

**FILEY TOWN COUNCIL**  
**MINUTES OF THE FINANCE & GENERAL PURPOSES COMMITTEE**  
**MEETING HELD ON WEDNESDAY 27 APRIL 2016 AT 7.00PM**

Present: Cllr S Bosomworth, Cllr D Glanvill, Cllr J Haxby (Vice Chair),  
RFO Mrs G Robinson

The Vice Chairman, Cllr J Haxby welcomed members to the meeting and the RFO advised that the meeting was still quorate with three members present.

**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. F323/016**

**APOLOGIES**

**Cllr J Meek (holiday) and Cllr J Shackleton (holiday) had sent their apologies to the meeting.** It was noted that no apologies had been received from Cllr K Wilkie. It was

**RESOLVED: That Cllr J Meek and Cllr J Shackleton's apologies be accepted. F324/016**

**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.*

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. F325/016**

**REVIEW OF INVESTMENT BOND**

**Portfolio Valuation**

Members had previously been circulated with a portfolio valuation as at 31 March 2016 for consideration and the RFO informed members that the corporate bonds had been sold as per Minute No 178/016 after being advised by the Council's Financial Advisor that these funds were afforded 90% shareholder protection and were now held within the LCLI Sterling Deposit Fund as a cash holding. Members agreed that the cash holding be held in the LCLI Sterling Deposit Fund for the present time. It was noted that the property fund was still suspended and members considered that after taking prolonged financial advice the council had done everything possible to try and protect funds held in this portfolio and would continue to monitor this closely. After discussion it was

**RESOLVED: That the Investment Bond valuation report as at 31 March 2016 be accepted and the cash holding remain in the LCLI Sterling Deposit Fund for the present time. F326/016**

**NOTICE OF APPOINTMENT OF DATE FOR THE EXERCISE OF ELECTORS' RIGHTS**

Members had previously been circulated with a copy of the Notice of Appointment of Date for the Exercise of Electors' Rights for accounts for the year ended 31 March 2016 and the RFO stated that the external auditors had advised that RFO's could set their own dates within a provided criteria and therefore the RFO had set the dates for members of the public having the right to inspect the accounts between 20 June 2016 and 29 July 2016 upon application to the Town Clerk. It was

**RESOLVED: That the dates of the Exercise of Electors' Rights for accounts year ending 31 March 2016 be noted as detailed above. F327/016**

**REVIEW OF INSURANCE POLICY 2016/2017**

Members had previously been circulated with a copy of the Town Council's Insurance Policy for 2016/2017 for annual review. Members considered all aspects of the policy in detail and after discussion agreed that the Insurance Policy was suitable and sufficient to cover all of the Town Council's functions and services. The RFO informed members that the policy was index-linked under a five year contract with Zurich Municipal until 31 March 2021 which had ensured that insurance costs remained cost effective and within budget.

*Continued overleaf*

**REVIEW OF INSURANCE POLICY 2016/2017 continued**

The RFO stated that she had sought advice regarding insurance for the Filey Tapestries due to them being relocated to an unmanned area and was advised by the Insurance Company that they are insured for 'all risks' wherever they are located. The RFO had received a quotation for the new Fisherman Information Panel and insurance cover could be provided at an annual premium of approx £7 per annum and members agreed this should be added to the insurance schedule following installation. After consideration of the insurance schedule it was

**RESOLVED: That the review of the Town Council's insurance policy for 2016/2017 be accepted as suitable and sufficient for the Town Council's functions and services. F328/016**

**MODEL AGREEMENT EXPENDITURE 2015/2016**

The RFO informed members that there was an underspend in the Cemetery Grounds Maintenance Model Agreement expenditure of £2,741.26 which has been earmarked by the Property Committee towards the new cemetery drainage scheme and after seeking advice from Scarborough Borough Council this underspend has been detailed on the Model Agreement return for 2015/2016 and will be placed in the Borough Council Parish Council Contingency Fund. The Town Council will then need to make an application for the funds in 2016/2017 once the works have been completed. It was

**RESOLVED: That the above information be noted. F329/016**

**REVIEW OF MODEL FINANCIAL REGULATIONS 2016**

Members had previously been circulated with a copy of the Model Financial Regulations as issued by the National Association of Local Councils with revised changes for re-wording for consideration which were highlighted in red. Members of the Finance & General Purposes Committee considered each highlighted paragraph individually for recommendation to the full council as detailed below:

**Financial Regulation 1.6 (reworded)**

1.6 A breach of these Regulations by an employee is gross misconduct.

**Deliberate or wilful breach of these Regulations by an employee may give rise to disciplinary proceedings.**

**Financial Regulation 6.4 (reworded)**

6.4 Cheques or orders for payment drawn on the bank account in accordance with the schedule as presented to council or committee shall be signed by two members of council, the Chairman of the Council or the Vice-Chairman of the Council and the Chairman of the Finance and General Purposes Committee or one of two other named members and countersigned by either the Clerk or Deputy Clerk in accordance with a resolution instructing that payment. If a member who is also a bank signatory has declared a disclosable pecuniary interest, or has any other interest, in the matter in respect of which the payment is being made, that Councillor shall be required to consider Standing Orders, and thereby determine whether it is appropriate and / or permissible to be a signatory to the transaction in question.

