

Committee	Full Council
Date	21/3/24
Item	9.1

Report:	<b>Planning, Transport, and Traffic (PTTC) Report to Full Council</b>
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### Planning Applications received and objections submitted

In its last three meetings, PTTC considered 30 planning applications and raised objections in respect of two proposals:

- **DM/23/3109 / Land at rear of 67 Sunte Avenue** – demolition of outbuildings and erection of 5 bedroom two storey house. PTTC objected to the height and size of the property as being unneighbourly and an overdevelopment, whilst acknowledging that it is an infill on a brownfield site.
- **DM/24/0265 / 29 High Street** – demolition of existing extensions and construction of new extensions including the construction of a dormer to the front elevation. PTTC objected that the proposed dormer would significantly change the look of the building and be inconsistent with the adjoining property, within the Conservation Area

### Planning Appeals and notable decisions made by Mid Sussex District Council

Appeals are denoted by the prefix AP and decisions by the prefix DM

- **APNO / Address / summary description / highlights**
- **APNO / Address / summary description / highlights**
- **DM/23/0907 & DM/23/0908, The Toll House, 56 High Street.** MSDC have refused the application and listed building consent. LPC had not objected to the application, subject to the MSDC Conservation Officer's views.
- **DM/YY/no / address / summary description / highlights**
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### Scheme of Delegation

The following actions were undertaken under the Scheme of Delegation:

- **District Plan Regulation 19 Consultation** – PTTC agreed that a response should be provided to MSDC under the scheme of delegation recognising the timescales required. The following response was provided:

Lindfield Parish Council (LPC) recognises that there are no sites identified within the village in the revised plan but would highlight that this substantially reflects limited remaining land, following sites which were developed prior to a current District Plan being implemented. LPC is therefore keen to ensure that the plan remains effective in managing developments across Mid Sussex.

Notwithstanding that there are no sites identified within the village, LPC is concerned that potential nearby developments will place further pressure on the limited road infrastructure, schools, and medical services, as well as negatively impacting water supply and drainage, both within the village and more widely. Accordingly, it is essential that MSDC works closely with the responsible authority to ensure that the provision of such infrastructure and services is an intrinsic part of material developments and not simply an 'add-on' which might be addressed somewhere, sometime in the future. Equally, LPC is keen to ensure that where planning permission is granted, developers deliver the content of the agreed plans and are not allowed to 'salami slice' conditions mid-build, leading to a diminution in the originally envisaged development and associated facilities. In this regard, LPC ask that MSDC actively monitors developers both during the building phases and at completion of a site.

Finally, despite messages from government that housing targets will no longer be formulaically set in stone, LPC is disappointed that the District Plan does not evidently make any attempt

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to assess a sustainable level of housing delivery across Mid Sussex but continues to follow an increasingly discredited, historic methodology, driving what many consider to be excessive and unsupportable levels of housing delivery.

### Other Matters

The following matters were also considered by PTTC:

- **Lewes Road TRO** – PTTC were extremely disappointed to note WSCC’s decision not to proceed with the TRO Application restricting vehicles over 7.5 tonnes from using the Lewes Road between the High Street and Gravelye Lane despite strong support from residents, local County and District councillors and the MP for Mid Sussex.

PTTC stated that it would continue to explore alternative solutions but that WSCC’s current stance makes this very difficult to achieve. The decision was published on the council’s website and Facebook page. Consideration is being given to implementing a ‘near miss’ monitoring system to allow residents to report incidents at the junction to the Parish Office, which may support any future work on improvements but will not be a substitute for reporting to the proper authorities (e.g. Police and WSCC) when collisions or similar occur

- **Proposed development of 90 houses on Land at Scamps Hill** – PTTC agreed not to respond to the developers initial consultation, as did Lindfield Rural Parish Council, in whose parish the site is located.
- **DM/24/0446 Land off Scamps Hill** – proposed development of up to 90 houses PTTC objected to this proposal, noting in particular a) the land is a greenfield site, b) the site is not included in the Mid Sussex District Plan, and c) the impact on infrastructure. The wording of the response will be drafted by the Parish Office and shared with members at Full Council for approval
- **Tree Policy and Wardens** – PTTC agreed the proposed updated policy and to investigate whether a new recruitment exercise for this role should be undertaken, to include potentially widening scope of the role.

**Valerie Upton**  
Chair, PTTC

**David Parsons**  
Deputy Parish Clerk

15<sup>th</sup> March 2024

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Report:	<p><b>Draft response: DM/24/0446 Land Off Scamps Hill Scaynes Hill Road</b>                  The erection of up to 90 dwellings with public open space, landscaping and sustainable drainage system (SuDS) and vehicular access point. All matters reserved except for means of access.</p>
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**Summary**

The report recommends the content of a response to the above application to meet advised deadlines.

**Background**

The following is an extract from the (draft) minutes of LPC’s Planning, Transport, and Traffic Committee meeting on 12<sup>th</sup> March 2024:

**167.2** Members noted the following concerns with the proposed application; a) the land is a greenfield site, b) the site is not included in the Mid Sussex District Plan, and c) the impact on infrastructure. Discussion took place on whether the council should include in its response a request that should the application be approved LPC would wish to be involved in the S106 discussions. It was suggested that the Council could consider holding a meeting after Lindfield Rural had responded.

**167.3** It was agreed to delegate to the Deputy Clerk, in conjunction with the Committee Chair and Vice Chair to draft a response which would be shared with members for comment before submission.

**167.4** It was agreed that in the event more information becomes available and/or response deadlines are extended, to consider any revised response (either at a future PTTC meeting or, in extremis, under the Delegated Authority).

To ensure that any comments from members to such a draft cannot be construed as holding a ‘private’ or ‘online’ meeting, contrary to current legislation, to reach the agreed wording the proposed response is shown below, for agreement at Full Council.

For information, the response submitted by the Lindfield Society to Mid Sussex District Council in respect of this application is shown at Appendix One.

**Current Position**

The proposed response to this planning application is shown below:-

Lindfield Parish Council (LPC) strongly objects to this application which would further denude the greenspace in the Lindfield area. This despite the fact that the locale has already had to absorb some 700 new homes, without improvements to already stretched services; including provision of medical services, educational facilities, or roads, and no meaningful plans by the relevant authorities to address these issues.

The proposed site is not included in the current or revised District Plan for good reason, both in terms of the site’s connectivity, and as the local planning authority is able to demonstrate a housing supply both for 5 years and 4 years, as required by the recently amended National Policy Planning Framework.

In terms of more detailed matters, LPC fully supports the objections raised in the 14<sup>th</sup> March 2024 letter submitted to MSDC by the Lindfield Society, including *inter alia* DP6:

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Settlement Hierarchy, DP12: Protection and Enhancement of Countryside, and DP34: Listed Buildings and Other Heritage Assets.

To conclude, LPC considers that this speculative and wholly inappropriate development should be turned aside recognising its negative impact on the village, its evident contradiction to several established District Plan Policies, and as the Local Planning Authority can demonstrate the required housing supply. Whilst the site is located outside of Lindfield Parish, in the unfortunate event that MSDC were to consider progressing this matter further, LPC would wish to be consulted in respect of any S106 or Community Infrastructure Levy requirements, recognising the likely substantial impact on the village.

**Way Forward**

The consultation letter sent out by MSDC (to some residents and Lindfield Rural Parish Council (LRPC) but not to LPC) required comments to be received by 19<sup>th</sup> March 2024, although MSDC have subsequently advised that comments will be accepted until 29<sup>th</sup> March 2024. LRPC have sought an extension to 10<sup>th</sup> April 2024 and await MSDC's written confirmation. At the present time, LRPC plan to meet on Monday 8<sup>th</sup> April to consider this matter.

It is recommended that LPC submit its response to meet the current 29<sup>th</sup> March deadline and, if appropriate, submit any further comments in the light of LRPC's meeting.

**Recommended Action**

1. Members are asked to agree the wording of the response to MSDC in respect of this planning application, for submission prior to 29<sup>th</sup> March 2024.

**David Parsons**  
**Deputy Parish Clerk**

19<sup>th</sup> March 2024

**Lindfield Parish Council**

**Appendix One**

**Lindfield Society Response 14<sup>th</sup> March 2024**

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Lindfield  
Society

35 Dukes Road  
Lindfield  
West Sussex  
RH16 2JQ  
Tel: 01444 482538  
e-mail: kennedy.gil@gmail.com

Mr Stuart Malcolm  
Planning Department  
Mid Sussex District Council

14 March 2024

Dear Mr Malcolm,

**Application No: DM/24/0446: Land off Scamps Hill, Scaynes Hill Road, Lindfield**

The Lindfield Society objects strongly to this application. The site has been excluded from the District Plan as unsuitable for development. The proposal contravenes the requirements of DP6: Settlement Hierarchy, DP12: Protection and Enhancement of Countryside and DP34: Listed Buildings and other Heritage Assets.

**This site (ref no. 983) is not allocated for development in the adopted District Plan 2014-31 and has also been rejected in the current District Plan Review.** The proposal is therefore entirely unnecessary for meeting Mid Sussex District Council's housing requirement. A recent appeal decision in the Council's favour (5 October 2023, ref. APP/D3830/W/23/3319542) found that "the Council has demonstrated that it can identify a supply of specific deliverable sites sufficient to provide *a minimum of 5 years' worth of housing* against the standard method" (para 97, our italics). It is worth noting that due to a subsequent legislative change (NPPF as revised Dec 2003, para 226), the Council is now required to demonstrate only a four-year supply. Furthermore, the Planning Inspector found that overall, "development plan policies... are not out-of-date" (para 129), confirming the soundness of the District Plan.

The applicants attempt to argue with this ruling in order to find an opening for their rejected site. They state that there are sites "within the Council's supply that should not be included and that the proposed delivery rates... are overly optimistic", and that "the Council cannot demonstrate a four-year housing land supply" ("Planning and Affordable Housing Statement", 3.7.6). Therefore, "the policies most important for determining the application are out-of-date" (4.17.2). These are sweeping assertions, but the applicants provide no evidence to support them. Nor do they demonstrate why their self-interested claims should outweigh the detailed decision of the Planning Inspector. Their argument is insubstantial and provides no grounds for overruling the District Plan. This site should therefore continue to be excluded.

The application also conflicts with several District Plan policies:

**DP6: Settlement Hierarchy**, undertakes to protect the countryside outside built-up area boundaries by “minimising the amount of land taken for development and preventing development that does not need to be there.” Outside built-up boundaries, the expansion of settlements will be supported only where “the site is allocated in the District Plan, a Neighbourhood Plan or subsequent Development Document”. This proposal contravenes both provisions, being demonstrably unnecessary and having been rejected in the District Plan. Permission should be refused for these reasons.

**DP12: Protection and Enhancement of Countryside**, stipulates that “the countryside will be protected in recognition of its intrinsic character and beauty... Development will be permitted... provided it maintains or where possible enhances the quality of the rural and landscape character of the District, and... it is supported by a specific policy reference either elsewhere in the Plan, a Development Plan Document or relevant Neighbourhood Plan”. This scheme would be an alien, urban intrusion that would do the opposite of maintaining the rural character of its setting. It obviously also fails the test of being part of the development plan.

It is notable that even the applicants concede that their scheme “does not accord with policies DP6 and DP12” (“Planning and Affordable Housing Statement”, 4.3.3). They argue that the importance of this conflict should be reduced because the Council “is unable to demonstrate a four-year land supply” - something they have signally failed to prove.

These are further reasons for refusal.

**DP34: Listed Buildings and Other Heritage Assets**, requires that development protects both “listed buildings and their settings”. The extensive bulk of the proposed scheme would loom over the Grade II listed Greyfriars, detracting seriously from both the building and its setting. The District Plan Review notes this “high impact” on a listed building and sees no benefits that would “outweigh harm or loss to the asset” (Site Selection, appendix 4). This judgement is logical: as the entire scheme is unnecessary (see para 2 above) it cannot be seen to offer benefits in the planning balance. The Review concludes that “the site is therefore considered unsuitable for development”. Permission should be refused for this reason as well.

Lindfield has been compelled over the past decade to accept more than 700 new homes, mostly on the eastern perimeter of the village and close to this site. This translates into a population increase of 30% and 850 additional cars on narrow village roads. No supporting infrastructure has been added to healthcare or educational facilities that were under strain to begin with, nor have there been any improvements to the road network. The community has suffered considerable ecological damage as large stretches of irreplaceable countryside have disappeared beneath sprawling warrens of speculative housing. The application is strangely silent on this history and on the cumulative impact of yet more building. Given the disfigurement that Lindfield has already undergone, it is doubly important that the District Plan be respected and that this site continues to be excluded.

The logic of the NPPF is that policy should be plan-led. The applicants themselves concede that their scheme is not consistent with the District Plan. They have presented no material considerations to suggest that a determination should be made otherwise than in accordance with the plan. To grant permission would therefore depart from the principles of national planning legislation. It would also tacitly accept the applicants' (unsupported) claim that the District Plan is unsound, opening the door to similar unregulated development across the District.

Even if the Planning Inspector's October 2023 conclusion about the housing land supply were incorrect and there were no demonstrable four-year supply, no considerations outweigh the harm that would still be caused by the proposal's contravention of DP6, DP12, DP34 and by its conflict with the development plan as a whole. This is a transparently speculative scheme that should be rejected.

Yours sincerely

A handwritten signature in black ink, appearing to read 'G. Kennedy', with a large, sweeping flourish extending to the right.

