

# Aynho Parish Council

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## PARISH COUNCIL ANNUAL MEETING

Venue: Aynho Village Hall

13<sup>th</sup> May 2024, 7:30PM

### MINUTES

**Present:** Stephen Brook (RFO)  
Cllr Leslie Horley Cllr Helen Mackenzie  
Cllr Simon Wormald Cllr Ray Willis  
Cllr Alan Beaumont Cllr Dawn Willis

**4 members of public**

In the absence of Chair & Vice Chair Cllr D Willis appointed to preside. Item 24/349 brought forward to top of agenda.

**Meeting commenced: 19:30**

**24/349 Election of Chairman for the Year 2024/2025**

On the proposition of Cllr Horley it was RESOLVED: to elect Cllr D Willis as Chair for the year 2024/25, Cllr Willis signed Declaration of Acceptance of Office.

**24/348 Apologies for absence**

Apologies received: Cllr Jeremy James.

On the proposition of the Chair it was RESOLVED: to approve apologies for absence.

**24/350 Election of Vice Chairman for the Year 2024/25**

On the proposition of Cllr Wormald it was RESOLVED: to elect Cllr Beaumont as Vice Chair for the year 2024/25, Cllr Beaumont signed Declaration of Acceptance of Office.

**24/351 OPEN MEETING**

An opportunity for individuals present to speak on any items on the agenda for this meeting. The open meeting will last for a maximum of 15 minutes with any individual contribution lasting a maximum of 3 minutes. Members of the public should address their representations through the Chairman of the meeting.

**24/352 Members' declaration of interest in items on the agenda**

Members are asked to declare any interest and the nature of that interest which they may have in any of the items under consideration at this meeting.

**24/353 Minutes of Annual Meeting of the Parish Council of 15<sup>th</sup> May 2023**

To receive and approve minutes of the Annual Meeting of the Parish Council 2023.

**24/354 Approval of minutes of full council meeting 8<sup>th</sup> April 2024**

To receive and approve the minutes of meeting of the Council on 8<sup>th</sup> April 2024.

**24/355 New defibrillator at Pavilion**

To discuss options, grants and fund raising.

**24/356 Review and adoption of Standing Orders - attached**

To confirm or change the Standing Orders for year 2024/25.

**24/357 Review and adoption of Financial Regulations – attached**

To confirm or change the Financial Regulations for year 2024/25.

Note: New NALC model due May 2024.

**24/358 Review of arrangements (including legal agreements) with other local authorities, not-for-profit bodies and businesses**

**24/359 Review of Code of Conduct – attached**

To approve Councillor Code of Conduct.

**24/360 Review of Gifts & Hospitality Code of Conduct – attached**

To approve Gifts & Hospitality Code of Conduct.

**24/361 Review Financial Risk Assessment – attached**

To review Financial Risk Assessment.

**24/362 Determine the time and place of ordinary meetings of the council up to and including the next annual meeting of the Council – attached**

To approve Schedule of Meetings 2024/25.

**24/363 Financial Statement & Authorisation of Payments – (attached)**

To receive the financial statement & consider invoices for May 2024. To approve payments.

**24/364 Planning**

To discuss and approve a response as a consultee on:

[2024/1613/LBC](#) - 15 Croughton Road Aynho OX17 3BE - Single storey rear extension, removal of existing rear windows to create new openings, removal of existing ceiling and installation of conservation rooflights. Replacement internal doors and new internal partitions.

[2024/1612/FULL](#) - 15 Croughton Road Aynho OX17 3BE - Single storey rear extension, removal of existing rear windows to create new openings, removal of existing ceiling and installation of conservation rooflights. Replacement internal doors and new internal partitions.

[2024/0312/LBC](#) - 6 The Square Aynho OX17 3BL - Listed building consent to change existing soft wood single pane windows with replica hard wood double glazed heritage windows.

[2024/2014/TCA](#) - Notification of tree work at Ivy Cottage, 2 Little Lane, Aynho, OX17 3BJ  
Intended tree works includes: Removal of 1 x Magnolia Tree

[2024/0697/FULL](#) – 19 Croughton Road Aynho OX17 3BE – Proposed heritage style orangery to rear of property and reducing size of an existing window

**24/365 West Northamptonshire The Local Plan consultation**

To consider council response to consultation.

Note:

Individuals can have their say from Monday 8 April to Sunday 2 June by visiting: [Have your say on West Northamptonshire's new draft Local Plan - West Northamptonshire Council - Citizen Space](#)

**24/366 Update on co-option for vacant positions**

Advert placed in village Newsletter; Chairman to advise at Parish Meeting.

**24/367 Update on Post Office viability**

Note posted in Village Newsletter advising services supplied.

**24/368 Oxford Airport Expansion Plan**

To approve the APC response to the Expansion Plan for Oxford Airport.

**24/369 Aynho Active**

To clarify the definition and function of Aynho Active.

**24/370 Community website**

To consider transfer of ownership of aynho.org domain and registration rights to Village Hall Committee.

**24/371 Update on details for Annual Parish Meeting**

To confirm arrangements.

**24/372 Dog waste**

To discuss dog waste provisions & current arrangements.

**24/373 Exclusion of press and public Pursuant to Section 1(2) of the Public Bodies (Admission to Meetings) Act 1960, and having regard to the confidential nature of the business to be transacted to consider, it is proposed that the Press and Public be excluded from the meeting for agenda items 24/374 &**

**24/375**

**24/374 Maintenance work on the Pavilion, not exceeding the ring-fenced funds as indicated in the Parish Council Annual Finance Report**

To consider 3 quotes for various works to Pavilion.

Confirmation of ring-fenced funds.

**24/375 Outstanding unpaid invoice**

To discuss and agree next steps for debt recovery.

**Meeting closed: 21:45**

**Signed:**

## **Aynho Parish Council**

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**PARISH COUNCIL GENERAL MEETING**

**Venue: Aynho Village Hall**

**7<sup>th</sup> April 2025, 7:00PM**

**MINUTES**

**Present:**

**Cllr Leslie Horley**

**Cllr Simon Wormald**

**Cllr Jerry Stephenson**

**Cllr Richard Rees**

**Cllr Ray Willis**

**Cllr Dawn Willis (Chair)**

**Cllr Helen Mackenzie**

**5 members of public**

**Meeting commenced:** 19:00

**25/35 Apologies for absence**

Apologies received: Cllr Beaumont, Cllr Hoole & Alan Youel (Clerk).

On the proposition of the Chair, it was RESOLVED: to approve apologies for absence.

**25/36 Members' declaration of interest in items on the agenda**

None.

**25/37 Public Participation**

- 4 residents all wished to speak on 25/39 planning applications 2025/0731/FULL & 2025/0883/FULL. Concerns raised by public:

- The applicant already has had the benefit of enabling development and the work promised on the wall should already have taken place as part of the original agreement.
- The promised footpath is in a terrible state and not open for use.
- Urbanising the open countryside.
- Not using the original siting agreed – the site location for the development has been moved which is against the heritage layout.
- The sole purpose of the original 3 houses gaining approval was for enabling development to enhance that corner of the estate and the entrance. This has not been completed.
- The applicant just wants to play the enabling card again and it is likely to happen again in the future – there seems to be no end to what could happen in this location.
- If it is about the money, we know that the 2 plots sold raised nearly £3million, so there should be enough from the development of the last plot.
- What is the timeline for that plot being built out. We have been told hopefully this year but then we were also told that the applicant is no longer in control of plot 3 but the blue line plan shows that he is the owner still. There is no clarity.
- We have been told that the future homeowners would be responsible for the trees but already the trees have been unmanaged and affecting the walls which the applicant has been in control of and just allowed it to happen.
- When the applicant got the first 3 homes, he owned all the land and had a vested interest which he no longer has – it's just a money-making exercise.
- The applicant has no SLAs in place to improve the environmental impacts.
- The applicant can still build out plot 3 to finance the requirements of existing agreements and improve the wall.
- The designs of the houses are out of keeping.

- It is clear that the applicant has sold the first 2 plots, taken the profits, delivered some of the wall improvements and then ran out of money – not our fault or problem.

Cllr Horley suggested council could have a regular agenda item covering Health & Safety issues. Providing opportunity to discuss and resolve problems such as hogweed (Portway tunnel), overgrowing bushes and trees.

**25/38 Approval of minutes of the General Council Meeting 3<sup>rd</sup> March 2025**

On the proposition of Cllr Mackenzie, it was RESOLVED: to approve the minutes of meeting of the Council on 3<sup>rd</sup> March 2025.

**25/39 Planning**

To discuss and approve a response as a consultee on:

[2024/4126/MAF](#) - Land Surrounding Aynho Park House Aynho Park Aynho OX17 3BQ - Use of woodland for purposes incidental to the domestic enjoyment of a dwelling house. *Resolved Oct 2024. Objection stands.*

[2025/0969/NMA](#) - Land Surrounding Aynho Park House, Aynho Park, Aynho - Approval is sought for an amended design to the gates approved in conditions discharge application S/2019/1719/COND. *Object on grounds: retrospective, not as per approval & not in keeping.*

[2025/0731/FULL](#) - Land Surrounding Aynho Park House Aynho Park Aynho - Erection of 2 no. self-build/custom build dwellings, alterations to existing access from Bicester Road to enable the full restoration of the east boundary wall to Aynhoe Park, including associated tree works, and landscaping. *See below.*

[2025/0883/FULL](#) - Land Surrounding Aynho Park House Aynho Park Aynho - Reformatting of heritage workshops design approved under planning permission S/2013/1570/MAF to form two 4-bedroom self-build/custom build dwellings to enable the full restoration of the east boundary wall to aynhoe park, including associated tree works. *See below.*

Applications 2025/0731/FULL & 2025/0883/FULL discussed collectively. Resident comments were taken into consideration.

