



Report ABPC/21/1

To: Aldington and Bonnington Parish Council.

Date: 5 May 2021

Status: Public Report

Subject: Financial Year 2020/21 end of year analysis

1. **SUMMARY:**

This report brings to the attention of Councillors a summary of the Parish Council's performance against its budget for the year ended 31st March 2021.

2. **REASON FOR RECOMMENDATION.**

The Parish Council needs to be open and transparent in its operations this information is provided in addition to that which the Parish Council has to produce by way of legislation.

3. **RECOMMENDATIONS:**

1. **To receive and note Report ABPC/21/1.**

2. **To receive and note the Parish Council's performance against budget for the year ended 31st March 2021.**

4. **FINANCIAL IMPLICATIONS**

There are no financial implications.

5. **CONTACT OFFICER AND BACKGROUND DOCUMENTS.**

If you have any queries about this report please contact the Responsible Financial Officer of the Council Tel.: 07928453208 or email: clerk@abpc.org.uk prior to the meeting.

	Budget 2020/21	1/4/20 - 30/6/20	1/7/20 - 30/9/20	1/10/20 - 31/12/20	1/1/21 - 30/3/21	Total to date	% of budget	Remaining budget
Allotments	50	0	10	16.7	35.56	62.26	124.5	-12.26
Audit	550	0	190	300	0	490	89.09	60
Contingency	3577	1213.31	1072.88	449.71	35.97	2771.87	77.49	805.13
Dog Waste bags	550	247.5	0	247.5	0	495	90	55
Donations	500	0	0	579.25	0	579.25	115.85	-79.25
Electricity/telephone	800	20	30	30	30	110	13.75	690
Grounds maintenance	13000	2490.11	3432.45	3342.41	2831.88	12096.85	93.05	903.15
Hire of halls	150	0	0	0	0	0	0	150
Insurance	1500	0	1466.36	0	0	1466.36	97.76	33.64
Newsletter	650	0	0	0	0	0	0	650
Reynolds	1000	0	0	1000	0	1000	100	0
Staff costs	16000	3525.93	3826.68	6424.95	5109.87	18887.43	118.05	-2887.43
staff expenses		103	198.9	212.55	181.5	695.95		
stationery/postage	400	10.87	51.9	93.84	35.02	191.63	47.91	208.37
subscriptions	800	695	117.5	0	0	812.5	101.56	-12.5
Training	200	0	25	180	95	300	150	-100
VE Day	1000	0	0	0	0	0	0	1000
Total Budgeted expenditure	40727	8305.72	10421.67	12876.91	8354.8	39959.1	98.11	767.9
Allotments	250	0	20	0	140	160	64	90
concurrent grant	860	430	430	0	0	860	100	0
council tax support grant	952	476	476	0	0	952	100	0
Grounds maintenance	900	0	0	0	0	0	0	900
interest	50	11.22	1.08	1.23	0.76	14.29	28.58	35.71
Miscellaneous	180	0	0	200	40	240	133.33	-60
Precept	35975	17987.5	17987.5	0	0	35975	100	0
Transfer Aldington Meadows	1560	390	390	390	390	1560	100	0
Total budgeted income	40727	19294.72	19304.58	591.23	570.76	39761.29	97.63	965.71

	Opening balance	Payments 1/3/20 - 30/6/20	Receipts 1/3/20 - 30/6/20	Payments 1/7/20 - 30/9/20	Receipts 1/7/20 - 30/9/20	Payments 1/10/20 - 31/12/20	Receipts 1/10/20 - 31/12/20	Payments 1/1/21 - 31/3/21	Receipts 1/1/21 - 31/3/21	Closing balance
Reserves										0
current year	-	8,305.72	19,294.72	10,421.67	19,304.58	12,876.91	591.23	8,354.80	570.76	- 197.81
General reserve	9,203.96	-		-		-		-		9,203.96
Contingency (by-election)	3,500.00	-		-		-		-		3,500.00
play equipment (repairs & renewal)	14,206.40	-		-		72.00		-		14,134.40
Quarry field (Maintenance)	1,297.62	-		-		629.99		-	154.59	822.22
Quarry House lighting	-	-	-	-	-	-	-	-	1,755.86	1,755.86
Village Hall	0.02	-	-	1,532.00	1,532.00	6,553.02	6,250.00	-	303.00	-
Reynolds Playing Field	-	-	-	-	-	800.00	800.00	-	-	-
War Memorial	4,338.63	-	-	255.28	-	-	-	-	-	4,083.35
War memorial maintenance	770.00	113.90	-	-	-	103.09	350.00	-	-	903.01
Aldington Meadows S106 funds										-
Bus shelter	33.50	-		-		-		-		33.50
Play area & land maintenance	2,421.05	390.00		390.00		390.00		390.00		861.05
Badgers Close S106 funds										-
sport contribution	134.61	-		-		-		134.61		-
play area contribution	489.84	-		-		-		40.59		449.25
Ecological survey									1,005.00	1,005.00
Reynolds Play project									24,998.39	24,998.39
Play area maintenance		-	-	-	-	-	-	-	13,520.00	13,520.00
VE Day	2,633.00	32.18	-	-	-	-	-	-	-	2,600.82
VE Day programme	300.00	-	-	-	-	-	-	-	-	300.00
Neighbourhood Plan			-	162.50	2,608.00	709.35	-	1,480.00	-	256.15
VAT	- 8,312.91	892.44	8,312.91	1,065.79	-	2,810.43	-	747.37	4,768.66	- 747.37
Total	31,015.72	9,734.24	27,607.63	13,827.24	23,444.58	24,944.79	7,991.23	11,147.37	47,076.26	77,481.78



Report ABPC/21/2

To: Aldington and Bonnington Parish Council.

