



Yscir Community Council

Clerk

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**The Annual Meeting of Yscir Community Council will be held at Cradoc Golf Club
on Wednesday 17May 2017 at 7.30pm**

AGENDA

- 1) Apologies for absence
- 2) Declarations of Interest
- 3) Election of Chairman
- 4) Chairman's Declaration of Acceptance of Office
- 5) Election of Vice Chairman
- 6) Minutes of the Council Meeting held on 30 March 2015
- 7) Clerk's report including information from minutes
- 8) Approval of the Code of Conduct
- 9) To review the Council's Financial Regulations
- 10) To review the Council's Standing Orders
- 11) To update the register of Members' Interests
- 12) To confirm membership of the Planning Committee
- 13) To determine co-options to the Council:
Valerie Davies
Geoff Watkins
- 14) Financial Matters
 - 14.1 To note the outcome of the meeting with the internal auditor and to receive his report (section 4 of the Annual Return)
 - 14.2 To approve The Annual Return
 - 14.3 To approve the Clerk's hours and expenses for March and April
 - 14.4 To authorise the following payments:

Cheque	Payee	Description	Amount excl VAT	VAT	Total
198	HMRC	PAYE for January to March	£118.00	0	£118.00
199	Mr M Westhorpe	Clerk's Pay March and April	£355.53	0	£355.53
200	Mr M Westhorpe	Clerk's Expenses March and April	£63.17	3.08	£66.25

- 14.5 To note the financial position of the Council as contained in the budget monitoring spreadsheet
- 14.6 To appoint new signatories for the bank account and a councillor to verify the cashbook reconciliation
- 15) To consider whether to make a response to the Electoral Review of Powys
- 17) To decide if the Council should approve the installation of an additional seat adjacent to the highway near Aberbran
- 18) Application Ref: **P/2017/0417** Replacement of single storey extension with two storey extension at Brynview, Pontfaen, Brecon, Powys.
- 19) Consideration of whether to ask Powys County Council for an update on 2 Maes yr Awel, Pontfaen (Cllr Dilys Davies)
- 20) Correspondence
- a) Election of 3 town/community councillors to the Community sub-committee of the powys Standards Committe
 - b) Change of Primary Admission Age
 - c) Play for Wales 2017
 - d) One Voice Wales meeting of Area Committee and nomination for membership
- * circulated by email
- ** received by email but not circulated
- 21) Issues to report to Powys County Council
- 22) Any planning applications that arrived after the agenda was sent out
- 23) Confirmation of date and times of next meeting: Wednesday 12 July 2017 (7.30pm) at Cradoc Golf Club



Michael Westhorpe
Clerk to Yscir Community Council

YSCIR COMMUNITY COUNCIL

Minutes of the Council meeting, held on 22 March 2017,
at Cradoc Golf Club at 7.30pm

Councillors Present: Jane Price
Bob Wood
Rees Price
Tess Birtles
Margaret Rees
Dilys Davies

Also present: Michael Westhorpe (clerk)
Cllr Gillian Thomas (after item 16)

Cllr Margaret Rees and Cllr Rees Price said that they would not be standing for re-election in May. Cllr Jane Price thanked them on behalf of the Council for their work on the community council. Both have been councillors for forty five years and their knowledge and experience will be sorely missed.

1. **Apologies for absence**

1.1 Apologies were received from Cllr Gillian Thomas who said she would be attending after a school governing body meeting.

2. **Declarations of Interest**

2.1 There were no declarations of interest.

3. **Minutes of the Council Meeting held on 11 January 2016**

3.1 It was agreed that the minutes should be signed as a true and accurate record of the meeting.

4. **Information from Minutes - Clerk's Report**

4.1 With regard to item 8, the Clerk reported that the County Council had decided to close the recycling centre. A letter had been received by a resident expressing dissatisfaction with the community council, saying that 'it was at risk of demonstrating complacency and a willingness to just accept the decision, without a fight.'

4.2 The points raised in the letter were discussed. The Council had considered the changes to the Local Development Plan but had decided not to submit any comments. The resident might disagree with this but the Council had discussed it. With regard to the recycling centre, the Council strongly refuted the views expressed. The minutes of the last three minutes and the Facebook page provide evidence for this. The Clerk was asked to reply to the resident setting out the Council's position.

4.3 It was noted that there was already evidence of flytipping at the former recycling site. Cllr Tess Birtles said that she had informed Powys County Council on a regular basis but they had not been collecting the rubbish. It was suggested that if the rubbish builds up, the Chairman should write to the Brecon and Radnor Express with photos explaining that this closure had been opposed by the community council but that Powys County Council had said there would not be an increase in flytipping.

4.4 Under item 9 the Clerk read out a reply from Powys County Council saying that the road at Battle End Farm was on a secondary gritting route and would only be gritted when the weather was severe. The Council was disappointed with this response but felt there was no

point pursuing the matter given the financial difficulty faced by the County Council.

- 4.5 Under item 14 the Clerk reported that Powys County Council had bid for the repair of Cradoc Road in the 2017-18 capital programme.

5. Risk Assessment Review

- 5.1 The Clerk reported that the noticeboards, troughs and seat had been checked and were structurally sound. The Council's data was now being backed up on a memory stick with a copy being given to the Chairman. The Council considered the risk assessment throughout all sections and agreed that all necessary measures were in place. The Council approved the risk assessment.

6. Internal Audit review and appointment of internal auditor

- 6.1 The Clerk reported that Mr Paul Arthur was willing to act as internal auditor again and this was approved. A letter of appointment to Mr Arthur was also approved.
- 6.2 The Council considered and approved the audit plan and question/action list, included as appendix 2 to these minutes. It was agreed that within the context of a Council of the size of Yscir, each area complied with the requirements of the Wales Audit Office.

7. To receive an update on the Spring Newsletter and distribution arrangements

- 7.1 Councillors reported that the newsletter had been distributed and very positive comments had been received. Mrs Westhorpe was thanked for her work in putting the newsletter together which looked very professional. It was decided to stick to this timescale in future years.

8. Request received to lobby for faster introduction on broadband in Battle.

- 8.1 The Clerk reported that a resident from Battle had complained about the slow introduction of fibre broadband to Battle. There was a discussion on which areas of Yscir had faster broadband and which hadn't. It was agreed to write to BT Openreach seeking clarification on the current situation and asking if implementation could be speeded up for the remaining areas as it was crucial to the operation of small businesses in the area.

9. Financial Matters

- 9.1 An invoice from the Clerk for £208 for expenses incurred in working from home for the 2016/17 financial year was approved. The clerk's hours (31.8 hrs) and expenses (£38.90) for January and February were approved.
- 9.2 An invoice from One Voice Wales for £59 to renew membership for 2016/17 was approved. The newsletter printing costs of £158, the clerk's pay and expenses and a training course fee of £35 were approved
- 9.3 The Council noted the current financial position as shown in the cash book spreadsheet and budget monitoring spreadsheet. It was noted that the overspend on the newsletter was due to the earlier production of the newsletter, with two newsletters being produced in one year. The end of year balance would be around £2532.

10. To note that the Council has complied with the workplace pension requirements

- 10.1 The Clerk reported that he had brought forward the compliance date and had completed the Council's legal obligations, including writing a letter to himself explaining that the Council would not be putting him on a pension scheme.

11 To receive a report on training attended

- 11.1 The Clerk reported that he had attended a webinar by HMRC on the end of year return. It had been very helpful.

12. Welsh Assembly Consultation on the future of Local Government

- 12.1 The Community Council noted the proposal to encourage clusters of small councils and the introduction of a training plan for councillors. The comment was made that a lot of training courses had been cancelled so it might prove difficult to access the training locally.
- 13) Speed of traffic through Pontfaen (request for support from Merthyr Cynog Council)**
- 13.1 Speeding was considered to be an issue In Aberyscir as well as in Pontfaen. It was agreed to support the request from Merthy Cynog Council for a 30mph speed restriction signs in Pont Faen or 'Slow Down' signs on the roadway either side of the main village.
- 14) Electoral Review of Powys**
- 14.1 The Clerk reported on his attendance at a recent meeting. The number of county councillors in Powys is going to be reduced from 73 to between 65 and 67. Electoral wards will be redefined to try and get as close as possible to 1616 voters per councillor. There are only 860 voters in Yscir electoral ward that includes Merthyr Cynog and Trallong. The review body is asking for suggestions at the moment and will be consulting on its recommendations in 2018. These changes could result in changes to community council wards. As the next community council will need to consider this it was decided to discuss this item at the next meeting.
- 15 Planning Application P/2017/0195 Change of use of land to form a glamping site for 6 units and associated works at Cilgwyn, Pontfaen, LD3 9ND**
- 15.1 After discussion it was decided not to raise any objections to this planning application.
- 16) Correspondence**
- a) Santander Dividend payment
 - b) Walk for Life - request by the Kidney Wales Foundation
 - c) Bobarth Children's Family Centre - request for funding
 - d) Santander Annual Tax Voucher
 - e) Tenovus cancer care - request for funding
- 17) Any planning applications that arrived after the papers were sent out.**
- 17.1 There were none.
- 18) Issues to be raised with Powys County Council**
- 18.1 Cllr Jane Price raised the problem of a road edge that had broken away and was dangerous at Battle End.
- 18.2 Cllr Rees Price said that very bad potholes were developing where cars turn round opposite the garages at Cradoc School.
- 18.3 Cllr Gillian Thomas agreed to pick these issues up with Highways.
- 18.4 Cllr Jane Price said that the road was very muddy outside Cradoc School where cars were always parked. The road needed cleaning but this would be difficult as cars are parked there all the time.
- 18.5 Near the new entrance to a barn conversion between Cae Crwn and Battle Fawr Farm there is a standing pool of water due to a blocked drain.
- 19) Confirmation of date and times of next meeting: Wednesday 17 May 2017 (7.30pm) at Cradoc Golf Club**

In response to a question Cllr Gillian Thomas confirmed that she was not standing as a County Councillor in the next elections. On behalf of the council Cllr Jane Price thanked Gill for her work over the years supporting the community.