On the proposition of Cllr Horley, seconded by Cllr Rees, it was RESOLVED: by majority 4 to 3 to OBJECT rather than COMMENT.

Objection on grounds: not genuine enabling development, original obligations outstanding, site relocation, lacking heritage statement, countryside urbanisation, contrary to policy NE2, confused scale of development.

**25/40 Pavilion & Sports Field Hire**

On the proposition of the Chair, it was RESOLVED: to approve the document Aynho Hire and Lettings Policy.

On the proposition of the Chair, it was RESOLVED: to approve the document Aynho Pavilion Conditions of Hire.

Amendments required to the document Aynho Sports Field Conditions of Hire:

- Parties without equipment for insert “non-residents”
- Pitch hire – agree if outside the village but make clear that its non-residents
- Ad hoc sports bookings – e.g. All-stars cricket would be caught - £10/hour so call it business use sports bookings.

**25/41 Pavilion & Sports Field Hire Rates**

On the proposition of Cllr Willis, seconded by Cllr Stephenson, it was RESOLVED: to approve the document Aynho Parish Council Pavilion and Sports Field Hire Charges.

**25/42 Budget Expenditure Report Qtr 4 2024-25**

On the proposition of Cllr Stephenson, seconded by Cllr Wormald, it was RESOLVED: to receive and approve the quarterly report on expenditure against budget Jan to Mar 2025.

**25/43 Authorisation of Payments**

Cllrs Willis & Horley inspected bank reconciliation and invoices against payment schedule. Cllr R Willis declared a payment to him on schedule.

On the proposition of Cllr Rees, seconded by Cllr Stephenson, it was RESOLVED: to approve payments scheduled Mar 2025 & Apr 2025.

Clerk to forward payment schedule to website prior to meetings.

**25/44 Pavilion Cleaning**

Due to existing cleaner relocating and having served notice, to consider alternative provider offer.

On the proposition of the Chair, seconded by Cllr Rees, it was RESOLVED: to engage K Angell for regular cleaning of Pavilion. Twice per month full clean.

**25/45 Tennis Court Repairs**

To consider and approve quotes for repairs to Tennis Courts. Cllr Stephenson reported that Tennis Court repairs almost complete. Painters attending on Thursday and it will be complete by Friday. Will need to be left to dry over the weekend if possible. Need to approve the bill for painting.

On the proposition of the Chair, seconded by Cllr Wormald, it was RESOLVED: to confirm and approve quote from PJ Sports Maintenances at £1600 for repair work to Tennis Court.

Chair advised users can use a booking form through the APC website. Per hour £5 for non-residents, £4 for residents, £6 for business.

**25/46 Election 1<sup>st</sup> May 2025**

Statements of Persons Nominated for the elections to be held on 1 May 2025 have been published by West Northamptonshire Council

at <https://www.westnorthants.gov.uk/electoral-services/local-elections-2025>.

Aynho Parish Council has 7 nominations for 9 seats. That means an uncontested election, and that the council is quorate but has remaining seats to fill by co-option.

Clerk will include co-option on agenda from May.

**25/47 Annual Parish Meeting**

- Tim Morris from RH England will be attending.
- Also, hopefully a representative from Neighbourhood Watch, which needs to be residents run but not an APC initiative, generally requiring commitment for a patrol which is 2 hours/month.

- The Village Report is currently being compiled. This will be available digitally, with some printed out for the meeting.

**25/48 RH England**

Questions for Tim Morris who will be giving an update on future plans at APM:

1. Car parking – staff temp parking runs out in October 2025 – not to be extended again because it's being sold. Clarification on this and next steps? What are the plans for when the temp permission expires?
2. Footpath – who is responsible for delivering this? Millers Lane end needs work doing to it. Or what is RH's view on this if not responsible.
3. Restaurant – what is happening with this i.e. when is it opening?
4. Events – are future ones planned and what sort – weddings etc, boutique hotel, flats?
5. 2013 planning consent – sui generis – can do events, sales, restaurant etc but can't do them all at the same time. Clarification sought.
6. What business can run from RH?
7. Do you have a community fund? What investments do you do for the local community projects (as advertised on the American website)?

**25/49 Keep Aynho Beautiful**

Cllr Rees gave update on organised clean-up event Sunday 13<sup>th</sup> April. Tea/coffee at the pavilion advertised on Facebook and community newsletter. Possibly some planting.

**25/50 Newsletter**

Items for next newsletter edition – Cllr Mackenzie to edit on behalf of council:

- Uncontested election, no vote for parish councillors – 7 standing with 2 vacancies.
- Community speed watch – volunteers needed.
- New hire prices for the sports field – email to Alan as administrator. Amend the website once done

**25/51 Next Meeting**

28<sup>th</sup> April 2025 – Annual Parish Meeting

12<sup>th</sup> May 2025 – Annual Council Meeting

**Meeting closed: 20:26**

**Signed:**



# ORDERS 2025 UPDATE (ENGLAND)

National Association of Local Councils (NALC)

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# INTRODUCTION

**This is an update to Model Standing Orders 14 and 18.**

## 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. Model standing orders use gender-neutral language (e.g. "Chair").

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.

## 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 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 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 they consider has been breached or specify the other irregularity in the proceedings of the meeting they are concerned by.
- q A point of order shall be decided by the chair of the meeting and 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 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 5 minutes without the consent of the chair of the meeting.

## 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 chairman of the meeting may move that the person be no longer heard or be excluded from the meeting. The motion, if seconded, shall be put to the vote without discussion.
- c If a resolution made under standing order 2(b) is ignored, the 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.

## MEETINGS GENERALLY

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

- a **Meetings shall not take place in premises which at the time of the meeting are used for the supply of alcohol, unless no other premises are available free of charge or at a reasonable cost.**
- b **The minimum three clear days for notice of a meeting does not include the day on which notice was issued, the day of the meeting, a Sunday, a day of the Christmas break, a day of the Easter break or of a bank holiday or a day appointed for public thanksgiving or mourning.**
- c **The minimum three clear days' public notice for a meeting does not include the day on which the notice was issued or the day of the meeting unless the meeting is convened at shorter notice.**
- d **Meetings shall be open to the public unless their presence is prejudicial to the public interest by reason of the confidential nature of the business to be transacted or for other special reasons. The public's exclusion from part or all of a meeting shall be by a resolution which shall give reasons for the public's exclusion.**
- e Members of the public may make representations, answer questions and give

evidence at a meeting which they are entitled to attend in respect of the business on the agenda.

- f The period of time designated for public participation at a meeting in accordance with standing order 3(e) shall not exceed 15 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 5 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 stand when requesting to speak and when speaking (except when a person has a disability or is likely to suffer discomfort). The chairman 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 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 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 their casting vote whether or not 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 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 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 2 hours.

## COMMITTEES AND SUB-COMMITTEES

- a **Unless the Council determines otherwise, a committee may appoint a sub-committee whose terms of reference and members shall be determined by the committee.**
- b **The members of a committee may include non-councillors unless it is a committee which regulates and controls the finances of the Council.**
- c **Unless the Council determines otherwise, all the members of an advisory committee and a sub-committee of the advisory committee may be non-councillors.**
- d The Council may appoint standing committees or other committees as may be necessary, and:
  - i. shall determine their terms of reference;
  - ii. shall determine the number and time of the ordinary meetings of a standing committee up until the date of the next annual meeting of the Council;
  - iii. shall permit a committee, other than in respect of the ordinary meetings of a committee, to determine the number and time of its meetings;
  - iv. shall, subject to standing orders 4(b) and (c), appoint and determine the terms of office of members of such a committee;
  - v. may, subject to standing orders 4(b) and (c), appoint and determine the terms of office of the substitute members to a committee whose role is to replace the ordinary members at a meeting of a committee if the ordinary members of the committee confirm to the Proper Officer 1 day 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.

## **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 they have resigned or becomes disqualified, shall continue in office and preside at the annual meeting until their successor is elected at the next annual meeting of the Council.**
- g **The Vice-Chair of the Council, if there is one, unless they resign or become disqualified, shall hold office until immediately after the election of the Chairman of the Council at the next annual meeting of the Council.**
- h **In an election year, if the current Chair of the Council has not been re-elected as a member of the Council, 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, they shall preside at the annual meeting until a new**

**Chair of the Council has been elected. 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 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.

## **EXTRAORDINARY MEETINGS OF THE COUNCIL, COMMITTEES AND SUB-COMMITTEES**

- 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 7 days of having been requested to do so by 2 members of the committee or the sub-committee, any 2 members of the committee or the sub-committee may convene an extraordinary meeting of the committee or a sub-committee.

## **PREVIOUS RESOLUTIONS**

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

## 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.

## 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 3 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 3 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.

