

APPENDIX 1

**Delegated Authority
Delegation to the Town
Clerk
Roles and
Responsibilities
of Committees/Sub-
Committees
Communication Protocol**

Cricklade Town Council – Delegated Authority

Each standing Committee/Sub-Committee (i.e. Community & Leisure, Planning Conservation & Transport, Policy & Resources, Personnel) has delegated powers for carrying out the role and functions as listed later, within the constraints of the budget allocated as part of the annual precept discussions.

For the sake of clarity, this is intended to mean:

- 1) Each Committee/Sub-Committee has powers to incur both revenue and capital expenditure where the allocated budget, on its own (i.e. without outside grants), is sufficient to meet the actual costs.
- 2) The Committee/Sub-Committee must seek full Council approval for any proposals that include outside grants or where further funding is required.
- 3) For 'projects' identified as part of the precept discussions the powers delegated are determined by the 'project brief'. Where a project differs in any respect to the previously agreed project brief then full Council approval must be sought before incurring any (further) expenditure.

The Council or any Committee/Sub-Committee may appoint an ad-hoc 'working party' to research an issue and make recommendations back to the relevant committee. Such working parties have no delegated authority and can only make recommendations.

It is proposed that the following protocol applies to working parties:

- ☛ Working parties should normally consist of a minimum of 4 councillors, but can be lower with the agreement of the sponsoring committee.
- ☛ There is no quorum for working party meetings.
- ☛ A Chairman should be appointed at the first meeting of the working party. They are responsible for co-ordinating all aspects of the work needed to meet the sponsoring committee's brief.
- ☛ An officer of the Council, who will take notes of the meeting, should ideally be in attendance, but not always necessary if agreed by its members. The notes will be agreed with the Chairman of the working party and included in the next agenda papers of the sponsoring committee.
- ☛ A standard summary sheet will be produced by the relevant officer for each sponsoring committee and circulated with the appropriate agenda to **ALL** Councillors. The summary will show for each working party: name of working party; members of working party; date of last meeting; current status (a one line description e.g. 'awaiting quotations'). (Note: Where there has been a working party meeting since the last sponsoring committee meeting then the notes from the working party meeting should form part of the agenda papers for the sponsoring committee). Both working party notes and the standard summary sheet should be marked "Confidential".
- ☛ Working party notes will not be made public unless specifically agreed by the sponsoring committee – this allows a less rigid regime for their production/approval. They are after all, only meant to be notes and not formal minutes.

Delegation to the Town Clerk

Given that this is a note about delegation it is appropriate to document those functions delegated to the Town Clerk:

- The Town Clerk shall be the proper officer for all proper officer functions. This includes representing the Council when dealing with the public or press.
- The Town Clerk shall manage all employees of the Council and has the authority to take disciplinary action under agreed procedures.
- The Town Clerk shall make arrangements to pay salaries and wages to all employees of the Council.
- The Town Clerk shall accept bookings and hirings of premises and facilities operated by the Council.
- The Town Clerk shall arrange and call meetings of the Council, its committees and subcommittees in consultation with the relevant chair.
- The Town Clerk shall carry out and implement any Council, committee or sub-committee decision.
- The Town Clerk may take urgent decisions on behalf of the Council in consultation with the Chair and/or another Councillor(s).
- The Town Clerk shall be the Responsible Financial Officer (RFO) and is delegated all those activities that the role entails.

Role and Functions of Committees/Sub-Committees

The Council, Committee or Sub-Committee shall undertake the following functions:

Cricklade Town Council

1. Regularly monitor income and expenditure.
2. Incur and authorise expenditure not otherwise delegated to another committee or employee.
3. Approve the Council's accounts.
4. Deal with recommendations arising from Committees and, where the Council is the sponsoring committee, working parties.

