

AGENDA PACK
Finance, Legal and Administration committee
Monday 21st February 2022

To: Members of the Finance, Legal and Administration Committee (FLAC)

You are hereby summoned to attend a Finance Committee meeting
To be held at Cottenham Village Hall on Thursday 27th January 2022 at 7.30pm

AGENDA

All Parish Council Meetings are open to the Public and Press

22F/149. Chairman's Introduction and Apologies for absence – *(Schedule 12 of the Local Government Act 1972 requires a record to be kept of the members present and that this record form part of the minutes of the meeting. Members who cannot attend a meeting should tender apologies to the Parish Clerk as it is usual for the grounds upon which apologies are tendered also to be recorded. Under Section 85(1) of the Local Government Act 1972, members present must decide whether the reason(s) for a member's absence are accepted.*

22F/150. To accept Declarations of Interest and Dispensations – *i. To receive disclosures of pecuniary and other interests from Councillors on matters to be considered at the meeting. ii. To receive written requests for dispensation. iii. To grant requests for dispensation as appropriate. (NB this does not preclude any later declarations).*

22F/151. Minutes – To resolve that the minutes (circulated to members) of the Finance Committee meeting held on Thursday 27th January 2022 be signed as a correct record.

22F/152. Public Participation – *Public question time is dealt with prior to the start of the meeting and doesn't form part of the formal business of the Council. Time is limited to 30 minutes and each member of the public is entitled to speak once only in respect of business itemised on the agenda and shall not speak for more than 3 minutes to allow other people to also speak without the public session exceeding its allotted time. Questions not answered at this meeting will be answered in writing to the person asking the question or may appear as an agenda item for the next meeting.*

Photographing, recording, broadcasting, or transmitting the proceedings of a meeting by any means is permitted. A person may not orally report or comment about a meeting as it takes place if he is present at the meeting of a parish council or its committees but otherwise may film, photograph or make an audio recording of a meeting; use any other means for enabling persons not present to see or hear proceedings at a meeting of the parish council as it takes place or later; report or comment on the proceedings in writing during or after a meeting or orally report or comment after the meeting.

22F/153. Management accounts and Bank reconciliation (to end of January 2021) – RFO

22F/154. Alterations to Ladybirds lease – consider quotations from Solicitors - RFO

22F/155. Discuss framework for preferred contractor list – RFO

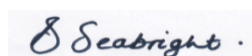
22F/156. Risk assessment review - RFO

22F/157. Village Hall Bar and Events Working Group – Cllr Ward

22F/158. For consideration at the next meeting -

22F/159. Date of next meeting – TBA

22F/160. Close of meeting –

The logo for Seabright, featuring a stylized 'S' and the word 'Seabright' in a cursive font.

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14th February 2022

22F/152. Minutes

DRAFT Finance, Legal and Administration Committee (FLAC) Minutes

Meeting held at Cottenham Village Hall on Thursday 27th January 2022 at 7.30pm

Present: Cllrs Bolitho (Chair), Collinson, Hewitt, Ward, Young and the RFO

21F/138. Chairman's Introduction and Apologies for absence – Cllr Hutchison (Absent)

21F/139. To accept Declarations of Interest and Dispensations – None

21F/140. Minutes – Resolution that the minutes of the Finance Committee meeting held on Thursday 9th December 2021 be signed as a correct record. Proposed Cllr Collinson and seconded by Cllr Ward - **RESOLVED**. Cllr Hewitt arrived at 7.36pm.

21F/141. Public Participation – No members of the public present.

21F/142. Management Accounts and Bank Reconciliation (to end of December) – the committee reviewed the P&L, the Balance sheet and projected cashflow and were satisfied with the accounts, RFO to investigate formula issue re inconsistency between the rates line in the reports. It was noted that the cashflow projection currently shows a deficit of £15,298.23 at the end of this financial year. There are a few potential payments accounted for which may not materialise in this financial year such as the payment for highways initiative £5000 and the gas bill from Ecotricity estimated at £6000. Regarding income, it may also be that the football clubs current estimate is lower than the expected income. These factors may reduce the overall deficit. There is also the possibility of paying some of the loan capital repayment from the Village Hall/Nursery reserve. We are expecting some S106 Early Years monies approx. £78k in the next four weeks and as Tilia are hoping to start in April additional S106 can be anticipated prior to commencement, possibly in this financial year.

21F/143. Review of Ladybirds lease -

The lease is dated 6th May 2010 for a 25-year term. The committee discussed the document in light of Ladybird's intention to change the status of the Preschool from an unincorporated charity to a Charitable Incorporated Organisation (CIO). This would mean that Ladybirds would exist as its own legal entity, rather than simply as a collection of individuals. It would offer the members and trustees greater protection. Currently the trustees are personally liable. The implications for the lease are unclear. Proposal that RFO contact King and Co for legal advice to get a quote to look at the lease in relation to this change of status and to highlight any potential implications for the parish council. Proposed Cllr Ward and seconded by Cllr Young - **RESOLVED**

21F/144. Review of Direct Debits and Trade accounts – The committee looked at our current list of Direct Debit mandates and Trade accounts. The committee were satisfied that the list held is accurate. Discussions around how we employ more ad hoc tradespeople and how a protocol/framework to support this process might be useful. It was agreed that the RFO contact CAPALC to ask their advice on this matter. There was some discussion around looking at the overall value and type of the work in a year and then asking local trades people to submit their hourly rates, response times, service levels, experience of work with Parish Councils etc. To include electricians, plumbers, accountancy services, advertising, printing etc.

