject to any de minimis provisions in Regulation 11. 1 below.
- 10.4. Subject to 10. 3, preference should be given to suppliers in the parish of the Council.
10. 5. A member may not issue an official order/make any contract on behalf of the Council.

11- Contracts

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

- a- Every contract shall comply with these financial regulations, and no exceptions shall be made otherwise than in an emergency provided that this regulation need not apply to contracts which relate to items (i) to (vi) below:
- for the supply of gas, electricity, water, sewerage and telephone services where supply would be ended or disrupted without immediate action;
 - for specialist services such as are provided by legal and other professionals acting in disputes;
 - 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;
 - for work to be executed or goods or materials to be supplied which constitute an extension of an existing contract by the Council;
 - for additional audit work of the external auditor up to an estimated value of £500, in excess of this sum the Clerk, shall act after consultation with the Mayor and Deputy Mayor; and
 - for goods or materials proposed to be purchased which are proprietary articles and/or are only sold at a fixed price.
- b- **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 Procurement Act 2023 and The Procurement Regulations 2024 or any superseding legislation (“the Legislation”²), must be followed in respect of the tendering, award and notification of that contract. For contracts estimated to be over £30,000 including VAT, the council shall comply with any requirements of the Legislation regarding the publication of invitations and notices.**
- c- The full requirements of The Regulations, as applicable, shall be followed in respect of the tendering and award of a public supply contract, public service contract or public works contract which exceed thresholds in The Public Procurement Regulations 2023 (which may change from time to time)³.
- d- When applications are made to waive financial regulations relating to contracts to enable a price to be negotiated without competition the reason shall be embodied in a recommendation to the Council.
- e- Such invitation to tender shall state the general nature of the intended contract and the Clerk shall obtain the necessary technical assistance to prepare a specification in appropriate cases. The invitation shall in addition state that tenders must be addressed to the Town Clerk in the

ordinary course of post. Each tendering firm shall be emailed with the details for returning the tender. The tender is to be sealed and remain sealed until the prescribed date for opening tenders for that contract. 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. The Legislation requires councils to use the Contracts Finder website to advertise contract opportunities, set out the procedures to be followed in awarding new contracts and to publicise certain contract details. Thresholds currently applicable are: a) For public supply and public service contracts 214,904 b) For public works contracts 5,372,609

- f- All sealed tenders shall be opened at the same time on the prescribed date by the Clerk in the presence of at least one member of council.
- g- Any invitation to tender issued under this regulation shall be subject to Standing Order 18, ⁴ and shall refer to the terms of the Bribery Act 2010.
- h- When it is to enter into a contract of less than £30,000 in value for the supply of goods or materials or for the execution of works or specialist services other than such goods, materials, works or specialist services as are excepted as set out in paragraph (a) the Clerk/RFO/Delegated Manager shall strive to obtain 3 quotations; where the value is below £3,000 and above £500 the Clerk/RFO/Delegated Manager shall strive to obtain 3 estimates. Otherwise, Regulation 10. 3 above shall apply.
- i- The Council shall not be obliged to accept the lowest or any tender, quote or estimate.
- j- Should it occur that the Council, or duly delegated committee, does not accept any tender, quote or estimate, the work is not allocated and the Council requires further pricing, provided that the specification does not change, no person shall be permitted to submit a later tender, estimate or quote who was present when the original decision-making process was being undertaken.

⁴ Based on NALC's Model Standing Order 18d ©NALC 2018

12-Payments under contracts for building or other construction works

- 12.1. Payments on account of the contract sum shall be made within the time specified in the contract by the RFO upon authorised certificates of the architect or other consultants engaged to supervise the contract (subject to any percentage withholding as may be agreed in the particular contract).
- 12.2. Where contracts provide for payment by instalments the RFO shall maintain a record of all such payments. In any case where it is estimated that the total cost of work carried out under a contract, excluding agreed variations, will

exceed the contract sum of 5% or more a report shall be submitted to the Council.