The meeting finished at 8.55pm.

THE MODEL CODE OF CONDUCT

PART 1 INTERPRETATION

1.—(1) In this code —

"co-opted member" ("*aelod cyfetholedig*"), in relation to a relevant authority, means a person who is not a member of the authority but who —

(a) is a member of any committee or sub-committee of the authority, or

(b) is a member of, and represents the authority on, any joint committee or joint sub-committee of the authority, and who is entitled to vote on any question which falls to be decided at any meeting of that committee or subcommittee;

"meeting" ("*cyfarfod*") means any meeting —

(a) of the relevant authority,

(b) of any executive or board of the relevant authority,

(c) of any committee, sub-committee, joint committee or joint sub-committee of the relevant authority or of any such committee, sub-committee, joint committee or joint sub-committee of any executive or board of the authority, or

(d) where members or officers of the relevant authority are present other than a meeting of a political group constituted in accordance with regulation 8 of the Local Government (Committees and Political Groups) Regulations 1990,

and includes circumstances in which a member of an executive or board or an officer acting alone exercises a function of an authority;

"member" ("*aelod*") includes, unless the context requires otherwise, a co-opted member;

"registered society" means a society, other than a society registered as a credit union, which is —

(a) a registered society within the meaning given by section 1(1) of the Co-operative and Community Benefit Societies Act 2014; or

(b) a society registered or deemed to be registered under the Industrial and Provident Societies Act (Northern Ireland) 1969;

"register of members' interests" ("*cofrestr o fuddiannau'r aelodau*") means the register established and maintained under section 81 of the Local Government Act 2000;

"relevant authority" ("*awdurdod perthnasol*") means—

(a) a county council,

(b) a county borough council,

(c) a community council,

(d) a fire and rescue authority constituted by a scheme under section 2 of the Fire and Rescue Services Act 2004 or a scheme to which section 4 of that Act applies,

(e) a National Park authority established under section 63 of the Environment Act 1995;

"you" ("*chi*") means you as a member or co-opted member of a relevant authority; and

"your authority" ("*eich awdurdod*") means the relevant authority of which you are a member or co-opted member.

(2) In relation to a community council—

(a) "proper officer" ("*swyddog priodol*") means an officer of that council within the meaning of section 270(3) of the Local Government Act 1972; and

(b) "standards committee" ("*pwyllgor safonau*") means the standards committee of the county or county borough council which has functions in relation to the community council for which it is responsible under section 56(1) and (2) of the Local Government Act 2000.

PART 2 GENERAL PROVISIONS

2.—(1) Save where paragraph 3(a) applies, you must observe this code of conduct —

(a) whenever you conduct the business, or are present at a meeting, of your authority;

(b) whenever you act, claim to act or give the impression you are acting in the role of member to which you were elected or appointed;

(c) whenever you act, claim to act or give the impression you are acting as a representative of your authority; or

(d) at all times and in any capacity, in respect of conduct identified in paragraphs 6(1)(a) and 7.

(2) You should read this code together with the general principles prescribed under section 49(2) of the Local Government Act 2000 in relation to Wales.

3. Where you are elected, appointed or nominated by your authority to serve —

(a) on another relevant authority, or any other body, which includes a Local Health Board you must, when acting for that other authority or body, comply with the code of conduct of that other authority or body; or

(b) on any other body which does not have a code relating to the conduct of its members, you must, when acting for that other body, comply with this code of conduct, except and insofar as it conflicts with any other lawful obligations to which that other body may be subject.

4. You must —

(a) carry out your duties and responsibilities with due regard to the principle that there should be equality of opportunity for all people, regardless of their gender, race, disability, sexual orientation, age or religion;

(b) show respect and consideration for others;

(c) not use bullying behaviour or harass any person; and

(d) not do anything which compromises, or which is likely to compromise, the impartiality of those who work for, or on behalf of, your authority.

5. You must not —

(a) disclose confidential information or information which should reasonably be regarded as being of a confidential nature, without the express consent of a person authorised to give such consent, or unless required by law to do so;

(b) prevent any person from gaining access to information to which that person is entitled by law.

6.—(1) You must —

(a) not conduct yourself in a manner which could reasonably be regarded as bringing your office or authority

into disrepute;

(b) report, whether through your authority's confidential reporting procedure or direct to the proper authority, any conduct by another member or anyone who works for, or on behalf of, your authority which you reasonably believe involves or is likely to involve criminal behaviour (which for the purposes of this paragraph does not include offences or behaviour capable of punishment by way of a fixed penalty);

(c) report to your authority's monitoring officer any conduct by another member which you reasonably believe breaches this code of conduct;

(d) not make vexatious, malicious or frivolous complaints against other members or anyone who works for, or on behalf of, your authority.

(2) You must comply with any request of your authority's monitoring officer, or the Public Services Ombudsman for Wales, in connection with an investigation conducted in accordance with their respective statutory powers.

7. You must not —

(a) in your official capacity or otherwise, use or attempt to use your position improperly to confer on or secure for yourself, or any other person, an advantage or create or avoid for yourself, or any other person, a disadvantage;

(b) use, or authorise others to use, the resources of your authority —

(i) imprudently;

(ii) in breach of your authority's requirements;

(iii) unlawfully;

(iv) other than in a manner which is calculated to facilitate, or to be conducive to, the discharge of the functions of the authority or of the office to which you have been elected or appointed;

(v) improperly for political purposes; or

(vi) improperly for private purposes.

8. You must —

(a) when participating in meetings or reaching decisions regarding the business of your authority, do so on the basis of the merits of the circumstances involved and in the public interest having regard to any relevant advice provided by your authority's officers, in particular by —

(i) the authority's head of paid service;

(ii) the authority's chief finance officer;

(iii) the authority's monitoring officer;

(iv) the authority's chief legal officer (who should be consulted when there is any doubt as to the authority's power to act, as to whether the action proposed lies within the policy framework agreed by the authority or where the legal consequences of action or failure to act by the authority might have important repercussions);

(b) give reasons for all decisions in accordance with any statutory requirements and any reasonable additional requirements imposed by your authority.

9. You must —

(a) observe the law and your authority's rules governing the claiming of expenses and allowances in connection with your duties as a member;

(b) avoid accepting from anyone gifts, hospitality (other than official hospitality, such as a civic reception or a working lunch duly authorised by your authority), material benefits or services for yourself or any person which might place you, or reasonably appear to place you, under an improper obligation.

PART 3 INTERESTS

Personal Interests

10.—(1) You must in all matters consider whether you have a personal interest, and whether this code of conduct requires you to disclose that interest.

(2) You must regard yourself as having a personal interest in any business of your authority if —

(a) it relates to, or is likely to affect —

(i) any employment or business carried on by you;

(ii) any person who employs or has appointed you, any firm in which you are a partner or any company for which you are a remunerated director;

(iii) any person, other than your authority, who has made a payment to you in respect of your election or any expenses incurred by you in carrying out your duties as a member;

(iv) any corporate body which has a place of business or land in your authority's area, and in which you have a beneficial interest in a class of securities of that body that exceeds the nominal value of £25,000 or one hundredth of the total issued share capital of that body;

(v) any contract for goods, services or works made between your authority and you or a firm in which you are a partner, a company of which you are a remunerated director, or a body of the description specified in sub-paragraph (iv) above;

(vi) any land in which you have a beneficial interest and which is in the area of your authority;

(vii) any land where the landlord is your authority and the tenant is a firm in which you are a partner, a company of which you are a remunerated director, or a body of the description specified in subparagraph (iv) above;

(viii) any body to which you have been elected, appointed or nominated by your authority;

(ix) any —

(aa) public authority or body exercising functions of a public nature;

(bb) company, registered society, charity, or body directed to charitable purposes;

(cc) body whose principal purposes include the influence of public opinion or policy;

(dd) trade union or professional association; or

(ee) private club, society or association operating within your authority's area,

in which you have membership or hold a position of general control or management;

(x) any land in your authority's area in which you have a licence (alone or jointly with others) to occupy for 28 days or longer;

[Note: subparagraph (b) is omitted.]

(c) a decision upon it might reasonably be regarded as affecting —

- (i) your well-being or financial position, or that of a person with whom you live, or any person with whom you have a close personal association;
- (ii) any employment or business carried on by persons as described in 10(2)(c)(i);
- (iii) any person who employs or has appointed such persons described in 10(2)(c)(i), any firm in which they are a partner, or any company of which they are directors;
- (iv) any corporate body in which persons as described in 10(2)(c)(i) have a beneficial interest in a class of securities exceeding the nominal value of £5,000; or
- (v) any body listed in paragraphs 10(2)(a)(ix)(aa) to (ee) in which persons described in 10(2)(c)(i) hold a position of general control or management,

to a greater extent than the majority of—

- (aa) in the case of an authority with electoral divisions or wards, other council tax payers, rate payers or inhabitants of the electoral division or ward, as the case may be, affected by the decision; or
- (bb) in all other cases, other council tax payers, ratepayers or inhabitants of the authority's area.

Disclosure of Personal Interests

11.—(1) Where you have a personal interest in any business of your authority and you attend a meeting at which that business is considered, you must disclose orally to that meeting the existence and nature of that interest before or at the commencement of that consideration, or when the interest becomes apparent.

