



# VENTNOR TOWN COUNCIL

## FINANCIAL REGULATIONS

May 2025 (review date February 2026)

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## **No    SUBJECT**

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### **1)    GENERAL**

- a) These financial regulations govern the conduct of the financial transactions of the Council and may only be amended or varied by resolution of the Council.
  - b) The Responsible Financial Officer (RFO), under the policy direction of the Council, shall be responsible for the proper administration of the Council's affairs.
  - c) The RFO shall be responsible for the production of financial management information.
  - d) The Council shall be responsible for ensuring that the financial management is adequate and effective and that the council has a system of internal controls which facilitates the effective exercise of its functions and which manages risk.
  - e) The council must not delegate any decision regarding:
    - Setting the final budget or the precept (council tax requirement);
    - The outcome of a review of the effectiveness of its internal controls;
    - Approving accounting statements;
    - Approving an annual governance statement;
    - Borrowing;
    - Declaring eligibility for the General Power of Competence; and
    - Addressing recommendations from the internal or external auditors
  - f) Before setting a precept, the Council must calculate its council tax requirement for each financial year by preparing and approving a budget, in accordance with The Local Government Finance Act 1992 or succeeding legislation.
  - g) Any member with council tax unpaid for more than two months is prohibited from voting on the budget or precept by Section 106 of the Local Government Finance Act 1992 and must disclose at the start of the meeting that Section 106 applies to them.
  - h) The RFO shall issue the precept to the billing authority no later than the end of February.
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### **2)    ANNUAL ESTIMATES**

- a) Each Committee shall review the budgets for the services within its terms of reference, and flag any issues or proposals for new or reduced expenditure to the Policy & Resources Committee not later than the end of September each year. During October the Policy & Resources Committee will review the budget as a whole, before the clerk prepares a draft proposal for informal discussion by all members in November and then for agreement or amendment by the Council.
  - b) Detailed estimates of all receipts and payments for the year shall be prepared each year by the RFO.
  - c) The Council shall review the estimates not later than the end of January each year and shall fix the Precept to be levied for the ensuing financial year. The RFO shall supply each member with a copy of the approved estimates.
  - d) The annual budgets shall form the basis of financial control for the ensuing year.
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### **3)    BUDGETARY CONTROL**

- a) Revenue expenditure may be incurred up to the amounts included in the approved budget.
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- b) The Clerk may, with the approval of Council, exercise virement between budget subheads. Where virement is seen as being necessary, this will be reported to the next meeting of the Council.
  - c) The RFO shall provide the Council with a quarterly statement of receipts and payments to date under each head of the budgets, comparing actual expenditure and income against that budgeted.
  - d) The Clerk may take urgent action subject to notification of the Mayor (or, for matters within that Committee's terms of reference, the Chair of the Policy and Resources Committee) on any matter of business affecting the Council involving unbudgeted expenditure up to £1000 subject to a full report being submitted to the next available meeting of the Council, or the appropriate Committee, giving the reasons why the action was urgent.
  - e) The Clerk may authorise expenditure on any item up to £1000 provided that such expenditure will not lead to an overspend against the appropriate budget head or category and that such expenditure is not on a new asset or service that would be of public interest.
  - f) No expenditure shall be incurred 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, or the requisite borrowing approval has been obtained.
  - g) All capital works shall be administered in accordance with the Council's standing orders and financial regulations relating to contracts.

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#### 4) ACCOUNTING AND AUDIT

- a) All accounting procedures and financial records of the Council shall be determined by the RFO as required by the Accounts and Audit Regulations 2003 and 2006, and any subsequent amendments thereto.
  - b) The RFO shall be responsible for completing the annual financial statements of the Council as soon as practicable after the end of the financial year and shall submit them and report thereon to the Council.
  - c) The RFO shall be responsible for completing the Accounts of the Council contained in the Annual Return (as supplied by the Auditor appointed from time to time by the Audit Commission) and for submitting the Annual Return for approval and authorisation by the Council within the timescale set by the Accounts and Audit Regulations 1996 as amended, or set by the Auditor.
  - d) The RFO shall be responsible for ensuring that there is an adequate and effective system of internal audit of the Council's accounting, financial and other operations in accordance with Regulation 5 of the Accounts and Audit Regulations 2003 and 2006, and any subsequent amendments thereto. Any officer or member of the Council shall, if the RFO or Internal Auditor requires, make available such documents of the Council which appear to the RFO or Internal Auditor to be necessary for the purpose of the internal audit and shall supply the RFO or Internal Auditor with such information and explanation as the RFO or Internal Auditor considers necessary for that purpose.
  - e) The Council shall carry out a review of the effectiveness of internal audit on an annual basis in accordance with the Accounts and Audit Regulations 2003 and 2006, and any subsequent amendments thereto.
  - f) The Internal Auditor shall carry out the work required by the RFO and the Council, with a view to satisfactory completion of the Internal Auditor's Report section of the Annual Return as compiled annually by the Audit Commission. The Internal Auditor, who shall be competent and independent of the operations of the Council, shall
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report to Council in writing on a regular basis with a minimum of one annual report in respect of each financial year.