Date: 5 May 2021

Status: Public Report

Subject: Asset Register

1. SUMMARY:

This report brings to the Parish Council a copy of the asset register compiled from the Parish Council's records.

2. REASON FOR RECOMMENDATION.

The Parish Council is required to acknowledge the Assets owned by the Council and to be transparent in its operations.

3. RECOMMENDATIONS:

- 1. To receive and note Report ABPC/21/2.**
- 2. To receive and acknowledge the Asset Register**

4. INTRODUCTION:

As part of the annual audit exercise a review of the asset register is undertaken to ensure that any acquisitions or disposals in the financial year have been recorded.

5. CONTACT OFFICER AND BACKGROUND DOCUMENTS.

If you have any queries about this report please contact the Responsible Financial Officer of the Council Tel.: 07928453208 or email: clerk@abpc.org.uk prior to the meeting.



Report ABPC/21/3

To: Aldington and Bonnington Parish Council.

Date: 5 May 2021

Status: Public Report

Subject: REPORT OF THE INDEPENDENT INTERNAL AUDITOR

1. **SUMMARY:**

This report encloses the report of the Independent Internal Auditor who has been asked to complete the Annual Internal Audit Report section of the Annual Governance and Accountability Return to the Council's External Auditor, PKF Littlejohn LLP.

2. **REASON FOR RECOMMENDATION.**

The Parish Council is asked to agree the recommendations set out below because the Council is required by law to carry out an annual internal audit.

3. **RECOMMENDATIONS:**

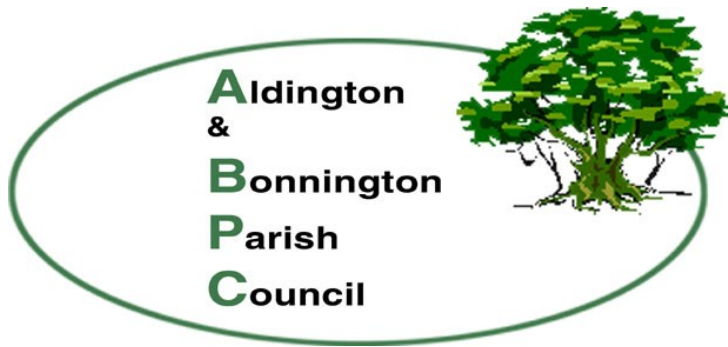
1. To receive and note Report ABPC/21/3.
2. To receive and endorse the report of the Independent Internal Auditor.

4. **INTRODUCTION:**

This report attaches the Report of the Independent Internal Auditor following his appointment with the Parish Council. The Auditor has now completed the Annual Internal Audit section of the Annual Return to PKF Littlejohn LLP, the Council's External Auditor, as required under the Accounts and Audit Regulations 2003 (as amended).

5. **CONTACT OFFICER AND BACKGROUND DOCUMENTS.**

If you have any queries about this report please contact the Responsible Financial Officer of the Council Tel.: 07928453208 or email: clerk@abpc.org.uk prior to the meeting.



Report ABPC/21/4

To: Aldington and Bonnington Parish Council.

Date: 5 May 2021

Status: Public Report

Subject: Statement on Internal Control for the year ended 31st March 2021 – Annual Governance Statement.

1. SUMMARY:

This Report details the Statement on Internal Control to support the Annual Governance Statement required as part of the Annual Governance and Accountability Return for the year ended 31st March 2021.

2. REASON FOR RECOMMENDATION.

The Parish Council is asked to agree the recommendations set out below because:

- a. The Council is responsible for ensuring that its business is conducted in accordance with the law and proper standards, and that public money is safeguarded and properly accounted for, and used economically and effectively.
- b. The Council is responsible for ensuring that this is a sound system of internal control which facilitates the effective exercise of the Council's functions and which includes arrangements for the management of risks.

3. RECOMMENDATIONS:

1. To receive and note Report ABPC/21/4.
2. To approve and endorse the Statement on Internal Control for the year ended 31st March 2021.
3. To authorise the Chairman of the Parish Council to sign the Statement of Internal Control for the year ended 31st March 2021.
4. To respond 'Yes' in boxes 1 to 9 of the Annual Governance Statement at Section 1 of the Annual Return subject to the adoption of Report ABPC/21/4 which relates specifically to Box 6.
5. To authorise the Chairman of the Parish Council to sign the Annual Governance Statement

4. INTRODUCTION:

This report attaches the Parish Council's Statement of Internal Control for the year ended 31st March 2021. The Statement of Internal Control supports the Annual Governance Statement made by the Council at Section 1 of the Annual Governance and Accountability Return to the Parish Council's external Auditor, PKF Littlejohn LLP.