Gil Kennedy

Chairman,  
Lindfield Society



## **Financial Reports – Full Council Item 11.4 - 11.6**

### **RFO Summary**

#### **Income that was received in February 2024.**

1. Barclays Business Current Account:  
£808.00 CTH Rent for February 2024.  
£417.83 CTH Service Charge for the period September to December 2023  
Plus, regular automatic transfer facility transactions from Barclay's Business Premium account.
2. Nationwide Building Society:  
£148.57 Interest for February 2024.
3. Barclays Business Premium Account:  
£5,280.87 HMRC VAT Reclaim for the invoice period October to December 2023  
Regular automatic transfer facility transactions from Barclay's Current account.
4. Unity Trust Current and Instant Savings Accounts:  
There were no transactions.

#### **Non-Budgeted Expenditure February 2024**

There were no transactions.

#### **Earmarked Reserves Expenditure February 2024 (Net of VAT)**

There were no transactions.

#### **Unity Trust Current Account T1 Expenditure February 2024**

There were no transactions.

#### **Overspent Budget Heading (15% or more of Agreed Budget)**

There have been no further changes to budget headings exceeding the agreed budget expenditure limit by 15% since the January 2024 report.

#### **Pre-payments 2024-2025**

We are paying an increasing number of invoices relating to events taking place in the new financial year. Adjustments will be made to take account of these transactions at year-end.

## Detailed Income &amp; Expenditure by Budget Heading 29/02/2024

## Cost Centre Report

	Actual Year To Date	Current Annual Bud	Variance Annual Total	Committed Expenditure	Funds Available	% Spent	Transfer to/from EMR
<b>100 Finance &amp; General Purposes</b>							
1076 Precept	216,000	216,000	0			100.0%	
1090 Interest Received	2,847	0	(2,847)			0.0%	
1120 Clock Tower House Rental	8,888	0	(8,888)			0.0%	
1125 CTH Service Charge	795	0	(795)			0.0%	
1210 Licence Fee	141	0	(141)			0.0%	
1230 Christmas Festival Night	785	0	(785)			0.0%	
<b>Finance &amp; General Purposes :- Income</b>	<b>229,457</b>	<b>216,000</b>	<b>(13,457)</b>			<b>106.2%</b>	<b>0</b>
4000 Salary	70,827	84,500	13,674		13,674	83.8%	
4010 Tax & NI	5,590	7,200	1,610		1,610	77.6%	
4020 Pension	10,379	13,000	2,621		2,621	79.8%	
4110 Staff Expenses	0	200	200		200	0.0%	
4111 Payroll Administration	178	400	222		222	44.5%	
4120 Training	665	2,000	1,335		1,335	33.3%	
4130 Bank Charges	18	0	(18)		(18)	0.0%	
4140 Audit Fees	144	1,700	1,557		1,557	8.4%	
4160 Insurance	2,618	2,500	(118)		(118)	104.7%	
4170 Postage & Stationery	92	400	308		308	23.1%	
4175 Annual Memberships/Subscriptio	2,487	3,000	513		513	82.9%	
4180 Photocopying	1,246	2,300	1,054		1,054	54.2%	
4190 Telephone & Broadband	2,403	2,500	97		97	96.1%	
4200 IT & Website	4,470	4,500	30		30	99.3%	
4210 Office Equipment	50	500	450		450	10.0%	
4221 Lindfield Enterprise Park	630	700	70		70	90.0%	
4230 Grants Paid	1,890	2,500	610		610	75.6%	
4240 Room Hire	661	900	239		239	73.4%	
4250 Cleaning/Catering	2,617	2,700	83		83	96.9%	
4260 Newsletter & Annual Report	1,620	2,300	680		680	70.4%	
4265 F&GP Professional Fees	2,390	5,000	2,610		2,610	47.8%	
4270 Chairs Allowance	75	250	175		175	30.0%	
4271 Members Allowances	0	4,000	4,000		4,000	0.0%	
4280 Councillor Expenses	128	200	72		72	64.2%	
4285 Toilets on Common Construction	863	0	(863)		(863)	0.0%	863
4292 Community Engagement	887	1,500	613		613	59.2%	
4295 Waste Collection	859	1,300	441		441	66.1%	
4300 Election Expenses	6,276	0	(6,276)		(6,276)	0.0%	6,276
4310 PWLB Repayment	22,299	22,299	0		0	100.0%	
4320 Electricity Supply	2,590	3,100	510		510	83.6%	
4330 Water Supply	140	200	60		60	70.0%	
4340 Security Alarm System	0	500	500		500	0.0%	

## Detailed Income &amp; Expenditure by Budget Heading 29/02/2024

## Cost Centre Report

	Actual Year To Date	Current Annual Bud	Variance Annual Total	Committed Expenditure	Funds Available	% Spent	Transfer to/from EMR
4350 Fire Safety System	952	500	(452)		(452)	190.4%	
4360 Health & Safety	17	200	183		183	8.6%	
4370 Publications	0	200	200		200	0.0%	
4380 Data Protection	185	300	115		115	61.7%	
4385 Vehicle	1,451	0	(1,451)		(1,451)	0.0%	
4393 Maintenance/Improvements CTH	905	2,500	1,595		1,595	36.2%	
<b>Finance &amp; General Purposes :- Indirect Expenditure</b>	<b>148,601</b>	<b>175,849</b>	<b>27,248</b>	<b>0</b>	<b>27,248</b>	<b>84.5%</b>	<b>7,139</b>
<b>Net Income over Expenditure</b>	<b>80,856</b>	<b>40,151</b>	<b>(40,705)</b>				
6000 plus Transfer from EMR	7,139						
<b>Movement to/(from) Gen Reserve</b>	<b>87,994</b>						
<b>110 Environment &amp; Amenities</b>							
4450 Street Lighting Energy/Mainten	4,450	4,900	450		450	90.8%	
4460 Street Lighting Purchase	0	3,000	3,000		3,000	0.0%	
4465 Christmas Lights	17,728	18,000	273		273	98.5%	
4471 Maintenance/Gardening	1,324	2,000	676		676	66.2%	
4480 Christmas Festival Night & Com	1,141	1,500	359		359	76.1%	
4500 Digital Mapping	390	375	(15)		(15)	104.0%	
4510 Grass Cutting	2,026	2,000	(26)		(26)	101.3%	
4521 Wilderness Field S106	5,850	0	(5,850)		(5,850)	0.0%	5,850
4530 Village Orderly Equip/Expenses	508	1,000	492		492	50.8%	
4560 Denmans Lane Toilets Repair	90	5,000	4,910		4,910	1.8%	
4561 Denmans Lane Toilets Utilities	10,579	14,000	3,421		3,421	75.6%	
4650 Climate Change Projects	450	1,500	1,050		1,050	30.0%	
4750 Replacement Street Furniture	199	1,000	801		801	19.9%	
4800 Emergency Equipment	0	300	300		300	0.0%	
4825 Community Equipment	0	300	300		300	0.0%	
4900 Village Archives	58	100	42		42	58.0%	
<b>Environment &amp; Amenities :- Indirect Expenditure</b>	<b>44,792</b>	<b>54,975</b>	<b>10,183</b>	<b>0</b>	<b>10,183</b>	<b>81.5%</b>	<b>5,850</b>
<b>Net Expenditure</b>	<b>(44,792)</b>	<b>(54,975)</b>	<b>(10,183)</b>				
6000 plus Transfer from EMR	5,850						
<b>Movement to/(from) Gen Reserve</b>	<b>(38,942)</b>						
<b>120 Allotments</b>							
1200 Allotment Income	1,135	0	(1,135)			0.0%	
Allotments :- Income	<b>1,135</b>	<b>0</b>	<b>(1,135)</b>				<b>0</b>
4600 Allotment Expense	2,787	2,500	(287)		(287)	111.5%	
Allotments :- Indirect Expenditure	<b>2,787</b>	<b>2,500</b>	<b>(287)</b>	<b>0</b>	<b>(287)</b>	<b>111.5%</b>	<b>0</b>
<b>Net Income over Expenditure</b>	<b>(1,652)</b>	<b>(2,500)</b>	<b>(848)</b>				

## Detailed Income &amp; Expenditure by Budget Heading 29/02/2024

## Cost Centre Report

	Actual Year To Date	Current Annual Bud	Variance Annual Total	Committed Expenditure	Funds Available	% Spent	Transfer to/from EMR
<u>130 Planning &amp; Traffic</u>							
4963 SID Maintenance & Replacement	0	1,000	1,000		1,000	0.0%	
4973 RTP1	0	7,000	7,000		7,000	0.0%	
4985 Improvements per Traffic Study	0	0	(0)		(0)	0.0%	4,044
Planning & Traffic :- Indirect Expenditure	<u>0</u>	<u>8,000</u>	<u>8,000</u>	<u>0</u>	<u>8,000</u>	<u>0.0%</u>	<u>4,044</u>
<b>Net Expenditure</b>	<u>(0)</u>	<u>(8,000)</u>	<u>(8,000)</u>				
6000 plus Transfer from EMR	4,044						
<b>Movement to/(from) Gen Reserve</b>	<u>4,044</u>						
<u>140 Non Budgeted Expenditure</u>							
4399 GR: KEH Clock	3,430	0	(3,430)		(3,430)	0.0%	
Non Budgeted Expenditure :- Indirect Expenditure	<u>3,430</u>	<u>0</u>	<u>(3,430)</u>	<u>0</u>	<u>(3,430)</u>		<u>0</u>
<b>Net Expenditure</b>	<u>(3,430)</u>	<u>0</u>	<u>3,430</u>				
Grand Totals:- Income	<b>230,592</b>	<b>216,000</b>	<b>(14,592)</b>			<b>106.8%</b>	
Expenditure	<b>199,611</b>	<b>241,324</b>	<b>41,713</b>	<b>0</b>	<b>41,713</b>	<b>82.7%</b>	
<b>Net Income over Expenditure</b>	<u><b>30,982</b></u>	<u><b>(25,324)</b></u>	<u><b>(56,306)</b></u>				
plus Transfer from EMR	<b>17,033</b>						
<b>Movement to/(from) Gen Reserve</b>	<u><b>48,014</b></u>						

**Lindfield Parish Council 2023-2024**

**Expenditure from Earmarked Reserves as at 29 February 2024**

<b>Account</b>	<b>Opening Balance</b>	<b>Expenditure</b>	<b>Closing Balance</b>
EMR - Toilets on the Common	84,170.00 -	862.50	83,307.50
EMR - Wilderness Field S106 Maintenance	18,695.58 -	5,850.00	12,845.58
EMR - Council Elections	5,400.00 -	6,276.09 -	876.09 Overspend
EMR - Traffic Improvement & Planning Support	4,500.00	-	4,500.00
	<b>112,765.58 -</b>	<b>12,988.59</b>	<b>99,776.99</b>

Note:

**Accrued Expenditure 2022/23 Budget (Paid in Aug 2023)**

EMR - Traffic Study Improvements	-	<b>4,044.26</b>
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Lindfield Parish Council Current Year

Bank - Cash and Investment Reconciliation as at 29 February 2024

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	<u>Account Description</u>	<u>Balance</u>
<u>Bank Statement Balances</u>		
1	29/02/2024 Barclays Current Account	15,147.38
2	29/02/2024 Business Premium Account	48,496.58
3	29/02/2024 Nationwide Building Society	85,000.00
4	29/02/2024 Petty Cash	152.12
5	29/02/2024 Unity Trust Current Account	482.20
6	29/02/2024 Unity Trust Savings Account	57,803.25
		207,081.53
<u>Receipts not on Bank Statement</u>		
1	29/02/2024 Interest	148.57
		148.57
Closing Balance		<u>207,230.10</u>
<u>All Cash &amp; Bank Accounts</u>		
1	Barclays Current Bank A/c	15,295.95
2	Barclays Business Premium A/c	48,496.58
3	Nationwide Building Society	85,000.00
4	Petty Cash	152.12
5	Unity Trust Current Account	482.20
6	Unity Trust Savings Account	57,803.25
	Other Cash & Bank Balances	0.00
	Total Cash & Bank Balances	<u>207,230.10</u>