Community & Leisure Committee

1. Liaise with the Unitary Council, NHS bodies, Environment Agency and other public bodies on recreation, tourism and environmental matters (including, but not limited to, parks, open spaces, playing fields, footpaths and bridleways, halls, swimming pools and leisure centres, support for the arts, museums and art galleries, refuse collection/street cleansing, litter bins/litter clearance, recycling, management of travellers/gypsy sites, food safety, public conveniences, markets, dog and pest control, noise abatement, health & safety, public seating) that affect the town and make representations as appropriate.
2. Maintain:
 - The Council's play equipment
 - Recreation grounds
 - Open Spaces
 - The Bath Road Cemetery
 - The closed church burial grounds at St Sampson's and St Mary's
 - Fairview Fields
 - The Community Garden
 - Floral displays in and around the townand other community assets in and around the town.
3. Ensure the provision, safe storage and maintenance of the necessary equipment to carry out the work of the Council groundsmen.
4. Maintain and repair Council assets as required under the various contractual leases (e.g. Thames Hall, Cricklade Museum, etc).
5. Determine the Council's terms and conditions relating to burials in the cemetery and set associated fees.

Planning, Conservation & Transport Committee

1. Liaise with the Unitary Council, NHS bodies, Environment Agency and other public bodies on planning matters (including, but not limited to, Strategic planning/structure plans, Minerals and waste planning, Local Development Framework, Development Control [planning applications and enforcement], Advertising consent, Historic buildings, Conservation areas, Tree preservation) that affect the town and make representations as appropriate.
2. Liaise with the Unitary Council, NHS bodies, Environment Agency and other public bodies on transport and highway matters (including, but not limited to, Public transport, Highways and parking, Transport planning, Unclassified roads,

Off-street car parking, Traffic management, Road safety, Local transport plans, Street lighting, Street naming) that affect the town and make representations as appropriate.

3. Keep under review the safety of the community within the town and make:
 - recommendations to the Council on any matters involving community safety, including Emergency Planning. In particular liaise with:
 - emergency services in relation to community safety matters,
 - local planning and highways authorities on community safety matters that affect the town in relation to their functions,
 - Unitary Council, NHS bodies, Environment Agency and other public bodies on community safety matters that affect the town and make representations as appropriate.
4. Encourage and support community involvement in community safety initiatives within the town.

Policy & Resources Committee

1. Liaise with the Unitary Council, NHS bodies, Environment Agency and other public bodies on all aspects of tourism development matters that affect the town and make representations as appropriate.
2. Deliver the tourist information service.
3. Deliver the Council's administration services.
4. Award Section 137 and other grants, with powers, for the benefit of the local community.
5. Recommend changes to council policy/protocols/standing orders as appropriate.
6. Determine all the resource requirements of the Council and make recommendations to the Council. Resources include financial, land and property and employees and contractors.
7. Recommend to the Council an annual budget and precept.

Personnel Sub-Committee

1. Recruitment of new employees.
2. Recommend to the Policy & Resources Committee terms & conditions of employment for council employees.
3. Manage the Town Clerk, an employee of the Council, through the Chairman of the Council, with the authority to take disciplinary action under agreed procedures.

Revised Financial Regulations
S A Parker
Town Clerk (RFO)
September 2009

APPENDIX 2

Financial Regulations

CRICKLADE TOWN COUNCIL

FINANCIAL REGULATIONS

1. GENERAL

1.1 These financial regulations govern the conduct of the financial transactions of Cricklade Town Council and may only be amended or varied by resolution of the Council.

1.2 The Responsible Financial Officer (RFO), under the policy direction of the Council, shall be responsible for the proper administration of the Council's affairs.

1.3 The RFO shall be responsible for the production of financial management information.

2. PREPARATION OF COMMITTEE STATEMENTS

2.1 Each spending Committee of the Council shall, at its meeting between September and December each year, consider a report of the RFO, setting out the estimated expenditure of the Committee for the forthcoming financial year (taking into account existing commitments and any proposals already identified by the Committee for that year) and shall at that meeting determine a recommended budget for its expenditure for the coming year.

2.2 The Policy and Resources Committee shall also receive the proposed budgets of all other Standing Committees before these are presented for adoption by the Council and shall make recommendation to the Council on the adoption or otherwise in full or in part of the budgets.

3. ANNUAL ESTIMATES

3.1 Each Committee shall formulate and submit proposals to the Council in respect of revenue and capital costs for the following financial year not later than the end of December each year.

3.2 Detailed estimates of all receipts and payments for the year shall be prepared each year by the RFO.

3.3 The Council shall review the estimates not later than the end of January each year and shall fix the Precepts to be levied for the ensuing financial year. The RFO shall supply each member with a copy of the approved estimates.

