

**CONGLETON TOWN COUNCIL**

**COMMITTEE REPORTS AND UPDATES**

<b>COMMITTEE:</b>	<b>Finance and Policy Committee</b>														
<b>MEETING DATE AND TIME</b>	<b>26<sup>th</sup> February 2026</b> <b>7.00 pm</b>	<b>LOCATION</b>	<b>Congleton Town Hall</b>												
<b>REPORT FROM</b>	<b>Serena Van Schepdael- R.F.O</b>														
<b>AGENDA ITEM REPORT TITLE</b>	<b>17</b> <b>Financial Regulations and Supporting Policies Update</b>														
<b>Background</b>	<p>The Financial Regulations and Standing Orders were updated with just one amendment in June 2025, which was completed due to a new Act that was implemented for procurement, The Procurement Act 2023, no other updates were recommended at the time, as a more in-depth review was to take place later in the year, alongside supporting procurement policies.</p>														
<b>Update</b>	<p>When the new Procurement Act was introduced NALC (National Association of Local Councils) updated the Model Financial regulations and recommended through their model template a higher limit as to where Councils needed to officially go through a procurement tender process, this was raised from £30,000 to £60,000 including VAT. Our limit remained unchanged at the last review at £30,000. After seeking further advice, the recommendation is that this is raised to £60,000.</p> <p>(NB: We still have to adhere to all our regulations with regard to quotes and processes, and once a contract over £30,000 is awarded, we still have to place a notice on the Find a Tender website and our own website to show this for transparency requirements.)</p> <p>It has been noted by advice taken that the current Standing Orders for Contracts Policy is outdated and refers to old statutory rules/requirements, and that this separate policy is not required alongside our Financial Regulations and Standing Orders, as Tendering is covered in those documents.</p> <p>This paper is also to approve draft updates to our supporting procurement policies.</p>														
	<table border="1"> <thead> <tr> <th>Policy</th> <th>Update</th> <th>Info</th> </tr> </thead> <tbody> <tr> <td>Financial Regulations</td> <td>Section 5</td> <td>Increase the limit for contracts from £30,000 to £60,000 per Model Regulations</td> </tr> <tr> <td></td> <td></td> <td>Remove all references to the Standing Orders for Contracts policy (Section 5 and Appendix 1)</td> </tr> <tr> <td>Financial Regulations</td> <td>Section 5</td> <td>Added:</td> </tr> </tbody> </table>	Policy	Update	Info	Financial Regulations	Section 5	Increase the limit for contracts from £30,000 to £60,000 per Model Regulations			Remove all references to the Standing Orders for Contracts policy (Section 5 and Appendix 1)	Financial Regulations	Section 5	Added:		
Policy	Update	Info													
Financial Regulations	Section 5	Increase the limit for contracts from £30,000 to £60,000 per Model Regulations													
		Remove all references to the Standing Orders for Contracts policy (Section 5 and Appendix 1)													
Financial Regulations	Section 5	Added:													

			<p><i>In respect of tangible movable items, any purchases made from the Capital Contingency Fund under £10,000 incl VAT, may be approved by the Finance and Policy Committee; items over £10,000 incl VAT, are to be approved by Council. (CTC refer to these items as Capital Items Cost Centre 109) Also see Section 16, point 16.5.</i></p> <p>Updated item 16.5 from £3,000 to £5,000.</p>
	Standing Orders	Section 19	To match Financial Regulations, increase the limit for contracts from £30,000 to £60,000
	Procurement Policy	Added	<p>Tenders</p> <ul style="list-style-type: none"> <li>○ All contracts over £60,000 inclusive of VAT must follow our Financial Regulations Tender Processes</li> </ul>
	Standing Orders for Contract		Withdraw policy
<b>Decision Request</b>	<p>To approve the draft updates to:</p> <ul style="list-style-type: none"> <li>● Financial Regulation (Section 5 and item 16.5)</li> <li>● Standing Orders (Section 19)</li> <li>● Procurement Policy</li> <li>● Withdraw the Standing Orders for Contracts (Full Policy)</li> </ul> <p>And recommend to Council for approval and adoption into the constitution.</p>		



## Congleton Town Council

Historic Market Town

Chief Officer: David McGifford CiLCA

# FINANCIAL REGULATIONS

DRAFT REVIEW

VERSION CONTROL	Version 17
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DRAFT REVIEW

1. General

2. Risk management and internal control

3. Accounts and audit

4. Budget and precept

5. Procurement

5.1. **Members and officers are responsible for obtaining value for money at all times.**

Any officer procuring goods, services or works should ensure, as far as practicable, that the best available terms are obtained, usually by obtaining prices from several suppliers.