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

13- Stores and equipment

13. 1. The officer in charge of each section shall be responsible for the care and custody of stores and equipment in that space.
13. 2. Delivery notes shall be obtained in respect of all goods received into store or otherwise delivered and goods must be checked as to order and quality at the time delivery is made.
13. 3. Stocks shall be kept at the minimum levels consistent with operational requirements.
13. 4. The RFO shall be responsible for periodic checks of stocks and stores at least annually.

14 - Assets, properties and estates

14. 1. The Clerk shall make appropriate arrangements for the custody of all title deeds and Land Registry Certificates of properties held by The Council. The RFO shall ensure a record is maintained of all properties held by The Council, recording the location, extent, plan, reference, purchase details, nature of the interest, tenancies granted, rents payable and purpose for which held in accordance with Accounts and Audit Regulations.
14. 2. No tangible moveable property shall be purchased or otherwise acquired, sold, leased or otherwise disposed of, without the authority of the Council, together with any other consents required by law, save where the estimated value of any one item of tangible movable property does not exceed £1,000.
14. 3. No real property (interests in land) shall be sold, leased or otherwise disposed of without the authority of the Council, together with any other consents required by law. In each case a report in writing shall be provided to council in respect of valuation and surveyed condition of the property (including matters such as planning permissions and covenants) together with a proper business case (including an adequate level of consultation with the electorate).
14. 4. No real property (interests in land) shall be purchased or acquired without the

authority of the full council. In each case a report in writing shall be provided to the Council in respect of valuation and surveyed condition of the property (including matters such as planning permissions and covenants) together with a proper business case (including an adequate level of consultation with the electorate).

14. 5. Subject only to the limit set in Regulation 14. 2 above, no tangible moveable property shall be purchased or acquired without the authority of the full council. In each case a report in writing shall be provided to council with a full business case.
14. 6. The RFO shall ensure that an appropriate and accurate Register of Assets and Investments is kept up to date. The continued existence of tangible assets shown in the Register shall be verified at least annually, possibly in conjunction with a health and safety inspection of assets.

15- Insurance

15. 1. Following the annual risk assessment (per Regulation 17), the RFO shall effect all insurances and negotiate all claims on The Council's insurers.
15. 2. A senior officer shall give prompt notification to the RFO of all new risks, properties or vehicles which require to be insured and of any alterations affecting existing insurances.
15. 3. The RFO shall keep a record of all insurances effected by the Council and the property and risks covered thereby and annually review it.
15. 4. The RFO shall be notified of any loss liability or damage or of any event likely to lead to a claim, and shall report these to council at the next available meeting.
15. 5. All appropriate members and employees of the Council shall be included in a suitable form of security or fidelity guarantee insurance which shall cover the maximum risk exposure as determined by the Council, or duly delegated committee.

16- Risk management

16. 1. The Council is responsible for putting in place arrangements for the management of risk. The RFO shall prepare, for approval by the Finance and Governance Committee, risk management policy statements in respect of all activities of the Council. Risk policy statements and consequential risk management arrangements shall be reviewed by the Finance and Governance Committee quarterly.
16. 2. When considering any new activity, the Clerk with the RFO shall prepare a draft risk assessment including risk management proposals for consideration and adoption by the Council.

17. Suspension and revision of Financial Regulations

17. 1. It shall be the duty of the Council to review the Financial Regulations of the Council at least once every 2 years and following any change of clerk or RFO. The RFO/Clerk shall make arrangements to monitor changes in legislation or proper practices and shall advise The Council of any requirement for a consequential amendment to these Financial Regulations.
17. 2. The Council may, by resolution of the Council duly notified prior to the relevant meeting of council, suspend any part of these Financial Regulations provided that reasons for the suspension are recorded and that an assessment of the risks arising has been drawn up and presented in advance to all members of council.