3.4 The annual budgets shall form the basis of financial control for the ensuing year.

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4. BUDGETARY CONTROL

4.1 Expenditure on revenue items may be incurred up to the amounts included in the approved committee budgets.

4.2 No expenditure may be incurred that will exceed the amount provided in the revenue budget.

4.3 The RFO shall regularly provide the Council with a statement of receipts and

payments to date under each head of the budgets, comparing actual expenditure against that planned.

- 4.4 The RFO may incur expenditure on behalf of the Council which is necessary to carry out any repair replacement or other work which is of such extreme urgency that it must be done at once, whether or not there is any budgetary provision for the expenditure, subject to a limit of £500. The RFO shall report the action to the Council as soon as practicable thereafter.
- 4.5 Unspent provisions in the revenue budget shall not be carried forward to a subsequent year.
- 4.6 No expenditure shall be incurred in relation to any capital project and no contract entered into or tender acted upon involving capital expenditure unless the Council is satisfied that the necessary funds are available, or the requisite borrowing approval has been obtained.
- 4.7 All capital works shall be administered in accordance with the Council's standing orders and financial regulations relating to contracts.
- 4.8 Each Committee shall have its own authorised budget.

5. ACCOUNTING REPORTS TO COUNCIL MEMBERS

- 5.1 Statements of income and expenditure for all bank accounts and petty cash are to be presented to all members monthly;
- 5.2 Statements of income and expenditure summarised by budget heading are to be presented to all members quarterly.

6. ACCOUNTING AND AUDIT

- 6.1 All accounting procedures and financial records of the Council shall be determined by the RFO as required by the Accounts and Audit Regulations 1996 as amended (see Practitioners' Guide 2003 edition).
- 6.2 The RFO shall be responsible for arranging for the completion of the annual financial statements of the Council as soon as practicable after the end of the financial year and shall submit them and report thereon to the Council.
- 6.3 The RFO shall be responsible for completing the Accounts of the Council contained in the Annual Return (as supplied by the Auditor appointed from time to time by Audit Commissions) and for submitting the Annual Return for approval and authorisation by the Council within the timescales set by the Accounts and Audit Regulations 1996 as amended, or set by the Auditor.
- 6.4 The RFO shall be responsible for ensuring that there is an adequate and effective system of internal audit of the Council's accounting, financial and other operations in accordance with Regulation 5 of the Accounts and Audit Regulations 1996 as amended. Any officer or member of the Council shall, if the RFO or Internal Auditor requires, make available such documents of the Council which appear to the RFO or Internal Auditor to be necessary for the purpose of the internal audit and shall supply the RFO or Internal Auditor with such information and explanation as the RFO or Internal Auditor considers necessary for that purpose.
- 6.5 The Internal Auditor shall carry out the work required by the RFO, or by the Council, with a view to the satisfactory completion of the Internal Auditor's Report section of the Annual Return as compiled annually by the Audit Commission.

The Internal Auditor, who shall be competent and independent of the operations of the Council, shall report to Council in writing on a regular basis with a minimum of one annual report in respect of each financial year.

- 6.6 The RFO shall make arrangements for the opportunity for inspection of the accounts, books, and vouchers required by Audit Commission Act 1998 section 15 and the Accounts and Audit Regulations 1996 as amended.
- 6.7 The RFO shall, as soon as practicable, bring to the attention of all councillors any correspondence or report from the Internal or External Auditor, unless the correspondence is of a purely administrative matter
- 6.8 The RFO shall make arrangements for the opportunity for inspection of accounts, books, and vouchers required by Audit Commissions Act section 15 and the Accounts and Audit Regulations 1996 as amended.

7. ANNUAL FINANCIAL STATEMENT

- 7.1 The RFO shall supply to each member, at the next Council meeting after the end of the financial year, a statement of receipts and payments.

8. BANKING ARRANGEMENTS AND CHEQUES

- 8.1 The Council's banking arrangements shall be made by the RFO and approved by the Council. They shall be regularly reviewed for efficiency.
- 8.2 A schedule of all payments should form part of the Full Town Council Agenda, prepared by the RFO and be presented to Council. Relevant invoices shall be made available for inspection. If the schedule is in order it shall be authorised by a resolution of the Council and shall be initialled by the Chairman of the Meeting.
- 8.3 Two authorised members of the Council and one officer shall sign cheques drawn on the bank account in accordance with the schedule referred to in regulation 8.2 and 8.4.
- 8.4 The members will be required to indicate agreement of the details shown on the cheque or order for payment with the counterfoil and the invoice or similar documentation, the signatories shall each sign the cheque and initial the cheque counterfoil and invoice.