(2) Where you have a personal interest in any business of your authority and you make —

- (a) written representations (whether by letter, facsimile or some other form of electronic communication) to a member or officer of your authority regarding that business, you should include details of that interest in the written communication; or
- (b) oral representations (whether in person or some form of electronic communication) to a member or officer of your authority you should disclose the interest at the commencement of such representations, or when it becomes apparent to you that you have such an interest, and confirm the representation and interest in writing within 14 days of the representation.

(3) Subject to paragraph 14(1)(b) below, where you have a personal interest in any business of your authority and you have made a decision in exercising a function of an executive or board, you must in relation to that business ensure that any written statement of that decision records the existence and nature of your interest.

(4) You must, in respect of a personal interest not previously disclosed, before or immediately after the close of a meeting where the disclosure is made pursuant to sub-paragraph 11(1), give written notification to your authority in accordance with any requirements identified by your authority's monitoring officer, or in relation to a community council, your authority's proper officer from time to time but, as a minimum containing —

- (a) details of the personal interest;
- (b) details of the business to which the personal interest relates; and
- (c) your signature.

(5) Where you have agreement from your monitoring officer that the information relating to your personal interest is sensitive information, pursuant to paragraph 16(1), your obligations under this paragraph 11 to disclose such information, whether orally or in writing, are to be replaced with an obligation to disclose the existence of a personal interest and to confirm that your monitoring officer has agreed that the nature of such personal interest is sensitive information.

(6) For the purposes of sub-paragraph (4), a personal interest will only be deemed to have been previously disclosed if written notification has been provided in accordance with this code since the last date on which you were elected, appointed or nominated as a member of your authority.

(7) For the purposes of sub-paragraph (3), where no written notice is provided in accordance with that paragraph you will be deemed as not to have declared a personal interest in accordance with this code.

Prejudicial Interests

12.—(1) Subject to sub-paragraph (2) below, where you have a personal interest in any business of your authority you also have a prejudicial interest in that business if the interest is one which a member of the public with knowledge of the relevant facts would reasonably regard as so significant that it is likely to prejudice your judgement of the public interest.

(2) Subject to sub-paragraph (3), you will not be regarded as having a prejudicial interest in any business where that business—

(a) relates to —

- (i) another relevant authority of which you are also a member;
- (ii) another public authority or body exercising functions of a public nature in which you hold a position of general control or management;
- (iii) a body to which you have been elected, appointed or nominated by your authority;
- (iv) your role as a school governor (where not appointed or nominated by your authority) unless it relates particularly to the school of which you are a governor;
- (v) your role as a member of a Local Health Board where you have not been appointed or nominated by your authority;

(b) relates to —

- (i) the housing functions of your authority where you hold a tenancy or lease with your authority, provided that you do not have arrears of rent with your authority of more than two months, and provided that those functions do not relate particularly to your tenancy or lease;
- (ii) the functions of your authority in respect of school meals, transport and travelling expenses, where you are a guardian, parent, grandparent or have parental responsibility (as defined in section 3 of the Children Act 1989) of a child in full time education, unless it relates particularly to the school which that child attends;
- (iii) the functions of your authority in respect of statutory sick pay under Part XI of the Social Security Contributions and Benefits Act 1992, where you are in receipt of, or are entitled to the receipt of such pay from your authority;
- (iv) the functions of your authority in respect of an allowance or payment made in accordance with the provisions of Part 8 of the Local Government (Wales) Measure 2011, or an allowance or pension provided under section 18 of the Local Government and Housing Act 1989;

(c) your role as a community councillor in relation to a grant, loan or other form of financial assistance made by your community council to community or voluntary organisations up to a maximum of £500.

(3) The exemptions in subparagraph (2)(a) do not apply where the business relates to the determination of any approval, consent, licence, permission or registration.

Overview and Scrutiny Committees

13. You also have a prejudicial interest in any business before an overview and scrutiny committee of your authority (or of a sub-committee of such a committee) where—

- (a) that business relates to a decision made (whether implemented or not) or action taken by your authority's executive, board or another of your authority's committees, sub-committees, joint committees or joint

subcommittees; and

(b) at the time the decision was made or action was taken, you were a member of the executive, board, committee, sub-committee, joint-committee or joint sub-committee mentioned in sub-paragraph (a) and you were present when that decision was made or action was taken.

Participation in Relation to Disclosed Interests

14.—(1) Subject to sub-paragraphs (2), (2A), (3) and (4), where you have a prejudicial interest in any business of your authority you must, unless you have obtained a dispensation from your authority's standards committee —

(a) withdraw from the room, chamber or place where a meeting considering the business is being held—

(i) where sub-paragraph (2) applies, immediately after the period for making representations, answering questions or giving evidence relating to the business has ended and in any event before further consideration of the business begins, whether or not the public are allowed to remain in attendance for such consideration; or

(ii) in any other case, whenever it becomes apparent that that business is being considered at that meeting;

(b) not exercise executive or board functions in relation to that business;

(c) not seek to influence a decision about that business;

(d) not make any written representations (whether by letter, facsimile or some other form of electronic communication) in relation to that business; and

(e) not make any oral representations (whether in person or some form of electronic communication) in respect of that business or immediately cease to make such oral representations when the prejudicial interest becomes apparent.

(2) Where you have a prejudicial interest in any business of your authority you may attend a meeting but only for the purpose of making representations, answering questions or giving evidence relating to the business, provided that the public are also allowed to attend the meeting for the same purpose, whether under a statutory right or otherwise.

(2A) Where you have a prejudicial interest in any business of your authority you may submit written representations to a meeting relating to that business, provided that the public are allowed to attend the meeting for the purpose of making representations, answering questions or giving evidence relating to the business, whether under statutory right or otherwise.

(2B) When submitting written representations under sub-paragraph (2A) you must comply with any procedure that your authority may adopt for the submission of such representations.

(3) Sub-paragraph (1) does not prevent you attending and participating in a meeting if —

(a) you are required to attend a meeting of an overview or scrutiny committee, by such committee exercising its statutory powers; or

(b) you have the benefit of a dispensation provided that you —

(i) state at the meeting that you are relying on the dispensation; and

(ii) before or immediately after the close of the meeting give written notification to your authority containing —

(aa) details of the prejudicial interest;

(bb) details of the business to which the prejudicial interest relates;

(cc) details of, and the date on which, the dispensation was granted; and

(dd) your signature.

(4) Where you have a prejudicial interest and are making written or oral representations to your authority in reliance upon a dispensation, you must provide details of the dispensation within any such written or oral representation and, in the latter case, provide written notification to your authority within 14 days of making the representation.

PART 4 THE REGISTER OF MEMBERS' INTERESTS

Registration of Personal Interests

15.—(1) Subject to sub-paragraph (4), you must, within 28 days of—

(a) your authority's code of conduct being adopted or the mandatory provisions of this model code being applied to your authority; or

(b) your election or appointment to office (if that is later),

register your personal interests, where they fall within a category mentioned in paragraph 10(2)(a), in your authority's register of members' interests by providing written notification to your authority's monitoring officer.

(2) Subject to sub-paragraph (4), you must, within 28 days of becoming aware of any new personal interest falling within a category mentioned in paragraph 10(2)(a), register that new personal interest in your authority's register of members' interests by providing written notification to your authority's monitoring officer.

(3) Subject to sub-paragraph (4), you must, within 28 days of becoming aware of any change to a registered personal interest falling within a category mentioned in paragraph 10(2)(a), register that change in your authority's register of members' interests by providing written notification to your authority's monitoring officer, or in the case of a community council to your authority's proper officer.

(4) Sub-paragraphs (1), (2) and (3) do not apply to sensitive information determined in accordance with paragraph 16(1).

(5) Sub-paragraphs (1) and (2) do not apply if you are a member of a relevant authority which is a community council when you act in your capacity as a member of such an authority.

(6) You must, when disclosing a personal interest in accordance with paragraph 11 for the first time, register that personal interest in your authority's register of members' interests by providing written notification to your authority's monitoring officer, or in the case of a community council to your authority's proper officer.

Sensitive information

16.—(1) Where you consider that the information relating to any of your personal interests is sensitive information, and your authority's monitoring officer agrees, you need not include that information when registering that interest, or, as the case may be, a change to the interest under paragraph 15.

(2) You must, within 28 days of becoming aware of any change of circumstances which means that information excluded under sub-paragraph (1) is no longer sensitive information, notify your authority's monitoring officer, or in relation to a community council, your authority's proper officer asking that the information be included in your authority's register of members' interests.

(3) In this code, "sensitive information" ("*gwybodaeth sensitif*") means information whose availability for inspection by the public creates, or is likely to create, a serious risk that you or a person who lives with you may be subjected to violence or intimidation.

Registration of Gifts and Hospitality

17. You must, within 28 days of receiving any gift, hospitality, material benefit or advantage above a value specified in a resolution of your authority, provide written notification to your authority's monitoring officer, or in relation to a community council, to your authority's proper officer of the existence and nature of that gift, hospitality, material benefit or advantage.