5.2. The RFO should verify the lawful nature of any proposed purchase before it is made and in the case of new or infrequent purchases, should ensure that the legal power being used is reported to the meeting at which the order is authorised and also recorded in the minutes.

5.3. Every contract shall comply with these the council's Standing Orders and these Financial Regulations and no exceptions shall be made, except in an emergency.

5.4. **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, award and notification of that contract.**

5.5. Where the estimated value is below the Government threshold, the council shall (with the exception of items listed in paragraph 5.12) obtain prices as follows:

5.6. For contracts estimated to exceed £60,000 including VAT, the Chief Officer must comply with ~~The Council's Standing Orders for Contracts Policy~~ and any regulations for tenders in compliance with any relevant provisions of the Legislation. Tenders shall be invited in accordance with Appendix 1.

**Commented [SV1]:** This is the new figure quoted in the Model Regulations, we can use the £60,000 rather than the £30,000 noted in 5.7. This was highlighted when our SOFC policy was reviewed by SLCC

5.7. **For contracts 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.**

**Commented [SV2]:** To note we can set our limit at £60,000 before we tender (All orders must still adhere to our Financial Regulations), the £30,000 limit is the requirement to declare any awarded contract over £30,000 on the Find a Tender website

- 5.8. For expenditure and contracts greater than £3,000 excluding VAT the Chief Officer/RFO or relevant lead officer shall seek at least 3 fixed-price quotes;
- 5.9. where the value is between £500 and £3,000 excluding VAT, the Chief Officer/RFO or relevant lead officer or RFO shall try to obtain 3 estimates which can include evidence of online prices, or recent prices from regular suppliers.
- 5.10. For smaller purchases, all officers shall seek to achieve value for money.
- 5.11. Contracts must not be split into smaller lots to avoid compliance with these rules.**
- 5.12. The requirement to obtain competitive prices in these regulations need not apply to contracts that relate to items (i) to (iv) 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 £500 (in excess of this sum the Chief Officer and RFO shall act after consultation with the Mayor and Deputy Mayor of council); and
  - vi. for goods or materials proposed to be purchased which are proprietary articles and / or are only sold at a fixed price.
  - vii. Goods or services that are only available from one supplier or are sold at a fixed price.
- 5.13. When applications are made to waive this financial regulation to enable a price to be negotiated without competition, the reason should be set out in a recommendation to Council. Avoidance of competition is not a valid reason.
- 5.14. The council shall not be obliged to accept the lowest or any tender, quote or estimate.
- 5.15. Individual Revenue expenditure purchases within an agreed budget for that type of expenditure may be authorised by:
- the Chief Officer for any items below £5,000 excluding VAT.
  - a duly delegated committee of the council for all items of expenditure within their delegated budgets for items under £10,000 excluding VAT
  - • the council for all items over £10,000;

- in respect of grants, the Finance and Policy Committee within any limits set by council and in accordance with any policy statement agreed by the council.

- In respect of tangible movable items, any purchases made from the Capital Contingency Fund under £10,000 incl VAT may be approved by Finance and Policy Committee, items over £10,000 incl VAT are to be approved by Council. (CTC refer to these items as Capital Items Cost Centre 109)

Such authorisation must be supported by a minute (in the case of council or committee decisions) or other auditable evidence trail. Orders/Purchases may not be disaggregated to avoid controls imposed by these regulations.

- 5.16. No individual member, or informal group/working group of members or volunteer may issue an official order or make any contract on behalf of the council.
- 5.17. No expenditure may be authorised that will exceed the budget for that type of expenditure other than by resolution of Council except in an emergency. 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').
- 5.18. In cases of serious risk to the delivery of council services or to public safety on council premises, the Chief Officer may authorise expenditure of up to £2,000 excluding VAT on repair, replacement or other work that in their judgement is necessary, whether or not there is any budget for such expenditure. The Chief Officer shall report such action to the Chair as soon as possible and to the Council as soon as practicable thereafter.
- 5.19. No expenditure shall be authorised, no contract entered into or tender accepted in relation to any major project, unless Council is satisfied that the necessary funds are available and that where a loan is required, Government borrowing approval has been obtained first.
- 5.20. 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, along with evidence of receipt of goods.
- 5.21. Any ordering system can be misused and access to them shall be monitored controlled by the RFO
- 5.22. All Capital works shall be administered in accordance with the Councils Standing Orders and Financial Regulations relating to contracts.