9. PETTY CASH ACCOUNT

- 9.1 The RFO shall maintain a Petty Cash account with a fixed 'imprest' value of £200 with an individual transaction limit of £50, except in exceptional circumstances, for the purpose of defraying operational and other expenses. Vouchers for payments made, shall be forwarded to the RFO with a claim for reimbursement.
- 9.2 Vouchers for payments made from petty cash shall be kept to substantiate the payment.
- 9.3 Income received must not be paid into the petty cash float but must be separately banked, as provided elsewhere in these regulations.
- 9.4 Payments to maintain the petty cash float shall be shown separately on the schedule of payments presented to Council under regulation 8.2.

10. TRANSFER OF ASSETS

- 10.1 The Balance Builder account may be used to top up the Chequebook account.

- 10.2 When the balance drops to £10,000 in the Chequebook account, a transfer shall be processed to transfer £10,000 from Balance Builder account to the Chequebook account.
- 10.3 When large capital purchases are made over £5,000, sufficient funds shall be transferred from Balance Builder account into Chequebook account at the time of placing the order, if necessary.

11. AUTHORISATION OF PAYMENTS

- 11.1 Except as provided in regulation 11.2, 11.3, 11.4 and regulation 12.4, orders for the payment of money shall be authorised by resolution of the Council or a Committee authorised by the Council and signed by any two of the following members:

The Chairman of any standing Committee of the Council

The Chairman or the Vice-Chairman of the Council.

- 11.2 The RFO will make the following payments on behalf of the Council, subject to all such payments being reported to the appropriate Committee at the first opportunity following their payment.
- 11.3 The payment of wages and salaries at the grades and rates prescribed by the Council and the payment of Inland Revenue, Superannuation, Union contributions.
- 11.4 The return of deposits or part deposits made in respect of hire of the premises or land.

12. PAYMENT OF ACCOUNTS

- 12.1 All payments shall be effected by cheque or other order drawn on the Council's bankers.
- 12.2 All invoices for payment shall be examined, verified and certified by the RFO, and the RFO shall satisfy him/herself that the work, goods or services, to which the invoice relates, shall have been received, carried out, examined and approved.
- 12.3 The RFO shall examine invoices in relation to arithmetic accuracy and shall ensure that they are coded to the appropriate expenditure heading. The RFO shall take all necessary steps to settle all invoices submitted, which are in order, to comply with the terms of payment.
- 12.4 If payment is necessary to avoid a charge of interest under the Late Payment of Commercial Debts (Interest) Act 1998, and the due date for payment is before the next scheduled meeting of the Council, where the RFO certifies that there is no dispute or other reason to delay payment, the RFO may take all steps necessary to settle such invoices.

Urgent Payments

- 12.5 Where it is necessary to make a payment that would normally be authorised by Council or a Committee before such authorisation can be received, the Chairman and Vice-Chairman of the Council or the Chairman and Vice Chairman of the Standing Committee to which it relates may authorise the payment on behalf of the Council or the Committee.

- 12.6 All payments made under the provision of regulation 12.5 shall be separately reported to the next available meeting of the Council or the appropriate Committee.

13. PAYMENT OF SALARIES

- 13.1 The payment of all salaries shall be made in accordance with payroll records and the current rules of PAYE and National Insurance, and salaries shall be as agreed by Council.
- 13.2 Payment of salaries and payment of deductions from salaries shall be made for tax, national insurance and pension contributions, and shall be made in accordance with the payroll records on the appropriate dates, provided that each payment is reported to and ratified by the next available Council Meeting.

14. LOANS AND INVESTMENTS

- 14.1 All loans and investments shall be negotiated in the name of the Council and shall be for a set period in accordance with Council policy.
- 14.2 The Council's Investment Policy, shall be in accordance with the Trustee Act 2000, and shall be reviewed on a regular basis (at least annually).
- 14.3 All investments of money under the control of the Council shall be in the name of the Council.
- 14.4 All borrowing shall be effected in the name of the Council, after obtaining any necessary borrowing approval. Any application for borrowing approval shall be approved by Council as to terms and purpose.
- 14.5 All investment certificates and other documents relating thereto shall be retained in the custody of the RFO.