~~If a member who is also a bank signatory has declared a disclosable pecuniary interest, or has any other interest, in the matter in respect of which the payment is being made, that Councillor shall be required to consider Standing Orders and thereby determine whether it is appropriate and / or permissible to be a signatory to the transaction in question.~~

**A member who is a bank signatory, having a connection by virtue of family business or business relationships with the beneficiary of a payment, should not, under normal circumstances, be a signatory to the payment in question.**

**Financial Regulation 11.1 (b) (reworded and footnote to be added)**

~~Where it is intended to enter into a contract exceeding £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.~~

**REVIEW OF MODEL FINANCIAL REGULATIONS 2016 continued**

**Financial Regulation 11.1 (b) continued**

Where the council intends to procure or award a public supply contract, public service contract or public works contract as defined in The Public Contracts Regulations 2015 (“the Regulations”) which is valued at £25,000 or more, the council shall comply with the relevant requirements of the Regulations.

*(Footnote<sup>2</sup> to be added – The Regulations require councils to use the Contracts Finder website to advertise contract opportunities, set out the procedures to be followed in awarding new contracts and to publicise the award of new contracts).*

**Financial Regulation 11.1 (c) – New Regulation and footnote to be added**

The full requirements of The Regulations, as applicable, shall be followed in respect of the tendering and award of a public supply contract, public service contract or public works contract which exceed thresholds in The Regulations set by the Public Contracts Directive 2014/24/EU (which may change from time to time).

*(Footnote<sup>3</sup> to be added – Thresholds currently applicable are:*

- a. For public supply and public service contracts 209,000 Euros (£164,176)*
- b. For public works contracts 5,225,000 Euros (£4,104,394)*

Existing Financial Regulation 11.1 (c) to be renumbered to 11.1(d)

Existing Financial Regulation 11.1 (d) to be renumbered to 11.1 (e)

Existing Financial Regulation 11.1 (e) to be renumbered to 11.1 (f)

**Financial Regulation 11.1 (g) (reworded and footnote added)**

Any invitation to tender issued under this regulation shall be subject to Standing Order 18d<sup>1</sup> and shall refer to the terms of the Bribery Act 2010.

**Any invitation to tender issued under this regulation shall be subject to Standing Order 18d and shall refer to the terms of the Bribery Act 2010.**

*(Footnote<sup>4</sup> to be added – Based on NALC’s model standing order 18d in Local Councils Explained © 2013 National Association of Local Councils.*

Financial Regulation 11.1 (h) – no changes to be made

Financial Regulation 11.1 (k) – delete as covered under 11.1 (c)

**Notes to the Model**

The value inserted in square brackets [ ] in any of the paragraphs (other than the EU Procurement **and Public Contract Regulations 2015** thresholds referred to in 11.1(c)) may be varied by the council and should be reviewed regularly and confirmed annually by the council.

After due consideration it was

**RESOLVED: That a recommendation be made to full council that the above changes to the Town Council’s Financial Regulations as issued by the National Association of Local Councils Association and highlighted in red be adopted forthwith and the RFO be requested to make the above changes to the Town Council’s Financial Regulations with copies being circulated to all members.**

**F330/016**

**FILEY TOWN BUS SERVICE**

The RFO informed members that a new one year agreement for the Filey Town Bus Service had been duly signed by all three parties i.e. Scarborough Borough Council, Filey Town Council and Olympic Coaches.

It was

**RESOLVED: That this information be noted.**

**F331/016**

**FIXED TERM DEPOSIT ACCOUNTS**

The RFO informed members that the Business 1 Year Fixed Rate Saver Account with Nationwide Building Society had now been opened in the name of Filey Town Council and that she would arrange for a CHAPS transfer of £75,000 to be made to this account from the Town Council’s Investment Fund Bank Account as previously agreed (Minute No F183/016). It was

**RESOLVED: That this information be noted.**

**F332/016**

*Continued overleaf*

**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.

**F333/016**

**FILEY TOWN MAP 2017/2018**

Filey Town Map

The RFO circulated three financial quotations for artwork and printing of 30,000 copies of the Filey Town Map for 2017/2018 and these were considered in detail by members. Members also considered a recommendation put forward by the Town Guide/Map Working Party. After discussion and consideration of all quotations submitted it was

**RESOLVED:** That a recommendation be made to full council that the Pureprint Group be awarded the contract for artwork and printing of 30,000 copies of the Filey Town Map for 2017/2018 at a cost of £2,750.00 plus up to £600.00 for artwork.

**F334/016**

Filey Town Map Advertisement Costs

Members were circulated with proposed advertisement costs for the Filey Town Map 2017/2018 and it was noted that a reduction of 10% in advertisement costs had been applied. It was

**RESOLVED:** That a recommendation be made to full council that the advertisement costs for the Filey Town Map 2017/2018 be accepted.

**F335/016**

***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 closed at 7.45pm.*

***Councillor J Haxby***  
Vice Chairman  
**Finance & General Purposes Committee**