## **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.

# 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.**

## DRAFT MINUTES

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

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

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

## 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 they have 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 they have a disclosable pecuniary interest. They may return to the meeting after it has considered the matter in which they had the interest.
- c Unless they have 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 they have another interest if so required by the Council’s code of conduct. They may return to the meeting after it has considered the matter in which 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] OR [by a meeting of the Council, or committee or sub-committee for which the dispensation is required] and that decision is final.
- f A dispensation request shall confirm:
  - i. the description and the nature of the disclosable pecuniary interest or other interest to which the request for the dispensation relates;

- ii. whether the dispensation is required to participate at a meeting in a discussion only or a discussion and a vote;
  - iii. the date of the meeting or the period (not exceeding four years) for which the dispensation is sought; and
  - iv. an explanation as to why the dispensation is sought.
- g Subject to standing orders 13(d) and (f), a dispensation request shall be considered [by the Proper Officer before the meeting or, if this is not possible, at the start of the meeting for which the dispensation is required] OR [at the beginning of the meeting of the Council, or committee or sub-committee 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.**

## **CODE OF CONDUCT COMPLAINTS**

- a Upon notification by the Principal 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 them. Such action excludes disqualification or suspension from office.**

# 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 2 days before the meeting confirming 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 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 book for such purpose;
- xv. refer a planning application received by the Council to the Chair or in their absence the Vice-Chair (if there is one) and the planning representatives of the Council within two working days of receipt to facilitate an extraordinary meeting if the nature of a planning application requires consideration before the next ordinary meeting of the Council.
- xvi. manage access to information about the Council via the publication scheme; and
- xvii. retain custody of the seal of the Council (if there is one) which shall not be used without a resolution to that effect.  
(*see also standing order 23*).

## **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.

## **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
- which includes a comparison with the budget for the financial year and highlights any actual or potential overspends.
- d As soon as possible after the financial year end at 31 March, the Responsible Financial Officer shall provide:
- i. each councillor with a statement summarising the Council's receipts and payments (or income and expenditure) for the last quarter and the year to date for information; and
  - ii. to the Council the accounting statements for the year in the form of Section 2 of the annual governance and accountability return, as required by proper practices, for consideration and approval.
- e The year-end accounting statements shall be prepared in accordance with proper practices and apply the form of accounts determined by the Council (receipts and payments, or income and expenditure) for the year to 31 March. A completed draft annual governance and accountability return shall be presented to all councillors at least 14 days prior to anticipated approval by the Council. The annual governance and accountability return of the Council, which is subject to external audit, including the annual governance statement, shall be presented to the Council for consideration and formal approval before 30 June.

## **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 [60,000] 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. 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. tenders are to be submitted in writing in a sealed marked envelope addressed to the Proper Officer;
  - iv. 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;
  - v. tenders are to be reported to and considered by the appropriate meeting of the Council or a committee or sub-committee with delegated responsibility.
- d. Neither the Council, nor a committee or a sub-committee with delegated responsibility for considering tenders, is bound to accept the lowest value tender.
- e. **Where the value of a contract is likely to exceed the threshold specified by the Government from time to time, the Council must consider whether the contract is subject to the requirements of the current procurement legislation and, if so, the Council must comply with procurement rules. NALC's procurement guidance contains further details.**

## HANDLING STAFF MATTERS

- a. A matter personal to a member of staff that is being considered by a meeting of

Council 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 or, if they are not available, the vice-chair (if there is one) of absence occasioned by illness or other reason and that person shall report such absence to the Council at its next meeting.
- c The chair of the Council or in their absence, the vice-chair shall upon a resolution conduct a review of the performance and annual appraisal of the work of the Clerk/RFO. The reviews and appraisal shall be reported in writing and are subject to approval by resolution by the Council.
- d Subject to the Council's policy regarding the handling of grievance matters, the Council's most senior member of staff or other members of staff shall contact the chair of the Council or in their absence, the vice-chair of the Council in respect of an informal or formal grievance matter, and this matter shall be reported back and progressed by resolution of the Council.
- e Subject to the Council's policy regarding the handling of grievance matters, if an informal or formal grievance matter raised by the Clerk or RFO relates to the chair or vice-chair of the Council, this shall be communicated to another member of the Council, which shall be reported back and progressed by resolution of the Council.
- 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).

## **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. **[If gross annual income or expenditure (whichever is higher) does not exceed £25,000] The Council shall publish information in accordance with the requirements of the Smaller Authorities (Transparency Requirements) (England) Regulations 2015.**

## 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 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.**

## 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.

## EXECUTION AND SEALING OF LEGAL DEEDS

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

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

**Council, any deed required by law and the Proper Officer shall witness their signatures.**

*The above is applicable to a Council without a common seal.*

## **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.

## **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.

## **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 3 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.

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Aynho   
the apricot village

# Financial Regulations 2025

Aynho  
Parish Council

Aynho   
the apricot village

# AYNHO PARISH COUNCIL FINANCIAL REGULATIONS

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These Financial Regulations were adopted by the council at its meeting held 12<sup>th</sup> May 2025.

## General

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

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

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

In these Financial Regulations:

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

The Responsible Financial Officer (RFO) holds a statutory office, appointed by the council. The RFO;

- acts under the policy direction of the council;
- administers the council's financial affairs in accordance with all Acts, Regulations and proper practices;

- determines on behalf of the council its accounting records and control systems;
- ensures the accounting control systems are observed;
- ensures the accounting records are kept up to date;
- seeks economy, efficiency and effectiveness in the use of council resources; and
- produces financial management information as required by the council.

**The council must not delegate any decision regarding:**

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

In addition, the council shall:

- determine and regularly review the bank mandate for all council bank accounts;
- authorise any grant or single commitment in excess of £2,000 and

## Risk management and internal control

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

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

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

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

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

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

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

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

## Accounts and audit

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

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

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

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

The RFO shall complete and certify the annual Accounting Statements of the council contained in the Annual Governance and Accountability Return in accordance with proper practices, as soon as practicable after the end of the

financial year. Having certified the Accounting Statements, the RFO shall submit them (with any related documents) to the council, within the timescales required by the Accounts and Audit Regulations.

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

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

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

The council shall ensure that the internal auditor:

- is competent and independent of the financial operations of the council;
- reports to council in writing, or in person, on a regular basis with a minimum of one written report during each financial year;
- can demonstrate competence, objectivity and independence, free from any actual or perceived conflicts of interest, including those arising from family relationships; and
- has no involvement in the management or control of the council

Internal or external auditors may not under any circumstances:

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

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

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

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

## Budget and precept

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

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

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

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

Each committee (if any) shall review its draft budget and submit any proposed amendments to the council not later than the end of October each year.

The draft budget with any committee proposals, including any recommendations for the use or accumulation of reserves, shall be considered by the Clerk and RFO and a recommendation made to the council.

Having considered the proposed budget, the council shall determine its council tax requirement by setting a budget. The council shall set a precept for this amount no later than the end of December for the ensuing financial year.

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

The RFO shall **issue the precept to the billing authority no later than the end of** January and supply each member with a copy of the agreed annual budget.

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

Any addition to, or withdrawal from, any earmarked reserve shall be agreed by the council.

## Procurement

**Members and officers are responsible for obtaining value for money at all times.** Any officer procuring goods, services or works should ensure, as far as practicable, that the best available terms are obtained, usually by obtaining prices from several suppliers.

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

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

**For a contract for the supply of goods, services or works where the estimated value will exceed the thresholds set by Parliament, the full requirements of The Procurement Act 2023 and The Procurement Regulations 2024 or any superseding legislation (“the Legislation”), must be followed in respect of the tendering, award and notification of that contract.**

Where the estimated value is below the Government threshold, the council shall (with the exception of items listed in paragraph 6.12) obtain prices as follows:

For contracts estimated to exceed £12,000 including VAT, the Clerk or RFO shall advertise an open invitation for tenders in compliance with any relevant provisions of the Legislation. Tenders shall be invited in accordance with Appendix 1.

**For contracts estimated to be over £30,000 including VAT, the council must comply with any requirements of the Legislation regarding the publication of invitations and notices.**

For contracts greater than £2000 excluding VAT the Clerk or RFO shall seek at least 3 fixed-price quotes;

where the value is between £500 and £2000 excluding VAT, the Clerk or RFO shall try to obtain 3 estimates which might include evidence of online prices, or recent prices from regular suppliers.

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

**Contracts must not be split to avoid compliance with these rules.**

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

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

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

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

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

- the Clerk, under delegated authority, for any items below £500 excluding VAT.
- the Clerk, in consultation with the Chair of the Council or Chair of the appropriate committee, for any items below £2,000 excluding VAT.
- a duly delegated committee of the council for all items of expenditure within their delegated budgets for items under £3,000 excluding VAT
- the council for all items over £3,000;

- Such authorisation must be supported by a minute (in the case of council or committee decisions) or other auditable evidence trail.
- No individual member, or informal group of members may issue an official order or make any contract on behalf of the council.
- No expenditure may be authorised that will exceed the budget for that type of expenditure other than by resolution of the council except in an emergency.
- In cases of serious risk to the delivery of council services or to public safety on council premises, the Clerk may authorise expenditure of up to £2,000 excluding VAT on repair, replacement or other work that in their judgement is necessary, whether or not there is any budget for such expenditure. The Clerk shall report such action to the Chair as soon as possible and to the council as soon as practicable thereafter.
- No expenditure shall be authorised, no contract entered into or tender accepted in relation to any major project, unless the council is satisfied that the necessary funds are available and that where a loan is required, Government borrowing approval has been obtained first.
- An official order or letter shall be issued for all work, goods and services above £250 excluding VAT unless a formal contract is to be prepared or an official order would be inappropriate. Copies of orders shall be retained, along with evidence of receipt of goods.
- Any ordering system can be misused and access to them shall be controlled by the RFO.