## Barclays Current Bank A/c

Payments made between 01/02/2024 and 29/02/2024

## Nominal Ledger Analysis

Date	Payee Name	Reference	£ Total Amnt	£ Creditors	£ VAT	A/c	Centre	£ Amount	Transaction Details
01/02/2024	Barclays Business Premium A/c	Automatic	678.86			210		678.86	From 20623318
02/02/2024	West Sussex County Council	ONLINE	12,895.58			4000	100	10,377.77	Salaries December 2023
						4010	100	1,013.71	NICs Dec 2023
						4020	100	1,504.10	Pen Contributions Dec 2023
05/02/2024	SLCC	ONLINE	298.00			4175	100	298.00	SLCC Clerk 1Mar24
05/02/2024	Mulberry and Co	ONLINE	60.00		10.00	4120	100	50.00	EffectivePlanningCo
05/02/2024	Ian Woodhams	ONLINE	22.00			4250	100	22.00	CTH Window Cleaning 22.1.24
09/02/2024	Carol Taylor	ONLINE	90.00			4600	120	90.00	MOT Entrance Denmans Lane
09/02/2024	Streetlights	ONLINE	390.00		65.00	4450	110	325.00	Repairs: Col 1 West View
09/02/2024	West Sussex County Council	ONLINE	8,679.57			4000	100	7,082.65	Salaries January 2024
						4010	100	558.98	NICs Jan 2024
						4020	100	1,037.94	Pen Contributions Jan 2024
09/02/2024	Monitor Cleaning Services Ltd	ONLINE	483.28		80.55	4561	110	402.73	Cleaning Service Jan 2024
09/02/2024	Vision ICT Ltd	ONLINE	316.06		52.68	4200	100	263.38	Website Hosting/Support Apr24
14/02/2024	Tisburys Cleaning Services	ONLINE	227.50			4250	100	227.50	Office/CTH Cleaning Jan 2024
14/02/2024	Mulberry and Co	ONLINE	54.00		9.00	4120	100	45.00	CllrLG Councillor Roles 18Jan24
14/02/2024	Kipper Creative Ltd	ONLINE	162.00		27.00	4260	100	135.00	Lindfield Life Mar2024 Edition
14/02/2024	King Edward Hall Village Day	ONLINE	25.00			4292	100	25.00	Stallholder Fee LVD 1 Jun 2024
14/02/2024	David Fireman	ONLINE	40.00			4465	110	40.00	Energy Supply: David Fireman
14/02/2024	John M Higgins	ONLINE	40.00			4465	110	40.00	Energy Supply: John M Higgins
14/02/2024	Derek J Brown	ONLINE	55.00			4465	110	55.00	Energy Supply: Derek J Higgins
14/02/2024	Alison M Carter	ONLINE	55.00			4465	110	55.00	Energy Supply: Alison M Carter
14/02/2024	United Reformed Church	ONLINE	30.00			4465	110	30.00	Energy Supply: United Reformed
15/02/2024	British Gas Trading Ltd	DD	594.58		99.10	4320	100	495.48	Electricity Supply 1-29 Jan24
15/02/2024	Connected Kerb Limited	DEBIT CARD	11.75		1.96	4385	100	9.79	Vehicle charge 15 Feb 2024
Subtotal Carried Forward:			25,208.18	0.00	345.29			24,862.89	

## Barclays Current Bank A/c

Payments made between 01/02/2024 and 29/02/2024

## Nominal Ledger Analysis

<u>Date</u>	<u>Payee Name</u>	<u>Reference</u>	<u>£ Total Amnt</u>	<u>£ Creditors</u>	<u>£ VAT</u>	<u>A/c</u>	<u>Centre</u>	<u>£ Amount</u>	<u>Transaction Details</u>
16/02/2024	Castle Water Limited	DD	66.36			4561	110	66.36	Water Supply Jan 2024
16/02/2024	Castle Water Limited	DD	13.12			4330	100	13.12	CTH Water Supply Jan 2024
17/02/2024	Mailchimp	DEBIT CARD	19.24			4200	100	19.24	Mailchimp CommEngagement Feb24
19/02/2024	Npower Commercial Gas Ltd	DD	493.43		23.50	4450	110	469.93	Electricity Supply Jan 2024
19/02/2024	Mercedes-Benz Fin Services Ltd	DD	234.69		39.12	4385	100	195.57	Lease Instalment Feb 2024
21/02/2024	Information Commissioner's Off	DD	35.00			4380	100	35.00	ICO Data Protection Fee 2024
21/02/2024	Amazon Services Europe S.a.r.L	DEBIT CARD	9.99		1.67	4393	100	8.32	Communal Area-G9 LEDLightBulbs
23/02/2024	British Gas Trading Ltd	DD	43.27		2.06	4561	110	41.21	Electricity Supply 6Jan-5Feb24
26/02/2024	Preservation Equipment Ltd	DEBIT CARD	69.54		11.59	4900	110	48.00	Archival Folders 310 x 230mm
						4900	110	9.95	Archival Folders: Carriage Chg
27/02/2024	Connected Kerb Limited	DEBIT CARD	5.73		0.95	4385	100	4.78	Vehicle Charge 27 Feb 2024
29/02/2024	SUEZ Recycling and Recovery	DD	106.92		17.82	4295	100	89.10	Waste Collection Jan 2024
Total Payments:			26,305.47	0.00	442.00			25,863.47	



Committee Meeting:	Full Council
Item:	11.7
Report of:	Clerk
Meeting Date:	21 March 2024
Subject:	Internal Transfer of Funds

**Summary:**

1. Members are asked to approve an internal bank transfer.

**Recommendation:**

Members are asked to:

- a) Approve and authorise the internal transfer(s) of up to £40,000 from Nationwide into Barclays Current Account.

**Background:**

2. The council will receive half of its 2024/25 precept payment from the Mid Sussex District Council at the end of April 2024. To assist with cash flow requirements, until the precept monies are received, it will be necessary to transfer funds from the Council's Nationwide account into the Barclays savings account.

Committee Meeting:	Full Council
Item:	11.8
Report of:	Parish Clerk
Date:	21 March 2024
Subject:	Policy documents

**Purpose of Report:**

1. Members are asked to consider implementing one new policy document and revised Standing Orders and Financial Regulations

**Summary:**

2. Our existing Standing Orders and Financial Regulations require updating to reflect changes in legislation and best practices. A new policy regarding reserves is also proposed.

**Recommendation(s)**

**Members are recommended to:**

- a) **Implement the Reserves Policy (appendix 7)**
- b) **Implement the revised Standing Orders (appendix 3).**
- c) **Implement the revised Financial Regulations (appendix 6).**

**Background:**

3. At F&GP it was agreed to recommend to Full Council that the Reserves Policy be implemented. The proposed policy is based on one in use by Hurstpierpoint and Sayers Common. The policy will help support the budget-setting process and ensure the council maintains an appropriate level of general and earmarked reserves
4. At the same F&GP meeting members agreed that they would provide the Clerk with further comments on the Standing Orders and Financial Regulations. The revised SO & FR plus comments from F&GP members (in light blue text).

5. Standing Orders (SO)

Our existing Standing Orders are based on the NALC 2013 template. This template has now been superseded (2018 including 2022 amendments). The latest version reflects new legislation introduced after 2013. The new SO include:

- GDPR (we already have a separate policy on this)
- Updated transparency requirements (we already comply with these)
- Thresholds for public tendering of contracts in the Public Contract Regulations 2015.

Within the draft, there are additional paragraphs that the Council previously agreed to adopt (4e & 6e). Sentences regarding the Council seal have been removed as we do not have a seal. A paragraph regarding minutes relating to councils with an income or turnover below £25,000 has been omitted

6. Financial Regulations (FR)

The main changes from our existing FR are updates to contracts & procurement legislation. Changes/amendments have been highlighted. We have also amended some payment limits to rectify disparities between payment methods.

**Appendices**

- 1 SO - Comparisons between existing and proposed
- 2 SO - Summary of changes
- 3 SO - Clean copy of the proposed including office & F&GP member suggestions
- 4 FR - Comparisons between existing and proposed
- 5 FR - Summary of changes
- 6 FR - Clean copy of the proposed including office & F&GP member suggestions
- 7 General Reserves Policy

# **1 SO - Comparisons between existing and proposed**

## **2 SO - Summary of changes**

## **Standing Orders – Summary of Changes**

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

- 1f Addition of 'as amended'.
- 1m This removes the right to reply which was previously a maximum of three minutes.
- 1si Addition of 'or legal'.

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

No changes

### **3. Meetings generally**

- 3g Removes 'may speak only once'.
- 3i A record of a public participation session at a meeting shall be included in the minutes of that meeting.
- 3i-j Note record of public participation in the minutes is no longer required. Note changes regarding standing when speaking.
- 3l Legal requirement
- 3m Legal requirement
- 3q Legal requirement
- 3w Changes to when a meeting is closed due to being inquorate.

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

- 4a Suggest that the Terms of Reference be reviewed each Council cycle (this should be added to 4d i).
- 4b Legal requirement
- 4c Legal requirement
- 4d v **NOTE** – This in theory would permit proxies when a member is absent.
- 4d vi A standing committee must appoint a Chair.
- 4d vii Addition of 'other than a standing committee, to appoint its own chair'
- 4d xii Addition of 'or a sub-committee' means that the Council could remove a sub-committee (i.e. bypassing the overseeing committee). The sub-committee is therefore more accountable to the overall council.

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

- 5J viii Note the proposed changes to committee membership. It drops the requirement for the Chair and Vice Chair to be ex-officio members of all committees.

5J x onwards Remaining changes are very minor and we already do this at the Annual Meeting.

### **6. Extraordinary meetings of the council, committees, sub-committees and urgent matters.**

The heading includes 'and urgent matters' due to the addition of 6e

- 6d 'or refuses to' has been removed.
- 6e This was previously 7c.

### **7. Previous resolutions**

- 7c has been moved to 6e

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

No changes

9. Motions for a meeting that require written notice to be given to the proper officer

9d Wording has been tweaked

9g&h Removes the requirement that the motions be recorded 'in a book for that purpose'.

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

10a xv Addition of 'or legal'

#### **11. Management of information**

11a-d Legal requirement

#### **12. Draft minutes**

12e Reference is now made to recordings of meetings.

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

13c This change removes the ability for a councillor to (i) make representations (ii) answer questions and (iii) give evidence relating to the business being transacted, where they have an interest.

13h Change from 'the following applies' to 'any of the following apply'. This is less restrictive.

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

Note 14.2 has been removed. 14.1 now is just 14.

14c i Slightly tweaked wording

#### **15. Proper officer**

15b i-iii Legal requirements

15b viii-xi Reflects the best practice for Data Protection.

#### **16. Responsible Financial Officer**

No changes

#### **17. Accounts and accounting statements**

17di Change reporting from quarterly to monthly.

17e I suggest that we remove the proposed 14-day minimum period as this is not practical.

#### **18. Financial controls and procurement**

18c & f Legal requirements. Note changes in tendering thresholds.

#### **19. Handling staff matters**

Reporting issues are now widened from just the Council Chair and Vice Chair to include the F&GP Chair and Vice Chair.

#### **20. Responsibilities to provide information**

Legal requirement

**21. Responsibilities under data protection legislation** (New section)

Legal requirement

**22. Relations with the press/media** (Previously 21)

No changes

**23. Execution and sealing of legal deeds** (Previously 22)

Removes reference to the council seal (we don't have one).

**24. Communicating with district and county or unitary councillors** (Previously 23)

Reference is now made to unitary councillors

**25. Restrictions on councillor activities** (Previously 24)

25a 'Duly authorised' replaces 'authorised a by a resolution'

**26. Standing orders generally** (Previously 25)

26a Adds 'or legal'

26b Adds 'or legal'

26c Removed 'after he has delivered his acceptance of office form' from the end of the sentence



**3 SO - Clean copy of the proposed including office & F&GP member suggestions**

**LINDFIELD PARISH COUNCIL  
STANDING ORDERS  
ADOPTED BY FULL COUNCIL [DAY MONTH YEAR]**

Summary of changes

Version	Date agreed	Details of changes

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## INTRODUCTION

This is version two of Model Standing Orders 2018 (England) updated on April 2022. Update to Model Standing Order 18 only.

### How to use model standing orders

Standing orders are the written rules of a local council. Standing orders are essential to regulate the proceedings of a meeting. A council may also use standing orders to confirm or refer to various internal organisational and administrative arrangements. The standing orders of a council are not the same as the policies of a council but standing orders may refer to them.

Local councils operate within a wide statutory framework. NALC model standing orders incorporate and reference many statutory requirements to which councils are subject. It is not possible for the model standing orders to contain or reference all the statutory or legal requirements which apply to local councils. For example, it is not practical for model standing orders to document all obligations under data protection legislation. The statutory requirements to which a council is subject apply whether or not they are incorporated in a council's standing orders.

The model standing orders do not include model financial regulations. Financial regulations are standing orders to regulate and control the financial affairs and accounting procedures of a local council. The financial regulations, as opposed to the standing orders of a council, include most of the requirements relevant to the council's Responsible Financial Officer. Model financial regulations are available to councils in membership of NALC.

### Drafting notes

Model standing orders that are in **bold type contain legal and statutory requirements**. It is recommended that councils adopt them without changing them or their meaning. Model standing orders not in bold are designed to help councils operate effectively but they do not contain statutory requirements so they may be adopted as drafted or amended to suit a council's needs. It is NALC's view that all model standing orders will generally be suitable for councils.

For convenience, the word "councillor" is used in model standing orders and, unless the context suggests otherwise, includes a non-councillor with or without voting rights.

A model standing order that includes brackets like this '( )' requires information to be inserted by a council. A model standing order that includes brackets like this '[ ]' and the term 'OR' provides alternative options for a council to choose from when determining standing orders.

