

# TEWKESBURY BOROUGH COUNCIL

<b>Report to:</b>	Council
<b>Date of Meeting:</b>	16 April 2024
<b>Subject:</b>	Constitution Review Working Group Report - Amendment to Financial Procedure Rules
<b>Report of:</b>	Monitoring Officer
<b>Head of Service/Director:</b>	Monitoring Officer
<b>Lead Member:</b>	Lead Member for Finance and Asset Management
<b>Number of Appendices:</b>	1

## **Executive Summary:**

At its meeting on 25 July 2023, Council agreed to establish a Constitution Review Working Group to keep under review the effectiveness of the governance arrangements of the Council and to consider specific issues referred to it by Officers and Members.

This report asks the Council to approve amendments to the Financial Procedure Rules as set out at Appendix 1 to the report.

## **Recommendation:**

**To APPROVE the amendments to the Financial Procedure Rules, as set out at Appendix 1.**

## **Financial Implications:**

None as a result of the changes proposed in this report.

## **Legal Implications:**

Under Part 2 Article 14 of the Council's Constitution, the Monitoring Officer has a duty to monitor and review the operation of the Constitution to ensure that the aims and principles are given full effect. This includes making recommendations for any amendments to better achieve the purposes detailed in Article 1 such as enabling decisions to be taken efficiently, effectively and transparently, with due regard to probity and equity. Changes to the Constitution may only be approved by the Council after consideration of a written report by the Monitoring Officer.

## **Environmental and Sustainability Implications:**

None as a result of the changes proposed in this report.

## **Resource Implications (including impact on equalities):**

None other than Officer time.

## **Safeguarding Implications:**

None.

**Impact on the Customer:**

None.

**1.0 INTRODUCTION**

1.1 At its meeting on 25 July 2023, Council agreed to establish a Constitution Review Working Group to keep under review the effectiveness of the governance arrangements of the Council and to consider specific issues referred to it by Officers and Members.

**2.0 PROPOSED AMENDMENTS TO FINANCIAL PROCEDURE RULES**

2.1 The Financial Procedure Rules required review and update to reflect the current management structure and to amend some regulatory points, as such, the following key amendments were proposed:

- all grant bids up to £50,000 would be submitted to the relevant Executive Director for approval and that grant bids over £50,000 would require approval from the Chief Officers Group meaning the Section 151 Officer would only be required to see the ones requiring physical sign-off;
- to change the requirements in relation to virements so that Directors could request a budget virement between the budgets they controlled for up to £20,000, in consultation with the Section 151 Officer and Lead Member, rather than having to seek Executive Committee approval;
- to strengthen wording around the raising of purchase orders so any invoices which did not contain a purchase order would be returned to the supplier before payment;
- to remove wording about cash and cheques as, although no decision had been taken to stop receiving cash and cheques at the Council Offices, the Council no longer had a cashier function meaning these transactions were expensive to process and there were options for people to pay using those methods via Post Offices or local paypoints instead, and
- to reflect the new digital process for payment and procurement cards.

2.2 The Working Group was happy with these revisions, subject to consultation with the Lead Member for Finance and Asset Management, and suggested a further amendment for the Section 151 Officer to be authorised to approve virements up to £50,000.

2.3 As such, the Council is asked to approve the amendments to the Financial Procedure Rules as set out at Appendix 1.

**3.0 CONSTITUTION REVIEW PROGRAMME**

3.1 A programme for the review of the Constitution is currently being developed by the Monitoring Officer and Head of Democratic and Electoral Services which will take a structured approach to reviewing each section of the Constitution. Work has already commenced on review of the Planning Scheme of Delegation which will be considered by the Planning Committee in due course.

**4.0 CONSULTATION**

4.1 The Lead Member for Finance and Asset Management was consulted on the proposed amendments to the Financial Procedure Rules.

## **5.0 ASSOCIATED RISKS**

**5.1** Changes to the Constitution will need to be communicated across the Council and those working with the Council.

## **6.0 MONITORING**

**6.1** In accordance with its Terms of Reference, the Working Group will meet on at least an annual basis with an annual report to Council making further recommendations regarding changes to the Council's Constitution.

**6.2** Delegated authority was previously granted by the Council to make minor changes/amendments to the Constitution such as spelling, grammar, typographical and formatting changes that do not affect the substantive content, and to the Chief Executive and Monitoring Officers to make minor amendments to reflect changes to the management structure in terms of delegations etc.

## **7.0 RELEVANT COUNCIL PLAN PRIORITIES/COUNCIL POLICIES/STRATEGIES**

**7.1** Sound financial governance supports delivery of all Council Plan priorities.

---

**Background Papers:** Constitution Review Working Group Agenda, Reports and Minutes.

**Contact Officer:** Monitoring Officer  
01684272211 [tom.clark@tewkesbury.gov.uk](mailto:tom.clark@tewkesbury.gov.uk)

**Appendices:** Appendix 1 - Financial Procedure Rules