5. **CONTACT OFFICER AND BACKGROUND DOCUMENTS.**

If you have any queries about this report please contact the Responsible Financial Officer of the Council Tel.: 07928453208 or email: clerk@abpc.org.uk prior to the meeting.

ALDINGTON AND BONNINGTON PARISH COUNCIL
STATEMENT ON INTERNAL CONTROL
FOR THE YEAR ENDING 31ST MARCH 2021.

1. SCOPE OF RESPONSIBILITY

Aldington and Bonnington Parish Council (the Council) is responsible for ensuring that its business is conducted in accordance with the law and proper standards, and that public money is safeguarded and properly accounted for, and used economically, efficiently and effectively.

In discharging this overall responsibility, the Council is also responsible for ensuring that there is a sound system of internal control which facilitates the effective exercise of the Council's functions and which includes arrangements for the management of risk.

2. THE PURPOSE OF THE SYSTEM OF INTERNAL CONTROL

The system of internal control is designed to manage risk to a reasonable level rather than to eliminate all risk of failure to achieve policies, aims and objectives; it can therefore only provide reasonable and not absolute assurance of effectiveness. The system of internal control is based on an ongoing process designed to identify and prioritise the risks to the achievement of the Council's policies, aims and objectives, to evaluate the likelihood of those risks being realised and the impact should they be realised, and to manage them efficiently, effectively and economically.

The system of internal control has been in place at the Council for the year ended 31 March 2020 and up to the date of approval of the annual report and accounts and, except for the details of significant internal control issues at section 5, accords with proper practice.

3. THE INTERNAL CONTROL ENVIRONMENT

a. The Council

The Council has appointed a Chairman who is responsible for the smooth running of meetings and for ensuring that all Council decisions are lawful.

The Council reviews its obligations and objectives and approves budgets for the following year at its December/January meetings. The January meeting of the Council approves the level of precept for the following financial year.

The full Council meets at least ten times each year and monitors progress against its aims and objectives at each meeting by receiving relevant reports from the Parish Clerk.

The Council carries out regular reviews of its internal controls, systems and procedures.

b. Clerk to the Council / Responsible Financial Officer

The Council has appointed a Clerk to the Council who acts as the Council's advisor and administrator. The Clerk is the Council's Responsible Financial Officer and is responsible for administering the Council's finances. The Clerk is responsible for the day to day compliance with laws and regulations that the Council is subject to and for managing risks. The Clerk also ensures that the Council's procedures, control systems and policies are adhered to.

c. Payments

All payments are reported to the Council for approval. Two members of the Council must authorise every cheque.

d. Risk Assessments / Risk Management

The Council carries out regular risk assessments in respect of actions and regularly reviews its systems and controls.

e. Internal Audit

The Council has appointed an Independent Internal Auditor who reported to the Council on the adequacy of its:

- Records
- Procedures
- Systems
- Internal control
- Regulations
- Risk management
- Reviews

The effectiveness of the internal audit system is reviewed annually.

f. External Audit

The Council's External Auditors submit an annual Certificate of Audit, which is presented to the Council.

4. REVIEW OF EFFECTIVENESS

The Council has responsibility for conducting an annual review of the effectiveness of the system of internal control. The review of the effectiveness of the system of internal control is informed by the work of:

- The full Council;
- The Clerk to the Council / Responsible Financial Officer who has responsibility for the development and maintenance of the internal control environment and managing risks;
- The Independent Internal Auditor who reviews the Council's system of internal control.
- The Council's external auditors, who make the final check using the Annual Return, a form completed and signed by the Responsible Financial Officer, the Chairman and the Internal Auditor. The external auditor issue an annual audit certificate.
- The number of significant issues that are raised during the year.

5. SIGNIFICANT INTERNAL CONTROL ISSUES

No significant internal control issues were identified during the 2020 – 2021 financial year.

Whilst no significant internal control issues were identified during the year the Council strives for the continuous improvement of the system it has adopted for internal control and had addressed all the minor issues and weaknesses raised and reported during the review process.



Report ABPC/21/5

To: Aldington and Bonnington Parish Council.

Date: 5 May 2021

Status: Public Report

Subject: **STATEMENT OF ACCOUNTS FOR THE YEAR ENDED 31 MARCH 2021**

1. **SUMMARY:** This report attaches the Accounting Statement for 2020/21.

2. **REASON FOR RECOMMENDATION.**
The Parish Council is asked to agree the recommendations set out below because the Council is required to present an Annual Return for the Year Ended 31 March 2021, to PKF Littlejohn LLP, the Council's External Auditor.

3. **RECOMMENDATIONS:**
 1. To receive and note Report ABPC/21/5.
 2. To approve and endorse the Accounting Statement at Section 2 of the Annual Governance and Accountability Return for the year ended 31 March 2021.
 3. To authorise the Chairman of the Parish Council to sign the Accounts contained within the Annual Return for 2020/21.