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

- a) Motions on the agenda shall be considered in the order that they appear unless the order is changed at the discretion of the chair of the meeting.
- b) A motion (including an amendment) shall not be progressed unless it has been moved and seconded.
- c) A motion on the agenda that is not moved by its proposer may be treated by the chair of the meeting as withdrawn.
- d) If a motion (including an amendment) has been seconded, it may be withdrawn by the proposer only with the consent of the seconder and the meeting.
- e) An amendment is a proposal to remove or add words to a motion. It shall not negate the motion.
- f) If an amendment to the original motion is carried, the original motion (as amended) becomes the substantive motion upon which further amendment(s) may be moved.
- g) An amendment shall not be considered unless early verbal notice of it is given at the meeting and, if requested by the chair of the meeting, is expressed in writing to the chair.
- h) A councillor may move an amendment to his/her/their own motion if agreed by the meeting. If a motion has already been seconded, the amendment shall be with the consent of the seconder and the meeting.
- i) If there is more than one amendment to an original or substantive motion, the amendments shall be moved in the order directed by the chair of the meeting.
- j) Subject to standing order 1(k), only one amendment shall be moved and debated at a time, the order of which shall be directed by the chair of the meeting.
- k) One or more amendments may be discussed together if the chair of the meeting considers this expedient but each amendment shall be voted upon separately.
- l) A councillor may not move more than one amendment to an original or substantive motion.
- m) The mover of an amendment has no right of reply at the end of debate on it.
- n) Where a series of amendments to an original motion are carried, the mover of the original motion shall have a right of reply either at the end of debate on the first amendment or at the very end of debate on the final substantive motion immediately before it is put to the vote.
- o) Unless permitted by the chair of the meeting, a councillor may speak once in the debate on a motion except:
  - i. to speak on an amendment moved by another councillor;
  - ii. to move or speak on another amendment if the motion has been amended since he/she/they last spoke;
  - iii. to make a point of order;
  - iv. to give a personal explanation; or
  - v. to exercise a right of reply.
- p) During the debate on a motion, a councillor may interrupt only on a point of order or a personal explanation and the councillor who was interrupted shall stop speaking. A councillor raising a point of order shall identify the standing order which he/she/they considers has been breached or specify the other irregularity in the proceedings of the meeting he/she/they is concerned by.
- q) A point of order shall be decided by the chair of the meeting and his/her/their decision shall be final.
- r) When a motion is under debate, no other motion shall be moved except:
  - i. to amend the motion;
  - ii. to proceed to the next business;
  - iii. to adjourn the debate;
  - iv. to put the motion to a vote;
  - v. to ask a person to be no longer heard or to leave the meeting;
  - vi. to refer a motion to a committee or sub-committee for consideration;

- vii. to exclude the public and press;
  - viii. to adjourn the meeting; or
  - ix. to suspend particular standing order(s) excepting those which reflect mandatory statutory or legal requirements.
- s) Before an original or substantive motion is put to the vote, the chair of the meeting shall be satisfied that the motion has been sufficiently debated and that the mover of the motion under debate has exercised or waived his/her/their right of reply.
  - t) Excluding motions moved under standing order 1(r), the contributions or speeches by a councillor shall relate only to the motion under discussion and shall not exceed five minutes without the consent of the chair of the meeting.

## 2. Disorderly conduct at meetings

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

## 3. Meetings generally

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

- a **Meetings shall not take place in premises which at the time of the meeting are used for the supply of alcohol, unless no other premises are available free of charge or at a reasonable cost.**
- b **The minimum three clear days for notice of a meeting does not include the day on which notice was issued, the day of the meeting, a Sunday, a day of the Christmas break, a day of the Easter break or of a bank holiday or a day appointed for public thanksgiving or mourning.**
- c **The minimum three clear days' public notice for a meeting does not include the day on which the notice was issued or the day of the meeting unless the meeting is convened at shorter notice** OR [The minimum three clear days' public notice of a meeting does not include the day on which the notice was issued or the day of the meeting].
- d **Meetings shall be open to the public unless their presence is prejudicial to the public interest by reason of the confidential nature of the business to be transacted or for other special reasons. The public's exclusion from part or all of a meeting shall be by a resolution which shall give reasons for the public's exclusion.**
- e Members of the public may make representations, answer questions and give evidence at a meeting which they are entitled to attend in respect of the business on the agenda.
- f The period of time designated for public participation at a meeting in accordance with standing order 3(e) shall not exceed fifteen minutes unless directed by the chair of the meeting.

- g Subject to standing order 3(f), a member of the public shall not speak for more than three minutes.
- h In accordance with standing order 3(e), a question shall not require a response at the meeting nor start a debate on the question. The chair of the meeting may direct that a written or oral response be given.
- i A person shall raise his/her/their hand when requesting to speak and stand when speaking (except when a person has a disability or is likely to suffer discomfort). The chair of the meeting may at any time permit a person to be seated when speaking.
- j A person who speaks at a meeting shall direct his/her/their comments to the chair of the meeting.
- k Only one person is permitted to speak at a time. If more than one person wants to speak, the chair of the meeting shall direct the order of speaking.
- l **Subject to standing order 3(m), a person who attends a meeting is permitted to report on the meeting whilst the meeting is open to the public. To “report” means to film, photograph, make an audio recording of meeting proceedings, use any other means for enabling persons not present to see or hear the meeting as it takes place or later or to report or to provide oral or written commentary about the meeting so that the report or commentary is available as the meeting takes place or later to persons not present.**
- m **A person present at a meeting may not provide an oral report or oral commentary about a meeting as it takes place without permission.**
- n **The press shall be provided with reasonable facilities for the taking of their report of all or part of a meeting at which they are entitled to be present.**
- o **Subject to standing orders which indicate otherwise, anything authorised or required to be done by, to or before the Chair of the Council may in his/her/their absence be done by, to or before the Vice-Chair of the Council (if there is one).**
- p **The Chair of the Council, if present, shall preside at a meeting. If the Chair is absent from a meeting, the Vice-Chair of the Council (if there is one) if present, shall preside. If both the Chair and the Vice-Chair are absent from a meeting, a councillor as chosen by the councillors present at the meeting shall preside at the meeting.**
- q **Subject to a meeting being quorate, all questions at a meeting shall be decided by a majority of the councillors and non-councillors with voting rights present and voting.**
- r **The chair of a meeting may give an original vote on any matter put to the vote, and in the case of an equality of votes may exercise his/her/their casting vote whether or not he/she/they gave an original vote.**  
*See standing orders 5(h) and (i) for the different rules that apply in the election of the Chair of the Council at the annual meeting of the Council.*
- s **Unless standing orders provide otherwise, voting on a question shall be by a show of hands. At the request of a councillor, the voting on any question shall be recorded so as to show whether each councillor present and voting gave his/her/their vote for or against that question.** Such a request shall be made before moving on to the next item of business on the agenda.
- t The minutes of a meeting shall include an accurate record of the following:
- i. the time and place of the meeting;
  - ii. the names of councillors who are present and the names of councillors who are absent;
  - iii. interests that have been declared by councillors and non-councillors with voting rights;
  - iv. the grant of dispensations (if any) to councillors and non-councillors with voting rights;
  - v. whether a councillor or non-councillor with voting rights left the meeting when matters that they held interests in were being considered;
  - vi. if there was a public participation session; and

- vii. the resolutions made.
- u **A councillor or a non-councillor with voting rights who has a disclosable pecuniary interest or another interest as set out in the Council's code of conduct in a matter being considered at a meeting is subject to statutory limitations or restrictions under the code on his/her/their right to participate and vote on that matter.**
- v **No business may be transacted at a meeting unless at least one-third of the whole number of members of the Council are present and in no case shall the quorum of a meeting be less than three.**  
*See standing order 4d(viii) for the quorum of a committee or sub-committee meeting.*
- w **If a meeting is or becomes inquorate no business shall be transacted** and the meeting shall be closed. The business on the agenda for the meeting shall be adjourned to another meeting.
- x A meeting shall not exceed a period of two and a half hours.

#### 4. Committees and sub-committees

- a) **Unless the Council determines otherwise, a committee may appoint a sub-committee whose terms of reference and members shall be determined by the committee.**
- b) **The members of a committee may include non-councillors unless it is a committee which regulates and controls the finances of the Council.**
- c) **Unless the Council determines otherwise, all the members of an advisory committee and a sub-committee of the advisory committee may be non-councillors.**
- d) The Council may appoint standing committees or other committees as may be necessary, and:
  - i. shall determine their terms of reference, [which should be reviewed at least every four years](#);
  - ii. shall determine the number and time of the ordinary meetings of a standing committee up until the date of the next annual meeting of the Council;
  - iii. shall permit a committee, other than in respect of the ordinary meetings of a committee, to determine the number and time of its meetings;
  - iv. shall, subject to standing orders 4(b) and (c), appoint and determine the terms of office of members of such a committee;
  - v. may, subject to standing orders 4(b) and (c), appoint and determine the terms of office of the substitute members to a committee whose role is to replace the ordinary members at a meeting of a committee if the ordinary members of the committee confirm to the Proper Officer ( ) days before the meeting that they are unable to attend;
  - vi. shall, after it has appointed the members of a standing committee, appoint the chair of the standing committee;
  - vii. shall permit a committee other than a standing committee, to appoint its own chair at the first meeting of the committee;
  - viii. shall determine the place, notice requirements and quorum for a meeting of a committee and a sub-committee which, in both cases, shall be no less than three;
  - ix. shall determine if the public may participate at a meeting of a committee;
  - x. shall determine if the public and press are permitted to attend the meetings of a sub-committee and also the advance public notice requirements, if any, required for the meetings of a sub-committee;
  - xi. shall determine if the public may participate at a meeting of a sub-committee that they are permitted to attend; and
  - xii. may dissolve a committee or a sub-committee.
- e) Allow all members the opportunity to take part in discussions at committee meetings irrespective of whether they are a member of that committee. Non-committee members are not entitled to take part in voting. It is good practice for the non-committee member to inform

the relevant Chair before the meeting that they will be attending and which item(s) on the agenda they wish to take part in.

**5. Ordinary council meetings**

- a) **In an election year, the annual meeting of the Council shall be held on or within 14 days following the day on which the councillors elected take office.**
- b) **In a year which is not an election year, the annual meeting of the Council shall be held on such day in May as the Council decides.**
- c) **If no other time is fixed, the annual meeting of the Council shall take place at 6pm.**
- d) **In addition to the annual meeting of the Council, at least three other ordinary meetings shall be held in each year on such dates and times as the Council decides.**
- e) **The first business conducted at the annual meeting of the Council shall be the election of the Chair and Vice-Chair (if there is one) of the Council.**
- f) **The Chair of the Council, unless he/she/they has resigned or becomes disqualified, shall continue in office and preside at the annual meeting until his/her/their successor is elected at the next annual meeting of the Council.**
- g) **The Vice-Chair of the Council, if there is one, unless he/she/they resigns or becomes disqualified, shall hold office until immediately after the election of the Chair of the Council at the next annual meeting of the Council.**
- h) **In an election year, if the current Chair of the Council has not been re-elected as a member of the Council, he/she/they shall preside at the annual meeting until a successor Chair of the Council has been elected. The current Chair of the Council shall not have an original vote in respect of the election of the new Chair of the Council but shall give a casting vote in the case of an equality of votes.**
- i) **In an election year, if the current Chair of the Council has been re-elected as a member of the Council, he/she/they shall preside at the annual meeting until a new Chair of the Council has been elected. He/she/they may exercise an original vote in respect of the election of the new Chair of the Council and shall give a casting vote in the case of an equality of votes.**
- j) **Following the election of the Chair of the Council and Vice-Chair (if there is one) of the Council at the annual meeting, the business shall include:**
  - i. **In an election year, delivery by the Chair of the Council and councillors of their acceptance of office forms unless the Council resolves for this to be done at a later date. In a year which is not an election year, delivery by the Chair of the Council of his/her/their acceptance of office form unless the Council resolves for this to be done at a later date;**
  - ii. Confirmation of the accuracy of the minutes of the last meeting of the Council;
  - iii. Receipt of the minutes of the last meeting of a committee;
  - iv. Consideration of the recommendations made by a committee;
  - v. Review of delegation arrangements to committees, sub-committees, staff and other local authorities;
  - vi. Review of the terms of reference for committees;
  - vii. Appointment of members to existing committees;
  - viii. Appointment of any new committees in accordance with standing order 4;
  - ix. Review and adoption of appropriate standing orders and financial regulations;
  - x. Review of arrangements (including legal agreements) with other local authorities, not-for-profit bodies and businesses.
  - xi. Review of representation on or work with external bodies and arrangements for reporting back;
  - xii. In an election year, to make arrangements with a view to the Council becoming eligible to exercise the general power of competence in the future;
  - xiii. Review of inventory of land and other assets including buildings and office equipment;



- xiv. Confirmation of arrangements for insurance cover in respect of all insurable risks;
  - xv. Review of the Council's and/or staff subscriptions to other bodies;
  - xvi. Review of the Council's complaints procedure;
  - xvii. Review of the Council's policies, procedures and practices in respect of its obligations under freedom of information and data protection legislation (see also standing orders 11, 20 and 21);
  - xviii. Review of the Council's policy for dealing with the press/media;
  - xix. Review of the Council's employment policies and procedures;
  - xx. Review of the Council's expenditure incurred under s.137 of the Local Government Act 1972 or the general power of competence.
  - xxi. Determining the time and place of ordinary meetings of the Council up to and including the next annual meeting of the Council.
- 6. Extraordinary meetings of the council, committees, sub-committees and urgent matters.**
- a) The Chair of the Council may convene an extraordinary meeting of the Council at any time.**
  - b) If the Chair of the Council does not call an extraordinary meeting of the Council within seven days of having been requested in writing to do so by two councillors, any two councillors may convene an extraordinary meeting of the Council. The public notice giving the time, place and agenda for such a meeting shall be signed by the two councillors.**
  - c) The chair of a committee [or a sub-committee] may convene an extraordinary meeting of the committee [or the sub-committee] at any time.
  - d) If the chair of a committee [or a sub-committee] does not call an extraordinary meeting within seven days of having been requested to do so by two members of the committee [or the sub-committee], any two members of the committee [or the sub-committee] may convene an extraordinary meeting of the committee [or a sub-committee].
  - e) If a matter is deemed "urgent" and if outside scheduled committee meetings or Full Council and with the consent of the Chair of the Council and the Chair of the relevant Committee or Vice Chair, it can be agreed by the use of an Urgent Consultation Panel. The Panel will consist of the Council Chair, the Vice Chair, and Chair of committees. All decisions agreed by the panel must be unanimous and must be reported by the panel to Full Council or the appropriate standing committee at the earliest opportunity. If a unanimous decision cannot be reached by the Panel the matter must be considered at the relevant standing committee or Full Council.
- 7. Previous resolutions**
- a) A resolution shall not be reversed within six months except either by a special motion, which requires written notice by at least three councillors to be given to the Proper Officer in accordance with standing order 9, or by a motion moved in pursuance of the recommendation of a committee or a sub-committee.
  - b) When a motion moved pursuant to standing order 7(a) has been disposed of, no similar motion may be moved for a further six months.
- 8. Voting on appointments**
- a) Where more than two persons have been nominated for a position to be filled by the Council and none of those persons has received an absolute majority of votes in their favour, the name of the person having the least number of votes shall be struck off the list and a fresh vote taken. This process shall continue until a majority of votes is given in favour of one person. A tie in votes may be settled by the casting vote exercisable by the chair of the meeting.
- 9. Motions for a meeting that require written notice to be given to the proper officer**

- a) A motion shall relate to the responsibilities of the meeting for which it is tabled and in any event shall relate to the performance of the Council's statutory functions, powers and obligations or an issue which specifically affects the Council's area or its residents.
- b) No motion may be moved at a meeting unless it is on the agenda and the mover has given written notice of its wording to the Proper Officer at least ten clear days before the meeting. Clear days do not include the day of the notice or the day of the meeting.
- c) The Proper Officer may, before including a motion on the agenda received in accordance with standing order 9(b), correct obvious grammatical or typographical errors in the wording of the motion.
- d) If the Proper Officer considers the wording of a motion received in accordance with standing order 9(b) is not clear in meaning, the motion shall be rejected until the mover of the motion resubmits it, so that it can be understood, in writing, to the Proper Officer at least seven clear days before the meeting.
- e) If the wording or subject of a proposed motion is considered improper, the Proper Officer shall consult with the chair of the forthcoming meeting or, as the case may be, the councillors who have convened the meeting, to consider whether the motion shall be included in the agenda or rejected.
- f) The decision of the Proper Officer as to whether or not to include the motion on the agenda shall be final.
- g) Motions received shall be recorded and numbered in the order that they are received.
- h) Motions rejected shall be recorded with an explanation by the Proper Officer of the reason for rejection.