Agenda Item 9

YSCIR COMMUNITY / TOWN COUNCIL

FINANCIAL REGULATIONS [WALES]

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These Financial Regulations were adopted by the Council at its Meeting held on 7 September 2016

1. GENERAL

- 1.1. These financial regulations govern the conduct of financial management by the Council and may only be amended or varied by resolution of the Council. Financial regulations are one of the Council's three governing policy documents providing procedural guidance for members and officers. Financial regulations must be observed in conjunction with the Council's standing orders¹ and any individual financial regulations relating to contracts.
- 1.2. The Council is responsible in law for ensuring that its financial management is adequate and effective and that the Council has a sound system of internal control which facilitates the effective exercise of the Council's functions, including arrangements for the management of risk.
- 1.3. The Council's accounting control systems must include measures:
 - for the timely production of accounts;
 - that provide for the safe and efficient safeguarding of public money;
 - to prevent and detect inaccuracy and fraud; and
 - identifying the duties of officers.
- 1.4. These financial regulations demonstrate how the Council meets these responsibilities and requirements.
- 1.5. At least once a year, prior to approving the Annual Governance Statement, the Council must review the effectiveness of its system of internal control which shall be in accordance with proper practices.
- 1.6. Deliberate or wilful breach of these Regulations by an employee may give rise to disciplinary proceedings.
- 1.7. Members of Council are expected to follow the instructions within these Regulations and not to entice employees to breach them. Failure to follow instructions within these Regulations brings the office of Councillor into disrepute and may represent a breach in the Councillor's Code of Conduct
- 1.8. The Responsible Financial Officer (RFO) holds a statutory office to be appointed by the Council. [The Clerk has been appointed as RFO for this Council and these regulations will apply accordingly.]
- 1.9. The RFO;

¹ Model standing orders for Councils are available in Local Councils Explained © 2013 National Association of Local Councils

- acts under the policy direction of the Council;
- administers the Council's financial affairs in accordance with all Acts, Regulations and proper practices;
- determines on behalf of the Council its accounting records and accounting control systems;
- ensures the accounting control systems are observed;
- maintains the accounting records of the Council up to date in accordance with proper practices;
- assists the Council to secure economy, efficiency and effectiveness in the use of its resources; and
- produces financial management information as required by the Council.

1.10. The accounting records determined by the RFO shall be sufficient to show and explain the Council's transactions and to enable the RFO to ensure that any income and expenditure account and statement of balances, or record of receipts and payments comply with the Accounts and Audit (Wales) Regulations and to prepare additional or management information, as the case may be, to be prepared for the Council from time to time.

1.11. The accounting records determined by the RFO shall in particular contain:

- entries from day to day of all sums of money received and expended by the Council and the matters to which the income and expenditure or receipts and payments account relate;
- a record of the assets and liabilities of the Council; and
- wherever relevant, a record of the Council's income and expenditure in relation to claims made, or to be made, for any contribution, grant or subsidy.

1.12. The accounting control systems determined by the RFO shall include:

- procedures to ensure that the financial transactions of the Council are recorded as soon as reasonably practicable and as accurately and reasonably as possible;
- procedures to enable the prevention and detection of inaccuracies and fraud and the ability to reconstruct any lost records;
- identification of the duties of officers dealing with financial transactions and division of responsibilities of those officers in relation to significant transactions;
- procedures to ensure that uncollectable amounts, including any bad debts are not

submitted to the Council for approval to be written off except with the approval of the RFO and that the approvals are shown in the accounting records; and

measures to ensure that risk is properly managed.

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

setting the final budget or the precept (Council Tax Requirement);

approving accounting statements;

approving an annual governance statement;

borrowing;

writing off bad debts;

addressing recommendations in any report from the internal or external auditors,

shall be a matter for the full Council only.

1.14. In addition the Council must:

determine and keep under regular review the bank mandate for all Council bank accounts;

approve any grant or a single commitment in excess of [£5,000]; and

in respect of the annual salary for any employee have regard to recommendations about annual salaries of employees made by the relevant committee in accordance with its terms of reference.

1.15. In these financial regulations, references to the Accounts and Audit (Wales) Regulations or 'the regulations' shall mean the regulations issued under the provisions of section 39 of the Public Audit (Wales) Act 2004, or any superseding legislation, and then in force unless otherwise specified.

In these financial regulations the term 'proper practice' or 'proper practices' shall refer to guidance issued in *Governance and Accountability for Local Councils in Wales - A Practitioners' Guide* issued by the Joint Practitioners Advisory Group (JPAG), available from the websites of One Voice Wales (OVW) and SLCC as appropriate.

2. ACCOUNTING AND AUDIT (INTERNAL AND EXTERNAL)

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

- 2.2. On a regular basis, at least once in each quarter, and at each financial year end, a member other than the Chairman [or a cheque signatory] shall be appointed to verify bank reconciliations (for all accounts) produced by the RFO. The member shall sign the reconciliations and the original bank statements (or similar document) as evidence of verification. This activity shall on conclusion be reported, including any exceptions, to and noted by the Council
- 2.3. The RFO shall complete the annual statement of accounts, annual report, and any related documents of the Council contained in the Annual Return (as specified in proper practices) as soon as practicable after the end of the financial year and having certified the accounts shall submit them and report thereon to the Council within the timescales set by the Accounts and Audit (Wales) Regulations.
- 2.4. The Council shall ensure that there is an adequate and effective system of internal audit of its accounting records, and of its system of internal control in accordance with proper practices. Any officer or member of the Council shall make available such documents and records as appear to the Council to be necessary for the purpose of the audit and shall, as directed by the Council, supply the RFO, internal auditor, or external auditor with such information and explanation as the Council considers necessary for that purpose.
- 2.5. The internal auditor shall be appointed by and shall carry out the work in relation to internal controls required by the Council in accordance with proper practices.
- 2.6. The internal auditor shall:
- be competent and independent of the financial operations of the Council;
 - report to Council in writing, or in person, on a regular basis with a minimum of one annual written report during each financial year;
 - to demonstrate competence, objectivity and independence, be free from any actual or perceived conflicts of interest, including those arising from family relationships; and
 - have no involvement in the financial decision making, management or control of the Council.
- 2.7. Internal or external auditors may not under any circumstances:
- perform any operational duties for the Council;
 - initiate or approve accounting transactions; or
 - direct the activities of any Council employee, except to the extent that such employees have been appropriately assigned to assist the internal auditor.
- 2.8. For the avoidance of doubt, in relation to internal audit the terms ‘independent’ and ‘independence’ shall have the same meaning as is described in proper practices.

- 2.9. The RFO shall make arrangements for the exercise of electors' rights in relation to the accounts including the opportunity to inspect the accounts, books, and vouchers and display or publish any notices and statements of account required by Public Audit (Wales) Act 2004, or any superseding legislation, and the Accounts and Audit (Wales) Regulations.
- 2.10. The RFO shall, without undue delay, bring to the attention of all Councillors any correspondence or report from internal or external auditors.

3. ANNUAL ESTIMATES (BUDGET) AND FORWARD PLANNING

- 3.1. [Each committee (if any) shall review its three year forecast of revenue and capital receipts and payments. Having regard to the forecast, it shall thereafter formulate and submit proposals for the following financial year to the Council not later than the end of [November] each year including any proposals for revising the forecast].
- 3.2. The RFO must each year, by no later than January, prepare detailed estimates of all receipts and payments including the use of reserves and all sources of funding for the following financial year in the form of a budget to be considered by the [relevant committee and the] Council.
- 3.3. The Council shall consider annual budget proposals in relation to the Council's three year forecast of revenue and capital receipts and payments including recommendations for the use of reserves and sources of funding and update the forecast accordingly.
- 3.4. The Council shall fix the precept (Council tax requirement), and relevant basic amount of Council tax to be levied for the ensuing financial year not later than by the end of January each year. The RFO shall issue the precept to the billing authority and shall supply each member with a copy of the approved annual budget.
- 3.5. The approved annual budget shall form the basis of financial control for the ensuing year.

4. BUDGETARY CONTROL AND AUTHORITY TO SPEND

4.1. Expenditure on revenue items may be authorised up to the amounts included for that class of expenditure in the approved budget. This authority is to be determined by:

- the Council for all items over [£100;

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

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

4.2. No expenditure may be authorised that will exceed the amount provided in the revenue budget for that class of expenditure other than by resolution of the Council, or duly delegated committee. During the budget year and with the approval of Council having considered fully the implications for public services, unspent and available amounts may be moved to other budget headings or to an earmarked reserve as appropriate ('virement').

4.3. Unspent provisions in the revenue or capital budgets for completed projects shall not be carried forward to a subsequent year.

4.4. The salary budgets are to be reviewed at least annually in [October] for the following financial year and such review shall be evidenced by a hard copy schedule signed by the Clerk and the Chairman of Council or relevant committee. The RFO will inform committees of any changes impacting on their budget requirement for the coming year in good time.

4.5. In cases of extreme risk to the delivery of Council services, the clerk may authorise revenue expenditure on behalf of the Council which in the clerk's judgement it is necessary to carry out. Such expenditure includes repair, replacement or other work, whether or not there is any budgetary provision for the expenditure, subject to a limit of [£100]. The Clerk shall report such action to the chairman as soon as possible and to the Council as soon as practicable thereafter.

4.6. No expenditure shall be authorised in relation to any capital project and no contract entered into or tender accepted involving capital expenditure unless the Council is satisfied that the necessary funds are available and the requisite borrowing approval has been obtained.

4.7. All capital works shall be administered in accordance with the Council's standing orders and financial regulations relating to contracts.

4.8. The RFO shall regularly provide the Council with a statement of receipts and payments to date under each head of the budgets, comparing actual expenditure to the appropriate date against that planned as shown in the budget. These statements are to be prepared at least at the end of each financial quarter and shall show explanations of material variances. For this purpose "material" shall be in excess of [£100] or [15%] of the budget.

4.9. Changes in earmarked reserves shall be approved by Council as part of the budgetary

control process.