15. INCOME

- 15.1 The collection of all sums due to the Council shall be the responsibility of and under the supervision of the RFO.
- 15.2 Particulars of all charges to be made for work done, services rendered or goods supplied shall be agreed annually by the Council, notified to the RFO and the RFO shall be responsible for the collection of all amounts due to the Council.
- 15.3 The Council will review all fees and charges annually, following a report of the RFO.
- No bad debt shall be written off without the prior authorisation of the Council.
- 15.4 All sums received on behalf of the Council shall be banked as directed by the RFO.
- 15.5 In all cases, all monies shall be deposited with the Council's bankers with such frequency as the RFO considers necessary.
- 15.6 The origin of each receipt shall be entered on the paying-in-slip.
- 15.7 Personal cheques shall not be cashed out of money held on behalf of the Council.
- 15.8 The RFO shall promptly complete any VAT Return that is required. Any repayment claim due in accordance with VAT Act 1994 section 33 shall be made

quarterly.

- 15.9 Where sums of cash exceeding £200 are regularly received by the Council, the RFO shall take such steps as are agreed by the Council to ensure that more than one person is present when the cash is first counted, that there is a numbered receipt issued, and that appropriate care is taken in the security and safety of individuals banking such cash.

16. ORDERS FOR WORK, GOODS AND SERVICES

- 16.1 An official order or letter shall be issued for all work, goods and services unless a formal contract is to be prepared or an official order would be inappropriate. Copies of all orders shall be retained in an order file, and retained for 7 years.
- 16.2 Orders shall indicate clearly the quantity of the goods and the nature of the work or services and whether the same are covered by contract or an agreed priced specified therein.
- 16.3 Goods properly supplied or work done without an official order, must be covered, as soon as practicable by a confirmation order.
- 16.4 Order books shall be controlled by the RFO and each official order shall bear a unique consecutive order number.
- 16.5 All members and Officers are responsible for obtaining value for money at all times. An officer issuing an official order is to ensure as far as reasonable and practicable, that the best available terms and conditions are obtained in respect of each transaction, usually by obtaining three or more quotations or estimates from appropriate suppliers, subject to any de minimus provisions in Regulation 17.1.
- 16.6 The RFO shall verify the lawful nature of any proposed purchase before the issue of any order, and in the case of new or infrequent purchases the RFO shall ensure that the statutory authority (Powers and Duties, Statutory Provisions see Appendix 1, Governance and Accountability in Local Councils in England and Wales – A Practitioner’s Guide) shall be reported to the meeting at which the order is approved so that the Minutes can record the power being used.
- 16.7 No orders shall be issued for goods or services, the cost of which is not covered by the approved annual estimates, or approved supplementary estimate or has not been otherwise approved by the Council or Committee concerned.

17. CONTRACTS

17.1 Procedures as to contracts are laid down as follows:

Every contract shall comply with these financial regulations, and no exceptions shall be made otherwise than in an emergency provided that these regulations shall not apply to contracts which relate to items i) to xii) below:

- i) for the supply of gas, electricity, water, sewerage and telephone services;
- ii) for specialist services such as are provided by solicitors, accountants, surveyors and planning consultants;
- iii) for work to be executed or goods or materials to be supplied which consist of repairs to or parts for existing machinery or equipment or plant;
- iv) for work to be executed or goods or materials to be supplied which constitute an extension of an existing contract by the Council;
- v) for additional audit work of the external Auditor up to an estimated value of £250 (in excess of this sum the RFO shall act after consultation with the Chairman and Vice Chairman of Council);
- vi) for goods or materials proposed to be purchased which are proprietary articles and/or are only sold at a fixed price.
- vii) insurance contracts;
- viii) contracts for the acquisition or disposal of land;
- ix) where the price of the goods or materials to be purchased is controlled by trade organisations or by Government Departments or if for other reasons there would be no genuine competition;
- x) where the works to be executed or the goods for materials to be purchased are a matter of urgency;
- xi) where goods or materials to be purchased are on sale by public auction or at public fairs or markets.

