



## COMMITTEE TERMS OF REFERENCE

### Document Review History

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## **Version Control:**

### **Version 4.1**

Amended by: Clerk

Details of amendment(s): Amendments following feedback from Personnel Committee

Date approved: 04/11/2020

### **Version 4.0**

Amended by: Clerk

Details of amendment(s): Amendments following feedback from Planning, Finance and Personnel Committees

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### **Version 3.1**

Amended by: Assistant Clerk

Details of amendment(s): Added MUGA section

Date approved: 05/08/2020

### **Version: 3.0**

Amended by: Clerk/Assistant Clerk

Details of amendment(s):

1.3 updated to include Neighbourhood Development Plan. 1.4 and 1.5 added working group. 1.6 removed 'available in writing'. 1.8 changed 'should' to 'will'. 2.4 change 'October' to 'November' 2.4.1 added 'land'. 2.5 Removed '(currently £999 for a Committee)' 2.5 To ensure that any spending is within the boundaries of the approved budget, and in line with the Council's Financial Regulations. 2.6 removed 'including the Annual Health and Safety Inspection of Assets'. 2.8 deleted To review at least annually the Asset Register for relevant items and notify the Clerk of any changes. 2.9 deleted To review and approve the St Andrews & Community Annual Risk Assessment and Risk Policy Statements. 2.10 deleted To maintain a satisfactory system of monitoring the levels of Committee expenditure and income and to update Full Council of such details, on a monthly basis. 2.11 added 'and Grounds Manager's report'. 2.12 added 'programme' 3.3 added 'To recommend an annual Committee budget by the end of November each year.' 3.4 Change 'November' to 'December' 3.6 deleted 'To review and recommend to Full Council the Annual Risk Assessment and Risk Policy statements' [finance committee]. Deleted 3.7 'To oversee the procedure for risk assessment of all the Council's activities.' [finance committee] Deleted 3.8 'To arrange for an annual review of the Council's insurance policies' [finance committee]. 3.10 changed from 'St Andrews Committee' to 'Full Council' and added 'scrutinise' 4.5 changed 'yearly' to '3 (interim), 5 (full) year basis' 4.8 added. Removed 5.3 'To review on an annual basis, feedback from the Clerk in conjunction with the Council's HR Advisor, relating to contracts of employment, job descriptions and person specifications for staff and make recommendations to Full Council'. 5.5 Changed 'be prepared' to 'have had' Deleted 5.6 'with this ratified retrospectively at the next Personnel Committee meeting.' 6.3 and 6.4 added 'officers'

Date approved: 05/08/2020

### **Version: 2.2**

Amended by: Assistant Clerk

Details of amendment(s): Review of delegated responsibilities; min and max membership of committees; Events Sub Committee removed.

Date approved: 15/05/2019

### **Version: 2.1**

Amended by: Assistant Clerk

Details of amendment(s): Moving staffing matters under Personnel Committee; updating planning gain wording; adding the Emergency Plan Committee; and adding working group feeding back to St Andrews and Community Committee

Date approved: 02/05/2018

**Version: 2.0**

Amended by: Clerk/Assistant Clerk

Details of amendment(s): Merging of St Andrews and Community committees; new Events Sub-Committee; amendments to Planning Committee in relation to Neighbourhood Plan; dissolution of Neighbourhood Plan Committee; addition of Play Area Working Group and Bridge Street Working Group.