5. BANKING ARRANGEMENTS AND AUTHORISATION OF PAYMENTS

- 5.1. The Council's banking arrangements, including the bank mandate, shall be made by the RFO and approved by the Council; banking arrangements may not be delegated to a committee. They shall be regularly reviewed for safety and efficiency. [The Council shall seek credit references in respect of members or employees who act as signatories].
- 5.2. The RFO shall prepare a schedule of payments requiring authorisation, forming part of the Agenda for the Meeting and, together with the relevant invoices, present the schedule to Council. The Council / committee shall review the schedule for compliance and, having satisfied itself shall authorise payment by a resolution of the Council. Personal payments (including salaries, wages, expenses and any payment made in relation to the termination of a contract of employment) may be summarised to remove public access to any personal information.
- 5.3. All invoices for payment shall be examined, verified and certified by the RFO to confirm that the work, goods or services to which each invoice relates has been received, carried out, examined and represents expenditure previously approved by the Council.
- 5.4. The RFO shall examine invoices for arithmetical accuracy and analyse them to the appropriate expenditure heading. The RFO shall take all steps to pay all invoices submitted, and which are in order, at the next available Council [or Finance Committee] meeting.
- 5.5. The Clerk and RFO shall have delegated authority to authorise the payment of items only in the following circumstances:
 - a) If a payment is necessary to avoid a charge to interest under the Late Payment of Commercial Debts (Interest) Act 1998, and the due date for payment is before the next scheduled Meeting of Council, where the Clerk and RFO certify that there is no dispute or other reason to delay payment, provided that a list of such payments shall be submitted to the next appropriate meeting of Council [or finance committee];
 - b) An expenditure item authorised under 5.6 below (continuing contracts and obligations) provided that a list of such payments shall be submitted to the next appropriate meeting of Council [or finance committee]; or
 - c) fund transfers within the Councils banking arrangements up to the sum of [£10,000], provided that a list of such payments shall be submitted to the next appropriate meeting of Council [or finance committee].
- 5.6. In respect of grants a duly authorised committee shall approve expenditure within any limits set by Council and in accordance with any policy statement approved by Council. Any Revenue or Capital Grant in excess of £5,000 shall before payment, be subject to ratification by resolution of the Council.

- 5.7. Members are subject to the Code of Conduct that has been adopted by the Council and shall comply with the Code and Standing Orders when a decision to authorise or instruct payment is made in respect of a matter in which they have a disclosable or other interest, unless a dispensation has been granted.
- 5.8. The Council will aim to rotate the duties of members in these Regulations so that onerous duties are shared out as evenly as possible over time.
- 5.9. Any changes in the recorded details of suppliers, such as bank account records, shall be approved in writing by a Member.

6. INSTRUCTIONS FOR THE MAKING OF PAYMENTS

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

of the Council at least every two years.

- 6.9. If thought appropriate by the Council, payment for certain items may be made by BACS or CHAPS methods provided that the instructions for each payment are signed, or otherwise evidenced, by two authorised bank signatories are retained and any payments are reported to Council as made. The approval of the use of BACS or CHAPS shall be renewed by resolution of the Council at least every two years.
- 6.10. If thought appropriate by the Council payment for certain items may be made by internet banking transfer provided evidence is retained showing which members approved the payment.
- 6.11. Where a computer requires use of a personal identification number (PIN) or other password(s), for access to the Council's records on that computer, a note shall be made of the PIN and Passwords and shall be handed to and retained by the Chairman of Council in a sealed dated envelope. This envelope may not be opened other than in the presence of two other Councillors. After the envelope has been opened, in any circumstances, the PIN and / or passwords shall be changed as soon as practicable. The fact that the sealed envelope has been opened, in whatever circumstances, shall be reported to all members immediately and formally to the next available meeting of the Council. This will not be required for a member's personal computer used only for remote authorisation of bank payments.
- 6.12. No employee or Councillor shall disclose any PIN or password, relevant to the working of the Council or its bank accounts, to any person not authorised in writing by the Council or a duly delegated committee.
- 6.13. Regular back-up copies of the records on any computer shall be made and shall be stored securely away from the computer in question, and preferably off site.
- 6.14. The Council, and any members using computers for the Council's financial business, shall ensure that anti-virus, anti-spyware and firewall, software with automatic updates, together with a high level of security, is used.
- 6.15. Where internet banking arrangements are made with any bank, the Clerk [RFO] shall be appointed as the Service Administrator. The bank mandate approved by the Council shall identify a number of Councillors who will be authorised to approve transactions on those accounts. The bank mandate will state clearly the amounts of payments that can be instructed by the use of the Service Administrator alone, or by the Service Administrator with a stated number of approvals.
- 6.16. Access to any internet banking accounts will be directly to the access page (which may be saved under "favourites"), and not through a search engine or e-mail link. Remembered or saved passwords facilities must not be used on any computer used for Council banking work. Breach of this Regulation will be treated as a very serious matter under these regulations.
- 6.17. Changes to account details for suppliers, which are used for internet banking may only be

changed on written hard copy notification by the supplier and supported by hard copy authority for change signed by [two of] the Clerk [the RFO][a member]. A programme of regular checks of standing data with suppliers will be followed.

- 6.18. Any Debit Card issued for use will be specifically restricted to the Clerk [and 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.
- 6.19. A pre-paid debit card may be issued to employees with varying limits. These limits will be set by the Council [Finance Committee]. Transactions and purchases made will be reported to the [Council] [relevant committee] and authority for topping-up shall be at the discretion of the [Council] [relevant committee].
- 6.20. Any corporate credit card or trade card account opened by the Council will be specifically restricted to use by the Clerk [and RFO] and shall be subject to automatic payment in full at each month-end. Personal credit or debit cards of members or staff shall not be used under any circumstances.
- 6.21. The 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.

7. PAYMENT OF SALARIES

- 7.1. As an employer, the Council shall make arrangements to meet fully the statutory requirements placed on all employers by PAYE and National Insurance legislation. The payment of all salaries shall be made in accordance with payroll records and the rules of PAYE and National Insurance currently operating, and salary rates shall be as agreed by Council, or duly delegated committee.
- 7.2. Payment of salaries and payment of deductions from salary such as may be required to be made for tax, national insurance and pension contributions, or similar statutory or discretionary deductions must be made in accordance with the payroll records and on the appropriate dates stipulated in employment contracts, provided that each payment is reported to the next available Council meeting, as set out in these regulations above.
- 7.3. No changes shall be made to any employee's pay, emoluments, or terms and conditions of employment without the prior consent of the [Council] [relevant committee].
- 7.4. Each and every payment to employees of net salary and to the appropriate creditor of the statutory and discretionary deductions shall be recorded in a separate confidential record (confidential cash book). This confidential record is not open to inspection or review (under the Freedom of Information Act 2000 or otherwise) other than:
 - a) by any Councillor who can demonstrate a need to know;
 - b) by the internal auditor;

- c) by the external auditor; or
 - d) by any person authorised under Public Audit (Wales) Act 2004, or any superseding legislation.
- 7.5. The total of such payments in each calendar month shall be reported with all other payments as made as may be required under these Financial Regulations, to ensure that only payments due for the period have actually been paid.
- 7.6. An effective system of personal performance management should be maintained for the senior officers.
- 7.7. Any termination payments shall be supported by a clear business case and reported to the Council. Termination payments shall only be authorised by Council.
- 7.8. Before employing interim staff the Council must consider a full business case.

8. LOANS AND INVESTMENTS

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

Regulation 5 (Authorisation of payments) and Regulation 6 (Instructions for payments).

9. INCOME

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

10. ORDERS FOR WORK, GOODS AND SERVICES

- 10.1. An official order or letter shall be issued for all work, goods and services unless a formal contract is to be prepared or an official order would be inappropriate. Copies of orders shall be retained.
- 10.2. Order books shall be controlled by the RFO.

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

11. CONTRACTS

11.1. Procedures as to contracts are laid down as follows:

- a. Every contract shall comply with these financial regulations, and no exceptions shall be made otherwise than in an emergency provided that this regulation need not apply to contracts which relate to items (i) to (vi) below:
- i. for the supply of gas, electricity, water, sewerage and telephone services;
 - ii. for specialist services such as are provided by 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 goods or materials proposed to be purchased which are proprietary articles and / or are only sold at a fixed price.
- b. The full requirements of The Public Contracts Regulations 2015 (“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)².
- c. 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.
- d. Such invitation to tender shall state the general nature of the intended contract and

² 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)

the Clerk shall obtain the necessary technical assistance to prepare a specification in appropriate cases. The invitation shall in addition state that tenders must be addressed to the Clerk in the ordinary course of post. Each tendering firm shall be supplied with a specifically marked envelope in which the tender is to be sealed and remain sealed until the prescribed date for opening tenders for that contract.

- e. 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.
- f. Any invitation to tender issued under this regulation shall be subject to Standing Orders[],³ [insert reference of the Council's relevant standing order] and shall refer to the terms of the Bribery Act 2010.
- g. When it is to enter into a contract of less than [£25,000]⁴ in value for the supply of goods or materials or for the execution of works or specialist services other than such goods, materials, works or specialist services as are excepted as set out in paragraph (a) the Clerk or RFO shall obtain 3 quotations (priced descriptions of the proposed supply);

where the value is below [£3,000] and above [£100] the Clerk or RFO shall strive to obtain 3 estimates. Otherwise, Regulation 10.3 above shall apply.
- h. The Council shall not be obliged to accept the lowest or any tender, quote or estimate.
- i. Should it occur that the Council, or duly delegated committee, does not accept any tender, quote or estimate, the work is not allocated and the Council requires further pricing, provided that the specification does not change, no person shall be permitted to submit a later tender, estimate or quote who was present when the original decision making process was being undertaken.