## Banking and payments

- The council's banking arrangements, including the bank mandate, shall be made by the RFO and authorised by the council; banking arrangements shall not be delegated to a committee. The council has resolved to bank with Co-op. The arrangements shall be reviewed annually for security and efficiency.
- The council must have safe and efficient arrangements for making payments, to safeguard against the possibility of fraud or error. Wherever possible, more than one person should be involved in any payment, for example by dual online authorisation or dual cheque signing. Even where a purchase has been authorised, the payment must also be authorised and only authorised payments shall be approved or signed to allow the funds to leave the council's bank.

All invoices for payment should be examined for arithmetical accuracy, analysed to the appropriate expenditure heading and verified to confirm that the work, goods or services were received, checked and represent expenditure previously authorised by the council before being certified by the RFO. Where the certification of invoices is done as a batch, this shall include a statement by the RFO that all invoices listed have been 'examined, verified and certified' by the RFO.

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

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

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

A copy of this schedule of regular payments shall be signed by two members on each and every occasion when payment is made - to reduce the risk of duplicate payments.

A list of such payments shall be reported to the next appropriate meeting of the council for information only.

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

- i. any payments of up to £500 excluding VAT, within an agreed budget.
- ii. payments of up to £2,000 excluding VAT in cases of serious risk to the delivery of council services or to public safety on council premises.
- iii. any payment necessary to avoid a charge under the Late Payment of Commercial Debts (Interest) Act 1998 or to comply with contractual terms, where the due date for payment is before the next scheduled meeting of the council, where the Clerk and RFO certify that there is no dispute or other reason to delay payment, provided that a list of such payments shall be submitted to the next appropriate meeting of council or finance committee.

- iv. 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.

The RFO shall present a schedule of payments requiring authorisation, forming part of the agenda for the meeting, together with the relevant invoices, to the council. The council shall review the schedule for compliance and, having satisfied itself, shall authorise payment by resolution. The authorised schedule shall be initialled immediately below the last item by the person chairing the meeting. A detailed list of all payments shall be disclosed within or as an attachment to the minutes of that meeting.

## Electronic payments

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

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

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

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

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

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

Evidence shall be retained showing which members approved the payment online and a printout of the transaction confirming that the payment has been made shall be appended to the invoice for audit purposes.

A full list of all payments made in a month shall be provided to the next council meeting and appended to the minutes.

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

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

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

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

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

Remembered password facilities other than secure password stores requiring separate identity verification should not be used on any computer used for council banking.

## Cheque payments

Cheques or orders for payment in accordance with a resolution or delegated decision shall be signed by two members.

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

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

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

## Payment cards

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

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

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

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

## Petty Cash

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

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

## Payment of salaries and allowances

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

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

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

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

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

Each payment to employees of net salary and to the appropriate creditor of the statutory and discretionary deductions shall be recorded in a payroll control account or other separate confidential record, with the total of such payments each calendar month reported in the cashbook. Payroll reports will be reviewed by 2 members of the Council to ensure that the correct payments have been made.

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

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

## Loans and investments

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

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

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

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

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

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

## Income

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

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

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

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

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

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

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

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

## Payments under contracts for building or other construction works

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

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

## Stores and equipment

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

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

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

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

## Assets, properties and estates

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

The RFO shall ensure that an appropriate and accurate Register of Assets and Investments is kept up to date, with a record of all properties held by the council, their location, extent, plan, reference, purchase details, nature of the

interest, tenancies granted, rents payable and purpose for which held, in accordance with Accounts and Audit Regulations.

The continued existence of tangible assets shown in the Register shall be verified at least annually, possibly in conjunction with a health and safety inspection of assets.

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

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

## Insurance

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

The 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.

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

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

## Charities

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

## Suspension and revision of Financial Regulations

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

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

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

## Appendix 1 - Tender process

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

**Review of arrangements (including legal agreements) with other local authorities, not-for-profit bodies and businesses**

| <b>Organisation</b>           | <b>Business</b>                    | <b>Arrangement</b>  |
|-------------------------------|------------------------------------|---|
| West Northamptonshire Council | Local Authority                    | WNC - APC have unitary representatives who shall be invited to report at every full council meeting and Annual Parish Meeting. APC pay WNC directly for some services, others WNC levy directly through Council Tax.  |
|                               | Council Tax                        | The Parish Council may make a precept demand which is collected by WNC as part of the Council Tax demand.   |
|                               | Bin collection and Waste Recycling | WNC provide regular domestic waste collections. The Council pays green waste collection subscription for the Playing Field.   |
|                               | Planning and Building Control      | The Parish Council receive weekly updates on planning applications and decisions. The Parish Council may submit comments, objections or support relating to an application.   |
|                               | Electoral and Democratic services  | The Council must submit declaration of acceptance of office and members' registers of interests to democratic services. WNC must be notified of vacancies when they arise and will confirm with the Council any action regarding this. WNC are the monitoring authority, contact is Director of Legal and Democratic (Statutory Monitoring Officer).  |
|                               | Community and Safety               | WNC will investigate the following defects when reported via Fixmystreet:<br>Abandoned vehicles Bus Stops Car parks<br>Crash Barriers Dog Fouling Drains/Drain Covers Flyposting/Fly tipping<br>Footway/Footpath Graffiti Highway Bridges Kerbs Parks/landscapes<br>Pedestrian Barriers Public toilets Rights of Way Road Markings - Worn/Faded<br>Roads Rubbish (refuse and Recycling)<br>Safety Bollards Street cleaning Street |

|   |                             |   |
|---|-----------------------------|---|
|   |                             | lighting Street nameplates Traffic Signals<br>Vegetation Verges Winter Maintenance  |
|   | Parking Roads and Transport | Highways matters can be reported to the Highways regulations team / Kier  |
| St Michaels Church                              | Worship                     | Ad hoc arrangements can be negotiated between the council or clerk and an organisation representative. Occasional car-parking facility. |
| Almshouses                                      |                             | John Baker Charity trustees. Welfare, administration, property management and financial management.                                     |
| Village Hall Committee                          | Charity – Leisure, venue    | Village Hall Committee - access to meeting facilities & carpark arrangements.   |
| Brackley Policing Team, Northamptonshire Police | Emergency Services          | The Team hold occasional Beat Bus surgeries in the Parish. The Team are contacted to provide a report at the Annual Parish Meeting.     |

## **AYNHO PARISH COUNCIL Member Code of Conduct**

### **SECTION 1:**

### **INTRODUCTION**

The Members' Code of Conduct is intended to promote high standards of behaviour amongst Councillors.

The Code is underpinned by the following seven Nolan principles of public life, which should be adhered to when interpreting the meaning of the Code. Councillors should behave with:

1. **Selflessness** – and act solely in terms of the public interest. They should not act in order to gain financial or other benefits for themselves, their family or their friends.
  
2. **Integrity** – and should not place themselves under any financial or other obligation to outside individuals or organisations that might seek to influence

them in the performance of their official duties.

3. **Objectivity** – in carrying out public business, including making public appointments, awarding contracts, or recommending individuals for rewards and benefits; choices should be made on merit.
4. **Accountability** – and are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office.
5. **Openness** – and should be as open as possible about all the decisions and actions that they take. They should give reasons for their decisions and restrict information only when the wider public interest clearly demands.
6. **Honesty** – and declare any private interests relating to their public duties and to take steps to resolve any conflicts arising in a way that protects the public interest.
7. **Leadership** – and should promote and support these principles by leadership and example.

# SECTION 2: GENERAL PROVISIONS

## 1. Introduction and Interpretation

1.1 This Code applies to all members of the Council. It is your responsibility to comply with the provisions of this Code.

1.2 In this Code:

- a) “the Council” refers to AYNHO PARISH COUNCIL.
- b) “Councillor” means any person being a Member of the Council.
- c) “Meeting” means any meeting of:
  - the Council
  - any of the Council’s committees, or sub-committees
  - any of the Council’s advisory groups, working parties and panels.

## 2. Scope

2.1 This Code applies to you whenever you are acting in the capacity as a Member of the Council: not only when attending meetings. For example, it will also include but is not limited to Members’ dealings with officers, Members’ dealings with the public, when Members represent the Council on outside bodies, any statements made by a Member on behalf of the Council.

### 3. General Obligations

- 3.1 You must treat others with respect.
- 3.2 You must not do anything which may cause the Council to fall foul of UK equalities legislation.
- 3.3 You must not bully or intimidate any person or do anything which compromises the independence of those who work for the Council.
- 3.4 For the purposes of this paragraph, bullying is defined as: “offensive, intimidating,

malicious or insulting behaviour, an abuse or misuse of power through means that undermine, humiliate, denigrate or injure the recipient. Examples of bullying include, but are not limited to:

- spreading malicious rumours, or insulting someone by word or behaviour.
- copying communications that are critical about someone to others who do not need to know.
- ridiculing or demeaning someone – picking on them or setting them up to fail.
- exclusion or victimization.
- unfair treatment.
- overbearing supervision or other misuse of power or position.
- unwelcome sexual advances – touching, standing too close, display of offensive materials, asking for sexual favours, making decisions on the basis of sexual advances being accepted or rejected.
- making threats or comments about job security without foundation.
- deliberately undermining a competent worker by overloading and constant criticism.
- preventing individuals progressing by intentionally blocking promotion or training opportunities.