Date approved: 06/12/2017

**Version: 1.0**

Amended by: Assistant Clerk

Details of amendment(s): Document Created

Date approved: 07/12/2016

## **Committee Terms of Reference**

### **1.0 Introduction**

- 1.1 Parish Councils can delegate functions and decisions to a committee, sub-committee, Officer or another local authority, but not to individual Councillors. Councils have legal powers to undertake certain activities and decisions that are made are required to be within the boundaries of these powers.
- 1.2 Any delegation to a committee, sub-committee or officer should identify the nature and extent of the responsibility or decision making. A parish council can arrange for the discharge of part, or all, of their functions (except in respect of levying the precept) to committees, sub-committees and officers. Such arrangements require certain decisions to be referred to, or made by, Full Council.<sup>i</sup>
- 1.3 This document sets out the Terms of Reference for the following committees: St Andrews & Community, Finance, Planning, Personnel and Emergency Plan and the following working groups: Play Area, Bridge Street, Neighbourhood Development Plan, and MUGA.
- 1.4 The Terms of Reference have been approved by Full Council. If a sub-committee/working group is appointed, the committee can determine the Terms of Reference for the sub-committee/working group. However, it cannot confer responsibilities that are not within the committee's Terms of Reference.<sup>ii</sup>
- 1.5 The Terms of Reference set out the parameters within which authority is delegated to committees, sub-committees, working groups and officers and specifies how they are accountable.
- 1.6 It is good practice that Terms of Reference are made available to councillors and the public. Clear Terms of Reference provide assurance to the public that the Council is operating in a transparent manner and within an appropriate Governance Framework.
- 1.7 The membership of each Committee is established at the Annual Full Council meeting, with councillors putting forward which committees they would like to sit on. Any requested variances to this Committee membership must be agreed at Full Council. Any new councillors who join the Council part-way through the administrative year must request membership of specific Committee(s), with this to be agreed at Full Council.
- 1.8 A minimum of 5 members should sit on a Committee, to ensure that it can always be quorate (there must be 3 members in attendance for it to be quorate). A maximum of 9 members will be set for a Committee, otherwise it can become cumbersome and ineffective if most of the Council are sitting on it.
- 1.9 Chairmen and Vice-Chairmen of Committees should undertake training in relation to the role i.e. in management of Council meetings. This can either be via an organised LALC course or via bespoke training which can be arranged with the Clerk.

## **2.0 St Andrews & Community Committee**

- 2.1 To approve the notes of the previous Committee meeting.
- 2.2 To ensure that the Council's amenity land, play areas, open spaces, buildings, street furniture, street lighting and all equipment are managed in accordance with Council policy and legal requirements.
- 2.3 To ensure that the Burial Ground is maintained and managed in accordance with Council policy and legal requirements.
- 2.4 To recommend an annual Committee budget by the end of November each year.
  - 2.4.1 This will take into consideration revenue and capital expenditure. It will include maintenance and improvements to Parish Council buildings, land and activities.
- 2.5 To review and approve relevant Health and Safety reports.
- 2.6 To review and amend the scale of fees, including burial, grounds, room and sporting hire fees, at least annually.
- 2.7 To review and approve the Committee Income & Expenditure report each month (flagging up any areas which are predicted to be over or under budget).
- 2.8 To instruct officers to obtain tenders/quotes for contracts/work to be carried out, in-line with Financial Regulations.
- 2.9 To approve expenditure up committee limit as per Financial Regulations if it is within an agreed budget; or to refer expenditure above that limit for ratification by Full Council.
- 2.10 To review and approve the monthly Community Centre Manager's report and Stock Take report and Grounds Manager's report.
- 2.11 To agree annual events programme and ad-hoc events, allocate responsibility and recommend budget for approval by Full Council.
- 2.12 To ensure that a review and 'Lessons Learned' exercise is performed after each event, in order to identify improvements for future years.
- 2.13 To ensure that arrangements for each event commence in a timely manner, thus maximising the opportunity to seek sponsorship or other external funding streams.
- 2.14 To instruct officers to obtain quotes for work required to deliver these events, ensuring that any subsequent spending is within the approved budget and in line with Financial Regulations.
- 2.15 To ensure that an Income & Expenditure report is produced for each event.