- g) The RFO shall make arrangements for the opportunity for inspection of the accounts, books, and vouchers required by Audit Commission Act 1998 section 15 and the Accounts and Audit Regulations 2003 and 2006, and any subsequent amendments thereto.
  - h) The RFO shall, as soon as practicable, bring to the attention of all councillors any correspondence or report from the Internal or External Auditor, unless the correspondence is of a purely administrative matter.
  - i) The accounting records determined by the RFO must be sufficient to explain the Council's transactions and to disclose its financial position with reasonable accuracy at any time. In particular, they must contain:
    - day-to-day entries of all sums of money received and expended by the council and the matters to which they relate;
    - a record of the assets and liabilities of the council.
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#### **5) BANKING ARRANGEMENTS**

- a) The Council's banking arrangements shall be made by the RFO and approved by the Council. They shall be regularly reviewed for efficiency.
  - b) The Council will provide for five signatories to the bank account, to include the Clerk, the RFO and three members to be appointed by the Council.
  - c) Cheques drawn on the bank account in accordance with paragraph 5b shall be signed by the Clerk or RFO and two other signatories.
  - d) Any changes to the bank mandate must be approved by the Clerk or RFO and two other signatories and reported to the next meeting of the Council
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#### **6) PAYMENT OF ACCOUNTS**

- a) All payments shall be effected by bank transfer, direct debit or cheque drawn on the Council's bankers.
  - b) All invoices for payment shall be examined, verified and certified by the Clerk. The Clerk shall be satisfied that the work, goods or services to which the invoice relates shall have been received, carried out, examined and approved.
  - c) The RFO shall examine invoices in relation to arithmetic accuracy and shall analyse them to the appropriate expenditure heading. The Clerk shall take all steps to settle all invoices submitted, and which are in order within 30 days of invoice date.
  - d) A schedule of all payments made during each month will be made available to Members as part of the papers for the following month's Town Council Meeting
  - e) 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.
  - f) The RFO shall maintain a petty cash float for the purpose of defraying operational and other expenses. Vouchers for payments made from petty cash shall be kept to substantiate the payment.
    - o Income received must not be paid into the petty cash float but must be separately banked, as provided elsewhere in these regulations.
    - o Payments to maintain the petty cash float shall be shown separately on the schedule of payments presented to Council under 5b above.
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7) **PAYMENT OF SALARIES**

- a) The payment of all salaries shall be made in accordance with payroll records and the rules of PAYE and National Insurance currently operating, and salaries shall be as agreed by Council.
- b) Payment of salaries and payment of deductions from salary such as may be made for tax, national insurance and pension contributions, may be made in accordance with the payroll records and on the appropriate dates.
- c) Monthly salary payments will be made on the 20<sup>th</sup> day of each month, except where that date is a weekend or Bank Holiday, when salary will be paid on the last preceding working day.

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8) **LOANS AND INVESTMENTS**

- a) 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.
- b) The Council's Investment Policy shall be in accordance with the Trustee Act 2000 and shall be reviewed on a regular basis (at least annually).
- c) All investments of money under the control of the Council shall be in the name of the Council.
- d) 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.
- e) All investment certificates and other documents relating thereto shall be retained in the custody of the RFO.

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9) **INCOME**

- a) The collection of all sums due to the Council shall be the responsibility of and under the supervision of the RFO.
- b) 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.
- c) The Council will review all fees and charges annually, following a report of the Clerk.
- d) Any sums found to be irrecoverable and any bad debts shall be reported to the Council and shall be written off in the year.
- e) 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.
- f) The origin of each receipt shall be entered on the paying-in slip.
- g) Personal cheques shall not be cashed out of money held on behalf of the Council.
- h) 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.
- i) 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.