3.5 You must not intimidate or attempt to intimidate any person who is or may be:

- a complainant;
- a witness; or
- involved in the administration of this Code.

3.6 You must not make trivial or malicious allegations against others.

3.7 You must not do anything which compromises or may compromise the impartiality of those who work for, or on behalf of, the Council.

- 3.8 You must not conduct yourself in a manner which could reasonably be regarded as bringing your office or the Council into disrepute.
- 3.9 You must not accept any gifts or hospitality that could be seen by the public as likely to influence your judgement in relation to any matter that you deal with in your official capacity.
- 3.10 You must not pass on information given to you in confidence by anyone, or information acquired by you which you believe, or ought reasonably to be aware, is of a confidential nature, unless:
- you have the consent of a person authorised to give it
  - you are required by law to do so
  - the disclosure is made to a third party for the purpose of obtaining professional advice, provided that they agree not to pass on the information to any other person; or
  - the disclosure is:
    - reasonable and in the public interest; and
    - made in good faith and in compliance with the reasonable requirements of the Council.
- 3.11 You must not prevent another person from gaining access to information to which that person is entitled by law.
- 3.12 You must not use or attempt to use your position as a Councillor improperly to

confer on, or secure for yourself or any other person, an advantage or disadvantage.

3.13 You must, when using, or authorising the use by others of, the resources of the Council:

- act in accordance with the Council's reasonable requirements
- ensure that such resources are not used improperly for political purposes (including party political purposes).

3.14 You must have regard to any Local Authority Code of Publicity made under the Local Government Act 1986.

- 3.15 You must comply with any formal standards investigation into your conduct or the conduct of another Councillor.
- 3.16 You must, when reaching decisions on any matter, have regard to any relevant advice provided to you by:
- the Council's Responsible Finance Officer; or
  - the Council's Monitoring Officer
  - where that officer is acting in that role.
- 3.17 You must give reasons for all decisions in accordance with any statutory requirements and any reasonable additional requirements imposed by the Council.

## SECTION 3: INTERESTS

### 1. Registration of Interests

- 1.1 Within 28 days of this Code being adopted by your Council or your election or appointment to office (where that is later) you must register with the Monitoring Officer the interests which fall within the categories set out in Appendix A (Disclosable Pecuniary Interests) and Appendix B (Other Registerable Interests).
- 1.2 You must ensure that your register of interests is kept up-to-date and within 28 days of becoming aware of any new interest in Appendix A or B, or of any change to a registered interest, notify the Monitoring Officer.

### 2. Disclosable Pecuniary Interests

- 2.1 Where a matter arises at a meeting in which you have an interest in Appendix A, you must declare the interest (unless it is sensitive - see section 5 below), not participate, or participate further, in any discussion or vote further on the matter and must not remain in the room unless granted a dispensation.

### 3. Other registerable interests

- 3.1 Where a matter arises at a meeting in which you have an interest in Appendix B, you must declare the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting but must not take part in any vote on the matter unless you have been granted a dispensation.

## 4. Non-registerable interests

- 4.1 Where a matter arises at a meeting which relates to your own financial interest (and is not a Disclosable Pecuniary Interest) or your own wellbeing or is otherwise to your advantage or relates to a financial interest or wellbeing or is otherwise to the advantage of a relative, friend or close associate, you must disclose the interest and not vote on the matter unless granted a dispensation. You may speak on the matter only if members of the public are also allowed to speak at the meeting.
- 4.2 Where a matter arises at a meeting which affects your own financial interest or a financial interest of a relative, friend, close associate or body covered by Appendix B you must disclose the interest;
- 4.3 Where the matter referred to in paragraph 4.2 affects the financial interest to a greater

extent than if affects the financial interests of the majority of inhabitants of the area affected by the decision and a reasonable member of the public knowing all the facts would believe that it would affect your view of the wider public interest, you must not vote on the matter unless granted a dispensation. You may speak on the matter only if members of the public are also allowed to speak at the meeting.

## 5. Sensitive Interests

- 5.1 Where you consider (and the Council's Monitoring Officer agrees) that the nature of a Disclosable Pecuniary Interest, or other interest is such that disclosure of the details of the interest could lead to you or a person connected with you being subject to intimidation or violence, it is a "sensitive interest" for the purposes of the Code. The details of the sensitive interest do not need to be disclosed to a meeting, although the fact that you have a sensitive interest must be disclosed.

# APPENDIX A – DISCLOSABLE PECUNIARY INTERESTS

1. Breaches of the rules relating to Disclosable Pecuniary Interests may lead to criminal sanctions being imposed.
  
2. You have a Disclosable Pecuniary Interest if it is of a description specified in regulations made by the Secretary of State and either:
  - 2.1 it is an interest of yours, or
  
  - 2.2 it is an interest of:
    - your spouse or civil partner
  
    - a person with whom you are living as husband and wife, or
  
    - a person with whom you are living as if you were civil partners
  
    - and you are aware that that other person has the interest.
  
3. Disclosable Pecuniary Interests are:

| <b>Interest</b>  | <b>Description</b>   |
|--|--|
| <b>Employment, office, trade, profession or vocation</b> | Any employment, office, trade, profession or vocation carried on by you for profit or gain.  |
| <b>Sponsorship</b>                                       | <p>Any payment or provision of any other financial benefit (other than from the Council) made or provided within the relevant period in respect of any expenses incurred by you in carrying out duties as a Member, or towards your election expenses.</p> <p>This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.</p> |
| <b>Contracts</b>   | <p>Any contract which is made between you (or a body in which you have a beneficial interest) and the Council</p> <p>(a) under which goods or services are to be provided or works are to be executed; and</p> <p>(b) which has not been fully discharged.</p>   |
| <b>Land</b>  | Any beneficial interest in land which is within the area of the Council.   |
| <b>Licences</b>  | Any licence (alone or jointly with others) to occupy land in the area of the Council for a month or longer.  |
| <b>Corporate tenancies</b>                               | <p>Any tenancy where (to your knowledge)</p> <p>(a) the landlord is the Council; and</p> <p>(b) the tenant is a body in which you have a beneficial interest.</p>  |

|                   |   |
|-------------------|---|
| <b>Securities</b> | <p>Any beneficial interest in securities of a body where:</p> <p>(a) that body (to your knowledge) has a place of business or land in the area of the Council; and</p> <p>(b) either</p> <p>(i) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or</p> <p>(ii) where the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which you have a beneficial interest exceeds one hundredth of the total issued share capital of that class.</p> |
|-------------------|---|

*“body in which the relevant person has a beneficial interest” means a firm in which the relevant person is a partner or a body corporate of which the relevant person is a director, or in the securities of which the relevant person has a beneficial interest;*

*“director” includes a member of the committee of management of a registered society within the meaning given by section 1(1) of the co-operative and community benefit Societies Act 2014, other than a society registered as a credit union.*

*“land” excludes an easement, servitude, interest or right in or over land which does not carry with it a right for the relevant person (alone or jointly with another) to occupy the land or to receive income;*

*“securities” means shares, debentures, debenture stock, loan stock, bonds, units of a collective investment scheme within the meaning of the Financial Services and Markets Act 2000 and other securities of any description, other than money deposited with a building society.*

## APPENDIX B - OTHER REGISTERABLE INTERESTS

1. Any body of which you are in a position of general control or management and to which you are appointed or nominated by the Council;
  
2. Any body-
  - exercising functions of a public nature;
  
  - directed to charitable purposes; or
  
  - one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union) of which you are a member or in a position of general control or management;
  
3. Any gifts or hospitality worth more than an estimated value of £10 which you have received by virtue of your office, or a series of gifts or hospitality, from the same source within any 12-month period which together are worth more than an estimated value of £10.

## PART 2: GIFTS AND HOSPITALITY OFFERED TO COUNCILLORS

### 1. General Principals

- 1.1 Councillors should treat with caution any offer of a gift, favour or hospitality that is made to them. Whilst the person or organisation making the offer may be doing so entirely without expectation of gain, the public may see it differently if that person or organisation is doing business, or seeking to do business with the Council. Councillors should ask themselves “Would I have been given this if I was not on the Council?”
- 1.2 It is essential that any suggestion of improper influence should be avoided. When receiving offers of gifts and hospitality, Councillors should be particularly sensitive as to their timing in relation to decisions which the Council may be taking. For example, hospitality must not be accepted knowingly from interested parties during the tendering period of a contract, or whilst an application for planning permission or some other kind of permission/decision is being considered by the Council.
- 1.3 Councillors may come into contact with individuals seeking to enhance the prospects of their business. Sometimes suppliers (or potential suppliers/tenderers for services) make approaches to Councillors with a view to demonstrating a particular product or service. In order to avoid suspicion of unhealthy influence, Councillors should ensure that such offers are advised to appropriate officers.
- 1.4 As with all other aspects of this Code, Councillors should be confident that whatever they do should be seen to be an example to the community of proper conduct and behaviour.