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

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

**11. Management of information**

See also standing order 20.

- a) **The Council shall have in place and keep under review, technical and organisational measures to keep secure information (including personal data) which it holds in paper and**

electronic form. Such arrangements shall include deciding who has access to personal data and encryption of personal data.

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

## 12. Draft minutes

- a. If the draft minutes of a preceding meeting have been served on councillors with the agenda to attend the meeting at which they are due to be approved for accuracy, they shall be taken as read.
- b. There shall be no discussion about the draft minutes of a preceding meeting except in relation to their accuracy. A motion to correct an inaccuracy in the draft minutes shall be moved in accordance with standing order 10(a)(i).
- c. The accuracy of draft minutes, including any amendment(s) made to them, shall be confirmed by resolution and shall be signed by the chair of the meeting and stand as an accurate record of the meeting to which the minutes relate.
- d. If the chair of the meeting does not consider the minutes to be an accurate record of the meeting to which they relate, he/she/they shall sign the minutes and include a paragraph in the following terms or to the same effect:  
"The chair of this meeting does not believe that the minutes of the meeting of the ( ) held on [date] in respect of ( ) were a correct record but his/her/their view was not upheld by the meeting and the minutes are confirmed as an accurate record of the proceedings."
- e) Upon a resolution which confirms the accuracy of the minutes of a meeting, the draft minutes or recordings of the meeting for which approved minutes exist shall be destroyed.

## 13. Code of conduct and dispensations

See also standing order 3(u).

- a) All councillors and non-councillors with voting rights shall observe the code of conduct adopted by the Council.
- b) Unless he/she/they has been granted a dispensation, a councillor or non-councillor with voting rights shall withdraw from a meeting when it is considering a matter in which he/she/they has a disclosable pecuniary interest. He/she/they may return to the meeting after it has considered the matter in which he/she/they had the interest.
- c) Unless he/she/they has been granted a dispensation, a councillor or non-councillor with voting rights shall withdraw from a meeting when it is considering a matter in which he/she/they has another interest if so required by the Council's code of conduct. He/she/they may return to the meeting after it has considered the matter in which he/she/they had the interest.
- d) Dispensation requests shall be in writing and submitted to the Proper Officer as soon as possible before the meeting, or failing that, at the start of the meeting for which the dispensation is required.
- e) A decision as to whether to grant a dispensation shall be made by the Proper Officer.
- f) A dispensation request shall confirm:
  - i. the description and the nature of the disclosable pecuniary interest or other interest to which the request for the dispensation relates;

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

#### 14. Code of conduct complaints

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

#### 15. Proper officer

- a) The Proper Officer shall be either (i) the clerk or (ii) other staff member(s) nominated by the Council to undertake the work of the Proper Officer when the Proper Officer is absent.
- b) The Proper Officer shall:
- i. **at least three clear days before a meeting of the council, a committee or a sub-committee,**
    - **serve on councillors by delivery or post at their residences or by email authenticated in such manner as the Proper Officer thinks fit, a signed summons confirming the time, place and the agenda (provided the councillor has consented to service by email), and**
    - **Provide, in a conspicuous place, public notice of the time, place and agenda (provided that the public notice with agenda of an extraordinary meeting of the Council convened by councillors is signed by them).**

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

- ii. subject to standing order 9, include on the agenda all motions in the order received unless a councillor has given written notice at least seven days before the meeting confirming his/her/their withdrawal of it;
- iii. **convene a meeting of the Council for the election of a new Chair of the Council, occasioned by a casual vacancy in his/her/their office;**
- iv. **facilitate inspection of the minute book by local government electors;**
- v. **receive and retain copies of byelaws made by other local authorities;**
- vi. hold acceptance of office forms from councillors;
- vii. hold a copy of every councillor's register of interests;
- viii. assist with responding to requests made under freedom of information legislation and rights exercisable under data protection legislation, in accordance with the Council's relevant policies and procedures;
- ix. liaise, as appropriate, with the Council's Data Protection Officer (if there is one);
- x. receive and send general correspondence and notices on behalf of the Council except where there is a resolution to the contrary;
- xi. assist in the organisation of, storage of, access to, security of and destruction of information held by the Council in paper and electronic form subject to the requirements of data protection and freedom of information legislation and other legitimate requirements (e.g. the Limitation Act 1980);
- xii. arrange for legal deeds to be executed; (see also standing order 23);
- xiii. arrange or manage the prompt authorisation, approval, and instruction regarding any payments to be made by the Council in accordance with its financial regulations;
- xiv. record every planning application notified to the Council and the Council's response to the local planning authority in a document for such purpose;
- xv. refer a planning application received by the Council to the Chair or in his/her/their absence the Vice-Chair (if there is one) of the Planning, Traffic & Transport Committee within two working days of receipt to facilitate an extraordinary meeting if the nature of a planning application requires consideration before the next ordinary meeting of the Planning, Traffic & Transport Committee;
- xvi. manage access to information about the Council via the publication scheme.

**16. Responsible Financial Officer**

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

**17. Accounts and accounting statements**

- a) "Proper practices" in standing orders refer to the most recent version of "Governance and Accountability for Local Councils – a Practitioners' Guide".
- b) All payments by the Council shall be authorised, approved and paid in accordance with the law, proper practices and the Council's financial regulations.
- c) The Responsible Financial Officer shall supply to each councillor as soon as practicable after 30 June, 30 September and 31 December in each year a statement to summarise:
  - i. the Council's receipts and payments (or income and expenditure) for each quarter;
  - ii. the Council's aggregate receipts and payments (or income and expenditure) for the year to date;
  - iii. the balances held at the end of the quarter being reported and
  - iv. which includes a comparison with the budget for the financial year and highlights any actual or potential overspends.
- d) As soon as possible after the financial year end at 31 March, the Responsible Financial Officer shall provide:

- i. each councillor with a statement summarising the Council's receipts and payments (or income and expenditure) for the last month and the year to date for information; and
  - ii. to the Council the accounting statements for the year in the form of Section 2 of the annual governance and accountability return, as required by proper practices, for consideration and approval.
- e) The year-end accounting statements shall be prepared in accordance with proper practices and apply the form of accounts determined by the Council (receipts and payments, or income and expenditure) for the year to 31 March. [The annual return of the Council, which is subject to external audit, including the annual governance statement, shall be presented to Council for consideration and formal approval before 30 June.](#)

## **18. Financial controls and procurement**

- a. The Council shall consider and approve financial regulations drawn up by the Responsible Financial Officer, which shall include detailed arrangements in respect of the following:
  - i. the keeping of accounting records and systems of internal controls;
  - ii. the assessment and management of financial risks faced by the Council;
  - iii. the work of the independent internal auditor in accordance with proper practices and the receipt of regular reports from the internal auditor, which shall be required at least annually;
  - iv. the inspection and copying by councillors and local electors of the Council's accounts and/or orders of payments; and
  - v. whether contracts with an estimated value below £25,000 due to special circumstances are exempt from a tendering process or procurement exercise.
- b. Financial regulations shall be reviewed regularly and at least annually for fitness of purpose.
- c. **A public contract regulated by the Public Contracts Regulations 2015 with an estimated value in excess of £25,000 but less than the relevant thresholds referred to in standing order 18(f) is subject to the "light touch" arrangements under Regulations 109-114 of the Public Contracts Regulations 2015 unless it proposes to use an existing list of approved suppliers (framework agreement).**
- d. Subject to additional requirements in the financial regulations of the Council, the tender process for contracts for the supply of goods, materials, services or the execution of works shall include, as a minimum, the following steps:
  - i. a specification for the goods, materials, services or the execution of works shall be drawn up;
  - ii. an invitation to tender shall be drawn up to confirm
    - (i) the Council's specification
    - (ii) the time, date and address for the submission of tenders
    - (iii) the date of the Council's written response to the tender and
    - (iv) the prohibition on prospective contractors contacting councillors or staff to encourage or support their tender outside the prescribed process;
  - iii. the invitation to tender shall be advertised in a local newspaper and in any other manner that is appropriate;
  - iv. tenders are to be submitted in writing in a sealed marked envelope addressed to the Proper Officer;
  - v. tenders shall be opened by the Proper Officer in the presence of at least one councillor after the deadline for submission of tenders has passed;
  - vi. tenders are to be reported to and considered by the appropriate meeting of the Council or a committee or sub-committee with delegated responsibility.
- e. Neither the Council, nor a committee or a sub-committee with delegated responsibility for considering tenders, is bound to accept the lowest value tender.

- f. **Where the value of a contract is likely to exceed the threshold specified by the Office of Government Commerce from time to time, the Council must consider whether the Public Contracts Regulations 2015 or the Utilities Contracts Regulations 2016 apply to the contract and, if either of those Regulations apply, the Council must comply with procurement rules. NALC's procurement guidance contains further details.**

**19. Handling staff matters**

- a) A matter personal to a member of staff that is being considered by a meeting of Council OR the Finance and General Purposes Committee OR the Administration Sub-Committee is subject to standing order 11.
- b) Subject to the Council's policy regarding absences from work, the Council's most senior member of staff shall notify the chair of Council OR the Finance and General Purposes Committee or, if he/she/they is not available, the vice-chair (if there is one) of Council OR the Finance and General Purposes Committee of absence occasioned by illness or other reason and that person shall report such absence to Finance and General Purposes Committee OR the Administration Sub-committee at its next meeting.
- c) The chair of Council OR the Finance and General Purposes Committee or in his/her/their absence, the vice-chair shall upon a resolution conduct a review of the performance and annual appraisal of the work of the Clerk. The reviews and appraisal shall be reported in writing and are subject to approval by resolution of the Finance and General Purposes Committee or the Administration Sub-Committee.
- d) Subject to the Council's policy regarding the handling of grievance matters, the Council's most senior member of staff (or other members of staff) shall contact the chair of Council OR the Finance and General Purposes Committee or in his/her/their absence, the vice-chair of Council OR the Finance and General Purposes Committee in respect of an informal or formal grievance matter, and this matter shall be reported back and progressed by resolution of the Finance and General Purposes Committee.
- e) Subject to the Council's policy regarding the handling of grievance matters, if an informal or formal grievance matter raised by the Clerk relates to the chair or vice-chair of Council, this shall be communicated to another member of Finance and General Purposes Committee, which shall be reported back and progressed by resolution of Finance and General Purposes Committee.
- f) Any persons responsible for all or part of the management of staff shall treat as confidential the written records of all meetings relating to their performance, capabilities, grievance or disciplinary matters.
- g) In accordance with standing order 11(a), persons with line management responsibilities shall have access to staff records referred to in standing order 19(f).

**20. Responsibilities to provide information**

See also standing order 21

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

**21. Responsibilities under data protection legislation**

(Below is not an exclusive list). See also standing order 11.

- a) The Council may appoint a Data Protection Officer.
- b) **The Council shall have policies and procedures in place to respond to an individual exercising statutory rights concerning his/her/their personal data.**

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

**22. Relations with the press/media**

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

**23. Execution and sealing of legal deeds**

See also standing orders 15(b)(xii)

- a) A legal deed shall not be executed on behalf of the Council unless authorised by a resolution.
- b) Subject to standing order 23(a), any two councillors may sign, on behalf of the Council, any deed required by law and the Proper Officer shall witness their signatures.**

**24. Communicating with district and county or unitary councillors**

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

**25. Restrictions on councillor activities**

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

**26. Standing orders generally**

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



## **4 FR - Comparisons between existing and proposed**

## **5 FR - Summary of changes**

## **Financial Regulations – Summary of Changes**

### **1. General**

- 1.6 This has been amended to consider the intent of the employee(s).