21F/145. Terms of Reference (TOR's) for the Village Hall Bar and Events working group – The committee reviewed the draft TOR's. It was agreed that the working group need to have flexibility and reasonable operational freedom however an overall plan should be agreed by full council with regular reporting to either full council or CALF. Suggestions and considerations for sections 2a,2b,2e,3d & 4n of the TOR's which Cllr Ward will take away for further drafting. Discussions around how we separate and account for the Bar takings/purchases & events and how this might be shown in the P&L accounts and balance sheet.

21F/146. For consideration at the next meeting

Ladybirds Lease

Village Hall bar and events working party

Advice from CAPALC on ad hoc work and the employment of local tradespeople
Rick assessments

21F/147. Date of next meeting – 22.02.22

21F/148. Close of meeting – 9.16 pm

Signed _____ (Chair) Date _____

22F/153. Management accounts for January 2022 – Sent out separately

Bank Reconciliation

Reconciliation Checked by RFO

Bank Reconciliation to January 2022

Summary – see supporting balance sheet from Xero and Bank Statements

Account	Balance £	Initial
Unity Trust current account	332,220.58	
Unity Trust project account	52,378.86	
Unity Trust deposit account	40,022.70	
Cambridge Building Society account	72,019.39	
Triodos account	50,461.01	
Nationwide account	5,143.62	
Multipay Card	0	
	Total in bank accounts: £552,246.16	

Xero accounting system & bank statement balances agree	Signed by RFO
Reconciliation adds up.	Signed by RFO

For information

- Add Accounts receivable £80,731.33
- Minus VAT due £749.45 (because we had claimed for W&B invoices but have been voided so we owe currently)

- Minus Accounts Payable £9291.91
- Minus Accruals £2000.00
- Other Creditors £2773 (Hall hire deposits & Grant for hearing loop)
- Minus PAYE £1119.67
- Minus Rounding £0.16

Net Asset figure £617,043.30

22F/154. Ladybird's lease – quotes from solicitors

Email below from King & Co solicitors Cottenham:

Thank you for your email of the 31st of January.

I anticipate that this firm's fee just for looking through the lease and recommending any alterations, or highlighting implications for the Parish Council, would be £425.00 plus VAT.

If you are proposing to permit the current tenant to transfer the existing lease to the new organisation, this will require a formal Licence to Assign. Any alterations to the lease could be incorporated within that document.

If therefore we prepare a Licence to Assign, the total charge would rise to £750.00 plus VAT.

If, however you intend to grant a new lease to the new organisation and take a surrender of the current lease from the present tenants, our fee would be £1,500.00 plus VAT.

It is difficult to assess a time span until I know how you propose to proceed, and I have reviewed the lease to ascertain whether any significant amendments are going to be required.

Yours sincerely
Roger Covell

Email below from Wellers Hedley solicitors

Dear Ms Seabright,

I am a property solicitor in the Parish Council department and would be delighted to assist you in reviewing and updating the lease in line with your instructions.

My costs for doing so would be £900.00 plus VAT. In terms of timescale, we will act expeditiously but it will depend on how quickly the Parish Council and the pre-school respond to any of our enquiries. Do you know if the pre-school will have separate legal representation in relation to the lease?

Should you need to speak to me, please do not hesitate to contact me on 01372 750103.

I look forward to hearing from you.

Yours sincerely

Asma Shamim

22F/155. Framework for Preferred Contractor List

Advice from CAPALC

As part of the discussions from the previous FLAC meeting the RFO contacted CAPALC for any advice on this process. They said that:

Before engaging a consultant or contractor the council has a duty to ensure that the supplier is competent to do the work, carries the appropriate insurance and will provide good value.

This should ideally include:

- Certificates of qualifications
- Independent assessment of competence
- Certificate of public liability insurance
- Certificate of professional indemnity insurance
- Name and contact details of referees from three previous clients or employers

They then suggested that we might want to consider a preferred contractor list.

Following on from this advice

We have rules for selecting suppliers of goods & services. The clerk or RFO shall verify the lawful nature of any proposed purchase of any item costing more than £100 before the issue of any order. Where the value is below £3,000 and above £500 the Clerk or RFO shall strive to obtain three estimates. There are occasions when we use suppliers regularly for lower value 'one-off' items which do not individually trigger the need to obtain competitive quotes and are often required at short notice but which over the course of a year may total over £500.

We are proposing a framework under which suppliers are invited to present examples of their costs, service standards and experience of working with parish councils on which we can base selection as 'preferred supplier(s)'.

The benefits of this framework approach are:

- obtaining good value for money on behalf of Cottenham residents
- ensuring that a number of suppliers have an opportunity to bid for work with CPC – so it cannot be accused of being a 'closed shop' arrangement
- transparency

We recommend adopting this approach initially for:

- electrical services
- plumbing services
- graphic design and print

It is not a requirement to choose the cheapest supplier – cheapest is not necessarily best value.

More than one supplier may be 'approved' – to give us flexibility if one supplier does not have capacity at short notice. If none of the approved suppliers is available or has the necessary expertise, then CPC will have the freedom to place the work with another supplier.

The opportunity will be advertised on the CPC website and noticeboards for 3 weeks after which applications will be assessed by the RFO & FLAC and applicants notified of success or otherwise. All financial information provided by the applicants will be treated as commercially sensitive and not made public.

Suggested aspects to be quoted against:

	Electrical services	Plumbing services	Graphic design & print
Standard rates	Call out charge (normal and out of hours) Hourly rate	Call out charge (normal and out of hours) Hourly rate	Hourly rate
Example cost for typical job	Cost for PAT testing?	Cost for dripping tap?	Design & print spec for carol sheets?
Experience of working with Parish Councils			
Documentation/ accreditation	Public Liability Ins Accreditation	Public Liability Ins Accreditation	Relevant certification
Other services/aspects			

22F/156. Risk assessments – sent out separately.

22F/157. Village Hall Bar and Events Working Group

Revised Terms of Reference to be sent out