17.2 Where it is intended to enter in to a contract exceeding £10,000 in value for the supply of goods or materials or for the execution of works or specialist services other than such goods, materials, works or specialist services as are excepted as set out in paragraph 17.1 the Clerk shall invite tenders from at least three firms.

17.3 When applications are made to waive financial regulations relating to contracts to enable a price to be negotiated without competition, the reason shall be embodied in a recommendation to the Council.

17.4 Such invitation to tender shall state the general nature of the intended contract and the RFO shall obtain the necessary technical assistance to prepare a specification in appropriate cases. The invitation shall in addition state that tenders must be addressed to the RFO and returned either by hand or the ordinary course of post. Each tendering firm shall be supplied with a specifically marked envelope in which the tender is to be sealed and remain sealed until the prescribed date for opening tenders for that contract.

17.5 Before any contract for the supply of goods, services or materials, the cost of which is expected to exceed £100,000 is entered into, at least 10 working days public notice of the proposal must be given in one or more local newspapers circulating in the district.

Alternatively, the Council authorises a professional organisation/person eg Wiltshire Council to act on its behalf in obtaining tenders.

17.6 **Opening of Tenders**

All sealed tenders shall upon receipt, be retained by the RFO and opened either at a meeting of the appropriate Committee, or at a time designated by the RFO and in the presence of the RFO and two members of the Council. The RFO and the members opening the tenders shall initial each tender at the time of opening and shall sign and date a list of those invited to tender.

- 17.7 If less than three tenders are received for contracts above £10,000 or if all the tenders are identical the Council may make such arrangements as it thinks fit for procuring the goods or materials or executing the works.

17.8 **Late Tenders**

Notwithstanding the provisions of financial regulations, in particular, Regulation 16, 17.5 and 17.6 any tender(s) received after the date, and before a decision is made on the acceptance of a tender, shall be reported to the committee inviting tenders with those tenders received by the due date and opened, and that Committee may, if it so decides (and if the RFO is satisfied that the tenderer did not intend to gain or could not gain any unfair advantage) open and consider such late tender(s) with others received.

- 17.9 When it is necessary to enter into a contract of less than £10,000 in value for the supply of goods or materials or for the execution of works or specialist services other than such goods, materials, works or specialist services are excepted as set out in paragraph 17.1 the RFO shall obtain 3 quotations (priced descriptions of the proposed supply). Each quoting firm shall be supplied with a specifically marked envelope in which the quotation is to be sealed and remain sealed until the prescribed date for opening quotes for that contract.
Where the value is below £1,000 and above £500 the RFO shall strive to obtain 3 estimates.

- 17.10 The Council shall not be obliged to accept the lowest of any tender, quote or estimate.

ACCEPTANCE OF TENDERS

- 17.11 The lowest tender if payment is to be made by the Council or the highest tender if payment is to be received by the Council shall normally be accepted. If the Committee wishes to accept any tender other than the lowest or highest as appropriate, it must clearly state its reasons for doing so.
- 17.12 The lowest tender shall be that which is the lowest after including the cost of providing a surety, if required, or excluding the cost if a surety is not required.

18 BUILDING AND CONSTRUCTIONAL WORKS
ADDITIONAL REQUIREMENTS

- 18.1 Before a tender for building or constructional works is accepted, the RFO shall:
- a. be satisfied that all approvals and documents relating thereto are complete and correct in all aspects or shall submit a report in writing to the Committee concerned stating in what respects, if any, they are not so; and
 - b. submit to the Committee concerned, in writing, the total amounts included in the tender for items, the charge for which cannot be ascertained at the date of tender (such as, and where applicable, contingencies, prime cost items, provisional sums, site works, and foundations) and, in addition, an estimate of the cost of inflation any other costs for comparison with the approved estimate
- 18.2 Where bills of Quantities are used in connection with any tender/quotation these shall be properly completed by such tender as the RFO may require and attached to the tender before the tender is accepted.
- 18.3 Payment to Contractors on account of contracts shall be authorised only on a Certificate for payment must be signed by the RFO and such a Certificate shall show:
- a. the total value of the contract;
 - b. the value of the work executed to date;
 - c. money held as retention;
 - d. amount paid to date;
 - e. the amount newly certified; and such other particulars as may be required.
- 18.4 Every variation of a contract for building or constructional works shall be authorised in writing on an official consecutively numbered Variation Order, signed by the RFO or an authorised Consultant or the like, appointed to supervise the contract.
- 18.5 A copy of the Variation Order, showing the estimated financial effect of the Order, shall be forwarded to the Committee concerned. No work which should be the subject of a Variation Order shall be commenced, except in an emergency or where the Contract permits, before the Variation Order is issued and the estimated financial effect thereof ascertained.
- 18.6 Before the final certificate on a Contract or an accepted estimate is issued, the RFO shall examine the Contractors final account, together with such other relevant documents as the RFO may require, and for this purpose such final accounts or other documents shall be made available to the Committee concerned, where practicable, sufficiently early to enable the RFO to complete examination before the date agreed for the release of final retention monies.
- 18.7 Reference to "variation" referred to in 18.4 and 18.5 shall be deemed to include any instruction, of the like, issued by the supervising officer under any contract