### 3.0 Finance Committee

- 3.1 To oversee and advise Full Council on all matters relating to financial and risk management.
- 3.2 To approve the notes of the previous Committee meeting.
- 3.3 To recommend an annual Committee budget by the end of November each year.
- 3.4 To recommend to Full Council an annual council budget, based on the draft budgets submitted by spending Committees by December each year.
- 3.5 To recommend to Full Council an annual precept based on 3.3 above.
- 3.6 To review the annual accounts of the Council in preparation for their annual external audit.
- 3.7 To conduct an annual review of the effectiveness of internal audit, in conjunction with the Responsible Financial Officer.
- 3.8 To be vigilant for evidence of fraud and to ensure that operational systems are such that the likelihood of fraud is minimised and transparent enough to ensure that fraud is readily detected.
- 3.9 To ensure that appropriate up to date records are kept of all assets and that they are adequately controlled.
- 3.10 To receive and scrutinise the monthly Income & Expenditure reports (expenditure against budgets) for the council.
- 3.11 To review and approve a monthly list of income and payments from the St Andrews & Community and Finance Committees.
- 3.12 To review and approve the monthly aged debt report.
- 3.13 To review, and recommend to Full Council, the writing off any unrecoverable debts
- 3.14 To scrutinise and approve the monthly bank reconciliations.

## 4.0 Planning Committee

- 4.1 To approve the notes of the previous Committee meeting.
- 4.2 To consider and make representations to the Local Planning Authority on planning applications in the parish, and on any other planning and highways matters that affect the Parish, unless the Planning Committee resolves that the application should be referred to Full Council due to its significant, substantial, contentious, or strategic nature. Note that the Planning Committee is not the Local Planning Authority and as such does not have the power to refuse or allow planning applications. The Planning Committee, on behalf of Saxilby with Ingleby Parish Council is a statutory consultee in the planning process.
  - 4.2.1 Material planning considerations, relevant planning policy and documents (including national and local planning policy and the Saxilby with Ingleby NDP and Character Assessment) will be taken into consideration when forming a consultation response to planning applications.
  - 4.2.2 Conservation – proposed developments will be supported where they preserve or enhance the character or appearance of the Parish, Conservation Area and listed buildings and their settings.
  - 4.2.3 Conservation – The impact of any proposed development on the significance of a designated heritage asset will be considered
- 4.3 To comment on street naming when requested.
- 4.4 To comment on licenses when requested.
- 4.5 To consider Highways matters including public footpaths, traffic orders, traffic calming, street lighting, street cleansing, highway maintenance, highway schemes etc.
- 4.6 To review the Neighbourhood Development Plan (NDP) on an annual basis, for minor alterations and modified (with a referendum if required) every five years. This includes reviewing the Character Assessment and Housing Needs/Residents' Survey. The NDP working group will be resurrected if required.
- 4.7 To consider planning contributions and agreements (including s106 and CiL) and make recommendations to Full Council.
- 4.8 The Committee encourages developers to engage with the local community prior to submitting planning applications in-line with the National Planning Policy Framework.
- 4.9 To provide consultee responses on draft Local Plans and associated relevant planning policies.
- 4.10 Members of the Planning Committee should, as good practice, attend planning training and be aware of the Neighbourhood Plan (2017) and the supporting document, Saxilby with Ingleby Character Assessment (2017) in response to applications.