## 2. Registering Gifts and Hospitality

- 2.1 This Code of Conduct sets out the requirement for Councillors to register the receipt of any gift or hospitality worth £10 or over that they receive in connection with their official duties as a Councillor. If in doubt as to the value, the Councillor should register the offer anyway. An accumulation of gifts from the same source over a short period that adds up to £10 or more should also be registered. The Member must register the gift or hospitality and its source by completing a written declaration within 28 days of receiving it.
- 2.2 The Council will maintain a register of gifts and hospitality received by Councillors where the value is £10 or more in value. The register is maintained by the Council's Proper Officer on behalf of the Monitoring Officer. Members should immediately notify the Proper Officer of any such gifts or hospitality received and enter the relevant details in the register. The register will be made available to the public via the Council's web site. It will be updated at least quarterly.
- 2.3 Councillors do not need to register gifts and hospitality that are not related to their role as a Councillor.

## **Appendix C - Arrangements for Making Complaints**

If a person wishes to make a complaint about a councillor under the Code of Conduct, it should be addressed to:

The Monitoring Officer  
West Northamptonshire Council  
One Angel Square  
Angel Street  
Northampton  
NN1 1ED

or e-mail [catherine.whitehead@westnorthants.gov.uk](mailto:catherine.whitehead@westnorthants.gov.uk)

The Monitoring Officer is a senior officer of the Council who has statutory responsibility for maintaining the Register of Members' Interests and who is responsible for administering the process in respect of complaints of alleged Member misconduct.

To ensure that the Monitoring Officer has all the information needed to process a complaint, it is recommended that complainants use the complaint form, which is available on request from the Monitoring Officer or can be downloaded from [www.westnorthants.gov.uk](http://www.westnorthants.gov.uk).

## **Gifts and Hospitality A Code of Conduct for Councillors**

The acceptance of gifts and hospitality by Councillors is not merely an administrative issue. It can affect peoples perception of Councillors and their integrity and it can colour peoples perceptions of the Council. It is therefore important for Councillors to follow

strict guidelines on how to deal with offers of gifts and hospitality and in what circumstances acceptance may be appropriate. That is the purpose of this Code.

The law on the acceptance of gifts and hospitality is set out in the authority's Code of Conduct for Members and in the Prevention of Corruption Acts. These requirements are supplemented by the procedures under this and other Codes, to provide a clear set of rules for the protection of both Councillors and the authority. Acceptance of a gift or hospitality in breach of the Code, or failure to declare receipt of such a gift or hospitality, can lead to disqualification from holding any public office for a period of up to five years. Corrupt acceptance of a gift or hospitality can lead to a heavy fine or up to 7 years' imprisonment.

This Code of Conduct sets out:

- (a) the principles which you should apply whenever you have to decide whether it would be proper to accept any gift or hospitality
- (b) a procedure for obtaining consent to accept a gift or hospitality, when you consider that it would be proper to accept it
- (c) a procedure for declaring any gift or hospitality which you receive and for accounting for any gift to the authority

This Code does not apply to the acceptance of any facilities or hospitality which may be provided to you by this authority.

## 1 General Principles

In general, you should not accept gifts and hospitality as a Councillor offered to you as an individual, by virtue of your position as a Councillor. Being a Councillor does not of course prevent you from receiving gifts and hospitality from your friends and relatives that you would normally receive. However, you should not accept gifts and hospitality that may be offered to you 'unofficially' by anyone, in your capacity as Councillor. A good test is to ask yourself whether you would have been offered this gift or hospitality if you had never been a Councillor.

There are however, circumstances where Councillors may accept minor gifts and hospitality in connection with Council visits or in performing their official duties. These may be small tokens to commemorate a visit or an event, or incidental refreshments associated with a meeting.

Your position as a Councillor puts you the public eye and you are open to public scrutiny. You should therefore ensure that that you do not give anyone cause to believe that you have accepted a gift that might influence your view or compromise your position or credibility in the public eye. Not only could this be damaging to .yourself but could undermine the high standards that we seek to promote and achieve in Local Government service.

If you are given a gift which is intended for 'the Council' you must ensure that this is handed over the Chairman's Secretary as soon as possible and officially recorded. The Chairman's Secretary will normally arrange for a letter to be sent to the donor on behalf of the Council.

In deciding whether it is proper to accept any gift or hospitality, you should apply the following principles. Even if the gift or hospitality comes within one of the general consents set out below, you should not accept it if to do so would be in breach of one or more of these principles:

(a) Never accept a gift or hospitality as an inducement or reward for anything you do as a Councillor

As a Councillor, you must act in the public interest and must not be swayed in the discharge of your duties by the offer, prospect of an offer, or the non-offer of any inducement or reward for discharging those duties in a particular manner.

The Public Bodies (Corrupt Offences) Act 1889 provides that if you accept any gift, loan, fee, reward or advantage whatsoever as an inducement to or reward for doing or forbearing to do anything in respect of any matter or transaction in which the authority is concerned, you commit a criminal offence carrying a maximum term of imprisonment of 7 years

Further, the authority's Code of Conduct for Members provides that you must act in the public interest, serving the authority and the whole community, rather than acting in the interests of any particular individual or section of the community, and that it is a breach of the Code improperly to confer any advantage or disadvantage on any person, including yourself.

(b) You should only accept a gift or hospitality if there is a commensurate benefit to the authority.

The only proper reason for accepting any gift or hospitality is that it is reasonable and appropriate to accept it under the circumstances and there is a commensurate benefit for the authority which would not have been available but for the acceptance of that gift or hospitality. This will normally apply only in connection with an official meeting event or activity that has been arranged by or through an appropriate officer of the Council.

Acceptance of hospitality at an official event or meeting organised through officers can confer an advantage on the authority, such as an opportunity to progress the business of the authority expeditiously through a working lunch, or to canvass the interests of the authority and its area at a meeting. Acceptance of a gift is unlikely to confer an advantage to the Authority. Therefore unless the benefit to the authority is clear, and the value of the gift or hospitality is modest, the presumption must be that the gift or hospitality is purely for your personal benefit and it should not be accepted. (Individual Members should not have private meetings with developers or contractors which have not been organised through officers and properly recorded.) You must also check whether you would be contravening the following sections of this Code (c-e).

As set out above, the authority's code provides that you must not improperly confer any advantage on anyone, including yourself. Acceptance as a Councillor of a gift or hospitality for your own benefit or advantage, rather than for the benefit to the authority, would be a breach of the Code.

You must of course register any gift or hospitality you receive which has a value in excess of £25.00 – even if this has been given to you in your official capacity. The register of gifts and hospitality, under the Code of Conduct for Councillors, is kept by the Monitoring Officer.

(c) Never accept a gift or hospitality if acceptance might be open to misinterpretation

The appearance of impropriety can be just as damaging to the authority and to you as a Councillor as actual impropriety. The authority's ability to govern rests upon its reputation for acting fairly and in the public interest. You must therefore consider whether the acceptance of the gift or hospitality is capable of being interpreted as a sign that you or the authority favours any particular person, company or section of the community or as placing you under any improper obligation to any person or organisation. If there is any possibility that it might be so interpreted, you must either refuse the gift or hospitality or take appropriate steps to ensure that such a misunderstanding cannot arise.

Certain occasions are particularly sensitive, and require the avoidance of any opportunity for such misunderstanding. These include:

(i) occasions when the authority is going through a competitive procurement process, in respect of any indication of favour for a particular tenderer.

(ii) determinations of planning applications or planning policy, in respect of any person or organisation which stands to gain or lose from the determination,

(iii) funding decisions, when the authority is determining a grant application by any person or organisation.

(d) Never accept a gift or hospitality which puts you under an improper obligation

Recognise that some commercial organisations and private individuals see the provision of gifts and hospitality as a means of buying influence. If you accept a gift or hospitality improperly, it is possible that they may seek to use this fact to persuade you to determine an issue in their favour. Equally, if others note that you have been prepared to accept a gift or hospitality improperly, they may feel that they will no longer be able to secure impartial consideration from the authority.

(e) Never solicit a gift or hospitality

You must never solicit or invite an offer of a gift or hospitality in connection with your position as a Councillor unless the acceptance of that gift or hospitality would be permitted under this Code. You should also take care to avoid giving any indication that you might be open to any such improper offer.

## 2 Consent Regimes

(a) General consent provisions

For clarity, you may accept gifts and hospitality in the following circumstances:

(i) civic hospitality provided by another public authority

(ii) modest refreshment in connection with any meeting in the ordinary course of your work, such as tea, coffee, soft drinks and biscuits

(iii) tickets for sporting, cultural and entertainment events which are sponsored by the authority

(iv) small gifts of low intrinsic value, branded with the name of the company or organisation making the gift, such as pens, pencils, mouse pads, calendars and diaries. However, you should take care not to display any such branded items when this might be taken as an indication of favour to a particular supplier or contractor, for example in the course of a procurement exercise

(v) a modest alcoholic or soft drink on the occasion of an accidental social meeting, such as a pint of beer from an employee of a contractor or party with whom you have done business on behalf of the authority if you meet accidentally in a public house, cafe or bar. In such cases, you should make reasonable efforts to return the offer where this is practicable return the offer where this is practicable. However, drinking with someone who has dealings with the Council may give the impression that you have a friendship which may result in you having a declarable (and possibly prejudicial) interest if any related matter comes before the Council for a decision.