19. PAYMENTS UNDER CONTRACTS FOR BUILDING OR OTHER CONSTRUCTION WORKS

19.1 Payments on account of the contract sum shall be made within the time specified in the contract by the RFO upon authorised certificates of the supervising agent or other consultants engaged to supervise the contract subject to any percentage retention as may be agreed in the particular contract.

19.2 Where contract provides for payment by instalments the RFO shall maintain a record of all such payments. In any event where it is estimated that the total cost of work carried out under a contract, excluding agreed variations, will exceed the contract sum by more than 5% a report shall be submitted to the Council.

19.3 Where the final cost is likely to exceed the final provision any variation to a contract ie addition to, or omission from, must be reported to the Council for a decision, approved by the Council. The RFO shall inform the Contractor in writing the decision of the Council.

20 MATERIALS AND EQUIPMENT

- 20.1 The RFO shall appoint an officer of the Council responsible for the care and custody of materials and equipment but only where the materials can be kept on Cricklade Town Council property.
- 20.2 Delivery notes shall be obtained in respect of all goods received into the office/workshop and delivered goods must be checked as to order and quality at the time delivery is made.
- 20.3 Stocks shall be kept at the minimum levels consistent with operational requirements.
- 20.4 The RFO shall be responsible for periodic checks of equipment and materials at least annually.
- 20.5 Cricklade Town Council determine a de minimus value of £1,000, below which, asset acquisitions would be regarded as revenue spending and not be regarded as fixed assets, although they would be identified on the detailed inventory of equipment owned by the Council.

21. PROPERTIES AND ESTATES

- 21.1 The RFO shall make appropriate arrangements for the custody of all title deeds of properties and land owned by the Council. The RFO shall ensure a record is maintained of all properties and land owned by the Council, recording the location, extent, plan, reference, purchase details, nature of the interest, tenancies granted, and associated agreements, rents payable and purpose for which the property is held.
- 21.2 No property shall be sold, leased or otherwise disposed of without the authority of the Council, together with any other consents required by law, save where the estimated value of any one item of tangible movable property does not exceed £50.

22. INSURANCE

- 22.1 Following an annual risk assessment, the RFO shall effect all insurances and negotiate all claims on the Council's insurers.
- 22.2 The RFO shall undertake to insure any new risks, properties or vehicles that are required to be insured and make the alterations necessary affecting existing insurances.
- 22.3 The RFO shall keep a record of all insurances effected by the Council and the property and risks covered thereby and annually review it.
- 22.4 The RFO shall be notified of any loss liability or damage or of any event likely to lead to a claim, and shall report these to Council at the next available meeting.
- 22.5 All appropriate employees of the Council shall be included in a suitable fidelity guarantee insurance which shall cover the maximum risk exposure as determined by the Council, reviewed annually.

23. RISK MANAGEMENT

- 23.1 The RFO shall prepare and promote risk management policy statements in respect of all activities of the Council.
- 23.2 When considering any new activity the RFO shall prepare a draft Risk Management policy for the activity and shall bring a draft addressing the legal and financial liabilities and Risk Management issues that arise to Council for consideration and, if thought appropriate, adoption, and reviewed annually.

24. REVISION OF FINANCIAL REGULATIONS

- 24.1 It shall be the duty of the Council to review the Financial Regulations of the Council at 4 yearly intervals or sooner if necessary.