5.23. The RFO shall regularly provide the Council with a statement of income and expenditure to date under each heading 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 15% as long as the variance exceeds £ 500. The statement of income and expenditure known as Management Accounts, will be included as part of Finance and Policy Committee minutes, and will be presented to Council as part of the approval of the final Finance and Policy Committee minutes.

**6. Banking and payments**

**7. Electronic payments**

**8. Cheque payments**

**9. Payment cards**

**10. Petty Cash**

**11. Payment of salaries and allowances**

**12. Loans and investments**

**13. Income**

**14. Payments under contracts for building or other construction works**

**15. Stores and equipment**

**16. Assets, properties and estates**

**17. Insurance**

**18. Suspension and revision of Financial Regulations**

**Appendix 1 - Tender process**

- 1) Any invitation to tender shall state the general nature of the intended contract and the Chief Officer shall obtain the necessary technical assistance to prepare a specification in appropriate cases.
- 2) The invitation shall in addition state that tenders must be addressed to the Chief Officer.
- 3) Where a postal process is used, 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. All sealed tenders

shall be opened at the same time on the prescribed date by the Chief Officer in the presence of at least one member of the council.

4) Where an electronic tendering process is used, the council shall use a specific email address that will be monitored to ensure that nobody accesses any tender before the expiry of the deadline for submission.

5) Any invitation to tender issued under this regulation shall be subject to Standing Order 19 (Financial controls and Procurement) and the separate policy Standing Orders for Contracts and shall refer to the terms of the Bribery Act 2010.

Where 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, 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

#### Full Version Control

Date	Changes	Approval Reference
	<p>Section 5</p> <p>5.6 Increased contracts limit from £30,000 inc. VAT to £60,000 inc. VAT per NALC Model Regulations</p> <p>5.15: Added</p> <ul style="list-style-type: none"><li>In respect of tangible movable items, any purchases made from the Capital Contingency Fund under £10,000 incl VAT may be approved by Finance and Policy Committee, items over £10,000 incl VAT are to be approved by Council. (CTC refer to these items as Capital Items Cost Centre 109)</li><li>Removed all references to Standing Orders for Contracts Policy (5.6 and Appendix item 5)</li></ul>	



## Congleton Town Council

Historic Market Town

Chief Officer: David McGifford CILCA

# STANDING ORDERS

VERSION CONTROL	Version 19
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**Congleton Town Council**

**Standing Orders**

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6. Ordinary council meetings..... 2

7. Extraordinary meetings of the council, committees and working groups. .... 2

8. Previous resolutions ..... 2

9. Voting on appointments ..... 2

10. Motions for a meeting that require written notice to be given to the Chief Officer ..... 2

11. Motions at a meeting that do not require written notice..... 2

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1. Rules of debate at meetings
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3. Meetings generally
4. Committees and sub-committees
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7. Extraordinary meetings of the council, committees and working groups.
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12. Management of information
13. Draft minutes
14. Code of conduct and dispensations
15. Code of conduct complaints
16. Proper Officer
17. Responsible Financial Officer
18. Accounts and accounting statements
19. Financial controls and procurement
  - a. The Council shall consider and approve financial regulations drawn up by the Responsible Financial Officer, which shall include detailed arrangements in respect of the following:
    - i. the keeping of accounting records and systems of internal controls;
    - ii. the assessment and management of financial risks faced by the Council;
    - iii. the work of the independent internal auditor in accordance with proper practices and the receipt of regular reports from the internal auditor, which shall be required as agreed either 3 or 4 times annually;

iv. the inspection and copying by councillors and local electors of the Council's accounts and/or orders of payments; and

v. whether contracts with an estimated value below £60,000 or due to special circumstances are exempt from a tendering process or procurement exercise.

