

FILEY TOWN COUNCIL

MINUTES OF THE FINANCE & GENERAL PURPOSES COMMITTEE MEETING HELD ON MONDAY 10 AUGUST 2015 AT 7.00PM

Present: Cllr J Shackleton (Chairman), Cllr J Haxby (Vice Chair), Cllr S Bosomworth, Cllr K Wilkie
RFO Mrs G Robinson
Also present: Cllr J Casey

The Chairman welcomed everyone to the meeting and welcomed Cllr J Casey to the meeting.

NOTICE OF THE MEETING

RESOLVED: That Public Notice of the meeting had been given in accordance with Schedule 12, para 10(2) of the Local Government Act 1972 **F599/015**

APOLOGIES

Cllr D Glanvill (personal) and Cllr J Meek (holiday) had both sent their apologies to the meeting.
It was

RESOLVED: That Cllr D Glanvill and Cllr J Meek's apologies be accepted. **F600/015**

DECLARATIONS OF INTEREST

The Chairman reminded members of the need to consider whether they needed to declare a disclosable pecuniary interest (DPI) or personal interest as detailed in Appendix A and Appendix B of the Town Council's Code of Conduct.

Cllr John Haxby declared a personal interest in any future items referring to the Town Council's Independent Financial Advisor due to him being his own personal financial advisor and in particular declared a personal interest in Agenda Item 4 Review of Investment Bond.

No further declarations of interest were declared in items on the agenda at this point but the Chairman informed Members that they could make a declaration of interest at any point during the meeting. It was

RESOLVED: That Cllr J Haxby's personal declaration of interest be noted. **F601/015**

REVIEW OF INVESTMENT BOND

Portfolio Valuation

Members had previously been circulated with a portfolio valuation as at 30 June 2015 for consideration and it was noted that there had been a slight decrease in the overall portfolio valuation since the previous quarter and that the property fund was still suspended. The RFO had obtained advice from the Financial Advisor and he had stated that this was due to the situation in Greece and the Corporate Bond Fund prices were expected to recover. After discussion it was

RESOLVED: That the Investment Bond valuation report as at 30 June 2015 be accepted.

F602/015

PUBLIC SECTOR DEPOSIT FUND

Fund Statement 1 April 2014 -31 March 2015

Members had previously been circulated with the annual fund statement for the Public Sector Deposit Fund for information. It was

RESOLVED: That the above information be noted.

F603/015

Change in Regulation

Members had previously been circulated with an information sheet regarding changes to the regulations whereby when monies which are sent electronically and are not paid in by the end of the business day will be treated as client money and would not be covered by the Financial Compensation Scheme. The RFO confirmed that when monies are sent to CCLA Public Sector Deposit Fund they are sent by CHAPS transfer to automatically transfer funds and therefore should allow sufficient time for monies to be paid into the Council's account. It was

RESOLVED: That the above information be noted.

F604/015

NALC Financial Topic Note F06-15 Investment in the CCLA Administered Funds

Members had previously been circulated with a copy of the above NALC Legal Topic Note regarding the correct reporting of funds invested in the CCLA Public Sector Deposit Fund and how this should be shown on the Annual Return and year end reporting procedures. The RFO confirmed that the correct procedure had been applied on the Annual Return for the year ending 31 March 2015. It was

RESOLVED: That the above information be noted.

F605/015

Continued overleaf

NALC FINANCIAL TOPIC NOTES

Financial Services Compensation Scheme

Members had previously been circulated with a copy of NALC's Legal Topic Note F05-15 and noted that a policy statement issued by the Prudential Regulation Authority (PRA) of the Bank of England had announced a change in policy to extend the protection afforded under the scheme to 'Small Local Authorities' with an annual budget of either income or expenditure under 500,000 Euros would qualify for protection under the Financial Services Compensation Scheme. Under the scheme changes 'Small Local Authorities' are protected in the same way as other protected investors i.e. for deposits/investments up to £85,000 (reduced to £75,000 from 1 January 2016) with any UK bank, building society and credit union. Members welcomed this information which afforded the council's investments greater security. The RFO was requested to look at fixed term deposit accounts once they matured to ascertain if a further spread of investments could be secured in other banks and building societies. Members agreed they would review the council's Annual Investment Strategy at the next meeting. It was

RESOLVED: That the above information be noted and welcomed.