(vi) Members should only have meetings with suppliers or contractors where such meetings have been officially organised by or through the Council's officers. In such cases a modest working lunch not exceeding £10 a head in the course of a meeting in the offices of a party with whom the authority has an existing business connection where this is required in order to facilitate the conduct of that business. Councillors should not make such arrangements themselves, but request officers to settle the detailed arrangements, and officers are under instruction, when arranging any such meeting, to make it clear to the other party that such a lunch must not exceed a value of £10 a head

(vii) modest souvenir gifts with a value below £25 from another public authority given on the occasion of a visit by or to the authority

(viii) Hospitality received in the course of an external visit or meeting which has been duly authorised by the authority. Councillors should not make such arrangements themselves, but request officers to settle the detailed arrangements, and officers are under instruction to make it clear that any such hospitality for Councillors and officers is to be no more than commensurate with the nature of the visit

(ix) other unsolicited gifts, where it is impracticable to return them to the person or organisation making the gift, provided that the Councillor deals with the gift strictly in accordance with the following procedure:

The Councillor must, as soon as practicable after the receipt of the gift, pass it to the Secretary to the Mayor/Chairman of the Council together with a written statement identifying the information set out in Paragraphs 2(b) below. The Secretary will then write to the person or organisation making the gift thanking them on your behalf for the gift and informing them that you have donated the gift to the Chairman's Charity Fund, on whose behalf it will be raffled or otherwise disposed of in due course, the proceeds being devoted to a charitable cause chosen by the Chairman of the Council.

(b) Special consent provisions

If you wish to accept any gift or hospitality which is in accordance with the General Principles set out in Paragraph 1, but is not within any of the general consents set out in Paragraph 2(a), you may only do so if you have previously obtained specific consent in accordance with the following procedure:

You must make an application in writing to the Monitoring Officer, setting out:

(i) the nature and your estimate of the market value of the gift or hospitality

(ii) who the invitation or offer has been made by or on behalf of

(iii) the connection which you have with the person or organisation making the offer or invitation, such as any work which you have undertaken for the authority in which they have been involved

(iv) any work, permission, concession or facility which you are aware that the person or organisation making the offer or invitation may seek from the authority

(v) any special circumstances which lead you to believe that acceptance of the gift or hospitality will not be improper

You must not accept the gift or hospitality until you have received the appropriate consent.

The Monitoring Officer will enter details of any approval in a register which will be available for public inspection on the occasion of the public inspection of the authority's accounts for the relevant year. But note that this does not relieve you of the obligation to register the receipt of gifts and hospitality in accordance with Paragraph 3 below (the Register of Gifts and Hospitality under the Code of Conduct for Councillors).

### 3 Reporting

The Statutory Code of Conduct for Councillors requires that if you accept any gift or hospitality which you estimate to have a market value or cost of provision of £25 or greater, you must, as soon as possible after receipt of the gift or hospitality, make a declaration in writing to the Monitoring Officer, setting out the information set out in Paragraphs 2(b) above. A form for this purpose is attached to this Code, but you can send the same information by any convenient means. The Monitoring Officer will retain a copy of any such declaration in a register which will be available for public inspection until the approval of the authority's accounts for the year in question.

Even if the value of the gift or hospitality is less than £25, if you are concerned that its acceptance might be misinterpreted, you may make a voluntary declaration in the same manner to ensure that there is nothing secret or underhand about the gift or hospitality.

### 4 Gifts to the authority

#### (a) Land, Property and Public Assets

Gifts to the Authority would normally be negotiated by officers. These may take the form of the provision of land, goods or services, either to keep or to test with a view to future acquisition, an offer to carry out works or sponsorship of a function which is organised or supported by the authority. You should not solicit any such gift on behalf of the authority except where the authority has formally identified the opportunity for participation by an external party and how that participation is to be secured and you have been authorised to do so, for example in relation to sponsorship of public musical and theatrical performances. You must not become involved in discussions with developers about offers in relation to planning applications/S106 Obligations other than when authorised and only when an appropriate Senior Officer is present to advise and record the discussion.

If you receive such an offer on behalf of the authority, you must first consider (and take advice from the relevant Manager or Director or legal officers about whether it is appropriate for the authority to accept the offer (in terms of whether the acceptance of the gift might be seen as putting the authority under any improper obligation).

(b) Objects and Corporate Hospitality

If you do not have specific authority to accept a gift, you should report the offer directly to the Monitoring Officer, together with your recommendation. Except in relation to S106 Obligations which will be dealt with by the Manager of Planning and Environment and the Council's Legal Officers (see 4(a) above), the Monitoring Officer will write back to the person or organisation making the offer, to record the acceptance or non-acceptance of the gift, record the gift for audit purposes and ensure that the gift is properly applied for the benefit of the authority. If you have any concerns about the motives of the person or organisation making the offer, or whether it would be proper for the authority to accept the gift, you should consult the Monitoring Officer first.

5 Definitions

(a) "Gift or hospitality" includes any:

(i) . the free gift of any goods or services

(ii) the opportunity to acquire any goods or services at a discount or on terms which are more advantageous than those which are available to the general public

(iii) the opportunity to obtain any goods or services which are not available to the general public

(iv) the offer of food, drink, accommodation or entertainment, or the opportunity to attend any cultural, sporting or entertainment event.

(b) References to the "value" or "cost" of any gift or hospitality are references to the higher of:

(i) your estimate of the cost to the person or organisation of providing the gift or consideration

(ii) the open market price which a member of the public would have to pay for the gift or hospitality, if it were made available commercially to the public, less the cash sum of any contribution which you would be required to make toward that price to the person or organisation providing or offering the gift or hospitality.

Based on a draft prepared by Peter Keith-Lucas Local Government Partner Wragge & Co, Solicitors 30.8.2002 Amended by the Council's Monitoring Officer, 17th March 2004 following comments made by the Standards Committee 4th March 2004.

(H:Lynne:MonOff:Members' Code on Gifts and Hospitality)

## APC Financial Risk Assessment & Management 2025

| FINANCE |                   |   |                  |   |   |
|---------|-------------------|---|------------------|---|---|
| Ref     | Topic             | Risk  | H/M/L            | Management/Control of Risk  | Review/Assess/Revise  |
| 1       | Precept           | Adequacy of precept                                   | L                | To determine the precept amount required, the Parish Council should receive quarterly budget information and meet ahead of the precept demand to assess adequacy to date.   | Satisfactory.<br>Quarterly budget information is supplied to the Full Council.                                  |
| 2       |                   | Requirements not submitted to WNC                     | L                | WNC requests precept requirement providing a prompt for the Clerk. The precept request form is submitted by the Clerk in writing to the WNC.<br>Clerk keeps record of precept request.  | Satisfactory Clerk to minute the precept amount. AGAR 2022-23 identified insufficient precept amount recording. |
| 3       |                   | Precept not received                                  | L                | Precept receipt is monitored by Clerk who informs Council when the precept is received at the next full council meeting.<br>WNC confirm pay date, RFO to monitor levels of general reserves are adequate but no more than 50% of annual precept.      | Satisfactory  |
| 4       | Budgeting         | Budget not prepared for next financial year           | L                | The Parish Council monitors data on previous budget and year to date expenditure to anticipate requirements by nominal code/category. Budget and precept setting are timetabled for meeting agenda annually in line with the Standing Order Calendar. | Satisfactory Clerk to minute the budget amount. AGAR 2022-23 identified insufficient budget amount recording.   |
| 5       | Financial Records | Inadequate records                                    | M                | The Parish Council's Financial Regulations outline the required format of finance processing and record-keeping. ICC, Internal audit and AGAR to trigger proper scrutiny of the effectiveness of Financial Regulations in practice.                   | Satisfactory  |
| 6       |                   | Financial irregularities/Internal controls            | L                | ICC ensure basic financial management compliance such as bank reconciliations and VAT reclaim. Record keeping of invoices, statements, cheque books and paying in books maintained as a resource for scrutinising errors.                             | Satisfactory.<br>ICC remodelled for better scrutiny.  |
| 7       | Bank and Banking  | Inadequate checks<br>Bank mistakes<br>Loss<br>Charges | L<br>L<br>L<br>L | The Parish Councils Financial Regulations is the essential framework for banking, cheques and reconciliation of accounts.   | Satisfactory. Financial Regulations to be reviewed in line with Standing Order Calendar.                        |

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|    |                               |                                  |   | Banking errors can be discovered by the Clerk/RFO during monthly bank reconciliations and appropriate resolution sought with the bank.<br>Reconciliation reports to run each month to support cashbook balancing. Dual signatory required for authorisation of payments and losses to be brought to the attention of Finance and Policy Committee.  |  |
| 8  | Cash                          | Loss through theft or dishonesty | M | The Parish Council receives very few payments in cash though the handling and management of this is set out in section 9 of the Financial Regulations. The Parish Council does not have a receipt book.   | Payments due are invoiced and payments received in cash or cheque are receipted. Invoices encourage direct transfer payment. |
| 9  | Reporting and Auditing        | Information communication        | M | 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:<br>i. the Council's receipts and payments (or income and expenditure) for each quarter;<br>ii. the Council's aggregate receipts and payments (or income and expenditure) for the year to date;<br>iii. the balances held at the end of the quarter being reported and which includes a comparison with the budget for the financial year and highlights any actual or potential overspends. | Review<br>Controls required to ensure prompts in place to receive information.<br>Currently (ii) not completed.              |
| 10 | All Costs & expenses<br>Debts | Goods not supplied but billed    | L | All goods are authorised on the Schedule of Payments. Goods received at Parish Meeting Rooms and not other addresses where the Clerk/RFO or employees can verify receipt of goods. Clerk/RFO to query bills for goods/services not received.  | Satisfactory   |
| 11 |                               | Incorrect invoicing              | L | All invoices are checked by the Clerk/RFO. Clerk/RFO to handle all invoices in accordance with 6.2 of Financial Regulations.  | Satisfactory   |
| 12 |                               | BACS/Cheque payable incorrect    | L | Clerk/RFO confirms all payments against payment request information, e.g. invoices and payroll. For cheques, dual signatory is required and copy of authorisation of payments detailing   | Satisfactory   |