4. **INTRODUCTION:**
Attached to this report is the Accounting Statement for the year ended 31 March 2021 The Accounting Statement presents fairly the financial position of the Parish Council and its income and expenditure for the year ended 31 March 2021. Also attached is the end of year schedule of variances and bank reconciliation.

5. **CONTACT OFFICER AND BACKGROUND DOCUMENTS.**
If you have any queries about this report please contact the Responsible Financial Officer of the Council Tel.: 07928453208 or email: clerk@abpc.org.uk prior to the meeting.



Report ABPC/21/6

To: Aldington and Bonnington Parish Council.

Date: 5 May 2021

Status: Public Report

Subject: Standing Orders and Financial Regulations:

1. Summary:

As part of the annual procedures of the Parish Council a review is undertaken of the Council's Standing Orders and Financial Regulations to ensure that they are up to date and fit for purpose.

2. Reason for recommendation:

In accordance with the Local Government Act 1972 all Parish Councils are required to have Standing Orders which govern the way in which the Parish Council is maintained.

3. Recommendations:

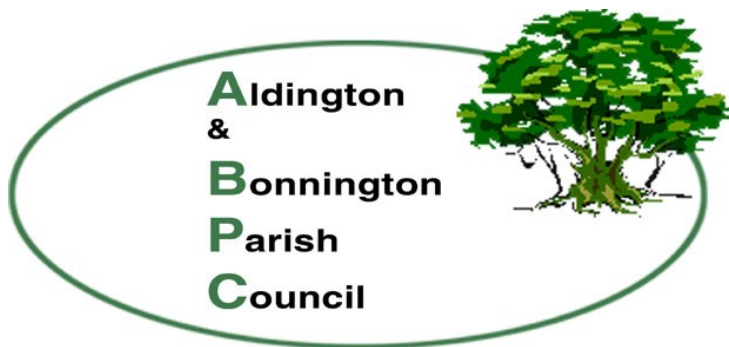
- 1. To receive and note Report ABPC/21/6**
- 2. To receive and adopt the updated Standing Orders and Financial Regulations**

4. Introduction:

Whilst the majority of the Standing Orders remain unchanged since the last review the thresholds on spending on contracts have been increased which has necessitated a change to the Standing Orders. A full set is attached for reference.

5. Contact Officer and Background papers:

If you have any queries about this report please contact the Responsible Financial Officer of the Council Tel.: 07928453208 or email: clerk@abpc.org.uk prior to the meeting.



Report ABPC/21/7

To: Aldington and Bonnington Parish Council.

Date: 5 May 2021

Status: Public Report

Subject: Procurement Policy:

1. Summary:

Following the departure from the European Union the rules and regulations regarding the purchasing of goods and services have been amended. Therefore a new procurement policy has been drawn up for adoption by the Parish Council

2. Reason for recommendation:

The Parish Council is required by law to follow the guidelines set out in the Public Contracts Regulations 2015. These have been amended since the United Kingdom left the European Union.

3. Recommendations:

- 1. To receive and note Report ABPC/21/7**
- 2. To receive and adopt the Procurement policy.**

4. Introduction:

The procurement policy provides additional detail to be considered when purchasing or awarding contracts to that provided in the Parish Council's Standing Orders and Financial Regulations.

5. Contact Officer and Background papers:

If you have any queries about this report please contact the Responsible Financial Officer of the Council Tel.: 07928453208 or email: clerk@abpc.org.uk prior to the meeting.

ALDINGTON AND BONNINGTON PARISH COUNCIL

Procurement Policy

Introduction

In the context of local councils, “procurement” is the process by which they award contracts to third parties (frequently individuals or companies) to provide goods, services or to undertake works. A procurement process is designed to source the most suitable contractors based on factors such as cost and their knowledge, experience, quality, capability, and financial standing.

A procurement exercise by a local council is subject to the requirements in s135 of the Local Government Act 1972 (“the 1972 Act”) and the Public Contracts Regulations 2015 (“the 2015 Regulations”). These legal requirements are summarised in the table below.

Contract value (net of VAT)	Legal requirements		
	The council's standing orders required by s135 of the 1972 Act (and financial regulations)	The Contracts Finder/ find a tender website and other light touch rules in the 2015 regulations	Complex requirements in the 2015 Regulations
Low value contracts (this means up to £25,000)	√		
All contracts over £25,000 but below the threshold below	√	√ Use of the Contracts Finder / find a tender website (see below)	
Public service or supply contract over £189,330 or public works contract over £4,733,252	√		√ Follow most complex procedure

The requirement for councils in England and Wales to have standing orders with respect to procuring and entering into contracts is set out in s135 of the 1972 Act. This note provides (A) an explanation of the councils' responsibilities under the 1972 Act, (B) an explanation of the bodies and contracts which are subject to the 2015 Regulations, (C) an explanation of the Contracts Finder/ find a tender provisions and other light touch requirements for procuring and awarding contracts covered by the 2015 Regulations which are valued over £25,000 and (D) an overview of the complex requirements for procuring contracts covered by the 2015 Regulations which are valued over £189,330 for a public supply or public service contract or £4,733,252 for a public works contract.