F606/015

Public Contracts Regulations 2015

Members had previously been circulated with a copy of NALC's Legal Topic Note L05-15 and noted that the Public Contracts Regulations 2006/5 ('the 2006 Regulations') had been repealed by the Public Contracts Regulations 2015/102 ('the 2015 Regulations') on 18 February 2015 and a reference was made to Legal Topic Note 87. NALC advised that due to the change in regulations there was a requirement for local councils to change their Standing Orders and Financial Regulations. The RFO had provided copies of the Council's Standing Orders and Financial Regulations and had highlighted where changes needed to be made to comply with the new 2015 Regulations. After due consideration the following recommendations were made to change both the Council's Standing Orders and Financial Regulations to reflect the requirements of the Public Contracts Regulations 2015/102.

RESOLVED: That the above information be noted.

F607/015

REVIEW OF FINANCIAL REGULATIONS

No 11

11.1

- b. Where it is intended to enter into a contract exceeding ~~£50,000~~ £25,000 in value for the supply of goods or materials or for the execution of works or specialist services other than such goods, materials, works or specialist services as are excepted as set out in paragraph (a) the procurement and award of contracts covered by the Public Contracts Regulations 2015/102 ('the 2015 Regulations') which have an estimated value of £25,000 or more must satisfy the requirements of the 2015 Regulations which include the use of the Contracts Finder website and the Clerk or RFO shall invite tenders by using this process. ~~from at least three firms to be taken from the appropriate approved list~~
- f. If less than three tenders are received for contracts above ~~£60,000~~ £25,000 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.
- h. When it is to enter into a contract of less than ~~£50,000~~ £25,000 in value for the supply of goods or materials or for the execution of works or specialist services other than such goods, materials, works or specialist services as are excepted as set out in paragraph (a) the Clerk or RFO shall obtain 3 quotations (priced descriptions of the proposed supply); where the value is below £1,500 and above £500 the Clerk or RFO shall strive to obtain 3 estimates. Otherwise, Regulation 10 (3) above shall apply.
- k. The European Union Procurement Directive shall apply and the terms of the Public Contracts Regulations 2006 ~~2015/102~~ and the Utilities Contracts Regulations 2006 including relevant thresholds shall be followed.

It was

RESOLVED: That a recommendation be made to full council to amend the Town Council's Financial Regulation No 11 as highlighted above to comply with the requirements of the Public Contracts Regulations 2015.

F608/015

REVIEW OF STANDING ORDERS

The Clerk also advised that the Town Council's Standing Orders should be reviewed to reflect the requirements of the Public Contracts Regulations 2015 and should be the same as the changes in the Council's Financial Regulations.

STANDING ORDER NO 18. Financial controls and procurement

- a The council shall consider and approve financial regulations drawn up by the Responsible Financial Officer, which shall include detailed arrangements in respect of the following:
- i. the keeping of accounting records and systems of internal controls;
 - ii. the assessment and management of financial risks faced by the council;
 - iii. the work of the independent internal auditor in accordance with proper practices and the receipt of regular reports from the internal auditor, which shall be required at least annually;
 - iv. the inspection and copying by councillors and local electors of the council's accounts and/or orders of payments; and
 - v. procurement policies (subject to standing order 18(c) below) including the setting of values for different procedures where a contract has an estimated value of less than ~~£50,000~~ **£25,000**.
- c **Financial regulations shall confirm that a proposed contract for the supply of goods, materials, services and the execution of works with an estimated value in excess of ~~£50,000~~ **£25,000** shall be procured on the basis of a formal tender as summarised in standing order 18(d) below. **The procurement and award of contracts covered by the Public Contracts Regulations 2015/102 ('the 2015 Regulations')** which have an estimated value of **£25,000 or more must satisfy the requirements of the 2015 Regulations which include the use of the Contracts Finder website and the Clerk or RFO shall invite tenders by using this process.****
- d Subject to additional requirements in the financial regulations of the council, the tender process for contracts for the supply of goods, materials, services or the execution of works shall include, as a minimum, the following steps:
- i. a specification for the goods, materials, services or the execution of works shall be drawn up;
 - ii. an invitation to tender shall be drawn up to confirm (i) the council's specification (ii) the time, date and address for the submission of tenders (iii) the date of the council's written response to the tender and (iv) the prohibition on prospective contractors contacting councillors or staff to encourage or support their tender outside the prescribed process;
 - iii. the invitation to tender shall be advertised in a local newspaper and in any other manner that is appropriate;
 - iv. tenders are to be submitted in writing in a sealed marked envelope addressed to the Proper Officer;
 - v. tenders shall be opened by the Proper Officer in the presence of at least one councillor after the deadline for submission of tenders has passed;
 - vi. tenders are to be reported to and considered by the appropriate meeting of the council or a committee or sub-committee with delegated responsibility.
- f **Where the value of a contract is likely to exceed ~~£138,893~~ **£172,514** (or other threshold specified by the Office of Government Commerce from time to time) the council must consider whether the Public Contracts Regulations 2006 (~~SI No. 5, as amended~~) **2015/102 ('the 2015 Regulations')** and ~~the Utilities Contracts Regulations 2006 (SI No. 6, as amended)~~ apply to the contract and, if either of those Regulations apply, the council must comply with EU procurement rules.**

It was

RESOLVED: That a recommendation be made to full council to amend the Town Council's Standing Order No 18 as highlighted above to comply with the requirements of the Public Contracts Regulations 2015.