11.2. The Proper Officer shall maintain a register of personal interests, in respect of both members and senior staff.

- a. Members and senior staff should not, so far as is practicable, be involved in the award of orders and/or contracts with organisations or individuals in respect of which a personal interest exists, whether declared or not.
- b. Members and senior staff should not, so far as is practicable, be involved in the making or authorising payments in respect of orders and/or contracts with organisations or individuals in respect of which a personal interest exists, whether declared or not.

³ Based on NALC's model standing order 18d in Local Councils Explained © 2013 National Association of Local Councils

⁴ This suggested figure is based on the sum above which special rules are applicable (under the Regulations) to Councils in England and is therefore considered an appropriate threshold.

12. [PAYMENTS UNDER CONTRACTS FOR BUILDING OR OTHER CONSTRUCTION WORKS

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

13. [STORES AND EQUIPMENT

- 13.1. The officer in charge of each section shall be responsible for the care and custody of stores and equipment in that section.
- 13.2. Delivery notes shall be obtained in respect of all goods received into store or otherwise delivered and goods must be checked as to order and quality at the time delivery is made.
- 13.3. Stocks shall be kept at the minimum levels consistent with operational requirements.
- 13.4. The RFO shall be responsible for periodic checks of stocks and stores at least annually.]

14. ASSETS, PROPERTIES AND ESTATES

- 14.1. The Clerk shall make appropriate arrangements for the custody of all title deeds and Land Registry Certificates of properties held by the Council. The RFO shall ensure a record is maintained of all properties held by the Council, recording the location, extent, plan, reference, purchase details, nature of the interest, tenancies granted, rents payable and purpose for which held in accordance with Accounts and Audit (Wales) Regulations.
- 14.2. No tangible moveable property shall be purchased or otherwise acquired, sold, leased or otherwise disposed of, without the authority of the Council, together with any other consents required by law, save where the estimated value of any one item of tangible movable property does not exceed [£250].
- 14.3. No real property (interests in land) shall be sold, leased or otherwise disposed of without the authority of the Council, together with any other consents required by law, In each case a report in writing shall be provided to Council in respect of valuation and surveyed condition of the property (including matters such as planning permissions and covenants) together with a proper business case (including an adequate level of consultation with the electorate).

- 14.4. No real property (interests in land) shall be purchased or acquired without the authority of the full Council. In each case a report in writing shall be provided to Council in respect of valuation and surveyed condition of the property (including matters such as planning permissions and covenants) together with a proper business case (including an adequate level of consultation with the electorate).
- 14.5. Subject only to the limit set in Reg. 14.2 above, no tangible moveable property shall be purchased or acquired without the authority of the full Council. In each case a report in writing shall be provided to Council with a full business case.
- 14.6. The RFO shall ensure that an appropriate and accurate Register of Assets and Investments is kept up to date. The continued existence of tangible assets shown in the Register shall be verified at least annually, possibly in conjunction with a health and safety inspection of assets.

15. INSURANCE

- 15.1. Following the annual risk assessment (per Financial Regulation 17), the RFO shall effect all insurances and negotiate all claims on the Council's insurers [in consultation with the Clerk].
- 15.2. [The Clerk shall give prompt notification to the RFO of all new risks, properties or vehicles which require to be insured and of any alterations affecting existing insurances.]
- 15.3. The RFO shall keep a record of all insurances effected by the Council and the property and risks covered thereby and annually review it.
- 15.4. The RFO shall be notified of any loss liability or damage or of any event likely to lead to a claim, and shall report these to Council at the next available meeting.
- 15.5. All appropriate members and employees of the Council shall be included in a suitable form of security or fidelity guarantee insurance which shall cover the maximum risk exposure as determined [annually] by the Council, or duly delegated committee.

16. [CHARITIES

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

17. RISK MANAGEMENT

- 17.1. The Council is responsible for putting in place arrangements for the management of risk. The Clerk [with the RFO] shall prepare, for approval by the Council, risk management policy statements in respect of all activities of the Council. Risk policy statements and

consequential risk management arrangements shall be reviewed by the Council at least annually.

- 17.2. When considering any new activity, the Clerk [with the RFO] shall prepare a draft risk assessment including risk management proposals for consideration and adoption by the Council.

18. SUSPENSION AND REVISION OF FINANCIAL REGULATIONS

- 18.1. It shall be the duty of the Council to review the Financial Regulations of the Council from time to time. The Clerk shall make arrangements to monitor changes in legislation or proper practices and shall advise the Council of any requirement for a consequential amendment to these financial regulations.
- 18.2. The Council may, by resolution of the Council duly notified prior to the relevant meeting of Council, suspend any part of these Financial Regulations provided that reasons for the suspension are recorded and that an assessment of the risks arising has been drawn up and presented in advance to all members of Council.

* * *

Agenda Item 10 STANDING ORDERS for Yscir Community Council

1. MEETINGS

- 1.1. Meetings of the council shall be held at Cradoc Golf Club at 19:30 unless the council otherwise decides at a previous meeting.
- 1.2. The Statutory Annual Meeting (a) in an election year shall be held on the fourth day after the date of the election or within fourteen days thereafter and (b) in a year, which is not an election year, shall be held on any day in May.**
- 1.3. Five other statutory meetings shall be held.**

2. CHAIRMAN OF MEETING

- 2.1. The person presiding at a meeting may exercise all powers and duties of the Chairman in relation to the conduct of the meeting.**

3. PROPER OFFICER

- 3.1. Where a statute, regulation or order confers functions or duties on the proper officer of the Council in the following cases, he or she shall be the Clerk:-
 - 3.1.1. To receive declarations of acceptance of office.
 - 3.1.2. To receive and record notices disclosing pecuniary interests.
 - 3.1.3. To receive and retain plans and documents.
 - 3.1.4. To sign notices and other documents on behalf of the Council.
 - 3.1.5. To receive copies of bye-laws made by a District Council.
 - 3.1.6. To certify copies of bye-laws made by Council.
 - 3.1.7. To sign summonses to attend meetings of the Council.
- 3.2. In any other case the proper officer shall be the person nominated by the Council and, in default of nominations, the Clerk.

4. QUORUM

- 4.1. Three members shall constitute a quorum.**
- 4.2. If a quorum is not present when the Council meets or if during a meeting the number of councillors present and not debarred by reason of declared pecuniary interest, falls below the quorum. The business not transacted at that meeting shall be transacted at the next meeting or on such day as the Chairman may fix.

5. VOTING

- 5.1. Members shall normally vote by show of hands or, if at least two members so request, by signed ballot. Voting for chairman/vice chairman and for co-options shall be by secret vote.
- 5.2. If a member so requires, the Clerk shall record the names of the members who votes on any question so as to show whether they voted for or against it.**
 - 5.2.1. Subject to (5.2.2) and (5.2.3) below the Chairman may give an original vote on any matter put to the vote, and in the case of an equality of votes may give a casting vote even though he gave no original vote.**
 - 5.2.2. If the person presiding at the Annual Meeting would have ceased to be a member of the council but for statutory provisions which preserve the membership of the Chairman and Vice-Chairman until the end of their term in office he/she may not give an original vote in an election for Chairman.**
 - 5.2.3. The Person presiding must give a casting vote whenever there is an equality of votes in an election for Chairman.**

6. ORDER OF BUSINESS

(In an election year councillors should execute Declarations of Acceptance of Office in each other's presence, or of a proper officer previously authorised by the Council to take such declaration before the annual meeting commences.)

6.1. At each Annual Meeting the first business shall be

6.1.1. To elect a Chairman.

6.1.2. To receive the Chairman's declaration of Acceptance of office or, if not received, to decide when it shall be received.

6.1.3. To decide when any declarations of acceptance of office, which have not been received as provided by law, shall be received.

6.1.4. To elect a Vice-Chairman.

6.1.5. To appoint committees and representatives.

6.1.6. To consider the payment of any subscriptions falling to be paid annually:

And shall thereafter follow the order set out in Standing Order 6.4.

6.2. At every meeting other than the Annual Meeting the first business shall be to appoint a Chairman if the Chairman and Vice-Chairman be absent and to receive such declarations of acceptance of office (if any) as are required by law to be made, or if not then received to decide when they shall be received

6.3. In every other year not later than the meeting at which the estimates for the next year are settled the Council shall review the pay and conditions of service of existing employees *(See Standing Order 11 below.)*

6.4. After the first business has been considered, the order of business, unless the Council otherwise decides on the grounds of urgency, shall be as follows:-

6.4.1. To read and consider the minutes: provided that if a copy has been circulated to each member not later than the day of issue of the summons to attend the meeting, the Minutes may be taken as read.

6.4.2. After consideration to approve the signature of the Minutes by the person presiding as a correct record.

6.4.3. To deal with business expressly required by statute to be done.

6.4.4. To dispose of business, if any, remaining from the last meeting.

6.4.5. To receive such communications as the person presiding may wish to lay before the Council.

6.4.6. To answer questions.

6.4.7. To receive and consider reports and minutes of committee.

6.4.8. To receive and consider reports from officers of the Council.

6.4.9. To authorise the signing of orders for payment.

6.4.10. To consider resolutions or recommendations in the order in which they have been notified.

6.4.11. Any other business specified in the summons.

6.5. A motion to vary the order of business on the ground of urgency

6.5.1. May be proposed by the Chairman or by any member and, if proposed by the Chairman, may be put to the vote without being seconded, and

6.5.2. Shall be put to the vote without discussion.

7. RESOLUTIONS WITHOUT NOTICE

7.1. Resolutions dealing with the following matters may be moved without notice:-

7.1.1. To appoint a Chairman of the meeting.

7.1.2. To correct the Minutes.

7.1.3. To approve the Minutes.

7.1.4. To alter the order of business.

7.1.5. To proceed to the next business.

- 7.1.6. To close or adjourn the debate.
- 7.1.7. To refer the matter to a committee.
- 7.1.8. To appoint a committee or any members thereof.
- 7.1.9. To adopt a report.
- 7.1.10. To amend a resolution.
- 7.1.11. To give leave to withdraw a resolution or an amendment,
- 7.1.12. To exclude the public.
(*See Standing Order 22.1 below.*)
- 7.1.13. To silence or eject from the meeting a member named for misconduct.
(*See Standing Order 9 below.*)
- 7.1.14. To invite a member having an interest in the subject matter under a debate to remain.
(*See Standing Order 18.1 below.*)
- 7.1.15. To give the consent of the Council where such a consent is required by these Standing Orders.
- 7.1.16. To suspend any Standing Order.
(*See Standing Order 28.2 below.*)

8. CORRECTIONS TO MINUTES

- 8.1. No discussion shall take place upon the Minutes except their accuracy. Corrections to the Minutes shall be made by resolution and must be initialled by the Chairman.