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|    |                                     |   |                  | amounts provided. For BACS, a councillor authorises payments created by the Clerk/RFO.  |   |
| 13 |                                     | Loss of stock   | L                | The Parish Council may hold consolidated stock  | Review<br>Current Financial Regulations do not account for the management or loss of stock. |
| 14 |                                     | Unpaid invoices   | L                | Unpaid invoices for Council goods or services are pursued and where possible, payment is obtained in advance. Terms and methods for payments included on Council invoices.  | Satisfactory.   |
| 15 | Grants and support - payable        | Power to pay<br>Authorisation of Council to pay   | L                | All payments made follow process of authorisation of payment and dual signatory / approval of online payment. Grant Funding Policy to be followed.  | Satisfactory  |
| 16 | Grants - receivable                 | Receipts of Grant   | L                | The Finance and Policy Committee to oversee any terms and conditions of grants received by the Parish Council are satisfied. Currently no regular grants received.  | Review of Financial Regulations to consider management of grants received.                  |
| 17 | Charges –<br>_rentals<br>receivable | Receipt of rental   | L                | Allotment and Parish Meeting Room hire should be invoiced and payment pursued as per the invoice payment terms. Rent rates agreed annually by Parish Council.   | Satisfactory  |
| 18 |                                     | Insurance implication   | M                | The Parish Council insures fixtures and fittings at the Parish Meeting Room. New allotment agreements to be implemented to outline tenant liability for allotment damages.  | Satisfactory.   |
| 19 | Accountability                      | Work awarded incorrectly  | M                | The Parish Council to refer to its Financial Regulations and adhere to the requirements for the award of contracts. Advice to be sought from Contract Finder / Crown Commercial Services or other appropriate external source if needed,  | Satisfactory  |
| 20 |                                     | Overspend on services/depletion of reserves   | M                | RFO to provide recommendations / report on budget availability in line with Financial Regulations Section 3.  | Satisfactory  |
| 21 | Salaries and associated costs       | Salary paid incorrectly<br>Wrong rate paid<br>Wrong deductions of NI or Tax<br>Unpaid Tax & | L<br>L<br>L<br>L | Salary agreed and banking standing order authorised where appropriate for employees. Payroll completed by 3rd party and provides Yellow Book Returns / P32 report for verification of NIC and Tax calculations. Clerk/RFO confirms quarterly HMRC payments with payroll provider. | Satisfactory  |

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|   |                       | NI contributions to the Inland Revenue   |   |  |   |
| 22  | Workplace pension     | Lack of adequate provision   | L | Payroll provider undertakes auto-enrolment process on Parish Council instruction. NEST pension provided for employees.   | The council provides the minimum pension contribution required.   |
| 23  | Employees             | Loss of key personnel/difficulty in retaining Staff<br>Not enough hours for role | M | Vacancy would be advertised widely. Cover would be organised by other employees. Hours reviewed on at least an annual basis. Review of staff responsibility in cases of high staff turnover.   | Review<br>Annual appraisals with ad hoc meetings to provide direct response to issues and retain staff.                         |
| 24  |                       | Fraud by staff   | L | Limited cash handled and adequate procedures in place. 2 councillors sign cheques/authorise invoices. Bank balances reported quarterly, statements available for inspection, checked and signed by two councillors. Expenses evidenced by invoice/receipt.   | Satisfactory  |
| 25  | Councillor allowances | Councillors over-paid  | L | No allowances are allocated to Parish Councillors.   | No procedure required   |
| 26  | Election costs        | Risk of an election cost   | L | Known elections budgeted for through reserves. By-Elections to be provided from contingency budget   | Officers and Councillors to monitor budget and reserves throughout the year to ensure adequate funding available if required.   |
| 27  | VAT                   | Re-claiming/charging   | L | The RFO shall promptly complete any VAT Return that is required. Any repayment claim due in accordance with VAT Act  | VAT reclaimed quarterly.  |
| 1994 section 33 shall be made at least annually coinciding with the financial year end. |                       |  |   |  |   |
| 28  | Annual Return         | Submit within time limits  | L | Annual Return is completed and signed by the Parish Council, submitted to an internal auditor for completion and signing then checked and sent on to the External Auditor, any issues with providing the return within the deadline to be managed directly with the SAAA-appointed external auditor. | Satisfactory<br>The Clerk is notified by the Internal Auditor to begin booking AIAR which triggers YE process booking with RBS. |
| 29  | Legal Powers          | Illegal activity or payments   | L | All activity and payments within the powers of the Parish Council to be resolved and minuted at Full Council Meetings.   | Satisfactory  |
| 30  | Minutes / Agendas /   | Accuracy and legality  | L | Minutes and agenda are produced in accordance with Standing Orders by the Clerk and adhere to the legal  | Satisfactory  |

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|    | Notices / Statutory Documents |  |   | requirements. Minutes are approved and signed at the next Council meeting. Minutes and agenda are displayed and retained according to the legal requirements   |   |
| 31 |                               | Business conduct   | L | Business conducted at Council meetings is managed by the Chairperson. Training available for new councillors with NCALC to outline expectations regarding conduct of business.   | Satisfactory  |
| 32 | Members interests             | Conflict of interest   | L | The Declaration of Interests by members at a meeting reminds Councillors of their duty and should remain on the agenda.  | Satisfactory  |
| 33 |                               | Register of Members interests                                    | M | Members have a duty to update their individual Register of Interests, criminal penalties enforceable to deter non-completion.  | All registers of interest present and updated with Democratic Services as needed.   |
| 34 | Insurance                     | Adequacy   | L | An annual review is undertaken (before the time of the policy renewal in April) of all insurance arrangements in place. Risk assessments completed as required. Managed in accordance with Section 14 of Financial Regulations.                                | Review<br>Comparable quotes not obtainable as the Council does not hold sufficiently up-to-date valuation information.  |
| 35 |                               | Cost   | L | Employers and Employee liability insurance is a necessity and must be paid for. Financial Regulations Section 14.  | Review<br>Parish Council may consider obtaining comparative quotes at time of renewal.  |
| 36 | Data protection               | Loss or theft of personal data<br>GDPR<br>Freedom of Information | M | The Parish Council is registered with the Information Commissioner, registration reference ICO:00016487566 expiring 04/05/2025. Policies for data protection, document retention, freedom of information and a privacy notice have been adopted and published. | General Data Controller information and log introduced 2023.<br>FOI and SAR information pages and forms updated on website.<br>Registration with ICO auto-renews. |

## Aynho Parish Council Calendar of Meetings 2025/2026

Unless otherwise stated, all meetings shall be held in the Village Hall Mary Cartwright Room, Croughton Road, Aynho, OX17 3BD and shall commence at 7.00pm

| <b>Council Year 2025/2026</b>      |  |
|------------------------------------|--|
|                                    | <b>Full Council Meeting<br/>(Held on first Monday)</b>             |
| <b>2024</b>                        |  |
| Parish Council Meeting             | 7 <sup>th</sup> April 2025   |
| <b>Annual Parish Meeting</b><br>** | <b>28<sup>th</sup> April 2025 7.00 p.m.</b> (Venue – Village Hall) |
| <b>Annual Council Meeting</b><br>* | <b>12<sup>th</sup> May 2025 7.00 p.m.</b>                          |
| Parish Council Meeting             | 12 <sup>th</sup> May 2025  |
| Parish Council Meeting             | 2 <sup>nd</sup> June 2025  |
| Parish Council Meeting             | 7 <sup>th</sup> July 2025  |
| Parish Council Meeting             | 4 <sup>th</sup> August 2025  |
| Parish Council Meeting             | 1 <sup>st</sup> September 2025                                     |
| Parish Council Meeting             | 6 <sup>th</sup> October 2025                                       |
| Parish Council Meeting             | 3 <sup>rd</sup> November 2025                                      |
| Parish Council Meeting             | 1 <sup>st</sup> December 2025                                      |
| <b>2026</b>                        |  |
| Parish Council Meeting             | 2 <sup>nd</sup> February 2026                                      |
| Parish Council Meeting             | 2 <sup>nd</sup> March 2026   |
| Parish Council Meeting             | 6 <sup>th</sup> April 2026   |

|                                    |                                     |
|------------------------------------|-------------------------------------|
| <b>Annual Parish Meeting</b><br>** | TBA                                 |
| <b>Annual Council Meeting</b><br>* | 11 <sup>th</sup> May 2026 7.00 p.m. |
| Parish Council Meeting             | 11 <sup>th</sup> May 2026           |

\* Annual Meeting of the Council – Must be held in May except in an election year when it is held between the fourth and fourteenth day after the election – Local Government Act 1972 Sch. 12 Para. 7.

\*\* Annual Meeting of the Parish – Not a Parish Council Meeting but a meeting called by the Chairman of the Parish Council. Must be held between 1 March and 1 June – Local Government Act 1972 Sch. 12 Para. 14. Any registered local government elector is entitled to speak and vote. Other members of the public (and press) may be present but cannot participate in the meeting.