F609/015

Continued overleaf

INTERNAL AUDIT REPORT – FIRST QUARTER 2015/2016

Members had previously been circulated with a copy of the Internal Audit Report for the First Quarter 2015/2016. The Internal Auditor had listed the financial areas which he had given his attention to in the first quarter and commented that the RFO was aware of current issues regarding audit and accountability and transparency. The Internal Auditor noted that VAT had been received from HMRC in the first quarter relating to 2014/2015 and noted that a new version of Sage Accounts software had been introduced therefore the Council was utilising modern systems. There were no other matters of concern identified in the Internal Auditor's First Quarter report. It was

RESOLVED: That a recommendation be made to full council that the Internal Audit Report for the First Quarter 2015/2016 be accepted. F610/015

FIRST QUARTER BUDGET REPORT 2015/2016

Members had previously been circulated with a copy of the First Quarter Budget Report for 2015/2016 and this was analysed by Members. The RFO gave an explanation to members in relation to actual income and expenditure which was compared with the planned budget and she stated that this would be closely monitored by herself together with Members as the financial year progressed and at present there were no concerns that the current budget would be overspent. It was

RESOLVED: That a recommendation be made to full council that the First Quarter Budget Report 2015/2016 be accepted. F611/015

TOWN GUIDE/MAP WORKING PARTY

Cllr Casey and Cllr Wilkie informed members of the Finance & General Purposes Committee that the members of Town Guide/Map Working Party would like to request that funding for the Queen Street light (£750) and funding for the Coat of Arms to be embroidered on the Town Crier's Scroll (£50) be utilised from the Town Guide/Map Reserve. After discussion it was

RESOLVED: That a recommendation be made to full council that the above funds be utilised from the Town Guide/Map Reserve for the community projects stated above. F612/015

EXCLUSION OF PRESS AND PUBLIC

RESOLVED: That under the Public Bodies (Admission to Meetings) Act 1960, members of the press and public are excluded for the following items of business being in relation to terms of tenders, proposals in negotiations for contracts. F613/015

OVERHEAD PROJECTOR AND SCREEN

Members considered quotations for an overhead digital projector and screen for the council chamber. The RFO was requested to make further enquiries regarding whether speakers would be required and if a tutorial could be given to members and staff to be trained to use the equipment. After discussion it was

RESOLVED: That a recommendation be made to full council that the contract for the supply and installation of an overhead digital projector and electronic projector screen plus installation be awarded to Jennings Computer Services at a cost of quoted price of £1,784 plus VAT.

F614/015

RESOLVED: That a recommendation be made to full council that funding for the above equipment be sourced from the General Fund with a possibility of transfers from the Archive Reserve and the Town Guide Reserve after further consultation with members of the respective working parties.

F615/015

HIRE & INSTALLATION OF FESTIVE DECORATING LIGHTING

THREE YEAR TERM CONTRACT 2015 - 2018

The RFO informed members that the above contract had been placed on the government's contract finder website in line with the Public Contracts Regulations 2015/102 and two tenders had been received by the required deadline which both met the set criteria and had been opened in the presence of the Chairman of the Finance & General Purposes Committee and the RFO. The Tenders had been evaluated by the Town Council's Health & Safety Officer for health and safety and works method statements and the RFO for project delivery and contract management with input from the members of the Decorative Lighting Working Party regarding the quality of the displays. The Tenders had been evaluated using the selection criteria as detailed in the tender specification using a weighted scoring system. It was

RESOLVED: That a recommendation be made to full council that Tender A from LITE be awarded a three year contract 2015-2018 for the Hire & Installation of Festive Decorating Lighting at a quoted price of £7,985.00 plus VAT per annum for three years from 2015-2018. F616/015

Under Section 17 of the Crime and Disorder Act 1998, members considered that none of the above decisions would impact on crime and disorder.

The meeting finished at 8.00pm

Councillor J Shackleton
Chairman
Finance & General Purposes Committee