9. DISORDERLY CONDUCT

- 9.1. No member shall at a meeting persistently disregard the ruling of the Chairman, wilfully obstruct business, or behave irregularly, offensively, improperly or in such a manner as to scandalise the Council or bring it into contempt or ridicule.
- 9.2. If, in the opinion of the Chairman, a member has broken the provision of item (9.1) of this Order, the Chairman shall express the opinion to the Council and thereafter any member may move that the member named be no longer heard or that the member named do leave the meeting, and the motion, if seconded shall be put forthwith and without discussion.
- 9.3. If either of the motions mentioned in item (9.2) is disobeyed, the Chairman may suspend the meeting or take such further steps as may be reasonably necessary to enforce them.

10. VOTING ON APPOINTMENTS

- 10.1. Where more than two persons have been nominated for any position to be filled by the Council and of the votes given there is not an absolute majority in favour of one person, the name of the person having the least number of votes shall be struck off the list and a fresh vote taken, and so on until a majority of votes is given in favour of one person.

11. DISCUSSIONS AND RESOLUTIONS AFFECTING EMPLOYEES OF THE COUNCIL

- 11.1. If at a meeting there arises any question relating to the appointment, conduct, promotion, dismissal, salary or conditions of service, of any person employed by the Council, it shall not be considered until the Council or committee (as the case may be) has decided whether or not the public shall be excluded (*See Standing Order 22.1.*)

12. EXPENDITURE

- 12.1. Orders for the payment of money shall be authorised by resolution of the Council and signed by two members under Section 6 of the Financial Regulations.

13. COMMITTEES AND SUB-COMMITTEES

- 13.1. The Council may at the Annual Meeting appoint standing committees and at any other time appoint such other committees as are necessary, but subject to any statutory provision in that behalf:-
 - 13.1.1. Shall not appoint any member of a committee so as to hold office later than the Annual Meeting, and
 - 13.1.2. May at any time dissolve or alter the membership of the committee.
- 13.2. The Chairman and Vice-Chairman shall be members of every committee.
- 13.3. Every committee shall at its first meeting before proceeding to any other business, elect a Chairman and may elect a Vice-Chairman who shall hold office until the next Annual Meeting of the Council, and shall settle its programme of meetings for the year.
- 13.4. The Chairman of a committee or the Chairman of the Council may summon an additional meeting of that committee at any time. An additional meeting shall also be summoned on the requisition in writing of no less than a quarter of the members of the committee. The summons shall set out the business to be considered at the special meeting and no other business shall be transacted at that meeting.
- 13.5. Every committee may appoint sub-committees for purposes to be specified by the committee.
- 13.6. The Chairman and Vice-Chairman of the committee shall be members of every sub-committee appointed by it unless they signify that they do not wish to serve.
- 13.7. Except where ordered by the Council in the case of a committee, or by the Council or by the appropriate committee in the case of a sub-committee, the quorum of a committee or sub-committee shall be one-half of its members.

14. VOTING IN COMMITTEES

- 14.1. Members of committees and sub-committees shall vote by show of hands, or, if at least two members so request, by signed ballot.
- 14.2. Chairmen of committees and sub-committees shall in the case of an equality of votes have a second or casting vote.**

15. PRESENCE OF NON-MEMBERS OF COMMITTEES AT COMMITTEE MEETINGS

- 15.1. A member who has proposed a resolution, which has been referred to any committee of which he is not a member, may explain his resolution to the committee but shall not vote.

16. ACCOUNTS AND FINANCIAL STATEMENT

- 16.1. As laid down in the Financial Regulations or:-
 - 16.1.1. Except as provided in item (16.1.2) of this Standing Order or by statute, all accounts for payment and claims upon the Council shall be laid before the Council.
 - 16.1.2. Where it is necessary to make a payment before it has been authorised by the Council. Such payment shall be certified as to its correctness, and urgency by the appropriate officer. Such payment shall be authorised by the committee, if any, having charge of the business to which it relates, or by the Chairman or Vice-Chairman of the

Council.

16.1.3. All payments ratified under item (16.1.2) of this Standing Order shall be separately included in the next schedule of payments laid before the Council.

16.2. The Clerk shall supply to each member at the next ordinary meeting, after the end of the Financial Year a statement of receipts and payments.

17. ESTIMATES

17.1. The Council shall approve written estimates for the coming financial year as directed in section 2 of the Financial Regulations.

17.2. Any committee desiring to incur expenditure shall, not later than October 31st give to the Clerk a written estimate of the expenditure recommended for the coming year.

18. INTERESTS

18.1. If any member has any pecuniary interest, direct or indirect, within the meaning of section 94-95 of the Local Government Act, 1972, in any contract, proposed contract or other matter, he/she shall while it is under consideration by the Council, withdraw from the meeting unless the interest is trivial in the manner described in section 97(b) or:-

18.1.1. The disability imposed upon him/her by those sections has been removed by the District Council; or

18.1.2. The Council invite him to remain; or

18.1.3. The contract, proposed contract or other matter is under consideration as part of the report of a committee and is not itself the subject of debate.

18.2. The Clerk shall record in a book kept for the purpose, particulars of any notice given by any member or any officer of the Council of a pecuniary interest in a contract, and the book shall be open during reasonable hours of the day for the inspection of any member.

18.3. If any member has a non-pecuniary interest within the ambit of the National Code of Local Government Conduct he/she shall, having declared it, be invited to withdraw from the meeting.

18.4. If a candidate for any appointment under the Council is to his knowledge related to any member of or holder of any office under the Council, he/she and the person to whom he/she is related shall disclose the relationship in writing to the Clerk. A candidate who fails to do so shall be disqualified for such appointment, and, if appointed, may be dismissed without notice. The Clerk shall report to the Council or to the appropriate committee any such disclosure. Where relationship to a member is disclosed Standing Order 18.3 shall apply.

The Clerk shall make known the purport of this Standing Order to every candidate.

19. CANVASSING OF AND RECOMMENDATIONS BY MEMBERS

19.1. Canvassing of members or of any committee, directly or indirectly, for any appointment under the Council shall disqualify the candidate for such appointment. The Clerk shall make known the purport of this sub-paragraph to every candidate.

19.2. A member of the Council shall not solicit for any person any appointment under the Council or recommend any person for such appointment or for promotion; but, nevertheless, a member may give a written testimonial for submission to the Council with an application for appointment.

19.3. Standing Order No's 18.4, 19.1 and 19.2 shall apply to tenders as if the person making the tender were a candidate for an appointment.

20. INSPECTION OF DOCUMENTS

- 20.1. A member may for any purpose of his duty as such (but not otherwise), inspect any document in the possession of the Council or a committee, and if copies are available shall, on request, be supplied for the like purpose with a copy.
- 20.2. All Minutes kept by the Council and by any committee shall be open for the inspection of any member of the Council.**

21. RIGHTS OF INSPECTION

- 21.1.1. Any member of the Council or of any committee or sub-committee may in the name of or on behalf of the Council inspect any lands or premises for which the Council has a responsibility.

22. ADMISSION OF THE PUBLIC AND PRESS TO MEETINGS

- 22.1. **The public shall be admitted to all meetings of the Council and its committees and sub-committee, which may, however, temporarily exclude the public** by means of the following resolution, viz,:

“That in view of the [special] [confidential] nature of the business about to be transacted, it is advisable in the public interest that the public be temporarily excluded and they are instructed to withdraw.”

(Notes: The special reasons should be stated. Circular 1/86 issued by the National Association deals with the situations where it is likely to be desirable to exclude the public. If a person's advice or assistance is needed they may be invited (by name) to remain after the exclusion resolution is passed.)

- 22.2. The Clerk shall afford the press reasonable facilities for taking their report of any proceedings at which they are entitled to be present.
- 22.3. If a member of the public interrupts the proceedings at any meeting, the Chairman may, after warning, order that he/she be removed from the Council Chamber.
- 22.4. Twenty minutes will be the time set aside to receive statements from the public, and any one member of the public shall have three minutes to deliver their statement. Only items which have been received by the Clerk, 15 minutes prior to the meeting shall be valid

23. CONFIDENTIAL BUSINESS

- 23.1. No member of the Council or of any committee or sub-committee shall disclose to any person not a member of the Council any business declared to be confidential by the Council, the committee or the sub-committee as the case may be.
- 23.2. Any member in breach of the provision of item (23.1) of this Standing Order shall be removed from any committee or sub-committee of the Council by the Council.

24. LIAISON WITH DISTRICT COUNCILLORS

- 24.1. A notice of meeting shall be sent together with an invitation to attend to District Councillors for the ward.