A) Standing orders (s135 of the 1972 Act)

- A local authority may make standing orders with respect to the making of contracts by them or on their behalf.
- A local authority shall make standing orders with respect to the making by them or on their behalf of contracts for the supply of goods or materials or for the execution of works.
- Standing orders made by a local authority with respect to contracts for the supply of goods or materials or for the execution of works shall include provision for securing competition for such contracts and for regulating the manner in which tenders are invited, but may exempt from any such provision contracts below that specified in standing orders and may authorise the authority to exempt any contract from any such provision when the authority are satisfied that the exemption is justified by special circumstances.
- A person entering into a contract with a local authority shall not be bound to enquire whether the standing orders of the authority which apply to the contract have been complied with, and non-compliance with such orders shall not invalidate any contract entered into by or on behalf of the authority.

S135 (3) confirms that a local council may adopt standing orders which exempt contracts from a tendering exercise if they are below a certain value or if specific circumstances apply. The Contracts Finder/ find a tender and other light touch provisions of the 2015 Regulations apply only to contracts above £25,000. This means that councils may have standing orders which confirm that contracts valued at £25,000 or below are exempt from a tendering or procurement exercise. A council's standing orders (and financial regulations) need to confirm the procurement requirements (if any) that will apply for the award of a new contract, which will be dependent on its value (or special circumstances). It is recommended that a council's standing orders (and financial regulations) confirm if contracts below a certain value are exempt from a tendering or procurement exercise. It is also recommended that the council's standing orders and financial regulations confirm that the

procurement of contracts over a certain value will be subject to the requirements of the 2015 Regulations.

B. Which bodies are covered by the 2015 Regulations

The 2015 Regulations imposes procurement requirements on “contracting authorities” which include local authorities, associations formed by one or more such authorities and “bodies governed by public law”. (Regulation 2 of the 2015 Regulations). “Bodies governed by public law” includes an organisation set up for the general as opposed to commercial interest, with its own legal status, and which is financed or managed by a local authority. If a local council is the sole or managing trustee of a charity, appoints most of the trustees or grants the majority of the charity’s income that charity will be subject to the 2015 Regulations.

Which contracts are covered by the 2015 Regulations?

The 2015 Regulations apply to “public contracts” which are defined as “contracts...having as their object the execution of works, the supply of products or the provision of services”. Regulation 2 of the 2015 Regulations defines each of those three contracts as follows:

“public service contracts” meaning public contracts which have as their object the provision of services other than those referred to in the definition of “public works contracts”,

“public supply contracts” meaning public contracts which have as their object the purchase, lease, rental or hire-purchase, with or without an option to buy, of products, whether or not the contract also includes, as an incidental matter, siting and installation operations;

“public works contracts” meaning public contracts which have as their object any of the following:-

- The execution, or both the design and execution, of works related to one of the activities listed in schedule 2;
- The execution, or both the design and execution, of a work;
- The realisation, by whatever means, of a work corresponding to the requirements specified by the contracting authority exercising a decisive influence on the type or design of the work;

The activities in Schedule 2 to the 2015 Regulations which are included in the definition of a “public works contract” include site preparation, demolition of buildings, construction of new buildings, erection of roofs, bricklaying, scaffolding, insulation work, plumbing, plastering, joinery installation, floor and wall covering and painting and glazing, civil engineering works and construction of highways, roads, airfields and sports facilities.

Public contracts which are exempted from the 2015 Regulations

Regulations 7 to 12 provide that certain public contracts are exempted from the requirements of the 2015 Regulations. Regulation 10 confirms, for example, that contracts for the acquisition of land and buildings, legal services (legal advice and representation), bank services are exempted. In the context of local authorities, Regulation 12, for example, includes:

- A contract with an incorporated body, controlled by a local authority, where more than 80% of the body's activities are controlled by the local authority and there is no private sector ownership of the body, with certain exceptions;
- A contract between two or more local authorities who come together to provide a public service to achieve objectives they have in common and that the joint venture is governed solely by considerations relating to the public interest (e.g. where a parish council enters into arrangements with a principal council) and
- An incorporated body which is a contracting authority awards the contract to its controlling local authority or to an incorporated body controlled by the same local authority.

C. Advertising requirements

Brexit – transitional advertising arrangements

31 December 2020 marked the end of the transition period for the purposes of leaving the EU. There are new advertising requirements, with the introduction of “find a tender”. Government guidance, which also includes procurement policy notes, FAQs and a flow chart, sums up the main points <https://www.gov.uk/guidance/public-sector-procurement-from-1-january-2021>

below is a summary of the post 31 December 2020 changes:

find a Tender went live at the end of the transition period (23:00 on 31 December 2020) – <https://www.find-tender.service.gov.uk/search>

procurements on OJEU/TED that were commenced prior to the end of the transition period must be concluded on OJEU/TED.

New procurements commenced after the end of the Transition Period must be advertised on Find a Tender.

Requirements to advertise on Contracts Finder remain unchanged.

The Contracts Finder website and other light touch rules in 2015 Regulations

Where the estimated value of public contract exceeds £25,000 (net of VAT) a local council must comply with articles 109 to 114 of the 2015 Regulations (in addition to section 135 of the 1972 Act). Regulation 110, which concerns the advertisement of a contract opportunity, is summarised below.