Revised Financial Regulations
S A Parker
Town Clerk (RFO)
September 2009

APPENDIX 3

Powers and Duties and Proper Officer Provisions

DUTIES AND POWERS AND PROPER OFFICER PROVISIONS

Proper Officer

1. Where a Statute, Regulation or Order confers functions or duties on the Proper Officer of the Council in the following cases, the proper officer shall be the Town Clerk:
 - a) to receive declarations of acceptance of office;
 - b) to receive and record notices disclosing pecuniary interests;
 - c) to receive and retain plans and documents;
 - d) to sign Notices or other documents on behalf of the council;
 - e) to receive copies of By-laws made by the Unitary Council;
 - f) to sign summonses to attend meetings of the Council.
2. In any other case the Proper Office shall be the person nominated by the Council and, in default of nomination, the Town Clerk.

Duties and Powers of Council and Committee and Sub Committees

Council

1. The under mentioned matters shall be reserved to decision by the Council itself, but the appropriate Committee's may make recommendations thereon for the Council's consideration.
 - a) precepting a rate;
 - b) borrowing money;
 - c) making, amending, revoking Standing Orders, Financial Regulations or Duties and Powers and Proper Office provisions;
 - d) making, amending or revoking By-laws;
 - e) making of Orders under any Statutory powers;
 - f) matters of principle or policy;
 - g) nomination of appointment or representatives of the Council on any authority, organisation of body (excepting approved conferences or meetings);
 - h) new undertakings;
 - i) prosecution of defence in a court of law;
 - j) nomination of appointment of representatives of the Council at any inquiry on matters affecting the Parish.

Committees and Sub Committees

2. Subject of further provisions of these Duties and Powers, Committees shall be empowered to exercise and perform on behalf and in the name of and without further reference to the Council, all powers, or in the case of Sub Committees, in their respective Minute of appointment or other Minutes defining their powers.
 - a) the several matters specified, in the case of Committee in their respective duties and powers, or in the case of Sub Committee, in their respective Minute of appointment or other Minutes defining their powers.

- b) those matters which naturally fall within their jurisdiction as indicated by their respective titles and which are not contained in the duties and powers to any other Committee; and
 - c) any other matter which may be delegated to it by the Council from time to time.
3. The acts of Committees and Sub Committees shall be in accordance with the Standing Orders (including Financial Regulations and Duties and Powers and Proper Officer Provisions) and, where applicable, other rules, regulations, schemes, statutes, By-laws or orders made and with any directions given by the Council from time to time.
4. Whilst not exhaustive, the attached Schedule gives examples of the matters delegated to the Standing Committees of the Council, in accordance with 2(a) and (b) above.

Delegation to the Town Clerk

1. The Town Clerk shall be empowered to exercise and perform on behalf and in the name of, and without further reference to the appropriate Committee of the Council, all powers and duties of the Council in relation to the following and as herein described:

General

The day to day administration of services and routine inspection and control.

Staff

- a. the day to day supervision of all employees and the maintenance of staff discipline including taking appropriate disciplinary action where necessary but excluding dismissal;
- b. the maintenance and periodic review of contracts of employment and job descriptions for all employees and such other records as may be required from time to time;
- c. to fulfil, as necessary, the requirements of the established grievance procedure;
- d. to ensure a Safety Manual and safety procedures are maintained in compliance with the Health and Safety at Work Act 1974;
- e. to decide upon requests from staff for compassionate leaves for periods of up to three days;
- f. to appoint temporary staff as considered necessary within agreed budgetary restraints.

Miscellaneous

- a. To authorise expenditure of routine replacement or maintenance to the Council's buildings or equipment subject to:
 - i. the value of the work concerned not exceeding £500 on any occasion;
 - ii. a report detailing any expenditure under this provision being submitted to the next appropriate meeting of the Committee concerned;
 - iii. any such expenditure being within the budget agreed by the Council.

2. The acts of the Town Clerk shall be in accordance with Standing Orders (including Financial Regulations and Duties and Powers and Proper Officer Provisions) and, where applicable, other rules, regulations, scheme, statutes, By-laws or other orders made with directions given by the Council from time to time.

Revised Financial Regulations
S A Parker
Town Clerk (RFO)
September 2009

APPENDIX 4

National Code of Local Government Conduct

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