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

No substantive changes

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

- 3.1 Committees will set a three-year budget forecast rather than just the following financial year
- 3.3 Three-year forecast rather than the annual forecast.

### **4. Budgetary control and authority to spend**

No substantive changes

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

Please read Section 5 carefully there are several changes.

- 5.2 Paragraph 5.2 of the existing FR and its proposed replacement seem very antiquated. Having looked at Cuckfield, Hurstpierpoint & Sayers Common, and Haywards Heath none of them include this section in its original wording any longer. In reality, we do not authorise payment at Full Council (we retrospectively note that payment has taken place). I therefore wonder whether the following wording would be more accurate (this is based on Hurstpierpoint & Sayers Common):

*The RFO shall prepare a schedule of payments, forming part of the agenda for the meeting and present the schedule to Full Council. The Council shall review the schedule for compliance and, having satisfied itself, shall note the payments by a resolution of the Council. The detailed list of all payments shall be disclosed as an attachment to the agenda of the meeting at which payment was authorised. Personal payments (including salaries, wages, expenses and any payment made in relation to the termination of a contract of employment) may be summarised to remove public access to any personal information.*

- 5.5 The Clerk and RFO have more delegated power to authorise payments.

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

- 6.2 New Paragraph
- 6.3 Amend wording of existing paragraph 6.2.
- 6.4 Changes to when an authorised signatory should not authorise payment due to conflict of interests.
- 6.6 New Paragraph
- 6.15 Remove the Clerk and replace with RFO as Internet banking service administrator.
- 6.16 Change from two members to the Clerk and an authorised signatory for approving a change of supplier's banking details on Internet banking.
- 6.18 Increase debit card expenditure limit (£1,000) to align with FR 4.5 limit.
- 6.20 Addition of clause that states use of personal debit/credit cards not permitted (suggest this is amended by adding 'except for minor office items' (for example soap, washing up liquid, toilet rolls etc).

6.21 Change from Clerk to RFO.

**7. Payment of salaries**

7.3 Change from Council to F&GP committee and where material Full Council."

7.4 Addition of 'confidential cash book'

**8. Loans and investments**

8.3 Change from F&GP Chair to Council Chair (*I do not think this should be changed*).

**9. Income**

9.6 Removal of the following wording: "*Full details: name of payee, invoice and receipt numbers and reason for payment shall be entered on the counterfoil in the paying-in book. A separate list also showing those details shall be given to the RFO each time cash and/or cheques are deposited at the bank.*"

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

10.1 Removal of requirement for Chair or nominated party to countersign purchase orders.

10.2 Change from monitored to controlled.

10.5 Change from Clerk to RFO (should this be the 'RFO or Clerk'?) Removal of S.137 requirements

**11. Contracts**

The changes reflected reflect the new legislation. These are therefore a requirement.

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

No substantive changes

**13. Stores and equipment**

Change from 'Clerk' to 'RFO' (*not sure I agree with this, suggest it should be the 'Clerk and RFO'*). Checks are now to be conducted annually (agree with this).

**14. Assets, properties and estates**

No substantive changes

**15. Insurance**

No substantive changes

**16. Charities**

No substantive changes

**17. Risk management**

17.1-2 The 'Deputy Clerk' has been added as heavily involved in reviewing and drafting risk assessments

**18. Suspension and revision of Financial Regulations 15**

18.1 Change from reviewing the FR every 4 years to 'from time to time'

**6 FR - Clean copy of the proposed including office & F&GP member suggestions**

**LINDFIELD PARISH COUNCIL  
FINANCIAL REGULATIONS  
ADOPTED BY FULL COUNCIL [DAY MONTH YEAR]**

Summary of changes

Version	Date agreed	Details of changes

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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 after consideration of a report by the Finance and General Purposes Committee (F&GP committee). Financial regulations are one of the council's three governing policy documents providing procedural guidance for members and officers. Financial regulations must be observed in conjunction with the council's standing orders and any individual financial regulations relating to contracts.

1.2 The council is responsible in law for ensuring that its financial management is adequate and effective and that the council has a sound system of internal control which facilitates the effective exercise of the council's functions, including arrangements for the management of risk.

1.3 The council's accounting control systems must include measures:

- for the timely production of accounts;
- that provide for the safe and efficient safeguarding of public money;

- to prevent and detect inaccuracy and fraud; and
  - identifying the duties of officers.
- 1.4 These financial regulations demonstrate how the council meets these responsibilities and requirements.
- 1.5 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 [following an investigation](#).
- 1.7 Members of council are expected to follow the instructions within these Regulations and not to entice employees to breach them. Failure to follow instructions within these Regulations brings the office of councillor into disrepute.
- 1.8 The Responsible Financial Officer (RFO) holds a statutory office to be appointed by the council.
19. The RFO;
- acts under the policy direction of the council;
  - administers the council's financial affairs in accordance with all Acts, Regulations and proper practices;
  - determines on behalf of the council its accounting records and accounting control systems;
  - ensures the accounting control systems are observed;
  - maintains the accounting records of the council up to date in accordance with proper practices;
  - assists the council to secure economy, efficiency and effectiveness in the use of its resources; and
  - produces financial management information as required by the council.
- 1.10 The accounting records determined by the RFO shall be sufficient to show and explain the council's transactions and to enable the RFO to ensure that any income and expenditure account and statement of balances, or record of receipts and payments and additional information, as the case may be, or management information prepared for the council from time to time comply with the Accounts and Audit Regulations.
- 1.11 The accounting records determined by the RFO shall in particular contain:
- entries from day to day of all sums of money received and expended by the council and the matters to which the income and expenditure or receipts and payments account relate;
  - a record of the assets and liabilities of the council; and
  - wherever relevant, a record of the council's income and expenditure in relation to claims made, or to be made, for any contribution, grant or subsidy.
- 1.12 The accounting control systems determined by the RFO shall include:
- procedures to ensure that the financial transactions of the council are recorded as soon as reasonably practicable and as accurately and reasonably as possible;

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

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

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

1.14 In addition, the council must:

- determine and keep under regular review the bank mandate for all council bank accounts;
- approve any grant or a single commitment in excess of [£5,000]; and
- in respect of the annual salary for any employee have regard to recommendations about annual salaries of employees made by the relevant committee in accordance with its terms of reference.

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

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

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

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

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



- 2.3 The RFO shall complete the annual statement of accounts, annual report, and any related documents of the council contained in the Annual Return (as specified in proper practices) as soon as practicable after the end of the financial year and having certified the accounts shall submit them and report thereon to the council within the timescales set by the Accounts and Audit Regulations.
- 2.4 The council shall ensure that there is an adequate and effective system of internal audit of its accounting records, and of its system of internal control in accordance with proper practices. Any officer or member of the council shall make available such documents and records as appear to the council to be necessary for the purpose of the audit and shall, as directed by the council, supply the RFO, internal auditor, or external auditor with such information and explanation as the council considers necessary for that purpose.
- 2.5 The internal auditor shall be appointed by and shall carry out the work in relation to internal controls required by the council in accordance with proper practices.
- 2.6 The internal auditor shall:
- be competent and independent of the financial operations of the council;
  - report to council in writing, or in person, on a regular basis with a minimum of one annual written report during each financial year;
  - to demonstrate competence, objectivity and independence, be free from any actual or perceived conflicts of interest, including those arising from family relationships; and
  - has no involvement in the financial decision making, management or control of the council.
- 2.7 Internal or external auditors may not under any circumstances:
- perform any operational duties for the council;
  - initiate or approve accounting transactions; or
  - direct the activities of any council employee, except to the extent that such employees have been appropriately assigned to assist the internal auditor.
- 2.8 For the avoidance of doubt, in relation to internal audit the terms 'independent' and 'independence' shall have the same meaning as is described in proper practices.
- 2.9 The RFO shall make arrangements for the exercise of electors' rights in relation to the accounts including the opportunity to inspect the accounts, books, and vouchers and display or publish any notices and statements of account required by Audit Commission Act 1998, or any superseding legislation, and the Accounts and Audit Regulations.
- 2.10 The RFO shall, without undue delay, bring to the attention of all councillors any correspondence or report from internal or external auditors.

### **3. ANNUAL ESTIMATES (BUDGET) AND FORWARD PLANNING**

- 3.1 Each committee (if any) shall review its three-year forecast of revenue and capital receipts and payments. Having regard to the forecast, it shall thereafter formulate and submit proposals for the following financial year to the council not later than the end of November each year including any proposals for revising the forecast.

- 3.2 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 F&GP committee and the council.
- 3.3 The council shall consider annual budget proposals in relation to the council's three year forecast of revenue and capital receipts and payments including recommendations for the use of reserves and sources of funding and update the forecast accordingly.
- 3.4 The council shall fix the precept (council tax requirement), and relevant basic amount of council tax to be levied for the ensuing financial year not later than by the end of January each year. The RFO shall issue the precept to the billing authority and shall supply each member with a copy of the approved annual budget.
- 3.5 The approved annual budget shall form the basis of financial control for the ensuing year.

#### **4. BUDGETARY CONTROL AND AUTHORITY TO SPEND**

- 4.1 Expenditure on revenue items may be authorised up to the amounts included for that class of expenditure in the approved budget. This authority is to be determined by:
- the council for all items over £5,000;
  - a duly delegated committee of the council for items over £1000; or
  - the Clerk, in conjunction with the Chair of Council or Chair of the appropriate committee, for any items below £1000.

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

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

- 4.2 No expenditure may be authorised that will exceed the amount provided in the revenue budget for that class of expenditure other than by resolution of the council, or duly delegated committee. During the budget year and with the approval of council having considered fully the implications for public services, unspent and available amounts may be moved to other budget headings or to an earmarked reserve as appropriate ('virement').
- 4.3 Unspent provisions in the revenue or capital budgets for completed projects shall not be carried forward to a subsequent year.
- 4.4 The salary budgets are to be reviewed at least annually in October for the following financial year and such review shall be evidenced by a hard copy schedule signed by the Clerk and the Chair of Council or relevant committee. The RFO will inform committees of any changes impacting on their budget requirement for the coming year in good time.
- 4.5 In cases of extreme risk to the delivery of council services, the clerk may authorise revenue expenditure on behalf of the council which in the clerk's judgement it is necessary to carry out. Such expenditure includes repair, replacement or other work, whether or not there is any budgetary provision for the expenditure, subject to a limit of £1000. The Clerk shall report

such action to the Chair as soon as possible and to the council as soon as practicable thereafter.

- 4.6 In further cases of extreme risk to council services, expenditure may be authorised up to a limit of £10,000 upon agreement from the Emergency Consultation Panel, which states that if a matter is deemed “urgent” and if outside scheduled committee meetings or Full Council and with the consent of the Chair of the Council and the Chair of the relevant Committee or Vice Chair, it can be agreed by the use of an Urgent Consultation Panel. The Panel will consist of the Council Chair, Vice Chair, and Chair of committees. All decisions agreed by the panel must be unanimous and must be reported by the panel to Full Council or the appropriate standing committee at the earliest opportunity. If a unanimous decision cannot be reached by the Panel the matter must be considered at the relevant standing committee or Full Council.
- 4.7 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.
- 4.8 All capital works shall be administered in accordance with the council's standing orders and financial regulations relating to contracts.
- 4.9 The RFO shall regularly provide the council with a statement of receipts and payments to date under each head of the budgets, comparing actual expenditure to the appropriate date against that planned as shown in the budget. These statements are to be prepared at least at the end of each financial quarter and shall show explanations of material variances. For this purpose “material” shall be in excess of 15% of the budget.
- 4.10 Changes in earmarked reserves shall be approved by council as part of the budgetary control process.

## **5. BANKING ARRANGEMENTS AND AUTHORISATION OF PAYMENTS**

- 5.1 The council's banking arrangements, including the bank mandate, shall be made by the RFO and approved by the council; banking arrangements may not be delegated to a committee. They shall be regularly reviewed for safety and efficiency.
- 5.2 The RFO shall prepare a schedule of payments, forming part of the agenda for the meeting and present the schedule to Full Council. The Council shall review the schedule for compliance and, having satisfied itself, shall note the payments by a resolution of the Council. The detailed list of all payments shall be disclosed as an attachment to the agenda of the meeting at which payment was authorised. Personal payments (including salaries, wages, expenses and any payment made in relation to the termination of a contract of employment) may be summarised to remove public access to any personal information.
- 5.3 All invoices for payment shall be examined, verified and certified by the RFO to confirm that the work, goods or services to which each invoice relates has been received, carried out, examined and represents expenditure previously approved by the council.

