

# **Terms of Reference & Delegation Scheme**

Adopted 12 May 2017

## **DRAFT TO BE APPROVED MAY 2018**

### **DECISION MAKING**

The Full Council can take all decisions on behalf of the Parish Council, or it may appoint one or more committees for the purpose of discharging any of its functions.

This document sets out:

- The Terms of Reference for each Committee
- The Functions delegated to Committees
- The Terms of Reference for each Working Party

### **EMERGENCY POWERS**

At the request of the Clerk and in circumstances deemed to be exceptional and urgent the Chair and Vice-Chair to exercise any powers afforded to Full Council. This is on condition that the decision cannot wait until the next meeting, the Chair and Vice-Chair are satisfied that the decision is not against Council policy, is financially viable or defensible and is reported to the next Full Council Meeting.

At the request of the Clerk and in circumstances deemed to be exceptional and urgent the Chair and Vice-Chair of a Committee to exercise any powers within the purview of their Committee. This is on condition that the decision cannot wait until the next meeting, the Chair and Vice-Chair are satisfied that the decision is not against Council policy, is financially viable or defensible and is reported to the next Committee Meeting. In the event that the Chair and/or Vice-Chair are absent and cannot be contacted, then this power shall pass to the Chair and/or Vice-Chair of the Council.

## **DRAFT TO BE APPROVED MAY 2018**

### **Matters to be resolved only by Full Council**

1. To approve the annual budget and the Precept.
2. To approve the End of Year Accounts and Annual Return.
3. Adoption of new policies.
4. To maintain Standing Orders and Financial Regulations.
5. To maintain the Council's other Policy Documents.
6. To review annually the Council's Risk Management Policy.
7. To determine the functions and constitution (terms of reference and delegated authority) of Committees and Working Parties.
8. To determine the Committee structure annually at the Annual Parish Council.
9. To appoint representatives on outside bodies annually at the Annual Parish Council and filling vacancies that occur during the year.
10. The setting up of Working Parties (including the identifying the Committee to which they should report).
11. To set the Calendar of Meetings of the Council and its Committees.
12. To fill vacancies occurring on any Committee or Full Council.
13. To approve the borrowing of money and loan applications.
14. The awarding of a Contract following the Tendering Process.
15. To consider complaints in accordance with the Complaints Procedure.
16. To appoint annually the Council's Internal Auditor and review of the effectiveness of the Internal Audit.
17. To approve expenditure from the Revenue Budget and General Balances of over £10,000.
18. To deal with matters that do not fall within the province of any committee and such other matters as may be referred to the Full Council by a committee.

# DRAFT TO BE APPROVED MAY 2018

## Finance and Staffing Committee

### General

The Finance and Staffing Committee will generally meet monthly.

Committee membership shall comprise the Chair and Vice-Chair of the Parish Council and sufficient other members to bring the membership to a total of eight.

### Terms of Reference

To deal with all financial aspects of the Council.

To deal with all staff issues and conditions of service.

### Delegated to the Finance and Staffing Committee

1. To review at each meeting the financial accounts of the Council.
2. To review quarterly the revenue budget of the Council.
3. To select such bank accounts for the Council as it considers appropriate and relevant investments.
4. To ensure that adequate insurance cover is in place for Council property and all Council activities.
5. To consider all personnel issues concerning the staff of the Council including staff salary reviews and their conditions of service.
6. To be responsible for staff appointments.
7. To be responsible for the Council's policies in relation to the involvement of community volunteers.
8. To be responsible for the Council's office equipment and accommodation needs.
9. To be responsible for reviewing the Council's risk assessments and safe systems of working.
10. To consider all new leases and the renewal of existing leases.
11. To negotiate land transaction on behalf of the Council.
12. To consider grants and Section 137 payments.
13. To consider initial complaints in accordance with the Complaints Procedure.

**DRAFT TO BE APPROVED MAY 2018**

14. To approve expenditure from funds within the purview of the Committee and expenditure from General Balance up to a maximum of £10,000.
15. To deal with any other matter of a financial nature.