Commented [SV1]: To match Financial Regulations

v. whether contracts with an estimated value below £30,000 inclusive of VAT due to special circumstances are exempt from a tendering process or procurement exercise.

b. Financial regulations shall be reviewed regularly and at least annually for fitness of purpose.

c. Subject to additional requirements in the financial regulations of the Council, the tender process for contracts for the supply of goods, materials, services or the execution of works shall include, as a minimum, the following steps:

i. a specification for the goods, materials, services or the execution of works shall be drawn up;

ii. an invitation to tender shall be drawn up to confirm (i) the Council's specification (ii) the time, date and address for the submission of tenders (iii) the date of the Council's written response to the tender and (iv) the prohibition on prospective contractors contacting councillors or staff to encourage or support their tender outside the prescribed process;

iii. the invitation to tender shall be advertised on the Town Council website and if applicable on the current Government Procurement tender website in a local newspaper and in any other manner that is appropriate;

iv. tenders can submitted in writing in a sealed marked envelope addressed to the Chief Officer; or electronically to a specific email address (See Financial Regulations Appendix 1 and Standing Orders for Contracts). Method of tendering for each contract will be decided by the Chief Officer

v. tenders shall be opened by the Chief Officer in the presence of at least one councillor after the deadline for submission of tenders has passed;

vi. tenders are to be reported to and considered by the appropriate meeting of the Council or a committee or sub-committee with delegated responsibility.

d. Neither the Council, nor a committee or a sub-committee with delegated

responsibility for considering tenders, is bound to accept the lowest value tender.

- e. The Councils Financial Regulations **and Standing Orders for Contracts** must also be adhered to for all procurement.
- f. **Where the Value of a contract is likely to exceed the threshold specified by the Government from time to time, the Council must consider whether the contract is subject to the requirements of the current procurement legislation and, if so, the Council must comply with these procurement rules. Nalcs's procurement guidance contain further details.**

**20. Handling staff matters**

**21. Responsibilities to provide information**

**22. Responsibilities under data protection legislation**

**23. Relations with the press/media**

**24. Execution and sealing of legal deeds**

**25. Communicating with unitary councillors**

**26. Restrictions on councillor activities**

**27. Standing orders generally**

**28. Constitution**

- a. The Council shall maintain and periodically update a Constitution to advise Members and the public how the Council conducts its business and how decisions are made.
- b. The contents of the Constitution will be determined by Council but will always contain Standing Orders, **Standing Orders for Contracts, Financial** Regulations, Members' Code of Conduct and the Publication Scheme.

**29. Town Meeting**

**30. Honorary Burgess**

**31. Certificates in Recognition of Outstanding Service.**

**32. Youth Committee**



## Congleton Town Council

Historic Market Town

Chief Officer: David McGifford CiLCA

# PROCUREMENT POLICY

DRAFT REVIEW

VERSION CONTROL	Version 3
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## CONGLETON TOWN COUNCIL

### PROCUREMENT POLICY

#### Introduction

This guide is to provide an overview of procurement of goods and services and is not a replacement for the Town Council's Standing Orders and Finance Regulations

The Council will strive to attain best value for all goods, materials, and services which it purchases. "Best Value" will be defined as a balance of price, quality of product and supplier services.

The Council will operate a transparent procurement process in accordance with its Financial Regulations and Standing Orders for Contracts.

All procurement is to be made following the Standing Orders, Financial Regulations, and any internal processes in place.

#### Principles

- Always adhere to Financial Regulations
- The Council will purchase locally wherever possible and where best value can be satisfied.
- In evaluating "best value," the past record of the supplier will be taken into account.
- For goods, materials, or services over £60,000 inclusive of VAT , an evaluation model will be developed in advance against which best value can be judged and Tender process followed.
- The environmental and social credentials of the supplier will be checked, in accordance with the Council's Environmental Policy and Community and Social Policy.
- The Council will purchase re-cycled goods or less environmentally damaging materials where they meet the required functional standard.
- Limits:
  - 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 £10,000.
    - a duly delegated committee of the council for items over £5,000; or
    - the Chief Officer for any items below £5,000.
    - Capital Purchases £3,000 and over must be approved by Council.

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- Estimates/Quotes:
  - For contracts greater than £3,000 excluding VAT the Chief Officer/RFO or relevant lead officer shall seek at least 3 fixed-price quotes;
  - where the value is between £500 and £3,000 excluding VAT, the Chief Officer/RFO or relevant lead officer shall try to obtain 3 estimates which can include evidence of online prices, or recent prices from regular suppliers.
  - For smaller purchases, all officers shall seek to achieve value for money.

○ Tenders

- All contracts over £60,000 inclusive of VAT must follow our Financial Regulations Tender Processes.

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