- Subject to the above paragraph on the changes post 31 December 2020, a council must advertise the contract opportunity on the “Contracts

Finder” website when it advertises the contract opportunity elsewhere. A council will have advertised a contract opportunity elsewhere if it does everything to put the opportunity in the public domain or bring the opportunity to the attention of economic operators generally or to any class or description of economic operators which is potentially open-ended, with a view to receiving responses from economic operators who wish to be considered for the award of the contract (e.g. places details of the opportunity on its website, in a newspaper or a trade paper);

- **A council does not advertise an opportunity where it makes the opportunity available only to a number of particular economic operators who have been selected for that purpose (whether ad hoc or by virtue of their membership of some closed category such as a framework agreement), regardless of how it draws the opportunity to the attention of those economic operators (i.e. if a council has an arrangement with a limited number of approved organisations to undertake work for the council); Regulation 33 defines a “framework agreement” as an agreement between one or more contracting authorities and one or more economic operators, the purpose of which is to establish the terms governing contracts to be awarded during a given period, in particular with regard to price and, where appropriate, the quantity envisaged. Contracting authorities may conclude framework agreements if they apply the procedures in Part 2 of the 2015 Regulations. Regulation 33 provides that framework agreements should not exceed 4 years except in exceptional circumstances. A council must advertise the contract opportunity on Contracts Finder within 24 hours of advertising it elsewhere;**
- **The information to be published on Contracts Finder shall include at least the following:- (a) the time by which any interested economic operator must respond if it wishes to be considered; (b) how and to whom such an economic operator is to respond; and (c) any other requirements for participating in the procurement;**
- **Where a council publishes information of Contracts Finder it must – (a) by means of the internet, offer unrestricted and full direct access free of charge to any relevant contract documents; and (b) specify in the information published on Contracts Finder the internet address at which those documents are accessible;**
- **A council may advertise the contract opportunity on the “Contracts Finder” website when it does not advertise the contract opportunity elsewhere;**
- **It must have regard to guidance issued by the Minister for the Cabinet Office.**

Regulation 111 provides that councils cannot include a pre-qualification stage. A “pre-qualification stage” is defined as “a stage in the procurement process

during which the contracting authority assesses the suitability of candidates to perform a public contract for the purpose of reducing the number of candidates to a smaller number who are to proceed to a later stage of the process. “A council may ask tenderers to answer “suitability assessment question” which is defined as relating “to information or evidence which the contracting authority requires for the purpose of assessing whether candidates meet requirements or minimum standards of suitability, capability, legal status or financial standing” if the questions are relevant to the subject-matter of the procurement; and proportionate. Councils must have regard to guidance issued by the Minister for the Cabinet Office which can be accessed via www.gov.uk/government/collections/procurement-policy-notes

regulation 113 provides that councils must ensure that contracts contain suitable provisions stating that valid undisputed invoices will be paid by within 30 days. Public contracts must also contain a condition requiring contractors to include similar provisions in their contracts, and so on down the supply chain. Councils shall have regard to any guidance issued by the Minister for the Cabinet Office.

When a contract is awarded, a council, having regard to guidance issued by the Minister for the Cabinet Office, must publish on the Contracts Finder the information set out in Regulation 112. This includes:

- The name of the contractor;
- The date on which the contract was entered into;
- The value of the contract;
- Whether the contractor is a SME (defined as an enterprise falling within the category of micro, small and medium-sized enterprises defined by the European Commission), or VCSE (defined as a non-governmental organisation that is value-driven and which principally reinvests its surpluses to further social, environmental or cultural objectives).

A Council may withhold information above from publication where its release

- Would impede law enforcement or would otherwise be contrary to the public interest;
- Would prejudice the legitimate commercial interests of a particular economic operator, whether public or private, or
- Might prejudice fair competition between economic operators.

D. Complex requirements in the 2015 Regulations for high value contracts

The 2015 Regulations incorporate the Public Contracts Directive 2014/24/EU (“the Public Contracts Directive”). In its simplest terms, the Public Contracts Directive facilitates the award of certain contracts to any business entity in the EU.

Financial thresholds (net of VAT)

Even if the procurement and award of a contract is covered by the 2015 Regulations and is not an exempted contract it will not be subject to the full requirements of the 2015 Regulations unless its estimated value exceeds the thresholds in Article 4 of the Public Contracts Directive (Regulation 5(1) of the 2015 Regulations). The thresholds in the Directive are adjusted by the European Commission every two years and are published in the Official Journal of the European Union (OJEU) (Regulation 5(4) of the 2015 Regulations).

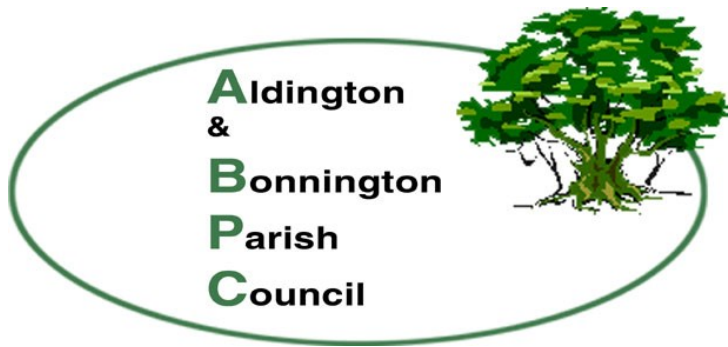
Few contracts to be awarded by local councils will exceed thresholds but, if they do, they will be subject to the requirements summarised below.