**Planning & Environment Committee**

General

The Planning Committee will meet fortnightly. Committee membership is open to all Members of the Council.

Terms of Reference

- To respond to Planning Authorities on behalf of the Council in respect of planning applications, planning documents and planning policy documents.
- To deal with matters relating to the environment and wellbeing of the inhabitants of the parish.
- To deal with matters relating to highways and road safety.

Delegated to Planning and Environment Committee

1. To respond on behalf of the Council on all Planning Applications, Listed Building Consents and other Planning documents.
2. To respond on behalf of the Council to Planning Appeals.
3. To respond on behalf of the Council to Tree Preservation Orders.
4. To respond on behalf of the Council to planning policy documents.
5. To make representation to Planning Authorities breaches of planning control and failure to comply with conditions of planning permissions.
6. To review and respond to enforcement notices.
7. To agree representatives to speak on behalf of the Council at Planning Committee Meetings of Swindon Borough Council, Public Inquiries and similar Planning Inspection Meetings.
8. To monitor the general maintenance of all highways and pavements within the parish.
9. To monitor the maintenance of highway verges and green areas adjacent to highways.
10. To administer and maintain the benches and public seats owned by the Parish Council.
11. To administer and maintain the dog bins and litter bins owned by the Parish Council.
12. To monitor the state of footpaths within the parish and respond to all matters regarding Rights of Way.

## **DRAFT TO BE APPROVED MAY 2018**

13. To monitor the public transport provision for the parish.
14. To monitor traffic, parking, and pedestrian issues in relation to the environment of the parish.
15. To provide floral planting for the parish.
16. To maintain the Parish Council's public notice boards.
17. To monitor the condition of the rivers and streams in the parish.
18. To monitor the policing within the parish and receive Police reports.
19. To work in conjunction with local residents groups in the parish to improve the local environment.
20. To work in conjunction with community volunteers with regard to community environmental activities and projects.
21. To approve expenditure from funds within the purview of the Committee and expenditure from General Balance up to a maximum of £10,000.
22. To deal with other matters of a planning, highways or environmental nature.

# DRAFT TO BE APPROVED MAY 2018

## Leisure and Amenities Committee

### General

The Leisure and Amenities Committee generally meets every other month. Committee membership is open to all Members of the Council.

### Terms of Reference

- To manage the play areas, parks and open spaces within the parish.
- To encourage sport and physical activity, leisure, arts and tourism within the parish.

### Delegated to Committee

1. To maintain the play areas and review the annual safety inspections.
2. To maintain other areas of public open spaces in the parish that are the responsibility of the Council.
3. To administer and maintain sports facilities in the parish.
4. To administer and maintain public parks within the parish.
5. To administer and maintain the allotments and determine charges for use of the allotments.
6. To promote sports, physical activity, the arts and tourism within the parish.
7. To oversee any community events created by the Council
8. To monitor the provision for young people within the parish.
9. To have responsibility for the Allotment Working Party.
10. To approve expenditure from funds within the purview of the Committee and expenditure from General Balance up to a maximum of £10,000.
11. To deal with other matters of a leisure nature.



**Response Working Party**

**General**

The Response Working Party reports to the relevant Committee or Full Council depending on the nature and subject of the consultation.

The Response Working Party has been established to consider and respond to consultations from Swindon Borough Council or any other organisation.

The Response Working Party will meet as and when required.

**Terms of Reference**

1. To consider consultations received by the Full Council or any of its committees and submit recommendations thereon to the relevant Committee or Full Council.

**Allotment & Assets Working Parties**

General

The Allotment & Assets Working Parties reports to the Leisure & Amenities Committee.

The Allotment Working Party has been established to consider and make recommendations on all matters relating to the allotments.

The Allotment Working Party will include 2 Allotment Holders that will be appointed at the Annual Plot Holders Meeting in September.

Terms of Reference

1. To advise on any necessary changes required to the allotment regulations and tenancy agreement.
2. To offer suggestions for improvements to the running of the allotment site.
3. To advise on any necessary actions for non-compliance with tenancy agreements.
4. To advise of any other issues relating to the allotments.