- 5.4 The RFO shall examine invoices for arithmetical accuracy and analyse them to the appropriate expenditure heading. The RFO shall take all steps to pay all invoices submitted, and which are in order, at the earliest opportunity.
- 5.5 The Clerk and RFO shall have delegated authority to authorise the payment of items only in the following circumstances:
- a) If a payment is necessary to avoid a charge to interest under the Late Payment of Commercial Debts (Interest) Act 1998, and the due date for payment is before the next scheduled Meeting of council, where the Clerk and RFO certify that there is no dispute or other reason to delay payment, provided that a list of such payments shall be submitted to the next appropriate meeting of council;
  - b) An expenditure item authorised under 5.6 below (continuing contracts and obligations) provided that a list of such payments shall be submitted to the next appropriate meeting of council [or finance committee]; or
  - c) fund transfers within the councils banking arrangements up to the sum of [£10,000], provided that a list of such payments shall be submitted to the next appropriate meeting of council [or finance committee].
- 5.6 For each financial year the Clerk and RFO shall draw up a list of due payments which arise on a regular basis as the result of a continuing contract, statutory duty, or obligation (such as but not exclusively) Salaries, PAYE and NI, Superannuation Fund and regular maintenance contracts and the like for which council, or a duly authorised committee, may authorise payment for the year provided that the requirements of regulation 4.1 (Budgetary Controls) are adhered to, provided also that a list of such payments shall be submitted to the next appropriate meeting of council.
- 5.7 A record of regular payments made under 5.6 above shall be drawn up and be signed by two members on each and every occasion when payment is authorised - thus controlling the risk of duplicated payments being authorised and / or made.
- 5.8 In respect of grants a duly authorised committee shall approve expenditure within any limits set by council and in accordance with any policy statement approved by council. Any Revenue or Capital Grant in excess of £5,000 shall before payment, be subject to ratification by resolution of the council.
- 5.9 Members are subject to the Code of Conduct that has been adopted by the council and shall comply with the Code and Standing Orders when a decision to authorise or instruct payment is made in respect of a matter in which they have a disclosable pecuniary or other interest, unless a dispensation has been granted.
- 5.10 The council will aim to rotate the duties of members in these Regulations so that onerous duties are shared out as evenly as possible over time.
- 5.11 Any changes in the recorded details of suppliers, such as bank account records, shall be approved in writing by a Member.

## **6. INSTRUCTIONS FOR THE MAKING OF PAYMENTS**

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

- 6.2 Following authorisation under Financial Regulation 5 above, the council, a duly delegated committee or, if so delegated, the Clerk or RFO shall give instruction that a payment shall be made.
- 6.3 All payments shall be affected by cheque or other instructions to the council's bankers, or otherwise, in accordance with a resolution of council [or duly delegated committee].
- 6.4 Cheques or orders for payment drawn on the bank account in accordance with the schedule as presented to council or committee shall be signed by two members of council in accordance with a resolution instructing that payment. A member who is a bank signatory, having a connection by virtue of family or business relationships with the beneficiary of a payment, should not, under normal circumstances, be a signatory to the payment in question. In the case of a cheque payable for 'cash', for the purposes of withdrawing petty cash from the bank, the Clerk and RFO will be additional signatories in order to comply with the requirements of Barclays Bank. The Clerk and RFO would not be signatories on any other cheque.
- 6.5 To indicate agreement of the details shown on the cheque or order for payment with the counterfoil and the invoice or similar documentation, the signatories shall each also initial the cheque counterfoil.
- 6.6 Cheques or orders for payment shall not normally be presented for signature other than at a council or committee meeting (including immediately before or after such a meeting). Any signatures obtained away from such meetings shall be reported to the council [or Finance Committee] at the next convenient meeting.
- 6.7 If thought appropriate by the council, payment for utility supplies (energy, telephone and water) and any National Non-Domestic Rates may be made by variable direct debit provided that the instructions are signed by two members and any payments are reported to council as made. The approval of the use of a variable direct debit shall be renewed by resolution of the council at least every two years.
- 6.8 If thought appropriate by the council, payment for certain items (principally salaries) may be made by banker's standing order provided that the instructions are signed, or otherwise evidenced by two members are retained and any payments are reported to council as made. The approval of the use of a banker's standing order shall be renewed by resolution of the council at least every two years.
- 6.9 If thought appropriate by the council, payment for certain items may be made by BACS or CHAPS methods provided that the instructions for each payment are signed, or otherwise evidenced, by two authorised bank signatories, are retained and any payments are reported to council as made. The approval of the use of BACS or CHAPS shall be renewed by resolution of the council at least every two years.
- 6.10 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.

- 6.11 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 Chair 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.
- 6.12 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.
- 6.13 Regular back-up copies of the records on any computer shall be made and shall be stored securely away from the computer in question, and preferably off site.
- 6.14 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.
- 6.15 Where internet banking arrangements are made with any bank, the RFO shall be appointed as the Service Administrator. The bank mandate approved by the council shall identify a number of councillors who will be authorised to approve transactions on those accounts. The bank mandate will state clearly the amounts of payments that can be instructed by the use of the Service Administrator alone, or by the Service Administrator with a stated number of approvals.
- 6.16 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.
- 6.17 Changes to account details for suppliers, which are used for internet banking may only be changed on written hard copy notification by the supplier and supported by hard copy authority for change signed by the Clerk and an authorised signatory. A programme of regular checks of standing data with suppliers will be followed.
- 6.18 Any Debit Card issued for use will be specifically restricted to the Clerk and will also be restricted to a single transaction maximum value of £1000 unless authorised by council or finance committee in writing before any order is placed.
- 6.19 A pre-paid debit card may be issued to employees with varying limits. These limits will be set by the council. Transactions and purchases made will be reported to the council/relevant committee and authority for topping-up shall be at the discretion of the council/relevant committee.

- 6.20 Any corporate credit card or trade card account opened by the council will be specifically restricted to use by the Clerk [and RFO] and shall be subject to automatic payment in full at each month-end. Personal credit or debit cards of members or staff shall not be used under any circumstances.
- 6.21 The RFO and or Clerk may provide petty cash to officers for the purpose of defraying operational and other expenses. Vouchers for payments made shall be forwarded to the RFO with a claim for reimbursement.
- a) The RFO shall maintain a petty cash float of [£250] for the purpose of defraying operational and other expenses. Vouchers for payments made from petty cash shall be kept to substantiate the payment.
  - b) Income received must not be paid into the petty cash float but must be separately banked, as provided elsewhere in these regulations.
  - c) Payments to maintain the petty cash float shall be shown separately on the schedule of payments presented to council under 5.2 above.

## **7. PAYMENT OF SALARIES**

- 7.1 As an employer, the council shall make arrangements to meet fully the statutory requirements placed on all employers by PAYE and National Insurance legislation. The payment of all salaries shall be made in accordance with payroll records and the rules of PAYE and National Insurance currently operating, and salary rates shall be as agreed by council, or duly delegated committee.
- 7.2 Payment of salaries and payment of deductions from salary such as may be required to be made for tax, national insurance and pension contributions, or similar statutory or discretionary deductions must be made in accordance with the payroll records and on the appropriate dates stipulated in employment contracts, provided that each payment is reported to the next available council meeting, as set out in these regulations above.
- 7.3 No changes shall be made to any employee's pay, emoluments, or terms and conditions of employment without the prior consent of F&GP committee and where material Full Council.
- 7.4 Each and every payment to employees of net salary and to the appropriate creditor of the statutory and discretionary deductions shall be recorded in a separate confidential record (confidential cash book). This confidential record is not open to inspection or review (under the Freedom of Information Act 2000 or otherwise) other than:
- a) by any councillor who can demonstrate a need to know;
  - b) by the internal auditor;
  - c) by the external auditor; or
  - d) by any person authorised under Audit Commission Act 1998, or any superseding legislation.
- 7.5 The total of such payments in each calendar month shall be reported with all other payments as made as may be required under these Financial Regulations, to ensure that only payments due for the period have actually been paid.

- 7.6 An effective system of personal performance management should be maintained for the senior officers.
- 7.7 Any termination payments shall be supported by a clear business case and reported to the council. Termination payments shall only be authorised by council.
- 7.8 Before employing interim staff, the council must consider a full business case.

## **8. LOANS AND INVESTMENTS**

- 8.1 All borrowings shall be affected in the name of the council, after obtaining any necessary borrowing approval. Any application for borrowing approval shall be approved by Council as to terms and purpose. The application for borrowing approval, and subsequent arrangements for the loan shall only be approved by Council.
- 8.2 Any financial arrangement which does not require formal borrowing approval from the Secretary of State/Welsh Assembly Government (such as Hire Purchase or Leasing of tangible assets) shall be subject to approval by the full council. In each case a report in writing shall be provided to council in respect of value for money for the proposed transaction.
- 8.3 The council will arrange with the council's banks and investment providers for the sending of a copy of each statement of account to the [Chair of the F&GP Committee](#) at the same time as one is issued to the Clerk or RFO.
- 8.4 All loans and investments shall be negotiated in the name of the council and shall be for a set period in accordance with council policy.
- 8.5 The council shall consider the need for an Investment Strategy and Policy which, if drawn up, shall be in accordance with relevant regulations, proper practices and guidance. Any Strategy and Policy shall be reviewed by the council at least annually.
- 8.6 All investments of money under the control of the council shall be in the name of the council.
- 8.7 All investment certificates and other documents relating thereto shall be retained in the custody of the RFO.
- 8.8 Payments in respect of short term or long-term investments, including transfers between bank accounts held in the same bank, or branch, shall be made in accordance with Regulation 5 (Authorisation of payments) and Regulation 6 (Instructions for payments).

## **9. INCOME**

- 9.1 The collection of all sums due to the council shall be the responsibility of and under the supervision of the RFO.
- 9.2 Particulars of all charges to be made for work done, services rendered or goods supplied shall be agreed annually by the council, notified to the RFO and the RFO shall be responsible for the collection of all accounts due to the council.
- 9.3 The council will review all fees and charges at least annually, following a report of the Clerk.



- 9.4 Any sums found to be irrecoverable and any bad debts shall be reported to the council and shall be written off in the year.
- 9.5 All sums received on behalf of the council shall be banked intact as directed by the RFO. In all cases, all receipts shall be deposited with the council's bankers with such frequency as the RFO considers necessary.
- 9.6 The origin of each receipt shall be entered on the paying-in slip.
- 9.7 Personal cheques shall not be cashed out of money held on behalf of the council.
- 9.8 The RFO shall promptly complete any VAT Return that is required. Any repayment claim due in accordance with VAT Act 1994 section 33 shall be made at least annually coinciding with the financial year end.
- 9.9 Where any significant sums of cash are regularly received by the council, the RFO shall take such steps as are agreed by the council to ensure that more than one person is present when the cash is counted in the first instance, that there is a reconciliation to some form of control such as ticket issues, and that appropriate care is taken in the security and safety of individuals banking such cash.
- 9.10 Any income arising which is the property of a charitable trust shall be paid into a charitable bank account. Instructions for the payment of funds due from the charitable trust to the council (to meet expenditure already incurred by the authority) will be given by the Managing Trustees of the charity meeting separately from any council meeting (see also Regulation 16 below).

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

- 10.1 An official order or letter shall be issued for all work, goods and services unless a formal contract is to be prepared or an official order would be inappropriate. Copies of orders shall be retained.
- 10.2 Order books shall be controlled by the RFO.
- 10.3 All members and officers are responsible for obtaining value for money at all times. An officer issuing an official order shall ensure as far as reasonable and practicable that the best available terms are obtained in respect of each transaction, usually by obtaining three or more quotations or estimates from appropriate suppliers, subject to any de minimis provisions in Regulation 11.1 below.
- 10.4 A member may not issue an official order or make any contract on behalf of the council.
- 10.5 The RFO shall verify the lawful nature of any proposed purchase before the issue of any order, and in the case of new or infrequent purchases or payments, the RFO shall ensure that the statutory authority shall be reported to the meeting at which the order is approved so that the minutes can record the power being used.

## **11. CONTRACTS**

11.1 Procedures as to contracts are laid down as follows:

- a) Every contract shall comply with these financial regulations, and no exceptions shall be made otherwise than in an emergency provided that this regulation need not apply to contracts which relate to items (i) to (vi) below:
  - i. for the supply of gas, electricity, water, sewerage and telephone services;
  - ii. for specialist services such as are provided by legal professionals acting in disputes;
  - iii. for work to be executed or goods or materials to be supplied which consist of repairs to or parts for existing machinery or equipment or plant;
  - iv. for work to be executed or goods or materials to be supplied which constitute an extension of an existing contract by the council;
  - v. for additional audit work of the external auditor up to an estimated value of £500 (in excess of this sum the Clerk and RFO shall act after consultation with the Chair and Vice Chair of council); and
  - vi. for goods or materials proposed to be purchased which are proprietary articles and / or are only sold at a fixed price.
- b) Where the council intends to procure or award a public supply contract, public service contract or public works contract as defined by The Public Contracts Regulations 2015 (“the Regulations”) which is valued at £25,000 or more, the council shall comply with the relevant requirements of the Regulations.
- c) The full requirements of The Regulations, as applicable, shall be followed in respect of the tendering and award of a public supply contract, public service contract or public works contract which exceed thresholds in The Regulations set by the Public Contracts Directive 2014/24/EU (which may change from time to time).
- d) When applications are made to waive financial regulations relating to contracts to enable a price to be negotiated without competition the reason shall be embodied in a recommendation to the council.
- e) Such invitation to tender shall state the general nature of the intended contract and the Clerk shall obtain the necessary technical assistance to prepare a specification in appropriate cases. The invitation shall in addition state that tenders must be addressed to the Clerk in the ordinary course of post. Each tendering firm shall be supplied with a specifically marked envelope in which the tender is to be sealed and remain sealed until the prescribed date for opening tenders for that contract.
- f) All sealed tenders shall be opened at the same time on the prescribed date by the Clerk in the presence of at least one member of council.

- g) Any invitation to tender issued under this regulation shall be subject to Standing Orders[insert reference of the council's relevant standing order], and shall refer to the terms of the Bribery Act 2010.
- h) When it is to enter into a contract of less than £25,000 in value for the supply of goods or materials or for the execution of works or specialist services other than such goods, materials, works or specialist services as are excepted as set out in paragraph (a) the Clerk or RFO shall obtain 3 quotations (priced descriptions of the proposed supply); where the value is below £3,000 and above £100 the Clerk or RFO shall strive to obtain 3 estimates. Otherwise, Regulation 10.3 above shall apply.
- i) The council shall not be obliged to accept the lowest or any tender, quote or estimate.
- j) Should it occur that the council, or duly delegated committee, does not accept any tender, quote or estimate, the work is not allocated and the council requires further pricing, provided that the specification does not change, no person shall be permitted to submit a later tender, estimate or quote who was present when the original decision-making process was being undertaken.