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#### 10) ORDERS FOR WORK, GOODS AND SERVICES

- a) 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.
  - b) All members and Officers are responsible for obtaining value for money at all times. An officer issuing an official order is to ensure as far as reasonable and practicable that the best available terms are obtained in respect of each transaction.
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#### 11) CONTRACTS

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

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 these regulations shall 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 additional audit work of the external Auditor up to an estimated value of £250 (in excess of this sum the Clerk and RFO shall act after consultation with the Chair and Vice Chair of Council);
    - vi) for goods or materials proposed to be purchased which are proprietary articles and/or are only sold at a fixed price.
  - b) Where it is intended to enter into a contract exceeding £30,000, including VAT, 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 shall invite tenders from at least three firms to be taken from the appropriate approved list.
  - 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 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) If less than three tenders are received for contracts above £30,000, including VAT, or if all the tenders are identical the Council may make such arrangements as it thinks fit for procuring the goods or materials or executing the works.
  - g) When it is to enter into a contract less than £30,000, including VAT, 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
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proposed supply); where the value is below £1,000 and above £100 the Clerk or RFO will endeavour to obtain more than one estimate where practicable.

- h) The Council shall not be obliged to accept the lowest or any tender, quote or estimate.
  - i) For contacts estimated to be over £30,000 including VAT, the Council must comply with any requirements of the Legislation regarding the publication of invitations and notices.
  - j) Contracts must not be split to avoid compliance with these rules.
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#### **12) PAYMENTS UNDER CONTRACTS FOR BUILDING OR OTHER CONSTRUCTION WORKS**

- a) 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).
  - b) 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.
  - c) 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 before any work has begun, the Council being informed where the final cost is likely to exceed the financial provision.
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#### **13) STORES AND EQUIPMENT**

- a) The officer in charge of each section shall be responsible for the care and custody of stores and equipment in that section.
  - b) 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.
  - c) Stocks shall be kept at the minimum levels consistent with operational requirements.
  - d) The RFO shall be responsible for periodic checks of stocks and stores at least annually.
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#### **14) PROPERTIES AND ESTATES**

- a) The Clerk shall make appropriate arrangements for the custody of all title deeds of properties owned by the Council. The RFO shall ensure a record is maintained of all properties owned 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 Regulation 4(3)(b) of the Accounts and Audit Regulations 1996 as amended.
  - b) No property shall be sold, leased or otherwise disposed of without the authority of the Council, together with any other consents required by law, save where the estimated value of any one item of tangible movable property does not exceed £50.
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#### **15) INSURANCE**

- a) Following an annual risk assessment, the RFO shall effect all insurances and negotiate all claims on the Council's insurers.
  - b) 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.
  - c) The RFO shall keep a record of all insurances effected by the Council and the property and risks covered thereby and annually review it.
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- d) 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.
  - e) All appropriate employees of the Council shall be included in a suitable fidelity guarantee insurance which shall cover the maximum risk exposure as determined by the Council.
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#### **16) CHARITIES**

- a) Where the Council is sole trustee of a Charitable body the Clerk and RFO shall ensure that separate accounts are kept of the funds held on charitable trusts and separate financial reports made in such form as shall be appropriate, in accordance with Charity Law and legislation, or as determined by the Charity Commission. The Clerk and RFO shall arrange for any Audit or Independent Examination as may be required by Charity Law or any Governing Document.
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#### **17) RISK MANAGEMENT AND INTERNAL CONTROL**

- a) The Clerk with the RFO shall prepare and promote risk management policy statements in respect of all activities of the Council.
  - b) When considering any new activity, the Clerk and RFO shall prepare a draft Risk Management policy for the activity and shall bring a draft addressing the legal and financial liabilities and Risk Management issues that arise to Council for consideration and, if thought appropriate, adoption.
  - c) The Council shall carry out a Financial Risk Assessment on an annual basis in accordance with the Accounts and Audit Regulations 2003 and 2006, and any subsequent amendments thereto. The minutes shall record such review of the financial risks.
  - d) The accounting control systems determined by the RFO must include measures to:
    - Ensure that the risk is appropriately managed;
    - Ensure the prompt, accurate recording of financial transactions;
    - Prevent and detect inaccuracy or fraud; and
    - Allow the reconstitution of any lost records;
    - Identify the duties of officers dealing with transactions and
    - Ensure division of responsibilities
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#### **18) REVISION OF FINANCIAL REGULATIONS**

- a) It shall be the duty of the Council to review the Financial Regulations of the Council on a two-yearly basis.
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