## 5.0 Personnel Committee

- 5.1 To ensure the Council complies with all legislative requirements relating to the employment of staff.
- 5.2 To review on an annual basis, feedback from the Clerk in conjunction with the Council's HR Advisor, on all policies that relate to staff employment and make recommendations via Personnel Committee to Full Council.
- 5.3 To implement and oversee a staff appraisal system that includes a mid-term appraisal and a set of agreed objectives. This would align with a review of staffing structures. These are to be reviewed and signed on agreement by both parties, annually.
- 5.4 To appoint Councillors from the Committee for a recruitment panel and recommend appointments to Full Council. Recruitment panels will normally include three members when interviewing for a Clerk or RFO and two committee members plus the Clerk when recruiting at manager level. Recruitment of other staff will be the delegated responsibility of the Clerk and the relevant manager and will not require Councillor input.
- 5.5 To appoint from Full Council three Councillors for disciplinary or grievance cases, who have had no direct involvement in the matter, as part of the Disciplinary and Grievance Policy.
- 5.6 To appoint the Chair of the Personnel Committee to undertake the Clerk's annual appraisal and mid-term and review the Assistant Clerk's annual appraisal and mid-term. The chair must have relevant experience in or be prepared to receive training in appraisals. The appraisal shall be reported in writing, reviewed by a suitable qualified member of the Personnel Committee and is subject to approval by resolution by the Personnel Committee. In line with 5.3, the Chair, Clerk and Assistant Clerk will sign and agree to appraisals and objectives.
- 5.7 The Personnel Committee Chairman, in conjunction with the Chairman of the Council, shall approve the Clerk's sick leave and annual leave and the Clerk shall approve the Assistant Clerk's sick and annual leave with this ratified retrospectively at the subsequent Personnel Committee meeting.
- 5.8 The Personnel Committee shall not be required to review and approve requests for annual and sick leave for other staff – this will be the responsibility of the respective managers.
- 5.9 To review and recommend to Full Council for approval, pay awards and other conditions of service.
- 5.10 Personnel Committee members should have relevant experience or be prepared to undertake any required training to effectively fulfil their role on this Committee.
- 5.11 Personnel Committee members should not include the Chairman or Vice Chairman of the Council on personnel matters, as they need to remain impartial in case of an escalation of a Personnel related issue.

## **6.0 Emergency Plan Committee**

- 6.1 To approve the notes of the previous Committee meeting.
- 6.2 To develop and review the Emergency Plan for approval by Full Council.
- 6.3 To appoint nominated members of the Committee/officers, as designated in the Plan, to activate the Plan.
- 6.4 In the event of the Plan being triggered Committee members/officers will help mitigate the effects of the emergency on the community, working in conjunction with and under the lead of the emergency organisations.

## **7.0 Play Area Working Group**

- 7.1 To approve the notes of the previous Working Group meeting.
- 7.2 To lead on developing the play area projects in the parish including the Memorial Field and West Croft Drive recreation area.
- 7.3 To undertake public consultation in relation to the project.
- 7.4 To fundraise towards the projects.
- 7.5 To put forward project and funding recommendations to Full Council for consideration.
- 7.6 To provide a regular update to the St Andrew's and Community Committee.

## **8.0 Bridge Street Working Group**

- 8.1 To approve the notes of the previous Working Group meeting.
- 8.2 To undertake public consultation in relation to the project.
- 8.3 To develop a vision and project plan for the area for Council approval.
- 8.4 To fundraise for the project.
- 8.5 To draft funding bids for Full Council approval and submit them.
- 8.6 To manage the project in-line with the project plan to achieve the vision for the area.
- 8.7 To provide a regular update to the St Andrew's and Community Committee.

## 9.0 Multi-Use Games Area (MUGA) Working Group

- 9.1 To approve the notes of the Previous Working Group Meeting.
- 9.2 To undertake relevant community engagement in relation to the project.
- 9.3 To lead on developing the provision of the MUGA in Saxilby including location, size, design and surface.
- 9.4 To fund-raise for the project and draft grant applications, for Full Council approval.
- 9.5 To lead on obtaining planning agreement for the project, with Full Council approval.
- 9.6 To manage the project in-line with the project plan to deliver the project.
- 9.7 To provide a regular update to Full Council.

## 10.0 Review

A review of the Terms of Reference shall be undertaken each year (or as appropriate) and amendments will be undertaken by the Assistant/Clerk and reported to Full Council for approval.

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## REFERENCES

<sup>i</sup> Association of Council Secretaries and Solicitors (2009). *Governance Toolkit for Parish and Town Councils 3<sup>rd</sup> ed.* ACSeS P51. Available online at [www.slcc.co.uk](http://www.slcc.co.uk)

<sup>ii</sup> Tharmarajah, M (NALC) (2013). *Local Councils Explained*, P122. NALC

NALC (2010) *Being a good employer: A guide for parish and town councillors*. NALC. Available online at [www.slcc.co.uk](http://www.slcc.co.uk).