Contracts procured which are worth over £25,000 but less than the thresholds will still be subject to the Contracts Finder website and other light touch provisions in the 2015 Regulations.

Procedural requirements.

Contracts awards exceeding the thresholds are detailed and complex. It is likely that councils considering such high value contracts will require technical and or legal advice from those who specialise in public procurement.

- **Procurement must take one of five forms; the open procedure, the restrictive procedure, competitive dialogue, the innovations partnership procedure; and competitive procedure with negotiation.**
- **Accelerated forms of open procedure and competitive procedure with negotiation and the restricted procedure in situations of urgency that a local council can duly substantiate;**
- **There is a pre-qualification stage;**
- **Contracts should be awarded on the “most economically advantageous tender” (Regulation 67)**
- **Contracts can be varied without going through a new procurement exercise in specified situations. (Regulation 72); and**
- **Contracts should be advertised on the Find a Tender / Contracts Finder website (Regulation 106).**



Report ABPC/21/8

To: Aldington and Bonnington Parish Council.

Date: 5 May 2021

Status: Public Report

Subject: Parish Council appointees:

1. SUMMARY:

This report brings to the attention of Councillors a number of roles undertaken on behalf of the Parish Council by its members. As part of the Parish Council's annual procedures it is asked to nominate members to undertake the various roles.

2. REASON FOR RECOMMENDATION:

The Parish Council needs to be open and transparent in its operations as well as being approachable by the residents of Aldington and Bonnington. By nominating Councillors to undertake specific roles, and publishing the list on the Parish Council website residents are aware of who they can contact as well as the Parish Clerk.

3. RECOMMENDATIONS:

- 1. To receive and note Report ABPC/21/8**
- 2. To nominate Councillors to the roles indicated on the attached schedule.**
- 3. To update the list with contact details on the Parish Council website.**

4. FINANCIAL IMPLICATIONS:

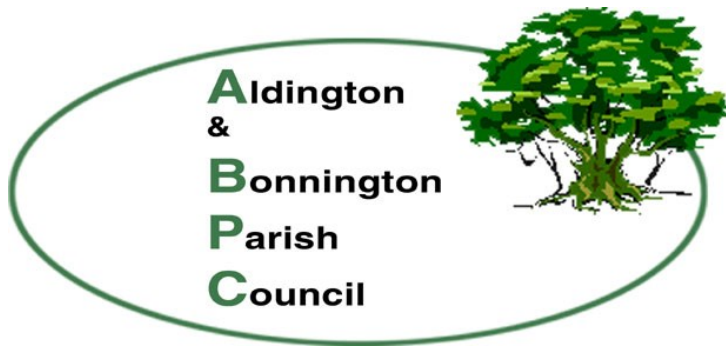
There are no financial implications.

5. CONTACT OFFICER AND BACKGROUND DOCUMENTS:

If you have any queries about this report please contact the Responsible Financial Officer of the Council Tel: 07928453208 or email: clerk@abpc.org.uk prior to the meeting.

Village Hall Committee	one Councillor	to attend Village Hall Committee Meetings and to report back to the Parish Council.
Kent Association of Local Councils	Two Councillors	To attend meetings of the Ashford Area Committee and the Annual General Meeting of the Association and to report back to the Parish Council.
Tree Adviser	Three Councillors	To undertake routine inspections of the trees on Parish Council land and to report any issues to the Parish Clerk
Pond Adviser	Two Councillors	To undertake routine inspections and to advise the Parish Council on any maintenance issues.
Quarry Wood / Reynolds Co-ordinator	Two Councillors	To undertake routine inspections and to advise the Parish Council on any maintenance issues.
Aldington Meadows	Two Councillors	To undertake routine inspections and to advise the Parish Council on any maintenance issues.
Highways Liaison	Two Councillors	To undertake site visits with representatives from Kent County Council Highways representatives as required.
Youth co-ordinator	Two Councillors	To liaise with the young people of the Parish and to report back to the Parish Council.
Allotments	One Councillor	To act as contact point for the allotment holders and to undertake routine inspections of the sites reporting back to the Parish Council.
Bus Shelter Wardens	Two Councillors	To undertake routine inspections of the bus

		shelters and to report back to the Parish Council.
Lawn Mowing Supervisors	Three Councillors	To review the condition of the grassed areas of the Parishes and to report back to the Parish Council, liaising with the Parish Clerk regarding works required. To ensure the upkeep and condition of the mowing equipment.
New building developments	Two Councillors	To act as contact point for concerns regarding new developments in Aldington To liaise with the Parish Clerk and to report back to the Parish Council.
Communications working group	Three councillors	To undertake publicity on behalf of the Parish Council



Report ABPC/21/9

To: Aldington and Bonnington Parish Council.