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

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

## **13. STORES AND EQUIPMENT**

- 13.1 The officer in charge of each section shall be responsible for the care and custody of stores and equipment in that section.
- 13.2 Delivery notes shall be obtained in respect of all goods received into store or otherwise delivered and goods must be checked as to order and quality at the time delivery is made.
- 13.3 Stocks shall be kept at the minimum levels consistent with operational requirements.
- 13.4 The RFO and Clerk 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 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 The Clerk shall give prompt notification to the RFO of all new risks, properties or vehicles which require to be insured and of any alterations affecting existing insurances.
- 15.3 The RFO shall keep a record of all insurances effected by the council and the property and risks covered thereby and annually review it.
- 15.4 The RFO shall be notified of any loss liability or damage or of any event likely to lead to a claim, and shall report these to council at the next available meeting.
- 15.5 All appropriate members and employees of the council shall be included in a suitable form of security or fidelity guarantee insurance which shall cover the maximum risk exposure as determined annually by the council, or duly delegated committee.

## **16. CHARITIES**

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

## **17. RISK MANAGEMENT**

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

17.2 When considering any new activity, the Clerk with the Deputy Clerk and/or RFO shall prepare a draft risk assessment including risk management proposals for consideration and adoption by the council.

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

18.1 It shall be the duty of the council to review the Financial Regulations of the council every 4 years. The Clerk shall make arrangements to monitor changes in legislation or proper practices and shall advise the council of any requirement for a consequential amendment to these Financial Regulations.

18.2 The council may, by resolution of the council duly notified prior to the relevant meeting of council, suspend any part of these Financial Regulations provided that reasons for the suspension are recorded and that an assessment of the risks arising has been drawn up and presented in advance to all members of council.

## **7 Reserves Policy**

## Reserves Policy

### 1 PURPOSE

- 1.1 Local authorities are required to have regard to the level of reserves needed to meet estimated future expenditure when calculating the budget requirement.<sup>1</sup> The level of reserves will vary according to local circumstances and will be informed by the future expenditure plans of the authority.
- 1.2 Lindfield Parish Council is adopting a Reserves Policy to support their budget setting process and ensure they maintain appropriate levels of general and earmarked reserves.

### 2 TYPES OF RESERVES

#### 2.1 General Reserves

- 2.1.1 The general reserve represents the unspecified balances held by the council. The purpose of the general reserve is to operate a working balance to help manage the impact of uneven cashflows during the financial year, and to provide a contingency amount for emerging or unforeseen events.
- 2.1.2 The balance of the general reserve will increase or decrease at the end of each financial year, subject to the final actual performance against budget.
- 2.1.3 There is no definitive minimum or maximum level of general reserves that an authority should hold, although recommended guidance<sup>2</sup> suggests an amount of between 3 to 12 months net revenue expenditure (NRE<sup>3</sup>). Larger councils are recommended to hold between 3 to 6 months NRE.
- 2.1.4 Lindfield Parish Council aim to maintain the general reserve at a minimum of 3 months NRE and review this level at least annually as part of the budget setting process.

#### 2.2 Earmarked Reserves

- 2.2.1 Earmarked reserves allow the accumulation of funds for use at a future date for specified planned expenditure projects. Balances on earmarked reserves will increase through decisions of the council to add to the requirement and decrease as they are spent on the specified projects. Once a project has ended, the earmarked reserve will be closed, and any remaining balance transferred to the general reserve.
- 2.2.2 There is no minimum or maximum level of recommended earmarked reserves as this will depend entirely on the planned future projects of the authority.
- 2.3 Some earmarked reserves are restricted and can be used only for the purpose they were initially put aside for. These typically include:
  - Section 106– can only be used to funds certain items.
  - Capital Receipts – used for receipt of funds from the sale of any capital item valued at over £10,000. The funds can only be used to purchase another capital item and/or repay borrowing.
  - Some Grants – may be restricted to the original reason for the grant award, and unused funds may be required to be returned to the granting body.
- 2.2.4 Lindfield Parish Council aim to maintain a level of earmarked reserves appropriate to the level of future planned expenditure projects and review these at least annually as part of the budget setting process.

### 3 MONITORING AND REVIEWING RESERVES

- 3.1 The level of both general and earmarked reserves is monitored through the RBS accounting system, and regularly reported to the Finance & General Purposes Committee.

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<sup>1</sup> Local Government Finance Act 1992, S32 & 43.

<sup>2</sup> Good Councillors Guide to Finance and Transparency 2019.

<sup>3</sup> *NRE is defined as the precept less any loan repayments and/or amounts included for capital projects and transfers to earmarked reserves.*

- 3.2 Decisions to increase amounts held in earmarked reserves on an annual basis will form part of the budget setting process, with formal approval confirmed by Council. In year decisions to transfer funds between reserves will be considered by the Finance & General Purposes Committee, with a recommendation put to Council for approval.

Implemented:	Day/Month/Year
Version:	v1
Next review:	Day/Month/Year

DRAFT



Committee Meeting:	Full Council
Item:	12
Report of:	Clerk
Meeting Date:	21 March 2024
Subject:	Risk Management

**Summary:**

- Members are asked to consider the annual risk management report.

**Recommendation:**

Members are asked to:

- The Council confirms that it has a suite of Risk Assessments in respect of all of its activities in accordance with its Financial Regulations(s17).
- Confirm its agreement to existing risk management procedures.

**Background:**

- The council is responsible for putting in place arrangements for the management of risk. The Clerk, with the RFO, shall prepare, for approval by the council, risk management policy statements in respect of all activities of the council. Risk policy statements and consequential risk management arrangements shall be reviewed by the council at least annually.
- 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.
- Following the overhaul of the Council's Risk Assessment suite in 2019/20, the Council has a good suite of Risk Assessments and has received positive feedback from the Internal Auditor on the approach utilised.
- In March 2023 the following was agreed:
  - That the Council has a suite of risk assessments in respect of all of its activities in accordance with its Financial Regulations (s17).
  - The Council confirms its agreement to existing risk management procedures.
- The Council maintain the following risk assessments.

#	Risk Assessment
1	Allotments
2	Christmas Lights
3	Christmas Village Night
4	Denmans Lane Public Toilets
5	Financial Management
6	Office (incl Work Station)
7	Spring & Autumn Clean
8	Street Furniture
9	Streetlights
10	Winter Management
11	Speed Indicator Devices
12	Wilderness Field
13	Covid / Clock Tower House
14	Beacons
15	Village Day Stall
16	Vehicle

Item: 13  
Committee Meeting: Full Council  
Report of: Clerk  
Meeting Date: 21 January 2024  
Subject: Councillor Appointments, Induction, and Training

**Purpose of Report:**

1. To note committee preferences and next stages.

**Summary:**

2. Members have provided the office where their committee preferences. Committee membership will be decided at the Annual Meeting of the Council (16 May 2024).

**Recommendation(s):**

**Full Council is asked to:**

- a. **Confirm the proposed numbers for each committee for 2024/25.**
- b. **Consider the requests for each committee and note any adjustments that will need to be resolved.**
- c. **Note that committee membership will be decided at the Annual Meeting of the Council.**

**Background:**

3. At Full Council it was agreed to implement new policies on appointments of Chairs & Committee. Following the meeting, the Clerk emailed all members the timeline for this process (see Appendix 1). Members were asked to complete a survey on committee preferences and any reasonings for the choices (see Appendix 2). Cllr Wilson will be asked for his choices upon his return.

Current Committee Membership

4. Currently, the committee numbers and members are as follows:

**Environment & Amenities (E&A)** (9 members):

Blunden, Burns, Matthews, Nisbett, Picket, Upton, Wilson, Wood & Woolley

**Finance & General Purposes (F&GP)**(6 members):

Beecroft, Blunden, Grace, Picket, Upton & Webster.

**Planning, Traffic and Transport (PT&T)** (10 members):

Beecroft, Blunden, Burns, Grace, Matthews, Nisbett, Upton, Webster, Wilson & Woolley

Suggested minimum Committee sizes

5. It is suggested that Committee membership sizes should be no lower than F&GP 6, E&A 7, and PT&T 8.

Members preferences

6. Committee membership using first and second preferences only would be as follows:

**Environment & Amenities (E&A)** (9 members):

Blunden, Burns, Grace, Matthews, Nisbett, Picket, Upton, Wood & Woolley

**Finance & General Purposes (F&GP)**(5 members):

Beecroft, Blunden, Grace, Picket, & Webster.

**Planning, Traffic and Transport (PT&T) ( members):**  
Beecroft, Burns, Matthews, Nisbett, Upton, Webster, & Woolley

7. Members should consider the supporting comments by each respondent (Appendix 2).

**Financial Implications:**

8. There are no financial implications at present.

**Appendices**

- 1 Timeline for appointments
- 2 Committee preferences, including comments.

## Item 13 – Appendix 1

### March

13<sup>th</sup> Members are to submit committee preferences by this date. Please provide your preferences, and any supporting reasoning, using the following link: [LINK REMOVED]

15<sup>th</sup> **Full Council agenda issued** – including a report detailing the following:

- Membership numbers for each committee
- Existing membership of each committee
- Membership requests for each committee
- Adjustments required for each committee

21<sup>st</sup> **Full Council meeting** – members discuss the report and will be asked to:

- Confirm numbers for each committee
- Discuss the requests for each committee
- Noted that any discrepancies will need to have been negotiated between members before the Annual Meeting in May. If this is not achieved then the membership will need to be voted on at that meeting.

### April

2<sup>nd</sup> The office will email all members a link that can be used to register interest in standing as Council Chair and or Vice Chair (and any supporting statements).

28<sup>th</sup> Members to let the Clerk know if they wish to stand as Council Chair and or Vice Chair (and who their nominees are). Candidates are to provide any supporting statement by this date.

30<sup>th</sup> Nominations for Council Chair and Vice Chair are to be circulated to members along with any supporting statements

### May

10<sup>th</sup> **Agenda issued for Annual Meeting of Council** - including a report detailing the following:

- Membership numbers for each committee
- Existing membership of each committee
- Membership requests for each committee
- Adjustments required for each committee
- Suggested committee membership.

16<sup>th</sup> **Annual Meeting of Council** - Election of Council Chair & Vice Chair. Members are to agree on the committee memberships (and if necessary this will be done by voting).

17<sup>th</sup> The office will email all members a link that can be used to register interest in standing as Committee Chairs and or Vice Chairs Chair (and provide any supporting statements). A link will also be sent out regarding training requirements.

26<sup>th</sup> Please register any interest in **PT&T Chair and Vice Chair positions** by this date.

28<sup>th</sup> **PT&T agenda issued**

29<sup>th</sup> Please register any interest in **E&A Chair and Vice Chair positions** by this date.

31<sup>st</sup> **E&A agenda issued**

### June

4<sup>th</sup> **PT&T meeting** - Election of PT&T Chair & Vice Chair

6<sup>th</sup> **E&A meeting** - Election of E&A Chair & Vice Chair

26<sup>th</sup> Please register any interest in **F&GP Chair and Vice Chair positions** by this date.

28<sup>th</sup> **F&GP agenda issued**

### July

4<sup>th</sup> **F&GP meeting** - Election of F&GP Chair & Vice Chair

12<sup>th</sup> **Full Council agenda issued** – including a report on training requirements

16<sup>th</sup> **Full Council** – Consider training requirement report

Item 13 - Appendix 2

Cllr	Committee preferences			Summarised comments relating to committee preferences.
	E&A	F&GP	PT&T	
<b>Beecroft</b>	Third	First	Second	I'm a Chartered accountant with extensive finance skills, and currently chair (F&GP) and am keen to carry on.
<b>Blunden</b>	First	Second	Third	Knowledge of procedures and history. Having the ability to understand the need to move forward in a changing world whilst protecting our historic environment.
<b>Burns</b>	Second	Third	First	Years of personal experience in planning issues and effects on the village, especially the conservation area. General & committed interest in the village environment for the benefit of all its residents
<b>Grace</b>	Second	First	Third	I would like to remain on the F&GP Committee. I believe my background in local government is useful to the committee as I understand the importance of policies and procedures. I would also like to continue to support the development of the village action plan as a member of the working group. I would like to become a member of E&A. I have a keen interest in environmental matters and support environmental activity in Lindfield. I am an enthusiastic and active member of the Climate Change Working Group. I coordinate and attend Greener Lindfield meetings. I believe that I have a lot to offer to the E&A Committee and feel that membership in E&A would enable me to further contribute my skills and experience.
<b>Matthews</b>	First	Third	Second	Over the last 4yrs, I have gained experience and am familiar with the areas covered in both E&A and planning. My interest particularly lies in maintaining/creating areas that all residents can enjoy.
<b>Nisbett</b>	First		Second	
<b>Pickett</b>	Second	First		Regretfully not possible to do PT&T conflict of interest.
<b>Upton</b>	Second	Third	First	My first choice is PT&T, because, at present, I'm the chair of the committee. Second choice importance, because of part of my other voluntary work, I do serve the community. Also, believe as vice chair, should that continue that I should be involved in all three committees.
<b>Webster</b>	Third	First	Second	I have many years of Local Government finance experience and this is potentially useful to the F&GP Committee.
<b>Wood</b>	First			Links with the Climate Change Working Group.
<b>Woolley</b>	Second	Third	First	I propose a reconsideration on whether F&GP should retain both topic areas, or whether "General Purposes" items should individually be allocated to more appropriate committees.