25. PLANNING APPLICATIONS

- 25.1. The Clerk shall, as soon as it is received, enter in a book kept for the purpose the following particulars of every planning application notified to the Council.
 - 25.1.1. The date on which it was received:
 - 25.1.2. The name of the applicant:
 - 25.1.3. The place to which it relates:
 - 25.1.4. a summary of the nature of the application
- 25.2. Where a planning sub-committee has been elected at the AGM and subsequently been called to consider an application or applications in lieu of the full Council due to time constraints the sub-committee should be afforded plenary powers to determine the application(s) as though it were the full Council.

26. STANDING ORDER ON CONTRACTS

- 26.1. Where it is intended to enter into a contract exceeding £500 but not exceeding £1,000 at least two tenders shall be obtained.
- 26.2. Where it is intended to enter into a contract exceeding £1,000 but not exceeding £10,000 in value for the supply of goods or materials or for the execution of works, the Clerk shall give at least three weeks public notice of such intention, in the same manner as public notice of meetings of the Council is given. Where the value of the intended contract exceeds £10,000, similar notice shall be given in addition to all firms, included in the appropriate standing approval list of contractors maintained by the District Council. If no such list is maintained, then in such newspapers circulating in the district as the Council shall direct.
- 26.3. Notice of a contract exceeding £10,000 shall state the general nature of the intended contract and state the name and address of the person to whom the tenders are to be addressed and the last date by which those tenders should reach that person in the ordinary course of post.
- 26.4. Tenders shall be opened by the Clerk, or person, to whom tenders are required to be addressed. On the date specified pursuant to item (26.3) of this Order and shall be reported by the person who opened them to the Council or, where tenders have been sought by a committee or sub-committee to that committee or sub-committee.
- 26.5. Neither the Council nor any committee or sub-committee is bound to accept the lowest tender.
- 26.6. If no tenders are received or if all tenders are identical the Council may make such arrangements for procuring the goods or materials or executing the work as it thinks fit.
- 26.7. A notice issued under this Standing Order shall contain a statement of the effect of Standing Order 18.4, 19.1, 19.2 and 19.3.

27. CODE OF CONDUCT ON COMPLAINTS

- 27.1. The Council shall deal with complaints of maladministration allegedly committed by the Council or by any officer or member in the manner recommended in Circular 2/86 issued by the National Association of Local Councils.

28. VARIATION, REVOCATION AND SUSPENSION OF STANDING ORDERS

- 28.1. Any or every part of the Standing Orders, except those printed in **bold type**, may be suspended by resolution in relation to any specific item of business.
- 28.2. A resolution permanently to add, vary or revoke a Standing Order shall when proposed and seconded, stand adjourned without discussion to the next ordinary meeting of the Council.

29. STANDING ORDERS TO BE GIVEN TO MEMBERS

- 29.1. A copy of these Standing Orders shall be given to each member by the Clerk, upon delivery to him of the member's declaration of acceptance of office.

These Standing Orders were adopted unanimously by Yscir Community Council at an extraordinary meeting of the Council held at Cradoc Golf Club on Monday, April 4, 2005.

These Standing Orders were modified (1 1.3) according to minute 11 at a meeting of the Council held at Cradoc Golf Club on 14th January 2009.

These Standing Orders were further modified (25 25.2) according to minute 9 at a meeting of the Council held at Cradoc Golf Club on 13th July 2009.

These Standing Orders were further modified (5.1) according to minute 4.1 at a meeting of the Council held at Cradoc Golf Club on 14 May 2012

These Standing Orders were further modified (22.4) according to minute 14.1 at a meeting of the Council held at Cradoc Golf Club on 11 March 2015

Clerk to Yscir Community Council

Agenda Item 14.2

Section 1 of Annual Return

	Year ending 31 March 2016	Year ending 31 March 2017	2017 less 2016	% difference	Explanation re
1 Balances brought forward	1533	1633	100	6.5	
2. Income from precept	3269	3868	599	18.3	
3.Total other receipts	80	95	15	18.8	Yes see below
4. Staff costs	1691	1418	-273	-16.1	Yes see below
5. Loan repayments	0	0	0	0.0	No
6. Total other payments	1558	1645	86.69	5.6	No
7. Balances carried forward	1633	2533	900.31	55.1	
8. Debtors and stock balances	0	0	0	0.0	No
9. Total cash and investments	1633	2533	900	55.1	Yes see below
10. creditors	0	0	0	0.0	No
11. balances carried forward	1633	2533	900	55.1	
12.total fixed assets and long term as	1955		-1955	-100.0	Yes see below
13. total borrowing	0	0	0	0	
Explanation of line 3.				Variance	
				15	
Add In 2015/16 there was a reclaim of VAT from HMRC				71	
No reclaim in 2016/17					
Subtract In 2016/17 there were payments from 2 other councils for a shared invoice				84	
difference				13	
remaining difference is £2					
Explanation of line 4					
Clerk paid on an hourly basis and did 27 hours less work over the course of the year.					
Explanation of line 9				900	
Subtract Precept increase to generate increased balance				599	
to prepare for election costs in 2017/18					
Subtract lower spend on Clerk's pay				273	
unexplained difference				28	

Agenda item 14.4
 May 2017
 Opening Balance

2533

	Expenditure to date	Profiled expenditure to date	Variance	Budget 2017-18	Expenditure 2016-17
Insurance	£0	£0	£0	£164	£164
Audit fee	£0	£0	£0	£200	£186
Clerk's salary	£474	£475	-£1	£1,900	£1,418
Clerk's expenses	£63	£49	£15	£500	£459
Newsletter	£0	£0	£0	£200	£303
SLCC and One Voice Wales	£0	£0	£0	£130	£124
Contingency	£0	£0	£0	£0	£0
Website	£0	£0	£0	£170	£153
C C election (uncontested)	£0	£0	£0	£0	£0
C C election (contested)	£0	£0	£0	£1,600	£0
Training Courses	£0	£0	£0	£60	£35
Data Controller Registration	£0	£0	£0	£35	£35
Projects	£0	£0	£0	£0	£126
VAT to reclaim	£0	£0	£0	£40	£60
Total expenditure	£537	£524	£13	£4,999	£3,063

Predicted overall expenditure for year

£5,012

Income :precept

£3,884

Income Santander

£7

Income -vat refund

£140

other income

Total Income

£4,031

Projected closing balance at 31.3.17

£1,552 plus £1000?

(There will be a saving of £1000? from not having an election)

Agenda Item 15 Briefing and Decision Paper on Electoral Review of Powys

1. The Local Democracy and Boundary Commission for Wales (LDBC) has just started consulting on changing the number of county councillors in Powys and their wards. The 12 week initial consultation is asking for proposals on what changes should be made (see later).
2. The LDBC is trying to achieve the same ratio of electoral voters to councillors across Powys, whilst recognising that geographical boundaries, local communities etc will make that difficult to achieve. They are aiming to have 66 councillors instead of 73 but are willing to end up with 65 or 67. The ideal ratio is 1 councillor to 1616 voters. Getting within +/- 10% is an ideal standard ; ie 1 to 1455 or 1to 1777.
3. The situation around Yscir is as follows:

Electoral Ward	electorate 2021	% variance from 1616	Comment
Yscir	860	-46%	Too small to remain unaffected
Bronllys	1056	-35%	Combining with Yscir would be an awkward shape. 1916 electors would be +19%
Felinfach	1037	-36%	Combining with Felinfach would be compact but large. 1897 electors would be +17%
St John's	2519	+55%	No commonality with an urban ward
Talybont on Usk	1458	-10%	Within ideal ratio. Area would be very large and number too high if combined with Yscir (2318).
Maescar/LLywel	1537	-5%	Very large existing area within ideal ratio
Llanwrtyd	1419	-12%	Very large existing area just outside ideal ratio.
Llanafon Fawr	1100	-32%	Combining with Llanafon Fawr would be too large a geographical area. 1960 electors +21%

4. As the LDBC has to consider Powys as a whole, it is possible that all communities could be affected in order to achieve a more comparable ratio of electors to councillors. The LDBC can recommend changes to community and community ward boundaries as a consequence of changes to electoral ward boundaries.
5. Given the narrow margins of ending up with 65 to 67 councillors and the current wide variation in electors per councillor across Powys, it is hard to envisage a solution that does not involve splitting some electoral wards up.
6. This is a complex re-organisation that has to be looked at across the whole of Powys.

Proposed Response

It is suggested at this stage that Yscir Community Council asks the LDBC

a) to keep the Yscir community council boundaries intact in its proposals;

*b) to **NOT** be merged with part of Brecon town due to lack of commonality*

Agenda Item 16

To decide if the Council should approve the installation of an additional seat adjacent to the highway near Aberbran

I met with Mr and Mrs Tompkins on 22 April 2017 in response to a letter I had received requesting that they be allowed to put another seat beside the existing seat on the approach to Aberbran. I told them:

The previous seat is an 'Extended Sloper'. It came from Second Life Products Wales and cost £255 plus £74 delivery plus VAT on both costs. It was installed around 2007. The firm is still operating. (telephone number is 01269 826680)

A similar seat will cost £410 plus £65 delivery plus VAT on both costs.

They would need to find out if planning permission was needed and talk to Powys Highways Department.

Mr and Mrs Tompkins were grateful for this information. They told me that the existing seat was big enough for 3 people and that it was well used by cyclists, people staying at nearby caravan sites as well as local people.

I received a phone call last week from Mrs Tompkins saying that she had met with Planning and spoken to Highways. The Brecon Beacons National Park said that planning permission would not be required. Highways had no objections to another seat. **Mrs Tompkins has asked that Yscir Community Council give its approval for another seat to be installed.**

I have contacted our insurers to check if there are any insurance implications for the Council to consider and will provide an update at the meeting.

Michael Westhorpe

Clerk to Yscir Community Council

6.5.17