Date: 5 May 2021

Status: Public Report

Subject: General Risk Assessment:

1. **SUMMARY:**

This report brings to the Parish Council a copy of the risk assessment carried out as part of the end of year audit exercise.

2. **REASON FOR RECOMMENDATION.**

The Parish Council is required to acknowledge the risk assessment and to note any areas where the risk is not deemed to be trivial or acceptable.

3. **RECOMMENDATIONS:**

1. To receive and note Report ABPC/20/9.
2. To receive and acknowledge the General risk assessment

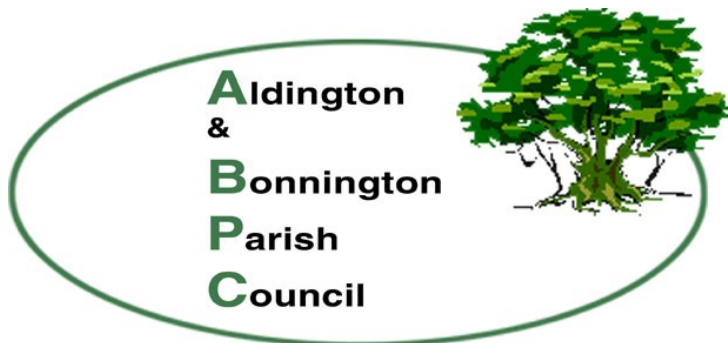
4. **INTRODUCTION:**

As part of the annual audit exercise a review of risks that the Parish Council need to consider in its general day to day operations has been undertaken. Any of the risks identified as not adequately controlled will be the subject of further research and a report to the council to reduce the risk to an acceptable level.

This assessment has been seen by the Independent Internal Auditor who will be checking at the next audit visit that appropriate actions have been taken.

5. **CONTACT OFFICER AND BACKGROUND DOCUMENTS.**

If you have any queries about this report please contact the Responsible Financial Officer of the Council Tel.: 07928453208 or email: clerk@abpc.org.uk prior to the meeting.



Report ABPC/21/10

To: Aldington and Bonnington Parish Council.

Date: 5 May 2021

Status: Public Report

Subject: Scheme of Delegation:

1. **SUMMARY:**

In accordance with section 101 of the Local Government Act 1972 the Parish Council is permitted to arrange for the discharge of many of its functions by an officer of that authority, this permission cannot be given to an individual councillor.

2. **REASON FOR RECOMMENDATIONS:**

The Parish Council is required to be transparent in its day to day operations and any decisions that are made.

3. **RECOMMENDATIONS:**

1. **To receive and note Report ABPC/21/10;**
2. **To receive and adopt the scheme of delegation.**

4. **INTRODUCTION:**

The scheme of delegation attached has been compiled from a model document issued by the Society of Local Council Clerks sets out the basis on which the Clerk can act. Any actions taken will be reported to the Council at the next available meeting and will be minuted as evidence to comply with Section 40 of the Local Audit and Accountability Act 2014.

There are a number of functions that cannot be delegated and have to be discharged by the Council as a body these being:

- Issuing the precept
- Borrowing money
- Approving the Council's annual accounts
- Considering an auditor's report made in the public interest
- Confirming (by resolution) that it has satisfied the statutory criteria to exercise the power of general competence
- Or adopting or revising the council's code of conduct

5. CONTACT OFFICER AND BACKGROUND DOCUMENTS:

If you have any queries about this report please contact the Responsible Financial Officer of the Council Tel.: 07928453208 or email: clerk@abpc.org.uk prior to the meeting.

ALDINGTON AND BONNINGTON PARISH COUNCIL

Scheme of Delegation

The Council's Scheme of Delegation authorises the Clerk to the Council/Responsible Financial Officer to act with delegated authority in the specific circumstances detailed.

Proper Officer and Responsible Financial Officer

- To take action on any issue of such urgency, that it cannot wait until the next normal Council meeting. If the circumstances permit, the Clerk would normally be expected to consult the Chairman or Vice Chairman if the Chairman is unavailable and take his/her view into account.
- To incur expenditure on behalf of the Council, which is necessary to carry out any repair, replacement or other work which is of such extreme urgency that it must be done at once, whether or not there is any budgetary provision for the expenditure subject to a limit of £500.00
- To take any action regarding minor repairs (up to a cost of £500.00) and to report minor matters to the relevant authority.

Delegated actions shall be in accordance with Standing Orders and Financial Regulations and in line with directions given by Council from time to time and shall be reported to the next available Council meeting.

Delegated Powers re Planning Delegation

Planning applications shall be received by the Clerk who will provide details to Councillors and where no queries arise by joint decision of all Councillors, the Clerk shall be delegated to inform the Planning Department within the time allocated of the decision of the Council. All Councillors will report directly back to the Clerk thereby avoiding discussion between members.

Delegation – Limitations

All decisions taken under delegated authority will be in accordance with the Council's Standing Orders and Financial Regulations and this Scheme of Delegation, and where applicable any other rules/regulations and legislation. All decisions will be reported to the first appropriate Council meeting.

The Council may delegate the power to make individual decisions on individual items to the Proper Officer/Responsible Financial Officer as and when appropriate.